

**QUESTIONS AND ANSWERS ABOUT THE  
PROPOSAL TO LIST THE CHIRICAHUA LEOPARD FROG**

9/27/00

**Q:** What is being proposed?

**A:** The Fish and Wildlife Service has proposed to list the Chiricahua leopard frog as a threatened species. Designation of critical habitat was found to be not prudent. A special rule is also proposed to exempt operation and maintenance of livestock tanks on non-Federal lands from provisions of the Endangered Species Act that prohibit incidental take of the frogs.

**Q:** Where is the Chiricahua leopard frog found?

**A:** The Chiricahua leopard frog is known to occur at 52 sites in Arizona and 27 in New Mexico. It inhabits ponds, streams, rivers, livestock tanks, and other aquatic sites in southeastern Arizona, extreme southwestern New Mexico (Hidalgo County), and along the Mogollon Rim in central and east-central Arizona southeast into west-central New Mexico. The species has also been found at 12 or 13 sites in Chihuahua, northern Durango, and northern Sonora, Mexico.

**Q:** Why is the Chiricahua leopard frog being proposed for threatened status?

**A:** The Fish and Wildlife Service uses five factors to evaluate the level of threats and to determine whether species are endangered or threatened. These factors include: 1) present or threatened destruction, modification, or curtailment of the species' habitat or range, 2) overutilization for commercial, recreational, scientific, or educational purposes, 3) disease or predation, 4) inadequacy of existing regulatory mechanisms, and 5) other natural or manmade factors affecting the species' continued existence. In this case, the Chiricahua leopard frog is threatened by a variety of factors, including predation by nonnative organisms, especially bullfrogs, fish and crayfish; disease; drought; floods; degradation and destruction of habitat; water diversions and groundwater pumping; disruption of metapopulation dynamics (relationships between populations of frogs); increased chance of extirpation or extinction resulting from small numbers of populations and individuals; and environmental contamination. The Chiricahua leopard frog is apparently absent from 76 and 82 percent of historic localities in Arizona and New Mexico, respectively, and appears to have disappeared from a number of mountain ranges, river drainages, and valleys. The severity and extent of these threats warrant listing the species as threatened.

**Q:** What protection does a species receive under the Endangered Species Act?

**A:** Collection, trade, or transport of endangered species without a permit is illegal. Take (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of listed animals is prohibited. Federal agencies that fund, authorize, or carry out actions that may affect a listed species are required, in consultation with the Fish and Wildlife Service, to ensure that their activities do not jeopardize the continued existence of the species. These protective responsibilities extend to Federal agencies that may fund, authorize, or carry out projects on private lands.

**Q:** If Chiricahua leopard frogs live on my land or my Federal grazing allotment, will it limit what I am permitted to do?

**A:** The prohibitions against take in the Endangered Species Act do not apply to proposed species. If the species is subsequently listed, the Service wants to assure private landowners that ranching, and other activities that do not result in take of Chiricahua leopard frogs would continue to occur unimpeded. Pursuant to a special rule in the proposal, use and maintenance of livestock tanks on non-Federal (private, state, and tribal) lands would be exempt from provisions of the Endangered Species Act that prohibit take of Chiricahua leopard frogs. For other private activities that may result in take, an incidental take permit could be obtained from the Service. For activities on Federal grazing allotments, or for other activities that require a Federal permit, authorization, or monies and may affect the leopard frog, if listed, the involved Federal agency would be required, in consultation with the Fish and Wildlife Service, to ensure that its actions do not jeopardize the continued existence of the species.

