

June 28, 2019

Bureau of Land Management
2550 Riverside Drive
Susanville, CA 96130
BLM_CA_twinpeaksgather@blm.gov

Re: Environmental Assessment DOI-BLM-CA-N050-2019-0011-EA, Twin Peaks Herd Management Area
Wild Horse and Burro Gather Plan.
COMMENTS DUE BY MONDAY, JULY 1, 2019 (4 PM PDT)

Dear Public Official:

Thank you for providing me with the opportunity to comment on your proposed major reduction & reproductive & social alteration of Twin Peaks & vicinity HMA's remaining wild horse & wild burro populations. As a wildlife ecologist & concerned citizen, I have long observed & given input to your agency concerning these two equid herds & their legal habitats. This includes earlier assessments & LightHawk overflights & resulting reports, which include independent population number estimates & habitat evaluations. I also participated in BLM's Wild Horse Walkabout last year & gave intensive input concerning ongoing habitat evaluations & trend assessments, relative proportions of livestock, game animals & wild equids both as to their numbers & their forage, water & habitat allocations. I also complained about repeatedly observed trespass livestock & the impeding of wild horses' & wild burros' natural movement patterns over the four seasons of the year. My input complained of the inadequacy of Appropriate Management Levels (AML) for both the horses & the burros. My concern is for their long-term future viability & survival. My reports derive from observations made both during flights & on-ground field trips & from published reports. My inputs to you have repeatedly emphasized the many positive contributions that wild horses & wild burros make to ecosystems, such as those found in Twin Peaks HMA, when they are allowed to fill their respective niches & are not being subject to various oppressive policies - such as the over-fencing of their legal areas which occurs to a major degree within the Twin Peaks & adjacent HMAs.

I consider BLM's assigned AMLs & forage allocations for wild horses & wild burros in the Twin Peaks HMA to be very unjust. Forage allocations by BLM are 82% for cattle & sheep & only 18% for wild horses, wild burros & other wildlife! In other words, the wild horses & burros get only a small fraction of the available forage, even though they have the principal right to live here. Furthermore, cattle & sheep are excessively stripping the forage whenever & wherever they are permitted, leaving a small portion for the wild horses, burros & wildlife to try to survive on throughout the whole year. This is contrary to the WFHBA & several other laws.

The total AML for the seven contiguous HMAs including Twin Peaks (along with Buckhorn, Coppersmith, Fort Sage, Flannigan, New Ravendale & Buffalo Hills HMAs) is 888 to 1,446 for wild horses and 72 to 116 for wild burros. This allocation occurs within a total area for all 7 HMAs of 1,108,202 acres. Given the Mean AML for wild horses of 1,167 & the total area for all 7 HMAs of 1,108,202 acres, BLM's idea of an "appropriate" AML would be 950 acres per individual wild horse, which is a nearly wild-horse-empty ecosystem! But even more egregious is BLM's AML for the wild burros here. At their Mean AML of 94, there would be 11,789 acres per individual wild burro! These assigned figures reveal how the BLM makes a mockery of the WFHBA in cahoots with the wild horses' & wild burros' traditional enemies!

My sources indicate that in May, 2017 BLM estimated there to be 2,565 adult wild horses & 403 adult wild burros including by overflight observation. Again given the 1,108,202 acres of legal wild horse & wild burro area, this represents 485 acres per adult wild horse and 2,750 acres per adult wild burro. This would not be an overpopulation according to the natural niche spaces that exist for each of these species. Rather these figures present quite sparse populations. Those of us who appreciate & take concerned actions for our nation's naturally living & legally protected horses & burros depend upon our public officials to be honest, fair-minded, equitable in their approach to all segments of society & to all laws, & not to merely employ words to deceive or target the wild horses/burros. Even in very dry areas, BLM will allow one cow-calf pair or five sheep to graze upon one hundred acres or less in the West, provided an adequate water source (e.g. Pilot Mountain cattle grazing allotment, central Nevada).

