

QUESTION 6

Do critical habitat designations have any effect on your ability to meet basic services?

Yes – 44 percent (11 out of 25 surveys)

No – 52 percent (13 out of 25 surveys)

Not Applicable – 4 percent (1 out of 25 surveys)

QUESTION 7

Have you made any modifications to your environmental review or land use planning and approval processes as a result of critical habitat designations?

Yes – 56 percent (14 out of 25 surveys)

No – 44 percent (11 out of 25 surveys)

If yes, please describe what changes have been made.

Establishment and/or expansion of environmental review

- Additional consultations
- Additional mitigation
- Changes in land use and zoning
- Additional surveys
- New checklists and standards
- New checklists and standards

The California Natural Resources Group (**CNRG**) is a diverse group of stakeholders concerned about the current, broad-sweeping application of the [Endangered Species Act](#) (ESA) - including critical habitat designations - in California. Comprised of local government and public agencies, labor, business, agriculture, forestry, mining, housing and development interests, CNRG is working to craft balanced solutions to the environmental and human issues facing California.

CNRG's Mission is to ensure that the U.S. Fish & Wildlife Services and the National Marine Fisheries Service comply with the letter and spirit of the Endangered Species Act, so that species are appropriately protected and human and economic impacts are fully assessed, accurately accounted for, and properly addressed.

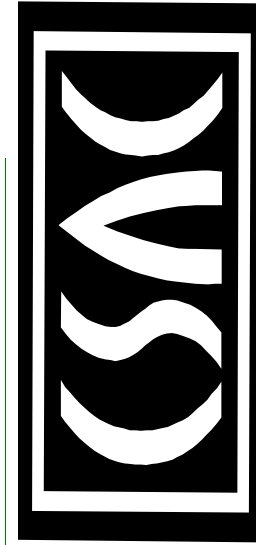
The issue of critical habitat surfaced as a major environmental issue in California in 2001. The designation of over 4 million acres as critical habitat for the California red-legged frog is just one example of why this issue gained such notoriety this past year.

As defined, critical habitat is the specific areas that have been found to be essential to the conservation of a federally listed species, and which may require special management considerations or protections. Critical habitat is determined using the best available scientific and commercial information about the physical and biological needs of the species.

In California, critical habitat designations have given the federal government regulatory jurisdiction over millions of acres of private and public lands. The California Natural Resources Group estimates that over 42 million acres are classified as critical habitat. To place that amount into perspective, the entire land area of California is 100 million acres. This means that the U.S. Fish and Wildlife Service and the National Marine Fisheries Service has become the ultimate land use planning authority over much of the state.

In order to determine the affect critical habitat designations are having on California counties, CSAC conducted a survey of county public works directors on this important land use and environmental issue. CSAC appreciates those counties that participated in this important survey.

This report summarizes the results of the 25 Critical Habitat Surveys returned to CSAC. For further information regarding critical habitat issues, please contact Karen Keene at 916-327-7500 or visit the California Natural Resources Group web site at www.cnrgonline.com.



**CALIFORNIA
STATE
ASSOCIATION
OF
COUNTIES**

CRITICAL HABITAT SURVEY

2002

*In cooperation with the
California Natural Resources Group*

www.cnrgonline.com

QUESTION 1

Has any critical habitat been designated in your county?

22 of the 25 counties that submitted surveys identified having critical habitat.

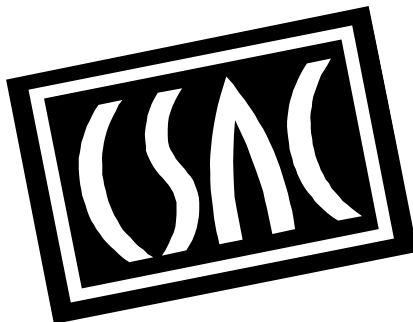
If yes, for what species:

California Red-Legged Frog
Steelhead Trout
Morro Shoulderband Snail
Least Bell's Vireo
Santa Ana Woolly Star
San Bernardino Kangaroo Rat
Desert Tortoise
California Gnatcatcher
Southwestern Arroyo Toad
Southwestern Willow Flycatcher
Western Snowy Plover
California Tiger Salamander
Riverside Fairy Shrimp
Palos Verdes Blue Butterfly
California Condor
Giant Garter Snake
Vernal Pool Fairy Shrimp
Bighorn Sheep
Chinook Salmon
Coho Salmon
Alameda Whipsnake
Marbled Murrelet
Bay Checkerspot Butterfly
Large flowered Fiddleneck
California Condor
Tidewater Goby
Swainson Hawk
California Splittail
Aleutian Canada Goose
Valley Elderberry Longhorn Beetle
San Joaquin Valley Kit Fox
Northern Spotted Owl

QUESTION 2

How much acreage in your county has been identified as critical habitat for threatened and endangered species?

Survey answers ranged from 11,672 acres for a county affected by two species to over a million acres. In addition, a number of survey responses simply stated "large" or "most forest lands" and in one instance "60% of the county."



QUESTION 3

Do the critical habitat designations accurately reflect the location of the endangered species and its habitat in your county?

Yes – 28 percent (7 out of 25 Surveys)

No – 52 percent (13 out of 25 surveys)

Unknown/Not Applicable – 20 percent (5 out of 25 surveys)

QUESTION 4

Was a lawsuit the reason for critical habitat to be designated for the species in question?

Yes – 40 percent (10 out of 25 surveys)

No – 16 percent (4 out of 25 surveys)

Unknown/Not Applicable
44 percent (11 out of 25 surveys)

If yes, do you know what organization(s) initiated the lawsuit?

Earth Justice Legal Defense Fund
Center for Biological Diversity
Sierra Club
Public Employees
for Environmental Responsibility

QUESTION 5

Have critical habitat designations affected any of your county's projects?

Yes – 72 percent (18 out of 25 surveys)

No – 24 percent (6 out of 25 surveys)

Not Applicable – 4 percent (1 out of 25 surveys)

If yes, please describe the type of project and what affect the designation has had on the project (e.g. delay, re-consultation with a federal agency, additional mitigation, relocation of projects)

Flood Control Projects
New Road and Bridge Construction
Bridge Replacement and Retrofit
Sewer Line and Pipeline Construction
Widening of Existing Roads and Highways
Wastewater Treatment Plant
Hazard Tree Removal
Culvert Maintenance and Slough Dredging

The affect critical habitat designations had on projects included:

Projects are more costly to design and construct because of necessary mitigation measures, consultations with regulatory agencies, realignment and redesigns, and associated delays.

One survey stated:

“Formerly routine road and flood control maintenance projects now require extensive and time consuming federal agency consultations which have resulted in project delays of over one year. In several cases the general public has been put delays in flood control channel maintenance resulted in damage to a levee and flooding of adjacent properties.”

