

American Society of Mammalogists

ROBERT M. TIMM, President
Department of Ecology & Evolutionary Biology
University of Kansas Natural History Museum
Dyche Hall, 1345 Jayhawk Blvd
Lawrence, KS 66045-7561
(785) 864-4180 FAX: 864-5335
Email: btimm@ku.edu

SUZANNE B. McLAREN, President-Elect
O'Neil Research Center, Carnegie MNH
5800 Baum Blvd
Pittsburgh, PA 15206-3706
(412) 665-2615 FAX: 665-2751
Email: mclarens@CarnegieMNH.org

NANCY G. SOLOMON, Vice-President
Department of Zoology
Miami University
Oxford, OH 45056
(513) 529-5454 FAX: 529-6900
Email: solomong@muohio.edu



DEEANN M. REEDER, Recording Secretary
Department of Biology
Bucknell University
Lewisburg, PA 17837
(570) 577-1208 FAX: 577-3537
Email: dreeder@bucknell.edu

RONALD A. VAN DEN BUSSCHE, Secretary-Treasurer
Department of Zoology
430 Life Sciences West
Oklahoma State University
Stillwater, OK 74078
(405) 744-5663 FAX: 744-1797
Email: ron.van_den_bussche@okstate.edu

EDWARD J. HESKE, Journal Editor
Illinois Natural History Survey
1816 South Oak Street
Champaign, IL 61820
(217) 244-2173 FAX: 333-4949
Email: eheske@uiuc.edu

27 February 2008

H. Dale Hall, Director
US Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Director Hall:

The American Society of Mammalogists (ASM) is a non-profit, professional scientific and educational society consisting of nearly 4,000 members from all 50 of the United States and 60 other countries worldwide. ASM was founded in 1919 and is the world's oldest and largest organization devoted to the study of mammals. ASM strongly supports the conservation of mammals based on current, sound and accurate scientific knowledge. ASM has a long history of conducting comprehensive reviews of mammalian conservation issues. When appropriate, ASM adopts positions on issues concerning the responsible management of mammals and their habitats based on our extensive scientific expertise. ASM is concerned with continued population declines, weakened protections, lack of recovery, and possible mismanagement of large mammalian carnivores, especially those listed for protection under the Endangered Species Act of 1973.

On 1 October 2007, ASM sent a letter that outlined the position of ASM with respect to jaguar (*Panthera onca*) conservation and recovery in the United States. That letter included a resolution (attached) on jaguar conservation that was unanimously passed at the 87th Annual Meeting of ASM. Our concern focused on jaguars, the largest felid species found in the Western Hemisphere, and requested that the USFWS develop a recovery plan for this species. Subsequent to our letter, the USFWS finalized a determination that a recovery plan for the endangered jaguar would not advance the conservation and recovery of jaguars in the US (US Fish and Wildlife Service 2008). ASM is deeply concerned about the negative impact this determination may have on jaguar conservation and recovery in the northern portion of its range in the United States and Mexico. ASM again requests that the USFWS develop a recovery plan, designate critical habitat in the US, and minimize threats posed by potential barriers to movement of jaguars across the international (US-Mexico) border.

ASM finds flaws with the USFWS's rationale for exemption of the October 2004 Interim Endangered and Threatened Species Recovery Planning Guidance. The Endangered Species Act (ESA) requires the drafting and implementation of recovery plans for species listed as threatened or endangered "unless [the Service] finds such a plan will not promote the conservation of the species" (ESA Section 4(f)(1)). The USFWS indicated on 7 January 2008 that exemption from recovery planning efforts is warranted under Exemption 2 of the 2004 Draft Revised Recovery Planning Guidance document. Exemption 2 states "the species' current and historic ranges occur entirely under the jurisdiction of other countries." This exemption is applied erroneously to the jaguar given available scientific information. The historic range of jaguars included New Mexico, Arizona, Texas, and California, and possibly as far as Louisiana and Colorado (Hoffmeister 1986; Hall 1981—see attached range map, Fig. 1). There is

ample evidence that large portions of New Mexico and Arizona recently supported breeding populations of jaguars. There were at least 61 documented sightings of jaguars (males and females) in the US from 1880–1995 (McCain and Childs 2008). Of the 25 individuals for which sex was determined, 28% were females and 12% of all known jaguars in Arizona were females raising young (McCain and Childs 2008). Since 1996, 4 male jaguars have been documented (Fig. 2) in the US (one resighted 64 times), and none could be classified as transient juveniles (McCain and Childs 2008). Considering the extreme secrecy of jaguars and the current high level of disturbance along the border (i.e., federal and state border control activities including monitoring and enforcement activities, fences already built and under construction, human persecution, etc.), the Borderlands Jaguar Detection Project (McCain and Childs 2008) may be detecting only small numbers of individuals from what actually could be a larger population of males and females in the US. That project only monitors jaguars in southern Arizona, not New Mexico, Texas or California. Additional, unknown numbers of jaguars likely occur in the US and may be regularly traversing the border.

The USFWS has also indicated that exemption from the recovery planning process is warranted under Exemption 3 because "...the species would not benefit from a recovery plan." We believe this is an incorrect conclusion. In fact, the 2006 Interim Revised Recovery Planning Guidance document (Sec. 1.0-2) (USNMFS 2006) states "Species with recovery plans in place for longer time periods show more improvement in status," as found by a 2002 Society for Conservation Biology study (Clark et al 2002). Designation of critical habitat, brought about through ESA recovery plans, has resulted in recovery of listed taxa (Taylor et al. 2005).

