

Florida Panther Recovery Implementation Team
Terms of Reference
Last Updated 03 February 2016

Authority

The 3rd revision of the Florida Panther Recovery Plan was published in 2008. The Endangered Species Act (ESA) authorizes the U.S. Fish and Wildlife Service (FWS or Service) to appoint recovery teams to assist in the implementation of recovery plans. The ESA specifically exempts recovery teams from the Federal Advisory Committee Act (FACA).

Members of a recovery team serve at the discretion of the Service's Regional Director (RD), who has the lead responsibility for recovering a listed species. Although the role of team members is strictly advisory in nature, the team's recommendations guide (but do not mandate) the Service, other Federal agencies, State governments, and other parties in recovery activities.

The Service has statutory responsibility for implementing the Florida Panther Recovery Plan and will oversee all Florida Panther Recovery Implementation Team activities. The team is an advisory group to the Service but the Service has ultimate decision-making authority.

Purpose of the Recovery Implementation Team

The purpose of the Florida Panther Recovery Implementation Team (PRIT) is to assist the Service with implementing the 2008 Florida Panther Recovery Plan. Specifically, PRIT will focus on implementing the following high-priority action items:

- Develop programs that recognize the importance of private landowners to Florida panther recovery.
- Refine or develop inventory and monitoring techniques that produce reliable population estimates.
- Develop range expansion plans and evaluate the potential for reintroductions outside south Florida.
- Review and evaluate the panther recovery criteria and make recommended changes if warranted.
- Develop guidance for habitat restoration and management, including management of prey
- Develop a genetic management plan.
- Identify and prioritize high vehicular mortality areas and recommend risk-reduction measures.
- Review the Florida panther taxonomic status as a separate subspecies.

Composition of the Recovery Implementation Team and Members

The Team is composed of agency resource managers, representatives from non-governmental organizations and other stakeholders interested in Florida panther conservation. The Team is comprised of a Core Team and 8 Sub-Teams.

FWS Recovery Team Leader: Larry Williams

FWS Florida Panther Coordinator and Recovery Team Liaison: David Shindle

Core Team Members:

US Fish and Wildlife Service/Ecological Services: Larry Williams

US Fish and Wildlife Service/Refuges: Kevin Godsea

Florida Fish and Wildlife Conservation Commission (Management): Kipp Frohlich

Florida Fish and Wildlife Conservation Commission (Research): Robin Boughton

National Park Service/Big Cypress National Preserve: Ron Clark

Private Lands Representative: Tom Jones, Barron Collier Companies

Conservation NGO Representative: Elizabeth Fleming, Defenders of Wildlife

Sportsmen Representative: Todd Hallman, Florida Sportsmen's Conservation Association

Rancher Representative: Gene Lollis, MacArthur Agro-ecology Research Center at Buck Island Ranch

Sub-Teams:

Transportation Sub-Team

Inventory and Monitoring Sub-Team

Recovery Criteria Sub-Team

Range Expansion Sub-Team (pending)

Taxonomy Sub-Team (pending)

Habitat and Prey Management Sub-Team (pending)

Private Lands and Human Dimensions Sub-Team (pending)

Genetic Management Sub-Team (pending)

Roles of the Recovery Implementation Team Components:

FWS Recovery Team Leader:

Serves as Chair of Core Team and facilitates Core Team meetings; Works with the Team to identify and recommend priorities for recovery implementation; Provides guidance to the Team regarding their role and function; Ensures that the RD's requests and recommendations are addressed; Serves as the conduit through which recommendations and other communications to and from the RD are transmitted; Keeps the Service's Regional Office informed of Team recommendations.

FWS Panther Recovery Coordinator and Recovery Team Liaison:

Serves as the Service's leading expert on panther biology and conservation; Works with the Team Leader to identify and recommend priorities for recovery implementation; Plans Core Team meetings and captures meeting summaries; Assists the Team Leader with all associated

meetings; Serves as the conduit through which recommendations and other communications to and from the Core Team are transmitted; Ensures Team web site is maintained and updated.

Team Members:

Team members (Core Team and Sub-Team members) are appointed by the Service's RD to serve in an advisory capacity to the Service. Members must agree that they serve on the Team, and that they are not considered an independent body (*i.e.*, members do not determine their direction or priorities without input and approval from the Service). All members must have a commitment to working collaboratively for recovery of the Florida panther. Members will endeavor to enhance communication and transmission of information from the Team to their respective organizations or communities (e.g. FWC, private land owners, environmental community, hunting community, and ranching interest). Members will endeavor to provide the Team with perspectives from their respective communities, recognizing that there may be diverse perspectives and opinions within each community and the Member may have personal perspective that varies from the group or organization that they represent. Members are also advised to avoid conflict of interest and other ethical problems. Upon completion of their responsibility, which could include completion of priority activities or recovery plan actions, components of the Team may be disbanded. At that time, each member will be notified by the RD. Members may be removed by the RD at any time. Members should also continue to foster the involvement of other parties in the recovery process.