Please give the above your serious consideration & also look into the disturbing impact cattle & sheep grazing are having on existing aspen groves such as occur on various mountains especially those I have observed on Shinn Mountain. These can be ancient colonies that have lived for centuries and support an impressive variety of wildlife species, including birds, many migratory. When cattle are sheep are allowed to strip the vegetation during their permitted seasons this situation often forces the remaining year-round wildlife onto the aspen groves. I here refer you to the following study just released: <https://www.westernwatersheds.org/wp-content/uploads/2019/06/Whats-eating-the-Pando-Clone-opt.pdf>

And I also highly recommend that you look into the toxic quality of domestic cattle & sheep feces as well as bodies of animals that may die out on the public lands. Here is the link:

<https://www.sciencedirect.com/science/article/pii/S0147651318312429>

It could be that particularly the sheep but also the cattle are having long-term damaging effects because of their toxic droppings. And another germane fact concerns how cattle feces can become extremely flammable tinder easily sparked by lighting or other forms of ignition. Here is the link:

https://www.researchgate.net/publication/270167386_Combustion_of_Cattle_Fecal_Pats_Ignited_by_Prescribed_Fire In contrast, horse & burro feces hold moisture longer since the vegetable derived matter is less decomposed when compared with the feces of cattle, sheep & other ruminants.

Another point BLM fails to mention is that as “an integral part of the natural system of public lands” to be protected & managed so as “to achieve and maintain a thriving natural ecological balance on the public lands” and “at the minimum feasible level” of management, meaning interference, the wild horses & wild burros should be born, live out their lives & pass on upon these same lands to whose ecosystems they contribute their mortal remains. This would be a true-to-spirit interpretation of these words from the WFHBA, not the twisted version too many have succumbed to due to pressures from the wild equids' worst enemies! Furthermore, rancher's managed livestock, whether cattle or sheep, have become very unnatural in their relationship to the public lands ecosystems, because they are not allowed to naturally adapt & fit into these. Rather, they are placed onto the public lands to consume forage over vast areas then abruptly removed for commercial reasons that rob the ecosystems that would have benefitted from their (the cattle & sheep's) eventually recycled remains. This unnatural system works to the detriment of our public lands' life communities, regardless of deceptive attempts to merely glorify the rancher lifestyle. This is the “big elephant in the room” or “the emperor who wears no clothes” about which we are supposed to say nothing in a dumbed-down & controlled society!

Here is another perhaps more polite way of expressing the above: **Wild horses and burros**

should be born free, live free, and die free in their dedicated habitats. Because wild horses and burros are "an integral part of the natural system of public lands," they should be treated as the wild creatures they are, which means with minimal feasible interference by management. Upon their death (including by natural predation), their mortal remains will be left to scavengers and to the ecosystem's natural recycling processes, including those that involve those often forgotten sustainers, soils. In these ways, wild horses and burros will contribute to "a thriving natural ecological balance on the public lands." BLM needs to adopt this approach.

Concerning the EA's approach, I am struck by a willful failure to recognize & differentiate the wild horses' & burros' rights to: (1) genetically viable numbers of individuals; (2) viable habitat including forage, water, shelter & amplitude of elevational habitat as well as adequate size of habitat to accommodate healthy seasonal migrations; (3) reproductive integrity that will assure present & future long-term viability; (4) being allowed to harmoniously adapt to the unique life communities present in the Twin Peaks area, i.e. to truly become "an integral part of the natural system of public lands" – a core intent of the Wild Free-Roaming Horses & Burros Act (WFHBA).

As an appreciator & supporter of the wild horses & wild burros themselves, I detect & resent the callous disregard that is manifest in this EA concerning these ancient presences upon the Earth, especially North America including the Twin Peaks region. And in this statement, I believe I speak for the millions of "general public" citizens who love the wild naturally living horses & burros & just want to see them fairly treated, in many cases whether or not they get to observe them directly. Furthermore, as a professional ecologist specializing in the Perissodactyla of the world (including the Equidae), I object to your ignoring of key characteristics & contributions of & by the horses & burros. This includes their ability to restore soils, disperse a wide variety of intact seeds & aid in their successful germination, their ability to access forage & water not only for themselves but for many other symbiotic plants & animals; & their ability to greatly reduce vegetation that becomes dangerous tinder often leading to catastrophic wildfires.

