

# California Ranchers Revolt as the Feds Set Aside 2-Million Acres for a Frog

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The US government has declared 1.8-million acres of California land (roughly three times the size of Rhode Island) as 'critical habitat' for the Sierra Nevada Yellow-Legged Frog under the Endangered Species Act. A group of California farmers and ranchers, who expect to be regulated out of business by timber and grazing restrictions, are suing the US Fish and Wildlife Service.

Tiny frogs and toads used to swarm over the Sierra Nevada. Now, the government says nearly 2 million acres of land needs to be preserved to prevent them from going extinct.

California ranchers and logging groups say those protections are hurting their ability to make a living. So another conflict over the Endangered Species Act is going to court.

The California Farm Bureau and two ranchers' associations sued the U.S. Fish and Wildlife Service on Monday, challenging a year-old decision to designate more than 1.8 million acres of rural California as "critical habitat" for three species of frogs and toads that are protected by the Endangered Species Act.

Loggers and ranchers who harvest timber or graze cattle on public lands worry the new restrictions on land use will eventually make it more difficult – if not impossible – to make a living in the Sierra, said Shaun Crook, a Tuolumne County cattle rancher whose family also owns a logging company.

"It has the economic impact of putting you out of business is what that reality could be," said Crook, president of the Tuolumne County Farm Bureau.

Even though the designation was made a year ago, Crook said federal officials haven't yet told him how the protections will affect his cattle, which graze on federal lands. But he said he and other ranchers worry that major tracts of land will be put off limits

or they'll be required to install fencing around protected areas.

The case affects a wide swath of the Sierra Nevada region, from Lassen to Inyo counties. It includes portions of Placer and El Dorado counties. Most of the land is owned by the government and is in designated wilderness areas, where the "highest level of conservation protection" on federal land is required, according to the Fish and Wildlife Service.

The critical habitat designation subjects farmers "to substantial regulatory burdens that impose, among other things, study costs, risk assessments, mitigation fees, operational changes, permit fees, and consulting expenses," said the lawsuit, filed in U.S. District Court in Washington, D.C. "In some cases, these burdens put the rancher's livelihood at risk." The farm groups are represented by the Pacific Legal Foundation, a Sacramento nonprofit that fights for conservative and property-rights causes.

At issue is the fate of the Sierra Nevada yellow-legged frog and mountain yellow-legged frog, named for the yellow on the undersides of their legs and abdomens. The third species is the Yosemite toad, named for the national park where it was first discovered.

Both yellow-legged frogs were listed as "endangered " while the Yosemite toad was listed as "threatened" in 2014 under the Endangered Species Act. Designation of critical habitat is typically the final step in the process of officially listing an animal as endangered.

Farm groups also opposed the 2014 decision, but environmentalists have long-argued that the frogs need extra protections in order to survive.

"Other habitat management, like livestock grazing in some areas, has an impact, and of course climate change and drought can impact them as well," said Jenny Loda, a staff attorney at the Center for Biological Diversity. If land is overgrazed, the vegetation might not hide the frogs from predators, she said.

Loda called the farm groups' lawsuit "a mean-spirited attack against these really vulnerable frogs and the toad."

A spokeswoman for Fish and Wildlife couldn't be reached for comment.

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