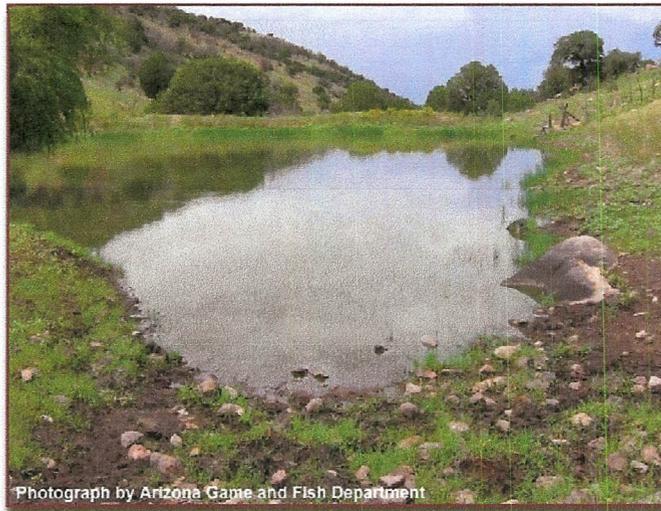


**DRAFT ENVIRONMENTAL ASSESSMENT**  
**for the**  
**DESIGNATION OF CRITICAL HABITAT**  
**for the**  
**CHIRICAHUA LEOPARD FROG**



Prepared by Mangi Environmental Group  
For the  
Department of Interior  
U.S. Fish & Wildlife Service

In ponds proposed as critical habitat, most of which are impoundments for watering cattle or other livestock, proposed critical habitat extends for 20 ft (6.1 m) beyond the high water line or to the boundary of the riparian and upland vegetation edge, whichever is greatest. The frogs are commonly found foraging and basking within 20 feet of the shoreline of tanks. In addition, proposed critical habitat extends upstream from ponds from the extent of the boundary for 328 ft (100 m) from the high water line. The proposed critical habitat extends to 328 ft (100 m) upstream because there is often a riparian drainage coming into the tank, and the frogs are likely moving along those drainages. Also, the high water line is defined as that water level which, if exceeded, results in overflow of the pond. In most cases, this is the elevation of the spillway in livestock impoundments.

**TABLE 1. Proposed critical habitat units for the Chiricahua leopard frog**

[Area estimates reflect all land within critical habitat unit boundaries. Note that grazing allotments are not considered in private ownership.]

Critical Habitat Unit	Land Ownership by Type Acres (Hectares)			Size of Unit in Acres (Hectares)	Currently Occupied?
	Federal	State	Private		
(1) Twin Tanks and Ox Frame Tank	0	1.3 (0.5)	0.4 (0.2)	1.7 (0.7)	Yes
(2) Garcia Tank	0.7 (0.3)	0	0	0.7 (0.3)	Yes
(3) Buenos Aires NWR Central Tanks	1,720 (696)	0	0	1,720 (696)	Yes
(4) Bonita, Upper Turner, and Mojonera Tanks	201 (81)	0	0	201 (81)	Yes
(5) Sycamore Canyon	262 (106)	0	7 (3)	268 (108)	Yes
(6) Peña Blanca Lake and Spring and Associated Tanks	202 (82)	0	0	202 (82)	Yes
(7) Florida Canyon	4 (2)	0	0	4 (2)	Yes
(8) Eastern Slope of the Santa Rita Mountains	172 (70)	0	14 (6)	186 (75)	Yes
(9) Las Cienegas National Conservation Area	1,235 (500)	186 (75)	0	1,420 (575)	Yes
(10) Pasture 9 Tank	0	0	0.5 (0.2)	0.5 (0.2)	Yes
(11) Scotia Canyon	70 (29)	0	0	70 (29)	Yes

