

## NOTES

### Florida Panther Recovery Implementation Team Meeting Green Glades West Ranch September 1, 2016 9 a.m. – 4 p.m.

#### WELCOME AND INTRODUCTIONS

##### *Attendance:*

*PRIT Core Team:* Larry Williams (USFWS), Kevin Godsea (USFWS), Robin Boughton (FWC), Kipp Frohlich (FWC), Ron Clark (National Park Service), Tom Jones (Barron Collier Companies), Todd Hallman (Florida Sportsmen's Conservation Association), Gene Lollis (MacArthur Agro-ecology Research Center), and Elizabeth Fleming *via phone* (Defenders of Wildlife)

*PRIT Transportation Sub-Team:* Nancy Payton (Florida Wildlife Federation), Darrell Land (FWC), Amber Crooks (Conservancy of Southwest Florida), and Katasha Cornwell *via phone* (Florida Department of Transportation)

*PRIT Inventory and Monitoring Sub-Team:* Carol Knox (FWC), Dave Onorato (FWC), and Darrell Land

*Recovery Criteria Sub-Team:* Dave Onorato

*Florida Panther Coordinator:* David Shindle (USFWS)

*Invited Guests:* Ron Bergeron (FWC Commissioner), Erin Myers (USFWS)

#### PANTHER RECOVERY AND MANAGEMENT UPDATE

##### Sportsmen Roundtable Update

Todd Hallman provided update on the Everglades Coordinating Council (ECC) meeting held in Davie, FL on June 1, 2016. Todd also provided a summary of the Sportsmen Roundtable discussion held on that same day. Tammy Whittington (Superintendent, Big Cypress National Preserve) emailed Todd Hallman requesting to have future discussions. An update was provided on the South Florida Deer Project. Todd stated that sportsmen were concerned over deer mortality attributed to panther predation and also deer mortality associated with high water events earlier this year that resulted in closures to public lands in the northern Everglades. Sportsmen are also concerned over water releases from Lake Okeechobee and emphasized that blame for poor water quality should be placed on the agricultural runoff north of the lake and not Big Sugar. Sportsmen are against the land buy proposal for south of Lake Okeechobee. Further discussion was had regarding the Sportsmen Roundtable. NPS took a big brunt of the discussion during that meeting. Sportsmen not fans of NPS, but after Everglades Headwaters issues, sportsmen were more a fan of USFWS. Although the initial Sportsmen Roundtable meeting was not a great conversation, it was a start, and hopefully this was not a one-off meeting. If future meetings were held, these meetings should be focused on specific topics and future issues, as opposed to a re-hashing of past grievances. The value of PRIT is providing a forum for discussions among diverse stakeholder views. However, PRIT may not be the appropriate vehicle to address every panther problem. Caution about "mission creep" was expressed. Larry Williams proposed an Action Item that prioritized focus on making deer hunting compatible with panther recovery.

**ACTION ITEM: Todd Hallman, Larry Williams, and David Shindle will draft an outline for a strategy for making panther recovery compatible with deer hunting. They will present the draft outline to the PRIT at its next meeting. Upon approval of an outline, work will proceed to use the outline to write a full strategy.**

##### Interagency Florida Panther Response Team Update

David Shindle provided an update on the permanent removal of FP243 from the wild. FP243, a young male, was initially captured and removed from the Immokalee Farm Workers Village in April 2016, temporarily held in quarantine at Tampa's Lowry Park Zoo, and released in southern Big Cypress Preserve in late May. FP243 traveled north from his release site and entered the Big Cypress Seminole Indian Reservation in early July. FP243 continued to exhibit an abnormal pattern of behavior that was considered a potential threat to public safety. The Interagency Florida Panther Response Team reached a consensus that he should be permanently removed from the wild. FP243 was captured on the Big Cypress Seminole Indian Reservation on July 21<sup>st</sup>.

