

April 15, 2021

Bureau of Land Management
Cedar City Field Office
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Re: Public input to Environmental Assessment (EA) DOI-UT-C010-2020-0029-EA Sulphur HMA Wild Horse Gather located in Iron, Beaver and Millard Counties, Utah. Comments due April 25 by mail or vial link.

Link to EA: https://eplanning.blm.gov/eplanning_ui/project/1505407/570

Dear Public Official:

I appreciate this opportunity to give input to your EA. The Sulphur wild horses and their habitat mean much to me and I am disappointed in this gather plan and its justification. I visited the Sulphur Herd Management Area (HMA) in June, 2020, and did some assessments of the herd and habitat. I am including a report on my findings along with this protest input to the Proposed Action gather.

Your EA has adopted a biased approach to the unique Sulphur wild horses, one that minimizes their numbers and resource allocations to the extreme. Consequently, I support the No Action Alternative 4, though you state this is not in conformance with the Wild Free-Roaming Horses and Burros Act (WFHBA). Since your document presents skewed information aimed at disfavoring wild horses and favoring livestock and other interests, I have no other choice. Your proposal runs contrary to the core intent of the WFHBA, which in its Section 2 c states that wild horses are to be given “principal” survival resources within their own legal areas. The latter constitute a minor portion of all U.S. public lands, lands where livestock and other exploitive interests already monopolize the natural resources. Consequently, when you speak of upholding the “multiple use” mandate of our country’s laws governing the public lands by implementing this plan, your message rings hollow, for your Proposed Action furthers monopolistic use.

The Appropriate Management Level you have assigned for acceptable wild horse numbers within their legal HMA is grossly unjust and represents a betrayal of duty to defend the rights of the wild horses. Your assigned AML is 165 low to 250 high for a mean of 207.5 wild horses when all ages are included, or 135 to 180 if only the adults are included, if I understand your document correctly. Taking the more generous AML, and given that there are 265,711 acres in the HMA, this signifies: (1) at the low of 165 there would be 1,610 acres, or 2.52 square miles, per individual wild horse; (2) at the mean of 207.5 there would be 1,280.53 acres, or 2 square miles, per individual wild horse; and (3) at the high of 250 there would be 1,063 acres, or 1.66 square miles, per individual wild horse. This is an outrageous AML assignment that minimizes this special, largely Spanish, mustang herd to a woefully inadequate level. No doubt this is being done to accommodate the ongoing monopoly of resources primarily by public lands ranchers – and I certainly saw many cattle out in the HMA last June and the serious overgrazing they, not the wild horses, were causing! I also saw many dead cattle along Utah Highway 21 to the north of the HMA and include some photos of this in my accompanying report.

Following below are my specific responses to your EA with reference to section and page number:

Ch. 1, p. 1: You claim that wild horses increase from 15 to 20% per year based on statements from the NAS 2013 report and that they double every 3 years. This claim is extreme and fails to factor in several major mortality factors, including a typically major first year mortality of newborn foals, the drier weather, adult mortality, predator and natural hazard mortality, and illegal harassment, capture and killing. Also, you fail to consider the Compensative Reproduction that occurs when the population is greatly reduced (as has just happened during the late summer of 2020, when 620 were gathered by helicopter) and much of the ecological niche for the wild horses is left vacant and, so, refillable.

I also notice that you selectively pick and choose certain portions of the WFHBA while ignoring its greater whole and general intent. To wit: your emphasis on Section 3 b 2 of the act authorizing immediate removal of excess animals to achieve AMLs. But you ignore other significant sections as well as other federal laws and codes that favor wild horses and allow them to exist at thriving long-term-viable population levels. This includes CFR 4710.5 and 4710.6, aka Closure to Livestock within the legal wild horse areas to permit truly thriving wild horse populations. All this indicates a biased approach to wild horse conservation in the Sulphur Spanish mustang herd.