Indeed, that major wildfire called the Rush Fire of 2012 broke out scarcely two years after the major reduction in the wild horse & wild burro herds of Twin Peaks by helicopter gather in 2010. This burned in excess of 315,577 acres (the figure for Twin Peaks HMA) & at the time was one of California's largest wildfires ever recorded. Since then, there have ensued even more terrific & extensive wildfires that have devastated both more natural & more human-altered ecosystems in line with predictions made by climate scientists & very much related to Global Climate Change/Warming. There is little doubt that had the wild horses & wild burros not been greatly reduced by the 2010 roundup – which took about two thirds of the equids, the Rush Fire, as it is known, would have either been entirely prevented or had much less serious damage & extension. Though constantly complained about by their detractors, wild horses & burros are present year-round in their HMAs & can reach much steeper, rockier & rougher parts of the Twin Peaks & adjacent HMAs when compared to livestock. Here they munch down the vegetation but not to such a degree as to destroy the plants. Indeed, their habit is to graze in a "patchy" way leaving islands of vegetation to set seed. Also, their nature is to frequently move on, rather than to camp on certain areas, as cattle do on riparian habitat. For this reason, wild horses & wild burros must not be overly confined but, in accord with the true intent of the WFHBA, they should be allowed their

appropriate habitat space & natural freedom. – This is a major & timely consideration & I challenge you to check out the following corroborating evidence in proof of the naturally living horses & burros positive benefits & effects:

<https://www.horsetalk.co.nz/2018/01/08/fire-grazing-wild-horses-better-cattle/>

<http://advances.Sciencemag.org/content/1/4/e1400103.full>

<https://www.horsetalk.co.nz/2017/11/20/wild-horses-wildfire-wildlife-ecological-imbalance/>

<https://www.cambridge.org/core/journals/renewable-agriculture-and-food-systems/article/patch-burn-grazing-pbg-as-a-livestock-management-alternative-for-fire-prone-ecosystems-of-north-america/>

Here is another germane comparison I want to bring to your attention: on May 2017, BLM's wild horse & wild burro population estimates were 2,565 horses & 462 burros. But the independent overflight population estimate environmental scientist Jesica Johnston & I conducted on August 14, 2017 indicated a range of between 841 to 1,111 horses for a mean of 976 & a range of between 97 to 128 burros for a mean of 113. The online link to this report is <https://thewildhorseconspiracy.org/wp-content/uploads/2018/03/Twin-Peaks-Flight-Report-2017-1.pdf>. Basically the results of this personal & scientifically derived report lead me to question the validity of your reported population numbers. The possibility of multiple counts of the same individual horses & burros should be seriously considered as well as tendentious attitudes in the observers & writers of BLM's report that consciously or unconsciously tend to overly magnify wild equid numbers to suit the agendas of ranchers & other detractors of wild horses, & to ignore major impacts caused by Off-Highway-Vehicle users, for example.

In reviewing BLM' reports of wild horse & wild burro population estimates for March 1st of each year from 2005 to 2019 for the Twin Peaks HMA, I find some unreasonably high percentage of population increases reported, especially for the wild horses, and also a couple extremely unreasonable annual increases for the wild burros. To wit: for the wild horses, between 2007 & 2008 the population jumps from 779 to 1,122 for a 44% increase & from 2008 to 2009 it jumps from 1,122 to 1,599, for a 43% increase. Also, from 2013 at 1,020 to 2014 at 1,432, it jumps 40%. Again between 2017 at 2,025 and 2018 at 2,693, it jumps 33%. For the wild burros, between 2007 at 86 to 2008 at 169, it jumps a very unreasonable 97%, while between 2013 at 215 to 2014 at 347, it jumps 61%. How does BLM account for these glaring discrepancies?

Concerning page 6 of the Twin Peaks EA, following the September 2010 helicopter roundup, BLM reported 793 wild horses & 160 wild burros (same figures also published in its Annual Statistics Report of March 1, 2011). Fast forward, BLM's Statistics Report of March 1, 2019 reports 3,231 wild horses & 548 wild burros. So, BLM is claiming that in a little over 8 years the wild horse population jumped by 2,438 horses corresponding to a 407% increase & that the wild burro population jumped by 388 burros corresponding to a 343% increase. These figures imply a straight line annual increase of 51% for wild horses & of 43% for wild burros. Although the Compound Annual Growth Rate (CAGR) of increase would be somewhat less, both these measurements are extreme & assume little or no mortality. This is unrealistic, since typically around 50% of newborn foals die during their first year & around 10% of horses/burros over the age of one year die per year. And for those who doubt the presence of mountain lions in Twin Peaks, I dare them to visit the Three Cat Mountain near Rush Creek Mountain. To me, it appears that BLM is adding in much of the annual foals in its calculations & not factoring in their natural

mortality, nor that of the older age classes. I ask for a thorough examination of the points I have raised as well as the fact that at least 146 wild burros have been trapped & removed from the Twin Peaks HMA since 2010 & there is an approved plan to remove 120 more wild burros during the present 2019.