(12) Beatty's Guest Ranch	0	0	10 (4)	10 (4)	Yes
(13) Carr Barn Pond	0.6 (0.3)	0	0	0.6 (0.3)	No
(14) Ramsey and Brown Canyons	58 (24)	0	65 (26)	123 (50)	Yes
(15) High Lonesome Well	0	0	0.4 (0.2)	0.4 (0.2)	Yes
(16) Peloncillo Mountains	366 (148)	0	289 (117)	655 (265)	Yes
(17) Cave Creek	234 (95)	0	92 (37)	326 (132)	No
(18) Leslie Creek	26 (11)	0	0	26 (11)	Yes
(19) Rosewood and North Tanks	0	78 (31)	19 (8)	97 (39)	Yes
(20) Deer Creek	17 (7)	69 (28)	34 (14)	120 (48)	Yes
(21) Oak Spring and Oak Creek	27 (11)	0	0	27 (11)	Yes
(22) Dragoon Mountains	74 (30)	0	0	74 (30)	Yes
(23) Buckskin Hills	232 (94)	0	0	232 (94)	Yes
(24) Crouch, Gentry, and Cherry Creeks, and Parallel Canyon	334 (135)	64 (26)	6 (3)	404 (163)	Yes
(25) Ellison and Lewis Creeks	83 (34)	0	15 (6)	99 (40)	Yes
(26) Concho Bill and Deer Creek	17 (7)	0	0	17 (7)	Yes
(27) Campbell Blue and Coleman Creeks	174 (70)	0	0	174 (70)	Yes
(28) Tularosa River	335 (135)	0	1,575 (637)	1,910 (772)	Yes
(29) Deep Creek Divide Area	408 (165)	0	102 (41)	510 (206)	Yes
(30) Main Diamond Creek	14 (6)	0	40 (16)	54 (22)	Yes
(31) Beaver Creek	132 (54)	0	25 (10)	157 (64)	Yes
(32) Left Prong of Dix Creek	13 (5)	0	0	13 (5)	Yes
(33) Rattlesnake Pasture Tank and Associated Tanks	59 (24)	0	0	59 (24)	Yes
(34) Coal Creek	7 (3)	0	0	7 (3)	Yes
(35) Blue Creek	24 (10)	0	12 (5)	37 (15)	Yes
(36) Seco Creek	66 (27)	0	610 (247)	676 (273)	Yes

(37) Alamosa Warm Springs	0.2 (0.1)	25 (10)	54 (22)	79 (32)	Yes
(38) Cuchillo Negro Warm Springs and Creek	3 (1)	3 (1)	23 (9)	28 (12)	Yes
(39) Ash and Bolton Springs	0	0	49 (20)	49 (20)	Yes
(40) Mimbres River	0	0	1,097 (444)	1,097 (444)	Yes
(41) Kerr Canyon	19 (8)	0	6 (2)	25 (10)	Uncertain
(42) West Fork Gila River	177 (72)	0	0	177(72)	Yes
(43) South Fork Palomas Creek	23 (9)	0	106 (43)	129 (52)	Yes
<b>Total</b>	<b>6,790 (2,750)</b>	<b>426 (173)</b>	<b>4,251 (1,721)</b>	<b>11,466 (4,644)</b>	

Note: Area sizes may not sum due to rounding.

## 2.4 Alternative B—Critical Habitat Designation with Exclusion Areas

Alternative B includes the areas included in Alternative A, minus the following areas that would be wholly or partially excluded based on considerations outlined in section 4(b)(2) of the Act, and described below for each unit. The exclusions are associated with the following conservation programs:

- Arizona Game and Fish Department Safe Harbor Agreement
- Malpai Borderlands Group Safe Harbor Agreement
- Malpai Borderlands Group Habitat Conservation Plan
- Established conservation easements

Table 2 below provides approximate areas (1,647 ac (667 ha)) of lands that meet the definition of critical habitat but for which the Service is considering possible exclusions under section 4(b)(2) of the Act from the final critical habitat rule. Detailed descriptions of the reasons for proposed exclusion for each unit are found in the proposed designation (76 FR 14126).

**TABLE 2. Exemptions and areas considered for exclusion by critical habitat unit, based on section 4(b)(2) of the Endangered Species Act**