The Public Rangelands Improvement Act (PRIA) stipulates that wild horses are to be considered comparably with other values upon the public lands – not discriminated against! Yet in this HMA, livestock allocations are disproportionately larger than those for the wild horses. You should be reducing livestock not wild horses in this HMA and seeing to it that a truly long-term viable population of wild horses has all its survival needs and habitat components available and treated as a top priority within the herd's legal area. You should give preference to the wild horses, not public land ranchers!

During late summer 2020, you gathered 620 horses from the Sulphur HMA and returned only 46, presumably with mares who were PZP darted, and this roundup caused eight immediate deaths. This roundup was a major assault on the existing population from which the remaining Sulphur mustangs are still recovering. For this to be followed by another major gather would constitute excessive interference and further jeopardize the ability of this herd to fill its ecological niche and find its stabilized place within its own legal habitat. This habitat is not supposed to be overrun by livestock. Livestock are not supposed to be given top priority in the wild horses' legal area!

p. 2: You should be reducing livestock not wild horses and you should also be restricting Off-Highway Vehicles (OHVs), for these are causing much damage to the habitat, as I observed last June. This would help the Greater Sage Grouse (GSG) in its Priority Habitat Management Area, but merely taking it all out on scapegoated wild horses would not solve save the GSG.

p. 2-3: It appears you inadequately announced this EA gather proposal to the public and that the main public sectors you involved in giving input were traditional enemies of the wild horses, particularly the public land ranchers. Those among the public who greatly appreciate and would defend the legal rights of the wild horses and their adequate habitat appear to have been scarcely involved in the past. At the bottom of priorities has been the actual, long-term welfare of the wild horse population itself. This is a gross oversight! How you answered the question "How will removal of wild horses offset wild horse health?" overlooked so much and displayed a "tunnel vision" toward the whole subject of "wild horses in the wild". This is obscured by your primary goal to serve public lands ranchers operating in the HMA.

p. 4. Ch. 2: Description of Alternatives. You offer a very poor choice of alternatives. Therefore, I have no chose but to favor Alternative 4: No Action, of those given. There should have been an alternative for

reducing livestock, OHV impacts and fencing within the HMA, as well as setting up Cooperative Agreements under Sections 4 & 6 of the WFHBA. These would allow a greater, more truly viable wild horse population.

Concerning Alternative 1 and the employment of PZP-22 on the mares, I greatly object to this! PZP has many seriously harmful effects on the wild horses, both individually and collectively, and is a form of domestication of the “wild” horses that is antithetical to the true intent and spirit of the WFHBA! Among the adverse effects are social disruption, out-of-season births, lethargic behavior and a progressive weakening of the immune system. I refer you to this article and its links and urge your careful and open-minded consideration of such: <https://www.horsetalk.co.nz/2020/03/24/pzp-wild-horses-do-not-belong-together/> .

I recommend that you follow the sound principles involving a Reserve Design approach to wild horse conservation in the Sulphur HMA and elsewhere. This would be in conformance with the true spirit and intent of the WFHBA, as it would honor the horses’ natural lifestyle and provide for their long-term viability by providing them with a commensurate long-term habitat and the resources that are required for true thriving and long-term viability. I have described this Reserve Design approach in my article whose link is: <https://www.researchgate.net/publication/274006946> [The Horse and Burro as Positively Contributing Returned Natives in North America](#)

p.6-7. What you say about the harmless effects of PZP is not true and represents a tendentious pick-and-choose approach to the subject. (See the article about PZP cited above.)