Core Team (CT):

The CT provides overall management direction for implementation of the priority recovery actions from the 2008 Florida Panther Recovery Plan (listed above and described in Appendix A). Their authorities and responsibilities include the following: (1) foster communication among the stakeholders, (2) monitor progress in Florida panther recovery efforts, including the identification of impediments to recovery, (3) identify work needing to be accomplished, (4) establish priorities for that work in the form of recommendations to the Service and the other management, regulatory, research, and educational organizations involved in panther recovery and (5) coordinate related Sub-Team efforts to ensure collaboration and avoid duplication.

The CT also provides guidance to the Sub-Teams that are established to address each of the recovery priorities, including assigning specific topics for them to pursue. Any additional topics that Sub-Teams identify that might be of concern to the Service should be presented to the CT. The CT may choose to elevate particular issues to the Service prior to discussion. Members from the CT will participate in selected Sub-Team meetings.

Sub-Teams:

Sub-Teams (ST) will be formed at the discretion of the CT to work on the specialized recovery-related topics for which the CT members need specific expertise.

STs would be convened and members appointed after discussions among the CT. However, the Service will ultimately be responsible for establishing the STs and appointing ST members.

STs are responsible for providing guidance and recommendations on specific priority recovery actions and are encouraged to facilitate completion of recovery tasks. ST Chairs report to the CT on a regular basis. Each ST has developed a purpose statement that has been endorsed by the ST to serve as their guiding principles (Appendix B).

Operating Rules of the Recovery Implementation Team:

Membership Participation:

Team members will be expected to attend physical meetings. The CT Leader and ST Chairs are encouraged to make attendance convenient of all members; *e.g.*, rotate location of meeting sites and include teleconference or videoconference capabilities for members with limited travel ability. The Team will have latitude in setting the time and location of meetings. Any member who misses more than 3 consecutive meetings may be removed from the Team. If a ST Chair feels a member should be removed, they should notify the CT so appropriate action can be taken. A recommendation for replacement of a related member affiliation will be needed to maintain balance on the Team. At least one CT member will participate in a liaison capacity to a specific ST and attend ST meetings.

Recovery Team Members May NOT*:

- Represent themselves as speaking for the Service.
- Set Service policy.
- Distribute draft plans or other internal working documents outside the team (this does not pertain to meeting notes or other material available on the recovery team website).
- Serve in an independent or autonomous manner.
- Represent themselves as a recovery team representative by acting through the news media, conservation organizations, State or Federal legislatures, or other parties to influence agency decisions.
- Act as an official consulting group to anyone other than the Service's RD, or accept other responsibilities outside of their assistance role without the prior concurrence of the Service's RD.
- Represent themselves as a Team representative to interject in litigation or regulatory actions.
- Contact parties that may be adversely affecting the species. This is the responsibility of the Secretary of the Interior or other federal or state agencies, as appropriate. The Team should bring such actions to the attention of the RD.

*These rules are not intended to preclude any panther-related activities that are already within the purview and authority of individual members acting in their independent official capacity or representing their agencies or organizations.

Media Contact and Contact with Political Representatives:

Team members will refrain from discussing details of the Team process with the media or political representatives. In particular, Team members will not represent the views of others, characterize ideas or proposals still under discussion, or prejudge outcomes. Team members recognize that premature efforts to “negotiate through the press” or through other political

avenues can undermine the success of a collaborative effort. Team members contacted by the media are encouraged to direct these inquiries to Service staff. As well, Service staff will work with the Team to develop “talking points” for the media.

Decision Making:

Team members will strive to develop and reach agreement on recovery plan implementation tasks and recommendations to the Service using a consensus decision rule. In particular, members will pursue “conditional unanimity,” where all participants are able to support (*i.e.*, “to live with”) and agree not to block a package of agreements developed over the course of the Team’s deliberations. In the event consensus cannot be reached, the CT or STs will advise the Service on the range of possibilities considered and the extent of support for respective elements of their proposals and recommendations. As appropriate, majority and minority views will also be represented.

Correspondence:

In the event that a ST elects to draft correspondence in furtherance of recovery and implementation activities, the following guidance should be used when preparing and processing letters:

- Letters drafted by the CT should be prepared as a request to the Service’s RD for approval of certain actions based on the recommendations outlined in the correspondence from the Team. Team member organization names must not be included on the correspondence.
- Letters drafted by STs should be sent by the respective Chair to the CT liaison, accompanied by any pertinent information (background, timelines, etc.). Correspondence must be submitted no later than one week prior to the next scheduled meeting of the CT. Inform the CT if the correspondence has an urgent time frame associated with it. Upon concurrence, the CT will forward the letter with their recommendation to the Service’s RD.