The above & considerably more points & observations (including from FOIA-obtained documents) lead me to believe that BLM officials may be deliberately increasing reported numbers of wild horses & wild burros in the Twin Peaks HMA in order to give the impression of exploding equid populations &, so, to pseudo-justify enormous roundup budgets. Their aim is to perpetrate the resource monopolies of several public lands ranchers & to a lesser extent secure hunter monopolies within this California's largest remaining wild horse & burro HMA. This would be gross favoritism & an abrogation of responsibility to these "national heritage species" that should not continue.

The current March 1, 2019, population estimates are as follows: for the Twin Peaks wild horses: 3,231 horses & for its wild burros: 548 burros. Actually it would be wonderful if there were this many & these population levels would not be excessive for the 789,852-acre Twin Peaks HMA. But I question the unreasonable & erratic variations in reported census numbers & the possibility of overestimation of populations in order to create an irrational crisis mentality that justifies further draconian roundups in order to secure the monopolization of natural resources, primarily for the nine sheep & cattle ranchers operating here. Also I cannot abide how nearly all the many positive contributions of wild horses & burros are being overlooked. This includes restoring of ecological balance by post-gastric, solid hoofed, upper-lower incisor-bearing equids and also the more semi-nomadic nature of wild horses & the territoriality of wild burros. Such basics of equid biology, society, behavior & ecology must not continue to be intentionally ignored. For these are very real & very important to achieving a truly "thriving natural ecological balance" in which the wild horses & wild burros become truly "integral parts" of the public lands ecosystem to which they contribute so much in so many ways, including inspirationally.

Actually ruminant, cloven-hooved herbivores would greatly benefit by the mutualistic contributions of the wild equids. (See refs.) And we must distinguish cattle &/or sheep damage to riparian habitat from wild horse and/or burro impacts upon same! We noted this difference during the Wild Horse Walkabout last September 2018 in the Twin Peaks HMA. Certain vested interests have long persisted in lumping wild equids together with livestock when attributing blame for habitat damage. I consider this to be a clever but dishonest ploy to continue the status quo of monopolistic livestock foraging of the Twin Peaks HMA vegetation & it has been going on for many years & in many other areas throughout the West. As a consequence, almost always it has been the wild equids who are drastically reduced in number while livestock numbers are maintained or even increased, especially over the longer time trajectory. This should be recognized as an illegal subverting of the WFHBA & several other important laws.

BLM officials owe it to the public to defend the interests of the wild horses & burros & not allow selfish interests to dictate policy & practice. The WFHBA clearly states that those lands designated for the wild horses & wild burros (because of their presence on these lands in 1971 on a year-round basis) are to be "devoted principally to their [wild horses & wild burros] welfare" not the welfare of the livestock ranchers, or big game or upland bird hunters, or mining or energy extracting companies, or Off-Highway/Road Vehicle enthusiasts, etc. Yet, this is what is happening in the Twin Peaks HMA & adjacent HMAs. The wild horses & wild burros & their supportive public are being disfavored in order to greatly favor a handful of livestock permittees! Here I particularly call your attention to the Espil Sheep Company that monopolizes the consumption of annual forage production over a major portion of the

Twin Peaks HMA for nine-months of the year. Around 11,000 cattle & sheep graze this HMA at various seasons. Though no fault of their own, these animals are foisted upon the land in such unnatural numbers so as to upset the natural balance which the wild horses & wild burros as integral components of the wildlife community would themselves establish if left to their own natural ways & tendencies, along with the natural system of checks & balances.

Naturally living horses & burros & their close kin contribute positively to the welfare of many native plants & animals, decomposers & soils, aquifers & even the air we breathe – to the long-term well-being of all this magnificent ecosystem, which they enhance in many distinctive yet interblended ways! In substantiation of this I refer you to a small subset of mostly scientifically-based studies I have perused & encourage you to seriously ponder the points they present:

https://www.researchgate.net/publications/239848265_Facilitation_between_Bovids_and_Equids_in_a_n_African_Savanna/

<https://www.princeton.edu/news/2012/02/20/wildlife-and-cows-can-be-partners-not-enemies-search-food?Section=featured/>

www.researchgate.net/publication/318167799_Can_integrating_wildlife_and_livestock_enhance_ecosystem_services_in_central_kenya/

