Florida Panther Recovery Implementation Team
Meeting Summary

January 28-29, 2014
St. Petersburg, FL

The meeting began with group introductions, including introducing invited guests. The purpose of the meeting was to inform the Team of ongoing research on landowner incentives and panther habitat modeling, and to continue our discussion about a Payment for Ecosystem Services (PES) concept for landowners in South Florida and the options for working with landowners toward panther recovery north of the Caloosahatchee River.

Invited Guests: Dr. Elizabeth Pienaar (UF), Jennifer Korn (FWC), Luis Gonzalez (FWC), Scott Sanders (FWC), Erin Myers (USFWS), Bob Frakes (USFWS – teleconference presentation), Michael Bush (NRCS – teleconference).

Landowner Incentives and Payment for Ecosystem Services

Dr. Elizabth Pienaar (UF) presented an overview of the research she is conducting that integrates natural sciences and economics to investigate how and why different types of landowners respond to different panther habitat conservation incentives. The information she collects will help determine the minimum incentives necessary to attain conservation of panther habitat on private non-urban lands. Her study uses a combination of interviews and surveys to provide insights into which incentives (financial incentives, regulatory relief and/or technical assistance) landowners prefer, and the potential costs of implementing those incentives. The results of her work will provide information to the FWC and USFWS on how to structure one or more trial incentive programs that could be implemented with landowners. A secondary objective of her research is the development of outreach materials to assist the FWC, USFWS and stakeholders in efforts to conserve panther habitat. Dr. Pienaar has met with a variety of stakeholders in South Florida and is currently talking with cattlemen. Her preliminary discussions indicate that regulatory certainty seems to be most important to large, diversified landowners, while compensation for loss of cattle, or a PES-type approach, seems most important to the intermediate-sized ranch owners and leaseholders. She will begin the choice experiment surveys over the next couple of months focusing on ranching lands.

Payment for Ecosystem Services Concept Paper

USFWS and FWC private lands and Partners for Fish and Wildlife biologists are working with the Team to prepare a concept paper to assess the feasibility of a Payment for Ecosystem Services (PES) pilot program for landowners who provide quality habitat for Florida Panthers and their prey in the Florida Panther Focus Area, which includes the panther Primary, Secondary and Dispersal Zones and CCB corridors.

Although other PES programs exist in Florida (NRCS Conservation Stewardship Program, SFWMD Florida Ranchlands Environmental Services Project, and the developing FWC Gopher Tortoise PES), the Team believes that the most viable option for working with landowners on panther issues is to use the Partners for Fish and Wildlife program (PFW) to fund a PES pilot project. This would enable Partners and private lands biologists to provide technical and financial assistance to landowners to help meet the habitat needs of the Florida panther. We recognize that continued management of native habitats on private lands in Florida is essential to the recovery of the Florida panther. Therefore, the primary objectives of the PES pilot will include promotion and implementation of habitat improvement projects that benefit the Florida panther, and providing conservation leadership and promoting partnerships. Incentivizing quality management of native habitats is crucial and should offset the expense of lost cattle revenue as a result of panther depredations.

There was a lot of discussion about this concept paper during the meeting, and Team members offered the following suggestions: consider including lands greater than 50 acres that are located north of I-75 in Collier, Glades, Hendry and Lee counties that panthers use for feeding, resting, or denning habitat; include management actions to improve habitat for panthers and prey in addition to burning, such as brush management, mowing, grazing, and removal of invasive vegetation; consider both a varied payment and straight payment; target for consistency among landowners; include a diversity of habitats and a valuation process for habitat quality and location (proximity to conservation lands, corridors, etc.). Consideration needs to be given for how landowners will be selected and how the program will be promoted.

The Team is completing the draft concept paper now. Once it has been through the USFWS internal review process we will discuss it with stakeholders. One venue for presentation could be the PFLCC Landowner Incentives workshop scheduled for March or April.