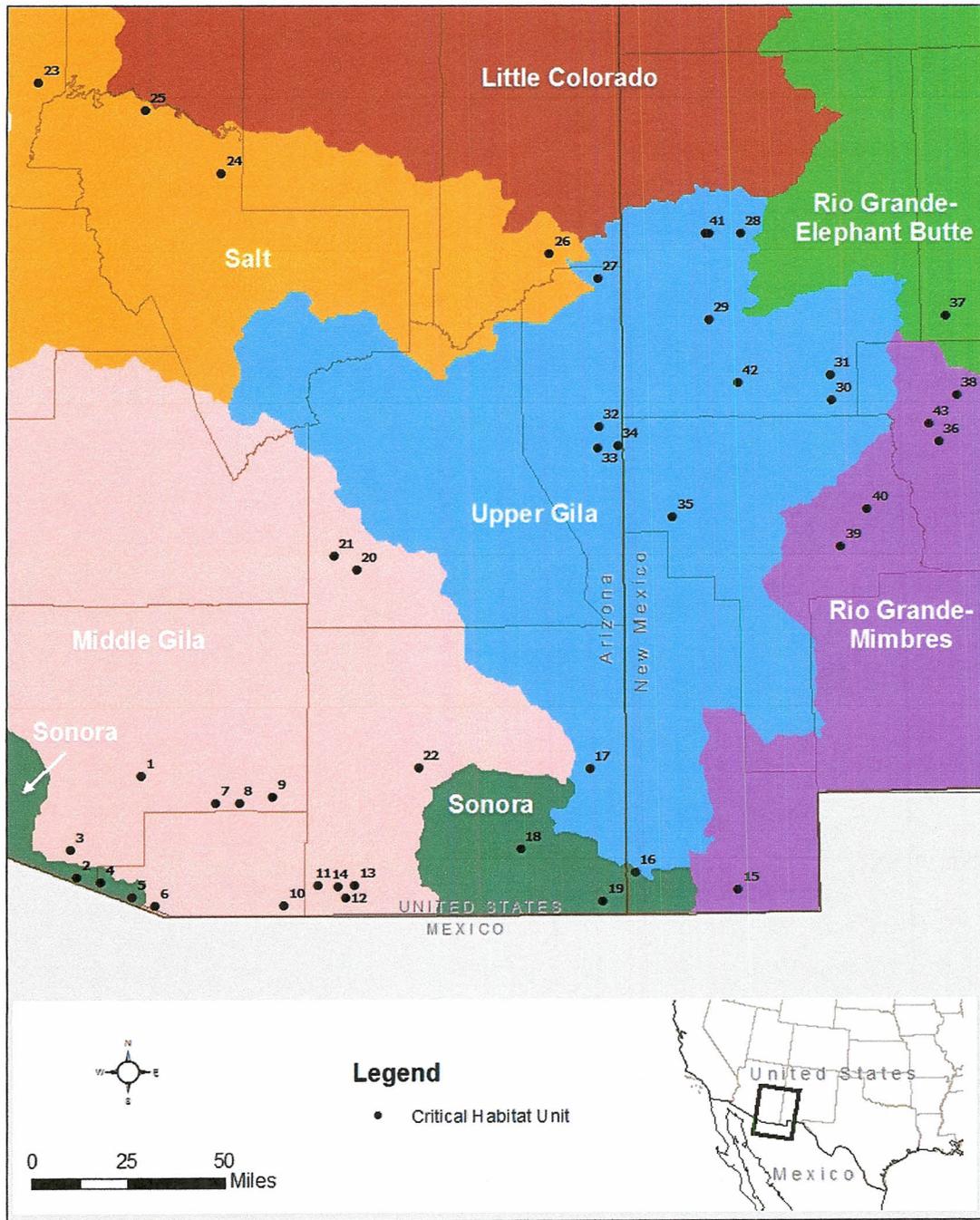
<b>Unit</b>	<b>Specific Area to be Considered for Exclusion</b>	<b>Area Meeting the Definition of Critical Habitat in the Unit (Acres (Hectares))</b>	<b>Possible Exclusion in Acres (Hectares)</b>
10	Pasture 9 Tank	0.5 (0.2)	0.5 (0.2)
12	Beatty's Guest Ranch	10 (4)	10 (4)
14	Ramsey Canyon Preserve	123 (50)	16 (6)
16	Canoncito Ranch	655 (265)	289 (117)
17	Southwest Research Station	326 (132)	92 (37)
19	Magoffin Ranch	97 (39)	97 (39)
36	Ladder Ranch	676 (273)	610 (247)
38	Ladder Ranch	28 (12)	23 (9)
40	Mimbres River Preserve	1,097 (444)	510 (206)
43	Ladder Ranch	23 (9)	106 (43)
<b>Totals</b>		<b>3,036 (1,229)</b>	<b>1,753 (710)</b>

## **2.5 Alternatives Considered but Dismissed from Further Analysis**

### **2.5.1 Development of Conservation Agreements**

The development of conservation agreements with agencies and private landowners to gain similar protection to that afforded by designation of critical habitat would preclude the need to designate critical habitat. Such conservation agreements would have to be negotiated with numerous federal and state agencies, local governments, Native American Tribes, and private landowners in two states, and conservation efforts would have to be implemented or in progress. The development of a multistate, multiagency, multi-watershed conservation agreement(s) involving a large number of private landowners would be difficult to develop, costly to implement, and subject to litigation. No such efforts were underway during the 2011 proposed rule development nor are any proposed in the foreseeable future. It is unlikely that such a

### Chiricahua Leopard Frog Critical Habitat--Watershed Subbasin Map



**Figure 3. Watershed Subbasins with Proposed Critical Habitat Units**