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Science Behind Panther Decisions Discredited

Federal Agency Embraced Discredited Science
At Expense of Florida Panther Habitat

WASHINGTON, DC -- A report released today indicts the federal government for relying on discredited science to justify destruction of the endangered Florida panther's last remaining habitat and calls upon agency officials to make immediate adjustments.

The report, entitled Discrediting a Decade of Panther Science: Implications of the Scientific Review Team Report, by the National Wildlife Federation (NWF), the Florida Panther Society (FPS) and the Florida Wildlife Federation (FWF), makes the following key findings:

- 1) In the past decade, the U.S. Fish and Wildlife Service (FWS) and the U.S. Army Corps of Engineers have consented to the destruction of thousands of acres of Florida panther habitat in southwest Florida, much of which FWS has deemed "essential" to the panther's survival in its own scientific documents. The agencies typically require minimal efforts by developers to offset the harm with habitat acquisition or restoration.
- 2) FWS has rationalized its approvals of this extensive habitat loss by characterizing the panther as a forest obligate (i.e., unable to use non-forested habitats) and by dismissing habitats without large blocks of forest as unimportant to the panther. Yet in recent years the body of scientific work on which FWS has relied has been disputed by all of the panther scientists on the agency's own recovery team except the author of that work. FWS has not responded to these criticisms.
- 3) In 2002, FWS commissioned a new team of independent scientists known as the Scientific Review Team

(SRT) to address the scientific controversy. In December 2003, the SRT issued a scathing report finding that roughly 10 years of scientific studies treating the panther as a forest obligate are unsound. FWS has not yet responded to this major report.

4) The fact that the federal government is using discredited science to justify approvals of projects that destroy important panther habitat is now beyond legitimate dispute.

"We now have damning evidence that FWS has been using discredited science to allow irreversible harm to the Florida panther," said John Kostyack, NWF senior counsel and co-author of the report. "As a result, the panther – already one of the most endangered mammals in North America – is being placed at even greater risk of extinction due to habitat loss."

The report places FWS land use decisions regarding the Florida panther in the context of three seminal scientific bodies of work: one that for years has formed the basis of FWS panther decisions, another that challenged that work and a third which thoroughly discredits it.

"When the complete story is viewed in its full context, it is apparent FWS has based its panther decisions on political pressure instead of sound science," said Karen Hill, FPS vice president.

"To make a future for the panther in this rapidly growing state, we've got to have confidence that decisions are made on the basis of sound science," said Manley K. Fuller, FWF president. "The federal permitting agencies including FWS have failed to adequately protect panther habitat by relying on flawed habitat models."

The report traces FWS habitat decisions in the light of three scientific efforts:

PHEM: Since the mid-1990s, FWS has made land use decisions involving the Florida panther relying heavily on a body of work done by Dr. David Maehr. Maehr's views are reflected in his Panther Habitat Evaluation Model (PHEM) that treats the panther as primarily using habitats with forest patches of at least 500 hectares (1,235 acres) and rarely moving more than 90 meters (100 yards) from its forest cover. This model and related conservation methodologies that rely on Maehr's work discount the value of agricultural and other non-forested land as panther habitat.

MERIT: In 1999, FWS formed the panther subteam of the Multispecies Ecosystem Recovery Implementation Team, or MERIT, which included Dr. Maehr and three other panther scientists, as well as four members with other areas of expertise. Everyone in the group except Maehr agreed that the panther uses the mosaic of habitats within its home range and that its movements are not restricted to large patches of forest. Despite this majority view, shared by FWS's own staff biologists, FWS continued to use the forest-centric methodologies in making panther habitat decisions, including one to allow a 5,000-acre mine development in panther habitat.

SRT: Last year, the Scientific Review Team (SRT), formed by FWS and the Florida Fish and Wildlife Conservation Commission, issued its findings following a thorough review of Florida panther literature. The SRT critique of the PHEM model and the scientific papers on which it is based is devastating, including findings that:

1) "Particularly unsound conclusions" in this body of work are that panthers are reluctant to use areas more than 90 meters (100 yards) from forest areas, panthers require forest areas greater than 500 hectares (1,235 acres) and that panthers are exclusively forest oriented.

2) In "the most serious case of selective use of data," creating a "serious bias," an influential scientific paper excluded data from roughly 6,000 radio telemetry locations in areas lacking large forest patches without acknowledging doing so.

3) The PHEM model's claim that panthers avoid traveling more than 90 meters (100 yards) from forest

areas was likewise based on an unacknowledged selective use of data. The data was collected only during daytime hours, even though panthers are most active at night.

"FWS has used PHEM model and related methodologies for years to essentially rubber-stamp development applications in panther habitat," Kostyack said. "It is time for FWS to acknowledge its errors and to make immediate adjustments."

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