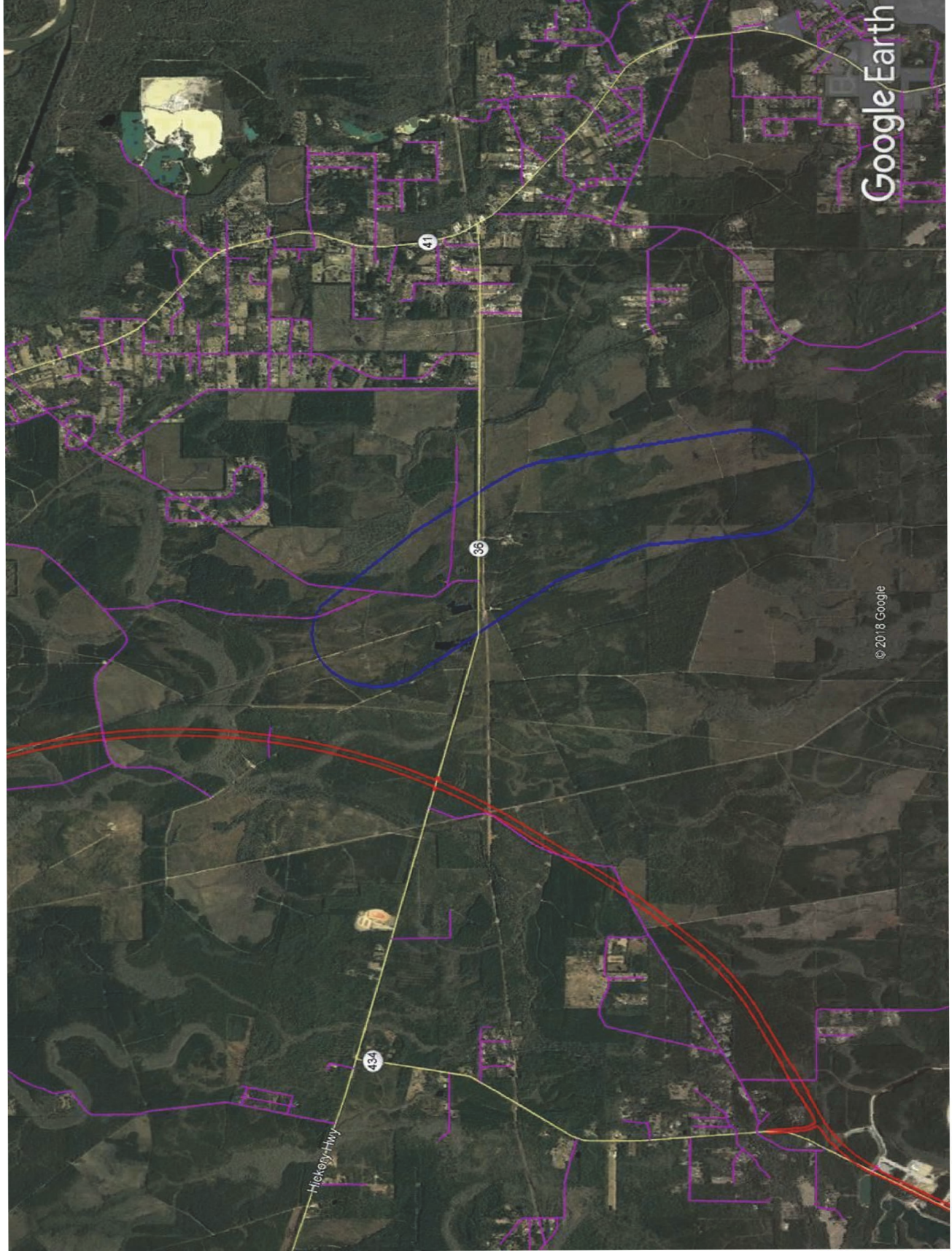


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ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-3274

COUNCIL SPONSOR: STEFANCIK

PROVIDED BY: COUNCIL ATTORNEY

A RESOLUTION OPPOSING THE DESIGNATION OF 1649 ACRES OF PRIVATE LAND IN ST. TAMMANY PARISH AS CRITICAL HABITAT FOR THE MISSISSIPPI GOPHER FROG BY THE U.S. FISH AND WILDLIFE SERVICE.

