



County of Fresno

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August 6, 2013

Public Comments Processing

Attn.: FWS-R8-ES-2012-0100 and FWS-R8-ES-2012-0074

Division of Policy and Directives Management

U.S. Fish and Wildlife Services

4401 N. Fairfax Drive, MS 2042-PDM

Arlington, VA 22203

Re: Designation of Critical Habitat for the Mountain Yellow-legged Frog and Yosemite Toad

To Whom It May Concern:

On behalf of the Fresno County Board of Supervisors, thank you for inviting us to participate in the development of regulations to protect the Mountain Yellow-legged Frog and Yosemite Toad. As indicated in our previous correspondence, (June 8th and June 21st) the County is deeply concerned about potential impacts to our economy and recreational areas in Fresno County with this proposed listing.

Per our previous letters, we request additional information and resource materials be made available to staff and the public. Specifically, high quality electronic maps for the Mountain Yellow-legged Frog: Subunit 3D, 3E, 4A, 4B, 4C and Yosemite Toad: Unit 12, 13, 14, 15 and 16 in Fresno County.

We believe the proposed critical habitat areas have been established prematurely. It appears that proposed areas have been designated based on their potential to host the subject species with no consideration of the designations' impacts to the existing social and cultural landscape of Fresno County. It is irresponsible to advance such a proposal prior to engaging in additional analysis. We believe that the proposed critical habitat areas in Fresno County are overly expansive.

Besides agriculture, there exists in Fresno County important service-related recreation components to our local economy located in the Sierra Nevada foothills and mountains. State Route 168 and 180 in eastern Fresno County are our gateways to the Kings Canyon National Park, and Highway 41 provides an important gateway to Yosemite National Park. The proposed designation of critical habitat has the potential to significantly reduce the scale and viability of Fresno County recreational activities in the mountain areas. The proposed critical habitat has the potential to greatly impact our tourist economy in Fresno County.

From the information available in the Proposed Rule it appears the decline of the species is unavoidably isolated to two primary factors: the introduction of trout, and an infectious fungal

disease to amphibians (chytridiomycosis). We do not understand how the USFWS can make a determination on habitat as the yellow-legged frog is neither currently threatened by taking or other human activity, nor has the County received supporting information that the designation will provide additional benefit to the species. We believe the acreage proposed as critical habitat, especially in subunit 4C Sequoia Kings (166,958 acres) is overreaching. The Proposed Rule indicated that the yellow-legged frog must remain in close proximity to a water source, however it appears that entire watersheds are proposed for designation. While we are unconvinced that the designation of habitat provides any enhanced benefit, should this proposal be effectuated, it must be refined to only realistic habitat. All areas that do not directly contain primary essential elements should be excluded from designation.

In addition to the above comments, Fresno County requests additional information on planned management activities (special management considerations/protections) for land designated in Unit 14 Kaiser/Dusy (175,390 acres) for the Yosemite Toad. The Kaiser Wilderness and Dinky Lakes Wilderness areas proposed for critical habitat are a major recreational destination and a significant component of our Fresno County economy. This area contains the Dusy Ershim Trail, a scenic trail that climbs to 10,000 feet at Thompson Lake. The area also includes numerous U.S. Forest Service trails used extensively for a variety of recreational purposes including off-highway vehicle excursion, hiking, camping, fishing, and cross country skiing. Any management activities of designated critical habitat must be carefully analyzed in light of the recreational and economic benefits this area provides and the impacts such a listing could have on these areas.

We believe mitigation measures can and should be defined and implemented to minimize potential impacts to the species in any critical habitat area while providing for continued access for public safety, grazing and ranching activities, and recreation. It is possible to protect the habitat for these species without severely impacting the economy of our County.

We understand that public hearings and meetings will be scheduled for this project, and we look forward to participating. We request that a field hearing be held in Fresno County and that USFWS staff brief the Board of Supervisors. We would like to help coordinate those hearings/meetings and suggest you contact our County Administrative Office to do so.

Thank you for the opportunity to provide input into this important rulemaking process. If you have questions, please contact the County's Administrative Officer, John Navarrette at (559) 600-1710 or jnavarrette@co.fresno.ca.us.

Sincerely,

Supervisor Henry Perea, Chairman
Fresno County Board of Supervisors

c: Board of Supervisors
County Administrative Officer
Public Works and Planning Director
County Counsel