



CENTER FOR BIOLOGICAL DIVERSITY

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CONSERVATIONISTS AND GOVERNMENT SETTLE LAWSUIT ON ENDANGERED JAGUARS

The Center for Biological Diversity and Defenders of Wildlife reached a settlement agreement today with the U.S. Fish and Wildlife Service in a lawsuit in which the non-profit conservation organizations had sued the federal agency over its failure to write a recovery plan and to designate critical habitat for the jaguar (*Panthera onca*).

The July 2003 lawsuit stemmed from the 1997 listing of the jaguar as an endangered species in the United States, which itself was a result of a previous lawsuit by the Center for Biological Diversity.

In today's settlement agreement, the Fish and Wildlife Service agreed to reach a new determination on the issue of critical habitat, and publish its findings in the Federal Register by July 3, 2006. At that time, the conservationists may accept the new determination or litigate again over it -- as well as litigate again over a recovery plan if that has not been developed.

The Endangered Species Act requires federal agencies to designate critical habitat and develop recovery plans, but the Fish and Wildlife Service has done neither for the jaguar. Critical habitat is an area determined to be necessary for the conservation of a protected species -- in which the federal government cannot authorize or fund activities that "adversely affect" the animal or plant's survival and recovery.

Recovery plans are road maps, with quantifiable thresholds for success, to the goal of the ESA: recovery and subsequent removal of the species in question from the Threatened and Endangered Species List.

Records maintained by the Fish and Wildlife Service indicate that species with critical habitat designated are more than twice as likely to be moving toward recovery than those without.

The Arizona Department of Game and Fish developed a state-wide map indicating habitat that may be suitable for jaguar re-occupation. The New Mexico Department of Game and Fish has done the same, but a habitat committee of the interagency Jaguar Conservation Team has rejected New Mexico's map as inadequate, indicating that additional areas qualify as habitat. The New Mexico map will be redone.

Both maps indicate that critical habitat for the jaguar is ascertainable, said Michael Robinson of the Center for Biological Diversity, in Pinos Altos, New Mexico.

Although jaguars are typically thought of as rainforest creatures, historically they also lived in the United States and have been recorded in the southern tier of states from California through Louisiana. Like wolves, jaguars were exterminated by the federal government and by ranchers. A female jaguar with kittens was killed in the early 20th century as far north as the Grand Canyon, and others were killed in northern New Mexico and in central Texas during the 1930s and 1940s.

The last female jaguar known in the United States was killed in 1963 in southeastern Arizona in the region where Mexican

gray wolves now roam. Over the past few years, jaguars have been photographed in Arizona and New Mexico close to the border with Mexico. Additional records considered valid by the Jaguar Conservation Team indicate jaguars in the Gila National Forest during the 1990s.

"We hope the Fish and Wildlife Service will take this agreement seriously and give the jaguar the critical habitat as well as the recovery plan that it needs and has waited for so long," said Robinson. "We look forward to the day that these beautiful spotted cats can play their natural role in helping keep the balance in southwestern ecosystems."