WHEREAS, St. Tammany Parish has a vital interest in the health, safety, economy and welfare of its citizens and issues that directly impact residents within its boundaries; and

WHEREAS, the U.S. Fish and Wildlife Service, through rule-making published in the Federal Register, Vol. 76, No. 187, on Tuesday, September 27, 2011, has proposed designating 1649 acres of private land in St. Tammany Parish located north and south of State Hwy. 36, approximately 3.1 km (1.9 mi) west of State Hwy. 41 and the town of Hickory, Louisiana, as critical habitat for the Mississippi Gopher Frog, where the U.S. Fish and Wildlife Service has concluded the Mississippi Gopher Frog has not been sited since 1965, which was many years before the enactment of the U.S. Endangered Species Act; and

WHEREAS, critical habitat as described by the U.S. Fish and Wildlife Service consisting of fire-maintained Long-Leaf Pine does not exist within the proposed site

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which is currently managed for timber cultivation and harvesting; the silviculture activities used to maintain the lands for timber cultivation will not permit the habitat to exist; and there is hardwood surrounding the ponds identified by the U.S. Fish and Wildlife Service in the proposed rule-making, which shades the ponds that will prevent the Mississippi Gopher Frog from surviving, as sunlight is necessary for their survival; and

WHEREAS, the proposed site after extensive comprehensive planning, has been zoned by St. Tammany Parish for future development in this area that is favorable for human habitation as it is safe from hurricane flood inundation as experienced in other areas during Hurricane Katrina, will provide traditional neighborhoods with open space and housing for residents of St. Tammany Parish, and the designation of the lands as critical habitat may remove the site from commerce and have an adverse economic impact of more than \$ 36.2 million dollars, most of which will adversely impact small businesses and families in St. Tammany Parish, including an adverse impact on the tax revenues to St. Tammany Parish due to lost taxes on undeveloped land, which is inadvisable in this time of National and International economic turmoil; and

WHEREAS, the proposed site contains a portion of Highway 36 which is a critical east-west transportation route in St. Tammany Parish and by the use of frequent fires necessary to maintain the habitat would create a public safety issue; and

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WHEREAS, the St. Tammany Parish Council understands that the 1649 acres are not essential for survival of the Mississippi Gopher Frog and are some 47 miles from nearest colony in Mississippi, and the U.S. Fish and Wildlife Service cannot re-create the non-existent critical habitat for the Mississippi Gopher Frog or locate colonies of the Mississippi Gopher Frog on the lands, and the landowner does not intend to re-create or locate colonies of the Mississippi Gopher Frog on the lands; and

WHEREAS, the U.S. Fish and Wildlife Service has not performed a population analysis to determine if the Mississippi Gopher Frog population can/cannot regenerate, as required by the U.S. Endangered Species Act, and pertinent regulations thereunder, and there is no showing that the 1649 acres are essential to the survival of the Mississippi Gopher Frog, and there are many acres of other lands in the proposed rule-making which are federal lands and therefore ideal for such designation; and

WHEREAS, the 1649 acres in question do not have critical habitat characteristics and the U.S. Fish and Wildlife Service has not shown proof that the lands are required for survival of the Mississippi Gopher Frog, and therefore its conclusions are unsupported by facts insofar as concerns these lands.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the St. Tammany Parish Council officially opposes the designation of the proposed 1649 acres of private land in St. Tammany Parish, located

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north and south of State Hwy. 36, approximately 3.1 km (1.9 mi) west of State Hwy. 41 and the town of Hickory, Louisiana, located within its boundaries, as critical habitat for the Mississippi Gopher Frog, as proposed in the rule-making published in the Federal Register, Vol. 76, No. 187, on Tuesday, September 27, 2011.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: STEFANCIK

SECONDED BY: BELLISARIO

YEAS: DEAN, THOMPSON, FALCONER, GOULD, HAMAUEI, CANULETTE, BELLISARIO, BILLIOT, STEFANCIK, BINDER, ARTIGUE (11)

NAYS: (0)

AB STAIN: (0)

ABSENT: COOPER, HOWELL, BURKHALTER
(3)

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 3 DAY OF *NOVEMBER*, 2011, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

/s/ Marty Gould
MARTIN W. GOULD, JR.,
COUNCIL CHAIRMAN

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ATTEST:

/s/ Theresa L. Ford
THERESA L. FORD,
COUNCIL CLERK

“CERTIFIED TRUE COPY”

/s/ THERESA L. FORD
CLERK OF COUNCIL