Although jaguars were widely distributed in the Western Hemisphere, hunting pressure and habitat destruction have caused their extirpation from much of that range and declining populations elsewhere (Swank and Teer 1989). The jaguar has been a CITES Appendix I species since 1973 and is now considered by IUCN as "Near Threatened" throughout its range. The global range of jaguars has been reduced by approximately 46% from their pre-1900 range (Sanderson et al. 2002). Thus, continued existence of jaguars is precarious throughout most of their range, and the relatively large amount of potential jaguar habitat in the United States could be important to the species as a whole. ASM urges that USFWS revisit its "Exemption 3" conclusion. Further, ASM does not believe that it is appropriate or ethical for the United States to abandon its responsibilities and leadership role in jaguar conservation and expect other countries (all with fewer economic resources) in the range of the jaguar to conserve this species. **The United States must lead by example to conserve and recover jaguars in the US and at the same time** work collaboratively with other countries also within the range of the jaguar, especially Mexico.

The ESA states that the development and implementation of recovery plans should "give priority to those endangered species...that are, or may be, in conflict with construction or other development projects..." (ESA Sec. 4(f)(1)(A)). The Secure Fence Act of 2006 lays out an extensive construction project consisting of fences and walls across the international border between Mexico and the United States in regions where jaguars likely cross the border. A border fence/wall would severely disrupt these movements, further fragmenting a key population in the northern part of its range. Drafting a recovery plan for this endangered species would encourage the USFWS to work much more closely with Mexico to address the impacts of an international border fence and other activities on the survival of jaguars.

The American Society of Mammalogists urges the USFWS to reconsider its recent decision to take no action with regard to drafting a recovery plan for the jaguar. We feel it will be necessary for the USFWS to develop a recovery plan and designate critical habitat in the US, as required by law under the Endangered Species Act of 1973 in order to ensure conservation and recovery of this highly endangered taxon within its recent historical range in the US. ASM also urges that the USFWS work as closely as needed with Mexico and other Latin American countries to conserve and recover the jaguar in the US and in other suitable locations. ASM stands ready to provide our expertise on this issue if desired. Please do not hesitate to contact us.

Respectfully yours,

Dr. Robert M. Timm, President
American Society of Mammalogists

Literature Cited

Clark, J. A., J. M. Hoekstra, P. D. Boersma, and P. Kareiva. 2002. Improving U.S. Endangered Species Act Recovery Plans: key findings and recommendations of the SCB recovery plan project. Final report to the USFWS, Washington, DC, March 2002.

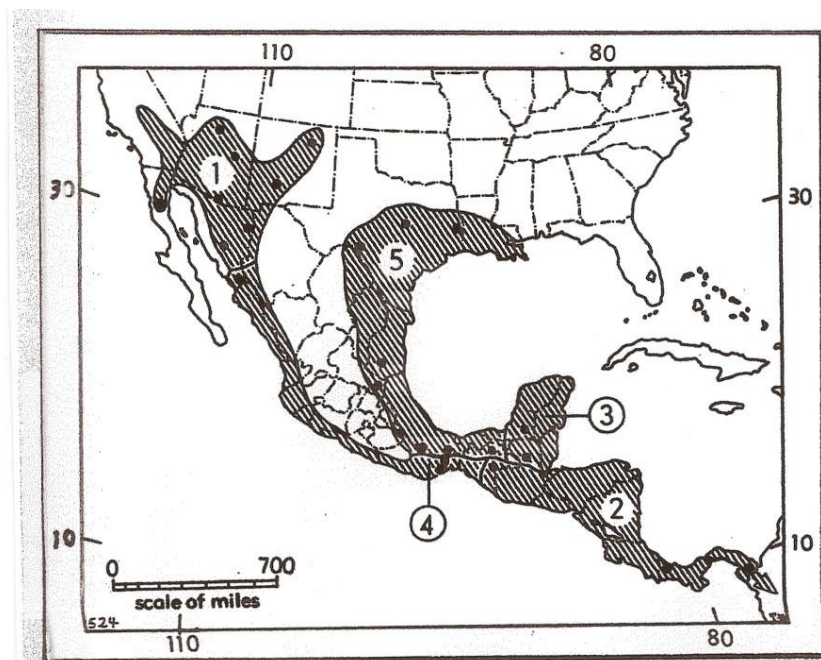
Hoffmeister, D. F. 1986. Mammals of Arizona. University of Arizona Press, Tucson.

McCain, E. B. and J. L. Childs. 2008. Evidence of resident jaguars (*Panthera onca*) in the southwestern United States and the implications for conservation. *Journal of Mammalogy* 89:1-10.

Sanderson, E. W., K. H. Redford, C. B. Cheitkiewicz, R. A. Medellín, A. R. Rabinowitz, J. G. Robinson, A. B. Taber. 2002. Planning to save a species: the jaguar as a model. *Conservation Biology* 16:58-72.

Swank, W. G., and J. G. Teer. 1989. Status of the jaguar. *Oryx* 23:14-21.

Taylor, M. F., K. F. Suckling, and J. J. Rachlinski. 2005. The effectiveness of the Endangered Species Act: a quantitative analysis. *BioScience* 55:360-367.



Map 524. *Felis onca*.

Guide to subspecies

1. *F. o. arizonensis*

2. *F. o. centralis*

3. *F. o. goldmani*

4. *F. o. hernandesii*

5. *F. o. veraecrucis*

Fig. 1. Range map of subspecies of jaguar in North America and Central America (from Hall 1981).

Fig. 2. Jaguar recently photographed in southern Arizona by Emil McCain.