##### Eastern Cougar Delisting and Taxonomic Review

Shindle provided update on the proposed final delisting rule for the Eastern Cougar. During the public comment period, both the public and solicited peer reviewers raised the issue of the uncertainties surrounding the taxonomic classification of the Eastern Cougar and the Florida panther. Because these taxonomic concerns were also raised in the Eastern Cougar 5-year Review and the proposed delisting rule that would be based on extinction as opposed to taxonomic error, the issue of puma taxonomy will be at the forefront. USFWS Southeast Region will take the lead on initiating an independent, comprehensive taxonomic review of the Florida panther and North America puma. A question was raised on how this review would be funded. The taxonomic review would likely be solicited through the Service's Indefinite Deliverable, Indefinite Quantity (IDIQ) contracting procedures. The Service hopes that the costs would be less than \$100,000.

#### **INVENTORY AND MONITORING SUB-TEAM UPDATE**

Robin Boughton discussed the Inventory and Monitoring Action Item from the April 2016 PRIT Meeting. Robin provided summary of Larry and Nick Wiley's meeting. Their decision was to create a unified agency statement, bring documents together as an outreach document with a focus on the general public as the targeted audience. USFWS and FWC would support whatever numbers the IM Sub-Team decided to use. Larry arranged conference call with FWC and USFWS staff to discuss the proposed structure of the document. After this call, an assignment was then handed to Robin, Darrell Land and Dave Onorato to revise document based on the recommendations discussed. There was also the option on the table to wait until the 2015 Rancher's Supply Annual Count was reported. USFWS and FWC are in the lead on this task, but the final version will have to come back to PRIT. The revised draft should be completed prior to the November 2016 FWC Commission meeting and therefore, any techniques and estimates provided in Robert Dorazio's report would not be included in this version. Prior drafts of the white paper and outreach document were not as clear as what people wanted. Larry and Nick asked to make it very clear that the agencies are in agreement that these are the numbers. Information will continue to evolve with new science and new counts. With this effort, the agencies wanted to move forward with a clear, easy to understand document and will accept the fact that new information and science will come.

**ACTION ITEM: Have Larry Williams and Nick Wiley discuss White Paper on future coordination call and let that discussion guide future revisions. These steps should take place prior to seeking guidance and input from agency communication specialists on the Outreach Document**

#### **RECOVERY CRITERIA SUB-TEAM UPDATE**

Kipp Frohlich provided update on Recovery Criteria Sub-Team activities to date. Kipp reviewed sub-team member list and affiliations. Six teleconference meetings/webinars and one in-person meeting have been held to-date (see <https://www.fws.gov/verobeach/FloridaPantherRITRecoveryCriteria.html>). In-person meetings have been logistically difficult due to expense and schedules. A general overview of the topic of focus for the aforementioned meetings was provided. On the March 29<sup>th</sup> teleconference, the sub-team reached consensus that based on their work and discussions, they agreed it is worthwhile to continue to develop options for revising the existing recovery criteria. These revisions may include both improvements of the existing criteria, as well as new, alternative recovery criteria approaches. An update on the May 2016 in-person meeting was provided; including an overview of assignments to individual sub-team members (see May meeting documents on web page). The sub-team has not yet reconvened to discuss next steps. Meeting minutes will be published to PRIT web page soon. Kipp expressed some concerns about the sub-team process and path forward. This will not be a simple or easy revision. Revising the recovery criteria is a more complex process than some outside of PRIT had assumed. Kipp had informed his chain of command that we all believed that the recovery criteria can be improved, but that these revised criteria may not necessarily be easier or simpler than the existing criteria. Two specific concerns were brought to the Core Teams attention:

1. When the recovery criteria revision was discussed during the initial PRIT meetings 3 years ago, it was assumed that this would be a minor update. However, we now have learned that Service guidance suggests that a revision of the recovery criteria would constitute a major revision and would involve re-writing the recovery plan. Kipp wants the core team to be aware that any revised recovery criteria would only be as good as the new plan. The Core Team should consider this prior to moving forward with any revisions.

2. The Service's decision to initiate a taxonomic review should be considered prior to moving forward with the recovery criteria sub-team. Sequencing should be the taxonomic question first because this could have implications on the regulatory status of the panther. Taxonomy is science question, but it could have major policy and listing implications. The Sub-team thinks that recovery criteria would look different as a Distinct Population Segment (DPS) versus a listed subspecies.

