



March 2, 2022

Larry Williams, State Supervisor
USFWS
Vero Beach, FL
Via email: Larry.Williams@fws.gov

RE: Removal of FP260 from the wild

Dear Mr. Williams:

Audubon Florida and many of our chapters have worked for decades on the recovery of the Florida panther as an endangered species. We have partnered with US Fish and Wildlife Service (Service), Florida Fish and Wildlife Conservation Commission (FWC), and other agencies, as well as ranchers and landowners on research and recovery actions, and Audubon manages and owns 13,000 acres of panther habitat ourselves at Corkscrew Swamp Sanctuary. We are proud that panther numbers have rebounded in the last 30 years from a couple of dozen breeding adults to 120 to 230 adults today. These gains have been anchored by a commitment to science-based decision making and management.

For this reason, Audubon was even more concerned by the Service's recent decision to remove FP260 from the wild without demonstrating that the individual meets objective criteria for this drastic measure. As of March 1, we understand the Service has "paused" its plans to remove FP260 because of several weeks of no depredations. We thank the Service for this decision based on current monitoring data of FP260. However, our concerns remain over the flawed justification used for the previous authorization, and the potential that it could be reissued in the future.

The criteria that exist for responding to FP260's depredations include 50 CFR 17.21(c)(3), which provides standards that must be met for taking a panther; for this proposed action, the Service cites the "demonstrable non-immediate threat" provision. The Service's 2008 Interagency Response Plan also prescribes responses to human/panther conflicts and defines what constitutes a threat, including the criteria for removing a panther from the wild.

To date, there has been no demonstrable evidence of a threat to humans provided – immediate or non-immediate. In fact, there has never been any evidence of a panther attacking humans in Florida history. FP260 has depredated at least a dozen calves from two ranches in Southwest Florida over the last several months and hazing and translocation have proven unsuccessful in modifying the behavior. However, calf depredation does not constitute a threat to human safety. Panther biologists for the Service and FWC agree that FP260's problematic calf depredation behaviors are all normal behavior. The Service is violating its own rules by failing to provide a reasonable basis for taking the panther, setting a dangerous precedent if it follows through with

these paused plans. There is an expectation of transparency and the Service needs to demonstrate how this proposed action meets existing criteria.

Landowners impacted by depredation need a longer term remedy. In the short term, private groups like the Naples Zoo have compensated operations like JB Ranch for calf losses. But a longer term depredation minimization and compensation program must be created if panthers are to thrive in this landscape. The lack of transparency supporting this proposed action gives the appearance that the threat standard is being used as a proxy for addressing depredation concerns. We can and must talk more substantively about changes to depredation policy and compensation regimes without setting this precedent for panther removal.

Again, Audubon appreciates the Service's pause in its plans to remove FP260 from the wild. Extraordinary precedents like this must be supported by meeting transparent, objective criteria. Should FP260's depredations resume, we hope the Service will commit to this standard of transparency and accountability rather than renewing its prior, unsupported authorization. In the interim, the Service has an opportunity to establish compensatory programs for depredation before the next calving season on Southwest Florida's ranches. Audubon is eager to assist in whatever way we may be useful.

Sincerely,

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