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CALAVERAS COUNCIL
of GOVERNMENTS

MEMORANDUM

TO: Council Members
FROM: Executive Director
DATE: November 29, 2005
SUBJECT: Red-Legged Frog Habitat Report – USFWS Rule

BACKGROUND

On November 3, 2005 the U.S. Fish and Wildlife Service issued proposed rules regarding designation of proposed critical habitat for the California Red-Legged frog. This action was basically a revision of an original designation of critical habitat published in 2001 and modified in 2004.

DISCUSSION

The new proposal contains 737,912 acres, or about 18% of the original 4.1 million acres the Service proposed in April 2004. The Service issued the proposal in 2004 to meet a court-imposed deadline and indicated at the time that it would be releasing a revised proposal.

The proposed habitat units are contained in 23 counties, including Calaveras. See attachment 'A' for the location of the proposed unit in Calaveras County. The area lies west of Highways 12 and 26 and east of Poloma Road near Valley Springs near the town of Poloma. This is a much reduced area compared to the 2001 proposal.

Public comments on the proposed rule will be accepted by U.S. Fish and Wildlife Service until February 1, 2006. Written comments on the proposal should be submitted to the Field Supervisor, Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2800 Cottage Way, Suite W.2605, Sacramento, CA, 95825, or by fax to 916-414-6712. Comments may also be sent by email to fw1crlf@fws.gov.

An interesting aspect of the revision includes a special rule to help ranchers protect California Red-Legged frogs, benefiting the imperiled species by encouraging ranching practices that provide habitat for the frogs. The rule relaxes prohibitions against harming frogs in the course of routine ranching practices that have been shown to help the species, notably maintaining stock ponds that California Red-Legged frogs use as breeding sites. Without the special rule, such incidental harm could technically violate the Endangered Species Act. More detailed information may be found at www.fws.gov/sacramento/default.htm (click on the third item on the center column "*Service releases new proposal for critical habitat for the California Red-Legged frog.*")