Kipp informed the sub-team that he would raise the aforementioned concerns. Tom Jones looks at both concerns similarly and recommended that PRIT move forward with what is in front of us. Shindle is taking a long path with the taxonomic review and that path will be challenged for years. The taxonomic review and any changes that result could be a 10-year process and therefore, PRIT should not stop moving forward with revising the recovery criteria. Larry thinks a report could be completed in 2 years (in most general way of estimate time). Larry recommended that the team not hold back work on the recovery criteria revision at all in regards to the taxonomic question as this would be falling prey to similar concerns on other issues (e.g. waiting for updated population estimates prior to drafting population statement). The current listed entity is what is before the team. However, it is worth thinking about hypotheticals and how the taxonomic review would feed into the recovery plan revision. But he would not let that slow PRIT's work. In the end, recovery criteria work as being stated goals, but when the service makes a classification review, we look at threats. Recovery criteria help, but they are not end-all for classification. Onorato stated that overlap with criteria between DPS and subspecies and could be malleable either way. Either way, we will be dealing with the question of long-term viability, it all relates back to that with one or multiple populations. Todd agreed with Tom that Shindle's work will take time. And the Recovery Criteria work will take time. Goal is to get animal off ESA and hates to see all the work wasted if review comes back as DPS. Todd emphasized that the perception of certain stakeholders is "when is PRIT going to do something". PRIT should stay focused on what is in front of them and keep moving forward. Gene Lollis also agreed with moving forward and in a direction regardless of the classification status of the panther and that there will always be decisions points at every meeting that could tie our hands in the future.

Darrell suggested to Larry that it would be helpful for USFWS to put together a "roadmap" on how the taxonomic question fits into the current recovery planning process and any reclassification that could result in response to the taxonomic review. This would help people understand the process and where it fits within the big picture. Larry preferred to move forward with the population estimate outreach, recovery criteria revision, and taxonomic review. Kipp stated that he has the consensus he needs to move forward with no dissenting opinions expressed from the Core Team. Larry requested more detail regarding the strengths and weaknesses of the existing criteria that were discussed by the sub-team. The fundamental criteria are sound, strong, and similar to other plans that look at persistence over a 100-year period. This is a good guiding principle for other criteria to follow. Redundancy in the existing plan is also a plus, even though this may be difficult to achieve. The habitat component of the existing criteria is also important. Number of sub-team members discussed the concept that recovery criteria in recovery plans do not necessarily have to be achievable. Many recovery plans today have "pathways to recovery" and more flexibility built into plans. PRIT should know that the Service could propose a downlisting tomorrow as recovery criteria are not a regulatory requirement, it's a 5-factor threat analysis that is necessary. Recovery Criteria sub-team is looking at what would be good positive indicators of population. Some weaknesses of the existing criteria include the discrete population count metric, especially given the fact that we cannot measure this. The minimum population size (240) is one predictor of persistence, but there are other metrics (e.g. trend, productivity, etc.) are better ways to look at the health and persistence of the population(s). The threats-based criteria are weak in the current plan. The existing criteria were not well thought out in terms of Florida geography (e.g., Caloosahatchee River as a demarcation of south Florida population). Geographically pertinent population components need reassessment for future revisions.

Todd likes Darrell's roadmap idea. The end goal is getting the panther off of the Endangered Species List, so we need to clearly map out how we can get to this point. Larry feels that the group has already done the roadmap concept and used the May 2015 PRIT meeting where the DPS option was the focus as an example. If the Florida panther population was designated as a DPS, it would trigger critical habitat and PRIT has gone through an in-depth analysis of those trigger points. Todd stated that a roadmap would not be a tool for PRIT, but for the stakeholders that PRIT members represent. Todd referenced PRIT meeting at Archbold Biological Station and said that the intent would be for that crowd to see the path of options. Kevin agreed with roadmap approach, but without timeframes and thinks that the general perception of public is that they do not understand process and steps (especially for recovery criteria and taxonomy).