Florida Panther Habitat Model

Dr. Robert Frakes, USFWS, presented on the development of a predictive distribution map for resident breeding panthers in southern Florida using random forest models to determining the presence or absence of panthers on the landscape. These habitat-based models identified particular habitats that panthers are using on the landscape in South Florida and also where suitable habitat exists north of the Caloosahatchee River. The most important variables for panther presence included amount of forests and forest edge, hydrology, and human population density. These models will be useful for prioritizing areas for panther conservation, evaluating the impacts of future development projects, and for identifying areas north of the Caloosahatchee River where panthers could occur. A manuscript describing the model has been accepted for publication in the Journal of Wildlife Management.

Team members asked whether the USFWS is currently consulting on panthers north of the Caloosahatchee River (under sections 7 and 10 of the ESA). Dawn will talk with staff in the South Florida Ecosystem Office for specifics about that.

USFWS Options for Florida Panther Recovery North of the Caloosahatchee River

The team held a discussion about the various tools that USFWS offers as options for landowners to assist with recovery of the Florida panther north of the Caloosahatchee River. Dawn presented an overview of the tools as follows:

Safe Harbor Agreements: A Safe Harbor Agreement (SHA) is a voluntary agreement between the USFWS (Service) and non-Federal property owners where the property owner agrees to carry out certain management actions that will contribute to the recovery of specified federally listed species. If the property owner fulfills the conditions of the SHA (conservation actions), the Service will provide them formal assurances that no additional management activities will be required or restrictions imposed on their land.

Following development of an agreement, the Service will issue an enhancement of survival permit under section 10(a)(1)(A) of the ESA. The permit allows participants to take individual listed plants or animals or modify the habitat to return population levels and habitat conditions to those agreed upon as "baseline." At the end of the agreement period, participants may return the enrolled property to the baseline conditions that existed at the beginning of the SHA. The baseline condition is defined as the population estimates and distribution and / or habitat characteristics and determined area of the enrolled property that sustain seasonal or permanent use by the covered species at the time the Safe Harbor Agreement is executed between the Services and the property owner.

In essence, SHA's relieve landowners of liability under the ESA if conservation practices on their land provide a "net conservation benefit" to federally listed species. A net conservation benefit is defined as the cumulative benefits of the management activities identified in a SHA that provide for an increase in a species' population and / or the enhancement, restoration, or maintenance of covered species' suitable habitat within the enrolled property, taking into account the length of the Agreement and any off-setting adverse effects attributable to the incidental taking allowed by the enhancement of survival permit. Net conservation benefits must be sufficient to contribute, either directly or indirectly, to the recovery of the covered species.

There was discussion among team members whether the incidental take permit issued as part of a SHA would cover land use changes if a landowner was granted a baseline of zero panthers in areas north of the Caloosahatchee River, or if it would only include take associated with specific management actions. Dawn offered to consult with the Service's solicitor about the policy interpretation concerning the permitted take associated with a SHA under different circumstances.

Section 10(j) Experimental Population: This section of the ESA authorizes the release of populations of listed species outside their current range if the release would "further the conservation" of the listed species. An "experimental population" is defined as one authorized for release, "but only when and at such times as, the population is wholly separate geographically from the non-experimental populations of the same species."

In determining whether the experimental population will further the conservation of the species, the USFWS (Service) is required to consider: (1) Any possible adverse effects on extant populations of a species as a result of removal of individuals, eggs, or propagules for introduction elsewhere; (2) the likelihood that any such experimental population will become established and survive in the foreseeable future; (3) the relative effects that establishing an experimental population will have on the recovery of the species; and (4) the extent to which the introduced population may be affected by existing or anticipated Federal or State actions or private activities within or adjacent to the experimental population area.

If the Service were to consider a rulemaking to designate a non-essential experimental population (NEP) of Florida panthers separate from the current population south of the Caloosahatchee River, there are a number of biological and ecological considerations that the Service must address during promulgation of such a rule: (1) an appropriate means to identify the experimental population, including its actual or proposed location, actual or anticipated migration, number of specimens released or to be released, and other criteria appropriate to identify the experimental population(s); (2) a finding of whether the experimental population is, or is not, essential to the continued existence of the species in the wild; (3) management restrictions, protective measures, or other special management concerns of that population, which may include measures to isolate and/or contain the experimental population designated in the regulation from natural populations (these are protective 4(d) regulations for the experimental population to provide the appropriate prohibitions and exemptions necessary to conserve the species; these are generally compatible with human use activities in the reintroduction area. Such regulations may include take prohibitions); and (4) a process for periodic review and evaluation of the success or failure of the release and the effect of the release on the conservation and recovery of the species.