Reports and other ST Products:

STs should use the following guidance upon completion of a report or other product, or when soliciting feedback on an interim product from the CT:

- The ST should submit the completed or interim product with pertinent correspondence to the ST for review. They will address the CT comments, as appropriate, and resubmit the document. The CT will send the completed document to the Service’s RD.
- Upon approval, the Service will distribute the document for peer review if deemed necessary. The Service will then post the final document on the Team’s webpage, along with FAQs, if needed.

Team Website:

The CT and ST Chairs will post all meeting agendas, summaries, pertinent handouts, presentations and draft documents requesting public input on the Team website. In addition, all Team final products approved by the Service will be posted on the website.

Travel Expenses:

Due to the Service's budgetary limitations, travel expenses to meetings should be incurred by individual members through their associated agency or organization. Under extenuating circumstances, however, the Services might be able to pay for travel needs; in those situations the Team member will be considered as an invitational traveler for reimbursement purposes.

Meeting Schedules:

Meetings will be scheduled at the discretion of the Core Team and Sub-Teams.

Appendix A. Description of Priority Recovery Actions for the Florida Panther:

1. Refine or develop inventory and monitoring techniques that produce reliable population estimates.

References to panther numbers have appeared in scientific literature, agency outreach materials, and popular media for years. Historically, most statements regarding Florida panther numbers have resulted from expert opinion, informed by field observations of those most closely engaged in panther research. The subgroup will be tasked with recommending techniques that can be refined/developed and tested/validated that produce reliable, repeatable, and cost-effective population estimates.

2. Develop range expansion plans and evaluate the potential for reintroductions outside south Florida.

The recovery objectives for the Florida panther include: (1) expanding the panther population and its habitat in south Florida, (2) expanding the breeding portion of the population in south Florida to areas north of the Caloosahatchee River; and (3) establishing viable populations of the panther outside south and south-central Florida. There is insufficient habitat south of the Caloosahatchee River for the Florida panther population to reach the recovery criteria of 240 individuals.

- a. Expansion into south-central Florida: The potential for the persistence of the existing population in south Florida can be enhanced by the expansion into south-central Florida. The Sub-Team will be tasked with developing an expansion plan to guide translocation into south-central Florida. The plan should include education and outreach, landowner incentives (e.g., safe harbors), consider the effects of translocations into south-central Florida on potential reintroductions elsewhere in the historic range, and consider the effects of translocations on the south Florida population.
- b. Reintroduction of additional populations: The Sub-Team will be tasked with evaluating the potential need to reintroduce panthers outside of south and south-central Florida. If it deems reintroduction appropriate, the subgroup will assist in selecting reintroduction sites and help facilitate the reintroduction program.

3. Develop a genetic management plan.

The Sub-Team will make plans for convening a working group of geneticists, reproductive physiologists, veterinarians, and population biologists to develop a genetics management plan. This specialist group would use field observations, existing data, and results from the genetic restoration and management project initiated in 1995. The genetic management plan might include protocols and triggers (e.g., specific alleles, physical attributes, percent representation, and studbook) for translocating, adding, or removing animals; a protocol for managing / preventing overrepresentation by specific

lineages; the disposition of animals that may need to be removed; and specific monitoring needs.

4. Develop programs that recognize the importance of private landowners to Florida panther recovery.

Tasks 2.2.6.3 through 2.2.6.3.3 of the recovery plan address the need to prepare for potential depredations if panthers are reintroduced to areas within their historic range outside of south and south-central Florida (task 2.2). Panthers depredate livestock in south Florida and likely would do the same if introduced to other areas. One area of consideration to address panther depredations is incentive programs, such as those through NRCS, which recognizes the benefits ranches and other large-land holdings provide for panthers. The Sub-Team will be tasked with developing alternatives for ecosystem service programs, and making recommendations regarding needed policy and rule changes.

5. Identify and prioritize high vehicular mortality areas and recommend risk-reduction measures.

One of the largest sources of panther mortality is collisions with vehicles. Tasks 1.1.1.4 through 1.1.1.4.4 in the Florida Panther Recovery Plan address ways to reduce vehicular mortalities, including the identification of high risk areas and measures such as fencing and wildlife crossings to decrease the negative impacts of roads. The Sub-Team will be tasked with identifying and prioritizing high risk areas within south Florida and in potential panther expansion areas. They will also be tasked with identifying potential funding mechanisms to install fencing and crossings.

6. Develop guidance for panther habitat restoration and management.

The recovery plan discusses the need to develop and disseminate information regarding cost-effective restoration techniques (1.1.2.4) and best management practices (1.1.3.1). The Sub-Team will be tasked with developing guidance for habitat restoration and management practitioners.