While I agree that much can be learned from radio-tracking of collared or tagged wild horses, it seems that the motivation behind this by BLM is to try to get by with minimum population size and minimum habitat resources assigned for the wild horses. In other words, the attitude is one of “Let’s study the wild horses so that there is not a total collapse of the herd, so as to appear to be fulfilling the WFHBA, all the while we will give top priority to all the other uses of this HMA, especially livestock but also including big game and upland bird hunting, OHV recreation, wood gathering, etc.” From your online and other publications, it is apparent that you downplay the importance of the Sulphur wild horses, particularly their importance in the wild. I find this to be typical, as BLM has been recalcitrant in recognizing the true intent of the WFHBA. This has to do with “wild horses in the wild,” not horses that are invasively altered and semi-domesticated – which your proposal seems aimed at doing! Particularly grievous is to read all the skewed recommendations and to note the ignoring of wild horses’ many positive contributions!

p. 8. I greatly protest the use of GonaCon! It produces some very serious effects on mares. These are very inhumane and include depression and mood swings, as it did in women until it was outlawed.

p. 9. Chapter 3. Affected Environment and Environmental Effects, Rangeland Health Assessment: Again, I notice a tendentious approach to this subject that puts negative spin on study results. These are interpreted non-objectively so as to disfavor the wild horses. To a large degree, these ignore the major detrimental factors present in the HMA, particularly livestock, fences and OHVs.

p. 13. Table 3.2 Allotments within Sulphur HMA, show the disproportionate allocation of forage for livestock vis-à-vis the wild horses. It is plain that the wild horses are not getting their just share of

forage. There are ca. 8,355 sheep AUMs (Animal Unit Months) and 17,076 cattle AUMs on 9 allotments operating in at least some portion of the Sulphur HMA. At the mean AML level of 207.5 for wild horses, there would be, 207.5 times 12 months, or 2,490 AUMs, so it appears the wild horses are given a very minor portion of the forage allocation in the area of the Sulphur HMA compared to livestock.

p. 14. There is no mention of the positive contributions by wild horses.

p. 15. Concerning “as of March 16, 2021, precipitation data indicate the HMA has received only 30-50% of normal moisture,” this indicates a serious need to reduce the major foragers – livestock!

p. 16. Though you state that ‘currently there are ca. 150 wild horses within 6 miles of Highway 21 and that they tend to graze in the rumble strip and that some have been killed by vehicle collisions, in June of 2020 I did not notice any dead wild horses along this highway, but did observe ca. 20 dead cattle who obviously died from vehicle collisions. I took photos of some of these. I therefore recommend that you remedy the situation with the cattle as a top priority! (See my attached report.)

p. 17. Impacts compared among Alternatives 1 through 4: I notice much exaggeration and tendentious, even circular reasoning here and a failure to look at more innovative alternatives that would allow for a fairer, more viable wild horse population level and commensurate habitat resource provision. Basically, I see this as a “big squeeze play” against the wild horses. There is no mention of the need to reduce livestock, OHVs, water pumping and piping, interior fences within the HMA and other harmful factors present and impacting the wild horses as well as the rest of the natural life community in which wild horses are a positive and enhancing component.

p. 18. Again, there is no recognition of the negative effects of PZP on wild horses nor any recognition of the wild horses’ ability to limit their own population growth as they come to fill their ecological niche within the HMA. By allowing the establishment of mature social units, or bands, an intrinsic repression of reproduction by younger horses would occur – but the draconian roundups that disrupt these bands prevents this! The horse species is a *climax* species that is capable of self-limitation; to state otherwise is misleading! There is too much negative hyperbole in your treatment of the naturally living horses and too little real interest in knowing the greater truth/justice for them and their role in the life community.

p. 19. Handling Stress: Your report of gathered wild horse mortality of between 0.5 and 1% during a typical gather does not take into account subsequent deaths and the terrible aftermath of being rounded up that causes untold suffering, subsequent decline and many early deaths in the victimized horses following their roundup. (See Nock, Bruce. DVM. 2010. “Wild Horses—the Stress of Captivity.” <http://www.wildhorsepreservation.com/pdf/death-report.pdf>.)

p. 20-21. Concerning your discussion about traumatic roundups, horses learning to evade helicopters and subsequent PZP darting, I strongly disagree with this approach to wild horse conservation. Such an approach is insensitive and contrary to the true intent of the WFHBA. You should be adopting a much more wild-horse-respectful approach that incorporates the sound principles of Reserve Design. What you are proposing is a form of domestication of these horses and hampers their fitness and ability to survive out in the natural world. Long-range, this would cause devastating effects to these wild horses and their descendants. I have noticed serious effects of helicopter roundups even years after they occurred. These are similar to PTSD among humans. And as concerns the foals, again you understate the harmful, long-lasting and adverse effects of roundups on these innocents. As concerns the orphans who

are left after the roundups including out on the range, BLM could do a lot more to prevent this by providing a much fairer share of the survival resources for the wild horses including forage, water and shelter than it does at present ... and by adopting the sound principles of Reserve Design.