If the Florida panther has a designated NEP, those individuals would be treated as threatened rather than endangered under the ESA for section 9 purposes. The current population would retain its endangered designation.

Decision Matrix: Following these presentations, the Team made several recommendations to improve the draft "decision matrix" that we have been developing for future discussions with landowners and other stakeholders. We decided to rename the document as "Alternative Options for Florida Panther Recovery North of the Caloosahatchee River" and include all of the above options as well as a no-action alternative. We also developed a tentative timeline for when we would like to hold discussions about this document with small groups of landowners and NGOs (attached). The discussions should take place by mid-April, beginning with landowners. Discussion materials need to be sent ahead of time, and then posted on our website.

Kevin (or Erin) and Tom will work on the venues for two meetings with landowners (separated by size of landholding), and will also attend those meetings. Cattleman's Association and Florida Land Council were mentioned as potential group discussions. Erin Myers will talk with Julie Morris (Wildlands Conservation) about invitations for landowners north of the Caloosahatchee River.

Laurie volunteered to create a list of NGO representatives who should be part of these discussions and to help facilitate the meeting along with Dawn and Kipp. Some organizations mentioned at the meeting to contact included the Florida Wildlife Federation, Conservancy of Southwest Florida, Audubon of Florida, Sierra Club Florida, The Nature Conservancy, Center for Biological Diversity, and the Everglades Law Center.

We will finalize this matrix at our next meeting.

FL Panther Stakeholder Forum Concept

The Team decided it would like to hold a public meeting (forum) for information exchange with stakeholders and to provide updates on our activities. The forum would be open to anyone, would be held 1-2 times per year, and could include break-out groups. We discussed an option of having a "state of the panther" forum before the first public meeting to present information about the latest in panther science. Larry and Kipp will talk with Leo Miranda and Nick Wiley, respectively, about this and we will let stakeholders know how we plan to proceed. We set a tentative date on the timeline (attached) for a public forum as May 22, 2014. The preliminary meetings with landowners and NGOs (discussed above) will provide initial feedback to share at this larger Forum. We also hope to share the PES concept at the Forum.

Subteam Readiness/Recommendations for "Programs for Private Landowners" Issue

The team decided to continue to table the appointment of a subteam to assist with the Program for Private Landowners issue until we receive feedback about the PES proposal. Instead, the Team felt that a subteam of agency and stakeholder expertise was needed to work on the issue of vehicle mortality - - roads, road alignment, underpasses, vehicle collisions, etc. Names of several potential appointees were mentioned, including Darrell Land (FWC), Terry Gilbert (FWC), Dan Smith (UCF), Elizabeth Fleming (DoW), Nancy Peyton (FWF), John Wrublik (USFWS), Nicole Ryan (Conservancy SW FL) and Brent Setchell (FDOT). Laurie volunteered to prepare a purpose statement for the subteam so we could talk more about potential membership at our next meeting. Potential members will be contacted directly before any appointment letters are sent.

Next Team Meeting: Teleconference on **March 14th** at 10:00 AM.

2014 Timeline for Panther Recovery Team Actions Concerning Options for Landowners

Feb	March	April	May	June
Revise matrix	Obtain FWS/FWC support for PES concept & matrix	Landowner and NGO meetings if not held in March	22nd - PRIT public Panther Forum	15th-21st – FL Cattlemen's Association meeting
	Schedule (and hold) meetings with landowners	15th – LCC Steering Committee meeting		17th-19th – FWC Commission meeting
	Schedule meetings with NGOs for March/April to follow meetings with landowners	10th - Larry & Dawn will meet with Jim Handley (Cattlemen's Assoc) to provide update on recovery team		
	14th – PRIT Teleconference	TBD - LCC Landowner Incentives Working Group workshop		
	17th - FL Land Council meeting – Tom will give update on recovery team			
	21st – Panther Symposium at UF			