The process is going to be complicated and PRIT needs to communicate what the team is doing and why it takes so long. RB stated that the managing expectations path should include “what would change if criteria change” and what the community might expect if the recovery criteria change. Kipp stated that the “relief” that many are seeking have nothing to do with criteria and is not certain if a more scientifically-based recovery criteria would bring relief. Kipp agreed with Larry that the Service is trying to build a wall around the scientific experts and provide separation between what policy decisions could come as a result of their work. There is a need to lay out PRIT accomplishments to interested parties (including political appointees) and we should not shy away from stating the difficult steps forward. Larry recommended keeping the idea of roadmap on table, but is not ready to do that at this point. Robin, Carol Knox, Tom, and Kevin all agreed that an FAQ approach, in lieu of a more detailed roadmap, would be a good approach to directly address the questions that the public may have in regards to the path forward (e.g., recovery criteria, taxonomic review) and managing expectations on what could be expected once those products are completed.

Nancy Payton stated that transparency is still a big issue with PRIT and that there remains a basic problem of educating the public. The perception of what PRIT is doing “behind locked doors in remote locations” causes concerns for her and who she interacts with. Nancy wanted to know when this is going to be more of a public process and reminded team that the Transportation Sub-Team is open to the public. Larry agreed that PRIT has a communication problem and part of the reason is that people are spread too thin and are too busy, which feeds the transparency problem because of the delay in getting information out to the public. Larry wants sub-teams to be as transparent as can be and that the norm is for the sub-team chair to decide whether public is involved, along with sub-team’s input. Larry does not want roadmap at this point because it could be more hurtful than helpful, but would agree for a set of FAQ’s as long as we were careful not to imply that these FAQ’s were signaling some future decision point (e.g. DPS). Robin stated that the Eastern cougar delisting has raised these issues and questions, so it would be a good idea to tie delisting questions together with FAQ’s.

Amber Crooks asked if the intent was to open up sub-team meetings to members of other sub-teams. Larry stated that he always understood that if other sub-team members would like to attend, that decision would be for the Team Liaison to decide.

**ACTION ITEM: Kipp Frohlich will provide information and documents to post on PRIT Recovery Criteria Sub-Team web page.**

**ACTION ITEM: David Shindle and Larry Williams will draft set of FAQ’s with the assistance of Robin Boughton and Todd Hallman. FAQ’s would be vetted with team prior to posting.**

### **TRANSPORTATION SUB-TEAM UPDATE**

Amber and Nancy provided an update and presentation on the Southwest Florida Hot Spots map (see Handout and Presentation) (<https://www.fws.gov/verobeach/FloridaPantherRITTransportation.html>). The Hot Spots Map was based on documented vehicle mortalities through August 14, 2016. The Core Team was praised the sub-team’s work and was pleased with the level of detail of the hot spots report. Tom did raise an issue about CR846 east of Immokalee being labeled red despite the City Gate crossing. Copies of the report will be provided to the Core Team for review and comment. The Core Team also requested that the sub-team develop a list of agencies to which the USFWS should send the Southwest Florida Hot Spots report.

**ACTION ITEM: Core Team review Hot Spot document and provide feedback to Sub-Team for discussion and potential revisions and eventual posting on Sub-Team Web Page.**

**ACTION ITEM: Finalize a letter to agency regulating bodies that would be reviewing permits. Transportation Sub-Team will develop list of agencies to which the USFWS should send the hot spots report.**

Kevin led discussion on the issue of panther speed zones and the fact that the current Code of Federal Regulations (CFR) does not provide does not provide enforcement authority for federal law enforcement officers. Is there a relationship to mortalities and existing speedzones, are they being effective, and is it worth the cost and effort to not only enforce but

to include in permitting process? Nancy stated that one of the sub-team's pending items is about speed zones and that Dan Smith has information about their effectiveness. Kevin clarified that the question on the table was whether it was worth pursuing the question of speed zones and enforcement as effective remedies to reducing panther roadkills. Nancy suggested emailing Dan directly with that question.

