

USFWS Alternative Options for Florida Panther Recovery North of the Caloosahatchee River

Objectives:

- Prepare for a breeding panther population north of the Caloosahatchee River through natural or assisted movement
- Make panther recovery more compatible with private land ownership

Alternative	Program Details	Ecological/Social Considerations	Legal Considerations
<p>No Action</p>	<p>Status quo. Panthers would be managed as they are in South Florida.</p>	<ul style="list-style-type: none"> • Florida panthers will likely naturally expand their range north of the Caloosahatchee River. • Education and outreach efforts will be increased to inform the public about living with panthers. • Intolerance for establishing and expanding populations may be high in some areas resulting in threats to panthers and landowner rejection of proactive habitat management. 	<ul style="list-style-type: none"> • All individuals within the expanded population will be classified the same (currently endangered). • ESA consultations and incidental take permits (sections 7 and 10) will be needed for projects that may affect the panther throughout its expanded range.

Alternative	Program Details	Ecological/Social Considerations	Legal Considerations
<p style="text-align: center;">Safe Harbor Agreements (SHA)</p>	<ul style="list-style-type: none"> • Voluntary agreement between the U.S. Fish and Wildlife Service (FWS) and non-Federal property owners (including state and local governments) designed to benefit federally listed species. • The property owner agrees to carry out 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 FWS will provide them formal assurances that no additional management activities will be required or restrictions imposed on their land. • Provides incidental take coverage for routine and ongoing activities on the property and authorizes the landowner to return the property to pre-agreement conditions (baseline) at the end of the agreement. 	<ul style="list-style-type: none"> • May increase panther habitat north of Caloosahatchee River. • Could provide landscape linkages for dispersal. • Buys time to increase panther population size and distribution. • Publicizing, educating, signing up individual landowners could require major effort. • Could implement as Umbrella or Statewide Programmatic SHA to facilitate enrollment. • Could be combined with other conservation efforts north of the river. 	<ul style="list-style-type: none"> • Must demonstrate a net conservation benefit. • Provides assurances that no additional restrictions will be imposed. • Incidental take will be authorized (via permit) for conservation actions and for returning the property to the agreed-upon baseline conditions at the end of the agreement. • Landowner may request to terminate the SHA before the expiration date; FWS expects minimal early termination requests. • FWS will aim to include neighboring landowners as signatories of the SHA.

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<p style="text-align: center;">Nonessential Experimental Population (NEP)</p>	<ul style="list-style-type: none"> • Authorizes the release of populations of listed species outside of their current range if the release would “further the conservation” of the listed species. • Must be geographically separate from the original population of the same species. • Managed as if they were listed as threatened under the ESA. • FWS would develop special regulations under ESA section 4(d) to provide appropriate prohibitions and exemptions necessary for the species’ conservation. 	<ul style="list-style-type: none"> • Establishing a NEP Involves translocation of panthers into portions of their former range. • Ensuring geographic separation from the main population could be a challenge in areas immediately north of the river. • Greater discretion is provided for managing the NEP (landowner could possibly control depredating animals). • Provides an opportunity to learn for considerations of reintroductions elsewhere. • Rulemaking would require public scoping meetings. • Panthers already present north of river could become part of a NEP. • Panthers moving from South FL to the designated experimental population area would become part of the NEP. 	<ul style="list-style-type: none"> • ESA section 10(j) Federal rulemaking process takes time. • NEP would be considered as <i>threatened</i> under the ESA for “take” purposes. • NEP would be treated as <i>proposed</i> for listing under section 7, therefore no consultation is necessary (except if species occurs on a National Park or National Wildlife Refuge). • Critical habitat cannot be designated for a NEP. • A separate rulemaking would be necessary if FWS wanted to change the NEP status at some point in the future.

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Partners for Fish and Wildlife Agreements	<ul style="list-style-type: none">• The Partners program provides expert technical assistance and cost-share incentives directly to private landowners.• A cooperative agreement with a minimum duration of 10 years is signed.• The landowner is reimbursed after project completion, based on the cost-sharing formula in the agreement.	<ul style="list-style-type: none">• Voluntary habitat restoration would improve/increase panther habitat.• Does not necessarily provide long-term conservation. This is not an easement program and agreement length is a minimum of 10 years (although there are ways for landowners to terminate the agreement, especially if no funds provided by FWS).• Landowner could extend the agreement with available funding.• Provides landowners with technical or financial assistance.• Assists landowners with their management objectives.• Interactions with landowners will strengthen partnerships.• Can be combined with natural or human-assisted dispersal.	<ul style="list-style-type: none">• Federal Register Notice is not required.• Does not eliminate FWS regulatory authority, but does provide some coverage for “take” associated with activities in the agreement.• Incidental take within the guidelines would be covered through an intra-service section 7 consultation.• Landowners can apply for a Safe Harbor Agreement while enrolled in a Partners agreement.