Radio-Collaring and Tagging: While I favor this form of in-field investigation of the wild horses and other animals (and have done this during my career), I caution you concerning how you interpret and use the data and information thus gained. You should apply such with the mind to achieving a much better plan for a larger, more truly long-term-viable Sulphur herd that is allocated a much fairer share of the forage, water, shelter and other needed habitat components not just for their minimum, “token” survival but for their long-term thriving. For this you should employ the sound principles of Reserve Design.

p. 22-23. Transport: Again, I feel you very much underestimate the serious trauma, injuries and death that occur during transport. I have observed powerful stallions going utterly berserk and badly harming themselves and other horses at helicopter roundups. During the High Rock HMA gather, so extreme were the efforts of one stallion I observed to break free that the cowboys trying to calm him and place separation panels to isolate him were themselves profoundly frightened and had to run away from the scene. I poignantly felt the real anguish of this magnificent being! ... It is such a shame that we humans continue to torture these wonderful, highly evolved and super-sensitive beings present in horse form in this way! There has to be a better way to realize wild horse preservation that doesn't involve all this violent, harmful and invasive man-handling!

Short-term Holding and Adoption Preparation: Concerning 5% annual mortality of wild horses held and need to euthanize gathered wild horses and burros, many of these would be fine and could live years more. After all, they were surviving at the time of capture. Also, if they had been left to pass on in Nature, they would have contributed their mortal remains to the ecosystem that sustained them all their lives. By removing them, BLM is depriving the other species, including predators, scavengers and soil microorganisms, and all the many plants that spring therefrom. Taking them away from their natural home is a major diminishment of the ecosystem, in my estimation as an ecologist. Aren't the wild horses supposed to be an “integral part” of the public land ecosystem according to the WFHBA?!

Concerning the footnote: I disagree that the No Action Alternative would violate the WFHBA, etc. BLM is skewing this law's interpretation in order to justify a terrible suppression of the wild horses in their own legal area where they have a right to be the “principal” recipient of resources. Again, Reserve Design is the solution.

Alternatives 1 & 2, Additional Inputs: Generally, you understate the impacts of PZP and fail to even mention several of the most serious ones, including that over the generations of PZP darting there would be an undermining of the immune systems of the horses that would result in their serious decline and demise. The social disruption, out-of-season, deformed and still births, stress and consequent lack of fitness and general moroseness, malaise and lethargy observed in PZPed wild horses must not continue to be conveniently ignored! (See PZP article whose link is given above.)

Ch. 4 Consultation and Coordination: It appears that there was an overly narrow consultation in the past, but I thank you for providing me with this opportunity to make comment now and trust you will carefully consider my points and references. I recommend you more greatly value the high degree of Spanish Colonial Mustang heritage that is present in the Sulphur HMA herd and do a lot more to perpetuate this by increasing the AML population level and corresponding viable habitat resources.

p. 29. Appendix 2: I object to the Fuels/Fire Management judgement by BLM official M. Esplin that states that there will be “no impacts ...” I do this because by removing the great majority of the wild horses, a much heavier fuel load would result that would exacerbate the risk of catastrophic wildfires. (See <https://www.WHFB.us> for proofs.)