Kipp posed the question whether it was appropriate for the Transportation Sub-Team to take on this as a topic to report back to PRIT. NP stated that fencing and crossings are a higher priority. Elizabeth cited Turner River Road/US41 and Keri Road areas as examples of speed zones implemented in place of wildlife crossings. Larry asked Core Team whether the question of speed zone effectiveness should be an action item for the sub-team. Nancy stated that it would be more efficient for the Service to send an email directly to Dan. Kipp thought that this could potentially be a question posed to the sub-team at a later date, but that there were other, more important priorities on the sub-team's list. Nancy stated that there is willingness of individuals to work on this issue and that she would send an email to Nancy will send email to Dan.

**\*\*Kipp Frohlich, Robin Boughton, and Carol Knox were not in attendance for remainder of meeting because of the need to return to Tallahassee for hurricane preparation.**

### **PRIVATE LANDS UPDATE AND DISCUSSION**

Commissioner Bergeron joined meeting and led discussion on private and public lands management for panther recovery. Commissioner Bergeron provided an overview of FWC's Panther Position Statement approved in 2015 and stressed that FWC is still cooperative working with USFWS on panther issues north of the Caloosahatchee River. Commissioner Bergeron stated that the Florida panther was the greatest success story in the history of America and that we need to continue to be working together. Addressing the social issues is an important second step and that we have to let the public give us their input. Normally the majority rules. Commissioner Bergeron asked if there were any changes to FWC's Panther Position Statement that were needed. LW put that question to remaining PRIT members. Commissioner Bergeron asked if there were any changes to policy statement that were needed. LW stated that the Service would provide an update on the PES and LIP programs for the November FWC Commission meeting. Commissioner Bergeron asked for any additions to FWC's panther policy to be made then also.

#### Livestock Indemnity Program Update

Erin Myers provided background of 2015 LIP compensation for verified losses of livestock to listed species. USFWS is advocating a suggested modification to this compensation program due to the difficulty in verifying losses to panthers. USFWS is willing to be a 3<sup>rd</sup> party verifier on a percentage of annual loss attributed to panthers, even in absence of verified losses provided that landowners provide evidence of panther presence during period of loss and confirmation that panther depredations have occurred in the area of focus. This concept has received good support from the State Director of USDA's Farm Service Agency. However, we are receiving pushback from the local and state office level due to lack of evidence for the losses. Erin provided details of a recent application submitted by Liesa Priddy to the County Committee that represents Charlotte, Lee, and Collier counties. This is a committee of their peers and they supported her application. However, the County Director raised concern about setting a precedent by approving this application. LW stated that the State Director (Rick Dantzler) suggested that if we can't make the program work with the existing language, we could suggest a rule change in Federal Register. Commissioner Bergeron stated the we need to go up to the highest levels and structure this in the terms that you are jeopardizing success of panther recovery if this modified compensation approach is not accepted. Erin stated that we are currently in a holding pattern until we hear back from State Committee on the Priddy application. Rick Dantzler requested that the county committee document decision making and where concerns were. Tom was impressed that USFWS has touched a lot of bases, but the only base not touched is the opinion from their counsel. Tom suggested that USFWS Director Ashe might have the capacity to get counsel interpretation from USDA. Onorato stated that having the ability to present the Conservancy of Southwest Florida's compensation option has been beneficial when responding to livestock depredations given that you have something to offer.

#### Payment for Ecosystem Services Update

Erin provided background on development of the PES project. Total acres are considered as opposed to just acres that are treated. Gave update on the NRCS/RCPD pilot project. Program is looking for landscape-level plans. Pieces of the PES concept were incorporated into the NRCS/RCPD project proposal, but we had to follow existing program structures (e.g. CSP, WHIP, EQUIP). Erin provided background on proposal and amount submitted to NRCS. Proposal accepted but only \$360,000 provided as financial support from NRCS. USFWS will contribute \$250,000. NRCS will likely open up application process in November 2016. The project is targeting specific landowners in Primary Zone. Landowners will apply and then the evaluation process would be based on CSP program.