- a. Habitat restoration: develop and disseminate information needed to restore and enhance habitats to increase their value and carrying capacity for panthers.
- b. Habitat management: develop and disseminate information on best management practices to maintain the quantity and quality of panther habitat.

7. Review the existing recovery criteria and recommend revisions to these criteria based on the best available science.

According to the Florida Panther Recovery Plan, reclassification will be considered when:

1. Two viable populations of at least 240 individuals (adults and subadults) each have been established and subsequently maintained for a minimum of twelve years (two panther generations; one panther generation is six years [Seal and Lacy 1989]).
2. Sufficient habitat quality, quantity, and spatial configuration to support these populations is retained / protected or secured for the long-term.

Delisting will be considered when:

1. Three viable, self-sustaining populations of at least 240 individuals (adults and subadults) each have been established and subsequently maintained for a minimum of twelve years.
2. Sufficient habitat quality, quantity, and spatial configuration to support these populations is retained / protected or secured for the long-term.

Recovery criteria should be “SMART”: specific, measurable, achievable, realistic, and time-referenced (NMFS 2004). The Recovery Criteria ST will be tasked with evaluating the existing recovery criteria and making the determination if these criteria meet the SMART guidelines. If the ST concludes that the existing recovery criteria do not meet the SMART guidelines, the ST will recommend revisions to these criteria based on the best scientific and commercial data available.

8. Review the Florida panther taxonomic status as a separate subspecies.

Culver et al. (2000) examined subspecies of puma by using three mitochondrial genes and ten microsatellite loci in biological samples collected from 315 pumas from throughout their range. Based on this analysis, Culver et al. (2000) suggested all North American pumas be reclassified as a single subspecies (*P. c. cougar*) due to lack of genetic structure. The degree to which the scientific community has accepted the use of genetics in puma taxonomy is not resolved at this time. The subgroup will be tasked with evaluating this issue and making recommendations for resolving.

Appendix B. Florida Panther Recovery Implementation Team Sub-Team Purpose Statements

Transportation Sub-Team:

Transportation systems and vehicles can be a source of instant and long-term harm to Florida panthers. Collision with vehicles is a direct leading cause of panther injuries and death; poorly planned roads can eliminate and fragment habitat and result in sprawling development that increases the occurrence of human-panther conflicts. A series of transportation actions or inaction can have far reaching consequences of panther survival, dispersal, and recovery.

The Florida Panther Recovery Implementation Team (Team) is establishing a Transportation Sub-Team (ST) to address the issues of vehicular mortality and habitat loss. The ST will identify opportunities to assure a safe, viable habitat network exists for panthers and address the need to avoid and minimize harmful impacts of vehicle travel ways. The focus of the ST will be to identify current sites and proposed projects that pose a danger to panthers, identify transportation-related planning and policy proposals that could impact panthers and panther habitat, and provide the Core Team (CT) with constructive critiques and recommendations for solutions. The ST should consider a broad range of options, such as engineered alternatives (e.g., wildlife crossings), avoidance (e.g., choice of road alignment), mitigation (e.g., land acquisition; restoration), education (e.g., outreach to increase public awareness; signage), enforcement (e.g., implementing slow speed zones) and policy recommendations (e.g., comments on regional transportation plans).

The members of the Transportation ST will be recommended by the CT and will be appointed by the RD. This ST will work in an advisory capacity to the Service, under the guidance and direction of the CT. The Transportation ST will report all findings and recommendations to the CT.

Inventory and Monitoring Sub-Team:

The Inventory and Monitoring Sub-Team (ST) was established to review and guide agency (FWC & FWS) efforts to estimate panther population size. In the short term, this ST will recommend the best available population monitoring techniques. In the longer term, they will work toward the development of a method that includes sampling effort, detectability and precision and ensure that derivation of this estimate is as cost-effective as possible.

Recovery Criteria Sub-Team:

The Recovery Criteria Sub-Team (ST) is tasked with the review and evaluation of the existing recovery criteria as described in the 2008 Panther Recovery Plan (pp. 95-100). The ST will address the topic of recovery criteria using the best available science and following the most current Service guidance and procedures for recovery planning. Recovery criteria should be “SMART”: specific, measurable, achievable, realistic, and time-referenced (NMFS 2004). The ST will be tasked with evaluating the existing recovery criteria and making the determination if these criteria meet the SMART guidelines.

The ST may recommend keeping the existing Recovery Criteria, suggest edits or modifications to the existing criteria, or propose new alternative criteria. The ST will focus its work on recovery criteria and will not address other possible revisions to the Recovery Plan. The ST will not review or evaluate the Recovery Goal or Recovery Objectives. The recommendations from the ST will be intended to inform the Core Panther Recovery Implementation Team and the Regional Director of the Service. Final decisions on revising the Recovery Criteria, and whether such revisions constitute a significant or minor change to the Recovery Plan rests with the Service and is not under the purview of this sub-team.