



## Questions and Answers: 90-day Finding on Petition to List the Western Population of the Northern Leopard Frog

Arizona Ecological Services Field Office

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**Q: What is the northern leopard frog?**

**A:** The northern leopard frog is a smooth-skinned green, brown, or sometimes yellow-green frog covered with large, oval dark spots, each of which is surrounded by a lighter halo. Adult body lengths range from 2 to 4.5 inches.

**Q: What habitat does the northern leopard frog occupy?**

**A:** The northern leopard frog requires a mosaic of habitats to meet the requirements of all of its life stages. It breeds in a variety of aquatic habitats that include slow-moving or still water along streams and rivers, wetlands, permanent or temporary pools, beaver ponds, and human-constructed habitats such as earthen stock tanks and borrow pits. Subadult northern leopard frogs typically migrate to feeding sites along the borders of larger, more permanent bodies of water and recently metamorphosed frogs will move up and down drainages and across land in an effort to locate new breeding areas.

**Q: Where is the northern leopard frog found and what is the “western population”?**

**A:** The northern leopard frog range includes the northern tier U.S. states, western states and the southern Canadian provinces. The petition to list the western population of the northern leopard frog seeks to protect frogs in 19 western states (Arizona, California, Colorado, Idaho, Iowa, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming). The northern leopard frog is now considered uncommon in a large portion of its range in the western United States, and declines of the species have been documented in most western states. The range of the western population extends into the Canadian provinces of British Columbia, Alberta, Manitoba, southern Northwest Territories, Saskatchewan and western Ontario.

**Q: How do the western and eastern populations of the northern leopard frog differ?**

**A:** The petition provides substantial information suggesting that the western U.S. population is genetically distinct from the eastern northern leopard frog. The western population in the U.S. occurs west of the Mississippi River and Great Lakes. However, we are seeking additional information to resolve questions regarding the genetic separation of the two populations in Wisconsin.

**Q: What has the Service been petitioned to do?**

**A:** In June 2006, the Center for Native Ecosystems and seven other environmental organizations sent a petition to add the western population of the northern leopard as a distinct population segment (DPS) to the list of species protected under the Endangered Species Act. Under the Endangered Species Act, animal populations that are discrete, significant and threatened can be considered for protection as a DPS. The Service delayed responding to the petition while responding to court orders and settlement agreements for listing actions for other species and listing efforts for species in need of more immediate protection.

**Q: Once petitioned to list a species as endangered or threatened, how does the Service arrive at a listing determination?**

**A:** First, the Service evaluates the petition to determine whether it presents substantial scientific information indicating that listing under the Endangered Species Act (Act) may be warranted (commonly known as a 90-day finding). The petition finding does not mean that the Service has decided it is appropriate to give the leopard frog federal protection under the Act. Rather, this finding is the first step in a long process that triggers a more thorough review of all the biological information available.

If a petition presents substantial information – as is the case for the petition to list the western population of the northern leopard frog – we initiate a 12-month status review of the species to determine whether to propose adding the species to the federal lists of endangered and threatened wildlife and plants.

Based on the status review, we will make one of three possible determinations:

- 1) Listing is not warranted, in which case no further action will be taken.
- 2) Listing as threatened or endangered is warranted. In this case, the Service will publish a proposal to list, solicit independent scientific peer review of the proposal, seek input from the public, and consider the input before a final decision about listing the species is made. In general, there is a one-year period between the time a species listing is proposed and the final decision.
- 3) Listing is warranted but precluded by other, higher priority activities. This means the species is added to the federal list of candidate species, and the proposal to list is deferred while the Service works on listing proposals for other species that are at greater risk of extinction. A warranted but precluded finding requires subsequent annual reviews of the finding until such time as either a listing proposal is published, or a not warranted finding is made based on new information.

**Q: What is the Service's 90-day finding on the petition to list western population of the northern leopard frog?**

**A:** We found that the petition to list the western northern leopard frog population provides substantial information indicating that it may warrant protection as a distinct population segment. We have initiated a status review to gather and further consider the best available scientific and commercial information to evaluate whether the population meets the requirements of a DPS and determine whether the population warrants protection under the Endangered Species Act.

**Q: What information is being sought for the status review?**

**A:** We are now seeking scientific information on the historical and current status and distribution of the northern leopard frog; its biology and ecology; its taxonomy (particularly genetics of western U.S., Wisconsin and Canada populations); ongoing conservation measures for the species and its habitat; and threats to the species and its habitat. If listing the northern leopard frog is warranted, the Service intends to propose critical habitat to the maximum extent prudent and determinable and therefore also requests information on what may constitute physical or biological features essential to the conservation of the species, where these features are currently found, whether any of these features may require special management considerations or protection, and whether there are areas outside the geographical area occupied by the species that are essential to the conservation of the species.

**Q: What are the threats to the western population of the northern leopard frog?**

**A:** The petitioners presented substantial information that the current distribution of western population of the northern leopard frog is much reduced from its historical distribution and that local extirpations have occurred due to the following threats:

- Destruction, Modification or Curtailment of Habitat or Range
  - Improper livestock grazing, although frogs may be able to persist with well-managed livestock grazing
  - Urban development
  - Agricultural development
  - Oil and gas development
  - Roads
  - Groundwater depletion
  - Timber harvest
  - Nonnative plants and animals degrading habitat, and
  - Acid precipitation and acidification of aquatic habitats.
- Disease or Predation
  - Fungal, viral and bacterial diseases – particularly the spread of fungal chytridiomycosis, and
  - Predation by nonnative fishes and other introduced aquatic invasive species (bullfrogs and crayfish).
- Inadequacy of Existing Regulatory Mechanisms
  - Inadequate enforcement of laws/regulations protecting water quality, and
  - Inadequate ability of state laws/regulations to protect aquatic habitat.
- Other Factors
  - Malformation of frogs (monitored by academic and large groups of citizens/students), and
  - Climate change effects to aquatic habitats.

**Q: Are there currently efforts to conserve this population?**

**A:** Since 1999, the Service, U.S. Geological Survey, U.S. Forest Service and many state game and fish agencies have been monitoring the northern leopard frog, protecting and restoring aquatic habitat in some locations, translocating frogs to restore some populations, and eliminating nonnative competitors and predators in some areas. Citizen scientists (schools and local citizens), in the Midwest particularly, are monitoring northern leopard frog deformities. The northern leopard frog is designated as a “species of concern” or “sensitive species” in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico and Oregon, requiring a permit for the capture of northern leopard frogs. In 1999, the species was listed as “endangered” in/by Washington State.

**Q: How can information be submitted for the status review?**

**A:** We always welcome information regarding species' status and threats, however, to be considered for this status review, scientific information will be accepted until August 31, 2009, and can be submitted electronically via the Federal eRulemaking Portal at: <http://www.regulations.gov>, or can be mailed or hand delivered to Public Comments Processing, Attn: FWS-R2-ES-2009-0030; Division of Policy and Directives Management; U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

Additional information regarding the status assessment is available by contacting Shaula Hedwall at (928) 226-0614 x103.