Commissioner Bergeron questioned why the Service is asking for so little money on an annual basis. Kevin clarified that this is seed money to show success and to prove that implementation of the program is feasible and that this would hopefully broaden support for expanding program to its full potential. Tom stated that the original program was more user-friendly, was based on a per-acre basis, covered fence line to fence line, and practices that we already do and could easily be replicated. There has to be a compensation program in place for those landowners north of the river that would suffer losses. If we really want to see the PES program spread and being adopted, then we need to find another mechanism for program other than NRCS. The original proposal was \$31.50/acre and that could cover a lot of management practices. Have to have a number that's worth chasing. \$200,000 acres x \$30/acre south of the river is not a lot of money. Larry stated that this program should also be supported due to the fact that it is a mechanism to prevent additional species from going extinct. Larry asked where PRIT should look for bigger pots of money. Gene gave Florida Ranchlands Environmental Service pilot project as an example. Tom stated that the private sector needs to find a champion in D.C. to get behind it and push it. Commissioner Bergeron offered to help in that endeavor. Tom asked that the original concept paper be shared with Commissioner Bergeron. Commissioner Bergeron offered to host members of congress if needed. Amber offered the Conservancy to write a letter of support for the larger PES concept.

**ACTION ITEM: Commissioner Bergeron and Tom Jones will engage others on the PES program at the Capitol Hill level.**

#### Florida Cattle Enhancement Board Request for Proposals/UF Calf Loss Study

Gene provided handout and an overview, background, and objectives of the UF Calf Loss Study (Raoul Boughton Principal Investigator). Gene provided an example of Buck Island Ranch loss percentages and also statewide losses from a 2008 report. Larry asked how PRIT/USFWS can help with the project. Gene stated that letters of support, manpower, trucks, and equipment would be welcomed.

#### Immokalee Farm Worker Village Vegetative Management Update

Erin and Kevin provided update on the progress of vegetative management in the Immokalee Farm Workers Village that was implemented in response to the events surrounding the removal of FP243.

**ACTION ITEM: PRIT will draft a letter of support for the UF Calf Loss Study. Larry Williams will seek opportunities for other means of support that the Service can supply.**

#### TEAM ROUND-TABLE AND PARKING LOT

##### Options for Habitat Working Group or Sub-Team

Elizabeth provided brief overview of issue and reiterated that she and Laurie Macdonald were proponents that PRIT should have a focus on habitat loss given that this is the greatest threat to panther survival. Transportation sub-team has difficulty with addressing specific development projects given agency conflicts and this group could handle this in a similar way. Stressed the need more of a formal way of analyzing habitat loss to date and bringing existing information (e.g. Biological Opinions) together. We must be aware of cumulative impacts on panther habitat. Regulatory and incentive based mechanisms available. Habitat mapping information exists in many formats and projects; therefore there is no need to replicate work and instead take advantage of available and updated work.

A question was asked if the question regarding this issue should be addressed with a sub-team or working group. Elizabeth was not sure, but that PRIT has identified habitat issues as important, but not addressed them. One option would be an expert panel similar to that proposed for the taxonomic review and this panel could present their findings to PRIT. Kevin stated that the Service is involved in this issue (e.g. Landscape Conservation Cooperative) and that he

could arrange to have a presentation on the LCC project at the next PRIT meeting. Tom Hctor, Julie Morris, and Steve Traxler are involved in this project, along with Kevin Godsea.

**ACTION ITEM: Presentation on LCC effort for Florida and identifying what programs are available. Have the habitat issue as agenda item for next meeting with full team in attendance.**

Larry asked if there were any other issues that need to be discussed. Larry emphasized that the hunting community is in same bandwidth as ranching community. These are the two groups that live with panthers every day and we need their support to move forward.

**WRAP-UP AND ACTION ITEMS/NEXT STEPS**

**ACTION ITEM: David Shindle will send Doodle with both meeting options for early December and January. Locations to be considered include Vero Beach and Archbold/Buck Island Ranch.**

**MEETING ADJOURNED**