

## E&ENews PM

### **1. ENDANGERED SPECIES: Federal probe faults Ariz. officials in jaguar's capture, death** *(01/22/2010)*

Allison Winter, E&E reporter

Arizona Fish and Game Department employees may have broken the law last year in an incident that led to the death of the last known wild jaguar in the United States, according to a federal investigation.

The Interior Department's inspector general determined that state employees intentionally captured the jaguar and violated the federal Endangered Species Act in the process. Findings of the probe released today contradict statements made by the department and indicate criminal behavior.

The 16-year-old male jaguar, dubbed "Macho B," was captured and later euthanized last March after he was discovered to have kidney failure. Suspicious circumstances surrounding the cat's death prompted calls for an investigation by Rep. Raúl Grijalva (D-Ariz.) and House Natural Resources Chairman Nick Rahall (D-W.Va.).

The U.S. Fish and Wildlife Service's law enforcement division is currently probing the incident. And the nonprofit Center for Biological Diversity has filed a lawsuit against the Arizona Fish and Game Department over the jaguar's death.

Grijalva said today that the Interior report confirmed his suspicions and concerns. He urged the Fish and Wildlife Service and the Justice Department to take immediate actions against the state wildlife department and the agency's federal authorization for handling jaguar issues.

"This report makes it quite clear that there continues to be confusion on the part of [the Arizona Game and Fish Department] regarding the authorities that they have and do not have under their agreement with the FWS," Grijalva said.

The Game and Fish Department said in a statement that it stands by its assertion that it did not direct anyone to intentionally capture the jaguar and would take "appropriate action" if it is found that someone snagged the cat intentionally.

Arizona wildlife officials said they were disappointed that the IG did not first discuss the report with them. Federal investigators failed to understand a special permit the state has to manage jaguars, which put their actions within the scope of the law, according to the department.

Macho B was the oldest wild U.S. jaguar and had become something of a celebrity over the last decade as biologists and wildlife photographers canvassed southern Arizona to catch a glimpse of the roseate-patterned

cat. Three other jaguars have also been recorded in the United States since 1996, but none are known to be living now.

Macho B got national attention last year when he was caught in a snare set by Arizona officials to trap cougars and black bears. He was then outfitted with a radio collar and released. But biologists became concerned after the animal's movements slowed as he weakened, lost weight and developed an abnormal gait.

Health concerns spurred a second capture. This time, the cat was euthanized by Arizona wildlife regulators who discovered he was suffering from kidney failure (*Land Letter*, March 5, 2009).

## **'Cosmetic necropsy'**

In order to preserve the animal's pelt, a field supervisor for the Fish and Wildlife Service approved a state request to conduct a "cosmetic necropsy," which made some organs inaccessible and failed to resolve doubts about the animal's demise.

The audit found the FWS field supervisor, Steve Spangle, incorrectly approved the limited necropsy. In interviews with federal investigators, Spangle said he did not intend to shortchange the examination and failed to recognize the difference between cosmetic and full necropsy.

Beyond the necropsy, federal investigators found little fault with the Fish and Wildlife Service, placing much of the blame on the Arizona Game and Fish Department.

For starters, the department failed to go through a consultation with FWS about the state survey of black bears and mountain lions and did not have a permit to allow it to capture the jaguar, even by accident.

The state agency said the animal was accidentally caught, but investigators said evidence uncovered in the ongoing criminal investigation indicates the capture was intentional. The report links an agency subcontractor and "possibly" a state employee to criminal wrongdoing in the cat's capture.

The federal report also goes against statements made by the Arizona Fish and Game Department, including that the jaguar sustained no injuries. The IG found a canine tooth was broken while the animal was in the snare.

Michael Robinson of the Center for Biological Diversity said the report affirms many of the group's claims in the lawsuit, which has not yet gone to trial. "This report makes our very strong case even stronger because it confirms the violations," Robinson said.

FWS spokesman Tom Buckley said the agency will address the legal charges at the conclusion of the criminal investigation. He said agency officials in the Southwest have already taken action to address the administrative issues raised in the report.

"As soon as we saw there might have been a problem, we started reviewing and tightening up our permitting and agreement procedures," Buckley said.