



# News Release

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**Southwest Region (Arizona • New Mexico • Oklahoma • Texas) <http://southwest.fws.gov>  
Arizona Ecological Services Field Office <http://www.fws.gov/arizonaes/>**

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## **JAGUAR CRITICAL HABITAT DEEMED NOT PRUDENT**

The U.S. Fish and Wildlife Service today announced it will not designate critical habitat for the endangered jaguar in the southwest. The Service based its decision on the fact that U.S. habitat is not essential to the conservation of the species, and thus does not meet the Endangered Species Act's requirements for being designated as "critical habitat."

Transient male jaguars, thought to be from a population 130 miles south of the border, are occasionally sighted in southwest New Mexico and southeastern Arizona. U.S. habitat is believed to be marginal (at the extreme northern limit of the species' range) and represents less than 1 percent of the species' current range. Preservation and recovery of the jaguar depends almost entirely on conservation efforts in Mexico and Central and South America.

"Based on a thorough review of all available data, the Service has determined there are no physical and biological features in the United States that meet the definition of critical habitat as defined under the Act," said Dr. Benjamin Tuggle, Acting Director of the Service's Southwest Region. "We will continue to work closely with the Jaguar Conservation Team to address the conservation of jaguars in the United States and also with our Mexican partners to help with conservation of the species in Mexico."

When the Service first extended protection of the Endangered Species Act to jaguars in the U.S. in 1997, it determined that designating critical habitat for jaguars that was not prudent. In 2003, the Center for Biological Diversity and Defenders of Wildlife filed a complaint holding that the 1997 critical habitat finding violated the Act. The Service agreed to readdress whether the jaguar should have critical habitat, resulting in today's determination.

Critical habitat is a term in the ESA. It identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and may require special management considerations or protection. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands. Federal agencies that undertake, fund or permit activities that may affect critical habitat are required to consult with the Service to ensure such actions do not adversely modify or destroy designated critical habitat.

In 30 years of implementing the ESA, the Service has found that designation of critical habitat provides little additional protection for most listed species, while preventing the agency from using scarce conservation resources for activities with greater conservation benefits.

In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat. Habitat is also protected through cooperative measures under ESA, including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements and State programs. In addition, voluntary partnership programs such as the Service's Private Stewardship grants and the Partners for Fish and Wildlife program also restore habitat. Habitat for listed species is provided on many of the Service's National Wildlife Refuges, and State wildlife management areas.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting, and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices, and 81 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies. Visit the Service's website at <http://www.fws.gov>.

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