**Q:** What activities will not result in violation of the Endangered Species Act for the Chiricahua leopard frog?

**A:** No prohibitions apply to proposed species. If the leopard frog is subsequently listed, examples of actions that would not violate the Endangered Species Act in regard to this species include the following:

(1) Actions that may affect Chiricahua leopard frogs that are authorized, funded or carried out by a Federal agency when the action is conducted in accordance with an incidental take statement issued by us pursuant to section 7 of the Act;

(2) Actions that may result in take of Chiricahua leopard frog when the action is conducted in accordance with a permit under section 10 of the Act;

(3) Recreational activities that do not destroy or significantly degrade occupied habitat, and do not result in take of frogs;

(4) Release, diversion, or withdrawal of water from or near occupied habitat in a manner that does not displace or result in desiccation or death of eggs, tadpoles, or adults; does not disrupt breeding activities of adults; does not favor introduction of nonnative predators; and does not alter vegetation characteristics at or near occupied sites to an extent that exposes the frogs to increased predation;

(5) Logging activities that do not result in erosion or siltation of stream beds and other aquatic habitats occupied by Chiricahua leopard frogs, do not adversely affect water quality, and do not denude shoreline vegetation or terrestrial vegetation in occupied habitat; and

(6) Operation and maintenance of livestock tanks on non-Federal (private, state, and tribal) lands.

**Q:** Is critical habitat being proposed or designated for the Chiricahua leopard frog?

**A:** No. Designation of critical habitat would require listing in the Federal Register the exact localities of the most important leopard frog habitats. The frog is susceptible to a fungal disease that can be unintentionally carried between sites in the mud on vehicle tires, shoes, or other means. Collection and vandalism are also threats. Because publishing maps of frog localities could increase the risk of disease transmission, collection, and vandalism, the Service has found that potential detrimental effects to the frog outweigh any benefits that may accrue from critical habitat designation.

**Q:** The Chiricahua leopard frog is difficult to distinguish from other leopard frog species. How do I know whether a certain population of frogs is protected?

**A:** The Service will assist any person in determining if leopard frogs on their property or potentially affected by an activity are Chiricahua leopard frogs.

**Q:** What is currently being done to conserve or restore Chiricahua leopard frog populations?

**A:** Locally driven Chiricahua leopard frog conservation activities and planning are being conducted by The Nature Conservancy and New Mexico Game and Fish Department on the Mimbres River; ranchers in southeast Arizona's San Bernardino Valley are working with the University of Arizona and San Bernardino National Wildlife Refuge to construct and maintain habitat for frogs; together, the Tonto National Forest, Phoenix Zoo and Arizona Game and Fish Department have captively reared frogs and established or reintroduced populations in the Gentry Creek area; and students at Douglas High School and Douglas Public School District have created award-winning outdoor classrooms for the rearing of leopard frogs. Individually or combined, these conservation efforts could form the nucleus of recovery planning efforts for the frog.

**Q:** Will those frog conservation projects be permitted to continue if the frog is listed as threatened?

**A:** We seek to assist the ongoing conservation projects in evaluating their activities during this proposal period. That way, should the species be listed, conservation activities can be permitted to continue without interruption.

**Q:** Where is this proposal in the listing process?

**A:** In 1991, the Service recognized the vulnerability and threats to the species, designating it as a category 2 candidate species. By 1994, the Service had accumulated enough evidence to propose listing the species (category 1 designation), however development of a listing proposal was precluded by other priorities. A preproposal notification and request for information was sent to local governments, industry representatives, land management agencies, and species experts in June 1994. We have prepared the proposal based upon the best available scientific and commercial information (June 14, 2000, 65 Federal Register 37343). We seek any additional scientific and commercial information upon which to base a final determination due by June 14, 2001. Public hearings are being held on October 10 and 11, 2000, in Silver City, New Mexico, and Bisbee, Arizona. Written comments on the proposal must be received by Field Supervisor, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021 no later than November 13, 2000.

**Q:** Would listing the Chiricahua leopard frog affect the States' sportfish stocking programs?

**A:** With few exceptions, the Chiricahua leopard frog occurs today in livestock tanks and small streams and springs that are not stocked or managed by state game and fish agencies as sport fisheries. State fish hatcheries and stocking programs are supplemented by federal tax revenues distributed by the Service. Should the frog be listed and sportfish stocking proposed for one of the few areas where the frog still exists, the Service would have to consult on the effects of sportfish stocking to the species.