

Congress of the United States
Washington, DC 20515

February 1, 2022

Martha Williams
Principal Deputy Director
United States Fish and Wildlife Service
1849 C Street NW, Room 3331
Washington, DC 20240

Dear Principal Deputy Director Williams,

We write regarding the U.S. Fish and Wildlife Service's (FWS) proposal to list the South Sierra and South Coast distinct population segments (DPS) of the foothill-yellow legged frog as endangered species and the North Feather and Central Coast DPSs as threatened species. We request you extend the comment period by no less than 90 days to ensure that public input is maximized and the effects of this proposal are fully understood.

The proposed rule raises questions as to the necessity of listing the species. For example, FWS admits "there has not been any rangewide occupancy or population abundance survey efforts for the species", noting that the South Sierra DPS's "exact abundances are largely unknown" and the South Coast DPS has "the lowest population of *presumed* occupied segments, followed by the South Sierra DPS" (emphasis added). The Federal Register notice also states, "there are large regions...in the southern half of the species' range...that have not had any reported observations of foothill yellow-legged frogs for two or more decades." Rather than making presumptions and relying upon extrapolating findings from prior limited surveys, we believe listings would be premature until comprehensive range occupancy studies are conducted by FWS.

While the proposed rule does not yet specify potential critical habitat designations, the population segments illustrated in the proposed rule span a significant portion of private, state, and federal land in California. Critical habitat designations associated with these listings could cause severe restrictions on land access and could limit or forbid activities such as agriculture, timber harvesting, mining, development, and recreational use, resulting in a devastating impact on local economies.

After a year of severe drought and catastrophic wildfires, we are concerned these listings could restrict federal land management and water infrastructure and hydrologic activities. It is imperative that FWS evaluate these implications, along with economic information and local input, before moving forward with this proposal.

Moreover, as noted in the Species Status Assessment Report accompanying the proposed rule, yellow-legged frogs are already afforded protections under the California Endangered Species Act and several federal and state management plans. FWS should consider these protections before listing these species and designating new critical habitat.

Because of the far-reaching and damaging effects these listings would have on local economies and communities, it is imperative that you allow for maximum public input before moving forward. There are only 41 business days, excluding federal holidays, from the time the proposed rule was published in the Federal Register to the February 28th comment deadline. Local communities deserve more time to understand the impact of the proposed rule and formulate feedback accordingly.

We appreciate your consideration of our request and look forward to hearing from you.

Sincerely,



Tom McClintock



David Valadao



Darrell Issa



Michelle Steel



Jay Obernolte



Kevin McCarthy
House Republican Leader



Doug LaMalfa



Ken Calvert



Young Kim