Concerning Greenhouse Gas Emissions, by removing the great majority of the wild horses from the Sulphur HMA and taking them down to a level of ca. one individual wild horse per 2 square miles, you will be counteracting the very important role that wild horses play in sequestering Carbon. This is due to their different post-gastric digestive system (as contrasted to the ruminant one of cows, deer, sheep, etc.). Their droppings are not as decomposed, hence, they sequester much more Carbon within the vital Humus component of soils and keep it from going into the atmosphere. (See https://esc.rutgers.edu/fact_sheet/horses-and-manure/ and https://www.researchgate.net/publication/329347369_Nitrogen_additions...) You need to connect horse droppings with increased N in soil, increased humic acid, healthier soil, higher Carbon sequestration, nutrient capture, moisture retention and, consequently, ecosystem resilience in face of rising temperatures. (I present a PPT explaining this, in case you are interested.)

p. 30. Hydrologic Conditions: This assessment ignores the positive contributions that wild horses make by building healthier, more nutrient-rich and water-retaining soils and, hence, augmenting aquifers where they occur (see above references).

Invasive Species / Noxious Weeds: I am very surprised that you state horses are contributing to the spread of Houndstongue within the HMA! According to Nevada Noxious Weed Field Guide (2010, E. Creech et al. Univ. Nevada Coop. Ext.) Houndstongue (*Cynoglossum officinale*) is “toxic to livestock, especially horses [and it] has a distinctive odor that may cause animals to avoid [it].”

Livestock Grazing: Your AML assignment for the Sulphur wild horses is extremely unfair. There should be a reduction in livestock in order to accommodate the forage, water, shelter and other habitat needs of a more truly viable wild horse population.

p. 31. Recreation: This assessment totally ignores the substantial negative impact upon wild horse viewing opportunities by the public. This reveals a prejudice toward the wild horses as well as the many members of the public who support them and want to see them present in healthy viable population numbers and in adequate habitats containing the resources they need for survival at long-term-viable population levels. And the Sulphur mustangs are greatly valued by wild horse advocates as being one of the purest remaining Spanish mustang populations that are very spirited and beautiful to observe. I certainly found them to be so last June.

Soils: This evaluation ignores the negative effect of livestock, OHVs, roads and even hunter and other vehicles and also that the livestock impact is much greater than that of the wild horses. It also totally ignores the positive contributions horses make to building healthier soils (see earlier references).

Vegetation: This simplistic statement that the major reduction of the wild horses by the gather would benefit vegetation ignores so much concerning how naturally living horses actually benefit many plant species, as for example by building richer soils, seeding more intact, germinative seeds and of a greater variety, etc., and how this then benefits many animals who eat, shelter in or otherwise derive benefit from these plants.

Visual Resources: Again, this statement totally ignores the wonderful beauty of the wild horses out in nature and the very negative impact that gutting the wild horse herd would have on the visual aesthetics that so many non-biased people greatly enjoy and benefit from while observing “wild horses in the wild”.

Water Resources / Quality: This statement totally ignores the very positive benefits that wild horses have for building healthier and more water-retaining soils and, hence, for augmenting aquifers. (See earlier references.)

p. 32. Wetlands / Riparian Zones: This overly simplistic statement fails to carefully analyze all the factors contributing to riparian impacts, especially livestock, OHVs, etc., and merely blames the wild horses. It also ignores that wild horses do not camp on riparian habitat as do cattle, but are highly mobile, dispersing their foraging pressure over broad areas, unless overly restricted by fences, or harassment.

Wild Horses: The impact of greatly reducing the wild horse herd would disrupt the mature social units and their structure, set back their natural processes of adaptation to this special HMA ecosystem, thwart their filling their natural niche here and generally disrupt the natural harmony of this scenic ecosystem. The whole approach of this BLM evaluation is very blind to so many important facts and truths concerning the wild, naturally living wild horses!

