

## Appeals court upholds critical La. habitat for endangered frog



This gopher frog was photographed at the Audubon Zoo in New Orleans on Sept. 27, 2011. (Gerald Herbert, The Associated Press)

By [The Associated Press](#)

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NEW ORLEANS (AP) — A federal appeals court has rejected a Louisiana landowner's attempt to keep the federal government from listing some of his timberland as essential for the future of an endangered frog.

The 2-1 decision upheld a district court ruling that the U.S. Fish and Wildlife Service was within the law in declaring 1,544 acres in Louisiana as critical habitat for dusky gopher frogs. The species is currently found only in Mississippi.



More than 170 acres in southern Mississippi will be protected from development to help the endangered dusky gopher frog, which has been the subject of controversy and legal action involving landowners in St. Tammany Parish, the Center for Biological Diversity said Thursday (May 14). The organization - along with the Mississippi Chapter of the Sierra Club, Gulf Restoration Network, Land...

The opinion says the agency acted within two environmental laws and the Constitution.

A strongly worded dissent says the majority ruling could let the agency designate virtually any place in the country as critical habitat if the habitat could be changed to make it friendly to an endangered species.



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