

## **Comments on Proposed Rule: Revised Critical Habitat Proposal for Jaguar (July 1, 2013)**

Tony Povilitis, Ph.D.  
Life Net Nature  
<http://lifenetnature.org>

Submitted electronically: [www.regulations.gov](http://www.regulations.gov) (Docket No. FWS–R2–ES–2012–0042)

### **Why No Plan to Restore the Jaguar to the U.S.?**

On September 15, 2012, we commented on your proposed rule of 8-20-12 regarding critical habitat designation for the jaguar in the U.S. We suggested that critical habitat designation include the Mogollon Rim area, the Chiricahua Mountains, and Coronado National Forest units north of Interstate Highway 10, along with habitat connectivity corridors essential for jaguar recovery in the U.S. Our comments appear to have been ignored as we are unaware of any response from the Service addressing them.

### **Background**

Two decades ago I asked the Service to add the jaguar to the national endangered list. Eventually it did. But the Service has since resisted its obligation to restore the species to Arizona and New Mexico. Forced by litigation, it is now preparing a U.S. "recovery plan" for the jaguar – but remarkably one that may not result in jaguar restoration here in the U.S.

In principle, things should be pretty simple: Restore jaguars with some reproduction consistent with historical records in the Southwest. The Service would work with other government agencies, private landowners, ranchers, and other conservationists to conserve corridors for jaguars from Mexico through to our southwestern highlands and the Grand Canyon area. It would work with U.S. Homeland Security and Mexican officials so that jaguars will continue to move between Sonora and the U.S. It would consider translocating females to complement male jaguars already here. And it would not approve huge projects in critical jaguar habitat, like the proposed Rosemont mining project near Tucson.

With Arizona and New Mexico in the mix, the world's northernmost jaguars could more than double in number from about 200 individuals in Sonora today. This would greatly improve viability prospects for a northern jaguars, restore their presence in a unique ecoregion (for the species), and help sustain the species globally.

But instead of choosing Arizona, New Mexico, and Sonora as the relevant recovery unit, the Service has selected a huge "recovery" zone that extends for over 1,000 miles from our southern borderlands through Jalisco, Mexico. Thus, if jaguars appear sustained anywhere within this vast area, the Service could declare "recovery" even without a single jaguar in the U.S.

## **Critical Habitat**

The revised proposal to declare 858,000 acres in Arizona and New Mexico as “critical habitat” would be a step in the right direction if it were not for the fact that the Service presently considers the U.S. to be non-essential jaguar range since anything that happens here, including damage to critical habitat, will not result in extinction of the jaguar worldwide. We have previously discussed the fallacy of such reasoning, and how it is inconsistent with modern concepts of endangered species recovery.

In the case of the Rosemont mine, the Service claims that habitat destruction in the Santa Rita Mountains of Arizona, an area proposed for critical habitat designation and currently home to at least one jaguar, won't matter anyway since the species can still survive elsewhere, such as in Brazil.

Even if the Service decides to protect critical habitat, it conveniently omits in its current proposal some of the best habitat areas for recovery, such as the well-watered, prey-abundant Mogollon Rim country.

So what's behind Fish & Wildlife Service obstinacy? Perhaps the Service wants to avoid having to convince skeptics that the jaguar poses no threat to the livestock industry or to well-planned development statewide? Or that it shudders at the thought of engaging mischief makers who are ideologically dead set against wildlife restoration?

Still, we hold out hope that strong leadership will soon appear within the agency, that it overcomes these fears, and creates a new conservation legacy by restoring America's prince of cats.

Thank you for this opportunity to comment.