Wildlife – Greater Sage Grouse: This evaluation deliberately puts the burden of saving this species on the wild horse while ignoring the major factors that are, in fact, contributing to this grouse’s decline, such as livestock impacts, OHV disruption of habitat, fencing, etc. This is scapegoating!

p. 37. App. 4. Alternatives considered but not analyzed in detail:

Removal or Reduction of Livestock within the HMA: This should have been seriously considered, chosen and implemented in order to achieve true multiple use, as opposed to monopolistic use, upon the public lands. BLM is ignoring many aspects of U.S. law that would permit this much needed reduction. But BLM has deliberately chosen to ignore these, including the very important CFR 4710.5 & .6, aka “Closure to Livestock” that permit truly thriving wild horse and burro populations.

p. 39. Raising the AML for wild horses: This should definitely be done, because the current AML is grossly unjust and makes a mockery of the WFHBA. It puts the Sulphur mustangs in a very precarious position as far as their future survival is concerned.

p. 40. Controlling Wild Horse Numbers by Natural Means: This statement is extremely tendentious and is very deceptive and misleading. So much of what is stated here is based on a very warped view of the wild horses and their ability to harmonize with the ecosystem, naturally adapt and self-stabilize their numbers. As an ecologist who has studied wild horses in depth and observed them extensively in the field, I believe this statement is very wrong. (See researchgate article 274006946 cited above.) I seriously question the 95% survival of foals, though their greater survival could well be related to BLM’s frequent major reduction of the herd and the consequent opening up of habitat and wild horse niche space.

p. 41-42. Make Individualized Excess Wild Horse Determinations Prior to Removal: Wherever possible, the BLM should allow the wild horses to be born, live out their lives and pass away out in their legal habitat. Thus, they would be at peace and not subject to the horrendous process of being rounded up and tormented by the cruel extraction and massive manipulations, such as currently occur. Also, they would be allowed to contribute their mortal remains to all the species who share their habitat, including

scavengers, predators and decomposers, which is a major and very positive contribution! For this reason, the best and most respectful approach is naturally harmonious Reserve Design, akin to “Rewilding”. (See researchgate article 274006946 cited above.)

Use of Gelding [and ovariectomy] ... to Reduce Growth rate: I very much object to this. It would be antithetical to the true and core intent of the WFHBA and very inhumane. Being more or less “harem” type social animals, horses run the risk of low male genetic heterogeneity. Gelding would only exacerbate this tendency and result in the serious decline of the wild horses over the generations. Ovariectomy of the mares is extremely cruel and results in terrible suffering and frequent death.

p. 43. BLM failed to consider my Reserve Design proposal. (See researchgate article 274006946 above.)

p. 45. Population Modeling criteria: I question the validity of these modeling projects when they fail to take into consideration important factors such as the wild horses’ ability to self-limit their population. Such models have a disturbing tendency to be overly simplistic. As with any such models, much depends upon how one uses them, including how results can be skewed.

p. 55. Aerial Wild Horse Counts: This methodology needs to give more attention to the possibility of double- or multiple-counting of the same horses who could move over to different transect lines being overflowed by the censusing airplane. I have conducted such censusing counts myself. For this reason, I recommend exact, positive identification of individual wild horses that is so important to getting accurate census estimates. I also recommend conducting the aerial count as quickly as possible over the entire area to be censused.

p. 67-68. U.S. Drought Monitor West, 9/22/2020 & 3/16/2021. This situation looks very serious, particularly for states such as Utah, including western Utah. This is strong justification for reducing livestock grazing in and around the Sulphur HMA and other HMAs, including Conger. America’s wild horses are generally better able to survive in drier conditions than are cattle. They are more pre-adapted to such in part due to their post-gastric cecal digestion as well as their more mobile, semi-nomadic lifestyle. And their greater presence would be of great benefit because of their role in mitigating and often even preventing catastrophic wildfires (see germane reference given above).

Final Note: For your perusal, I am including my report based on field observations including transects that I conducted last June, 2020, in the Sulphur HMA as well as in the nearby Conger HMA and additional related ecosystems. I would appreciate hearing back from you on the inputs provided in this letter as well as the findings and recommendations of my report. I am very concerned about the future of the Sulphur mustangs and their legal habitat and greatly urge you to take them seriously. If I may be of further assistance in this worthy enterprise, please do not hesitate in calling on me.

Sincerely,

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