<https://www.thesprucepets.com/horse-manure-facts-1887394/>

<https://www.cabi.org/isc/datasheet/119345/>

https://www.researchgate.net/publication/267285340_Reintroduced_species_as_vectors_for_seed_dispersal/

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2781800/>

<https://saltriverwildhorsemanagementgroup.org/faqs/value-of-wild-horses-and-burros/>

https://www.researchgate.net/publication/223716446_Endozoochory_by_free_ranging_large_herbivores_Ecological_correlates_and_perspectives_for_restoration/

https://www.researchgate.net/publication/223007520_Horse_dung_germinable_seed_content_in_relation_to_plant_species_abundance_diet_compaction_and_seed_characteristics/

I must also not omit that, in my professional opinion, the issue of reproductive tampering, your proposed plan to treat the female wild horses & wild burros with PZP & GCE would produce devastating effects upon these animals & jeopardize their long-term future. For this reason, I am attaching my article: “Will There Be a Future ...” for your careful consideration. This presents scientifically substantiated arguments against the employment of PZP & for that holistic alternative known as Reserve Design that I am pursuing. This would achieve naturally self-stabilizing populations that are harmoniously adapted as well as genetically viable in the long-term. The right implementation of Reserve Design would be the true fulfillment of the WFHBA. I also include this proposal as attachment.

On behalf of my organization the Andean Tapir Fund, dedicated to saving all of the world’s endangered Perissodactyla in & together with their appropriate and viably sized habitats, & its branch the Wild Horse and Burro Fund, I strongly support Alternative 4: No Action. I urge you to revise this entire

Environmental Assessment with an eye to implementing true justice for the wild equids, rather than targeting them. The plan you propose would be very harmful to the wild horses & wild burros whose rights you should be defending. They belong here & at truly viable levels; & their legal habitats should not be monopolized by directly-competing ranching interests, ranchers who have apparent conflicts of interest, commercial livestock operators wanting to obtain more AUMs, and/or profit-driven interests seeking to expand their livestock grazing in the HMA. Other interests have also targeted the wild horses & burros, including those with tunnel vision on game animals.

Within the Twin Peaks HMA & other contiguous HMAs, wild horses & wild burros possess legal rights, while ranchers have cancellable permits. As “national heritage species,” wild horses & wild burros should occupy their respective ecological niches, play their important natural roles. They should be treasured for the beneficial impacts they have on the landscape. One important benefit is the prevention and mitigation of wildfires. Wild horses & wild burros provide this protection by grazing dry vegetation including especially grasses and certain bush & even tree species that are “one-hour fuels & that would both initiate and feed major wildfires. Surely we can agree that the Horses’ & burros’ natural, no-cost method of fire prevention is urgently needed, considered the expanded fire-season in the Twin Peaks region, as elsewhere throughout the West, etc.

We humans must learn to share a lot more with our fellow species who in fact make life possible for us here on this Planet Earth, whose life communities have taken many millions of years to establish. Let us not take them for granted! For ALL our future lives here on this amazing planet may well depend on this.

Do not hesitate to contact with any questions or concerns; & please keep me informed of further opportunities to participate in this very valuable democratic process. I look forward to working with you for the realization of a truly fair & equitable wild horse & wild burro herds along with viable forage-, water- & habitat- designations & protections. Finally I take this opportunity to urge your forthright employment of the United States Code of Federal Regulations Sections 4710.5 & 4710.6 that specifically provide for the curtailment or cancellation of livestock grazing privileges on public lands in order to ensure thriving, healthy herds of wild horses & burros in their legal areas. By means of these & other statutes, you can reduce the present monopolization of the Twin Peaks HMA by sheep & cattle ranchers that is contrary to many hard-earned & life-preserving laws including the WFHBA as well as NEPA, ESA, PRIA, FLPMA, Administrative Law Act, National Historical Preservation Act, among others.

Sincerely,

Craig C. Downer

Andean Tapir Fund / Wild Horse and Burro Fund

P.O. Box 456

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Cc: various appropriate parties including:

Eagle Lake Field Manager Brian Novosak at: BLM_CA_Web_EL@blm.gov

Eagle Lake Field Office Wild Horse & Burro Lead Amanda Gearhart at: agearthart@blm.gov

Eagle Lake Rangeland Specialist Patrick Farris at: pfarris@blm.gov

Attachments: various germane reports & documents including those indicated in this letter.