

Bureau of Land Management
Challis Field Office
Kevin Lloyd/WH&B Specialist
1151 Blue Mountain Road
Challis, ID 83226

June 2, 2008

RE: Challis Herd Management - Wild Horse Removals
Preliminary EA# ID-330-2007-EA-351

Dear Mr. Lloyd:

Please accept my comments and input regarding the removals of wild horses in the Challis Herd Management Area.

Identified issues that I would like to see addressed for public review of the proposed action include:

- List of livestock allotments affecting the proposal area including the names of the allotments, the percentage the allotment falls within the HMA, and the authorized Animal Unit Months (AUMs) issued per allotment for livestock grazing.
- Wildlife population estimates and objectives for the Challis HMA within the proposal area for evaluation of utilization levels in relation to the thriving ecological balance.
- Fertility Control
- Population Modeling parameters
- Specific Standards for Removals in the Proposal Area
- Euthanasia Criteria
- Herd Characteristics

Thank you for the opportunity to participate in the management of America's irreplaceable resources.

Sincerely,
NAME/ADDRESS REMOVED

Fertility Control/PZP

This effectiveness of PZPs two-year time frame has been linked to when it is administered and has been found to be 50% less effective if administered during summer versus winter. Please provide an estimate of approximately when BLM is planning on removing wild horses and

administering PZP, as this will have direct bearing on its usefulness as well as the cost effectiveness for population control in the proposed actions.

Also, please include the reason BLM is going to brand the wild mares used for these fertility control experiments that identifies them as property of the state of Idaho. These are a national and federally managed resource - so why is BLM branding them with a state brand? How does this state brand provide distinction between the wild horses and domestic horses of Idaho?

Allowable Management Level (AMLs)

Allowable use authorizations for the HMA indicate that BLM has only authorized wild horses forage allocations sufficient to sustain the “low” range of AML for the Challis area or 2,200 AUMs. Please explain why BLM has failed to authorize sufficient forage to support the “high” range of AML. Also, is this the reason BLM finds it necessary to conduct wild horse removals every 2 years versus 4-5 years as per BLMs Strategic Management Plans if they fail to use PZP after the capture operations?

Also please specify whether foals under one year of age are included in the AML range and count towards the population levels that trigger AML and the resulting removals.

Population Modeling

After reviewing a variety of BLM proposals over the last few years, concern has developed regarding both BLMs application and the lack of verified accuracy regarding the Winn Equus Population Modeling software, which has fast become a foundational tool in analysis of management actions with little data to substantiate its actual effectiveness in relation to “real world” results.

It is a relatively new management tool and the Strategic Research Plan (revised 2005) posted on BLMs website also mentions a need/desire to verify how the program is doing in relationship to actual results with improvements being added to the software that have yet to be fully evaluated (see pg. 33) (http://www.blm.gov/pgdata/etc/medialib/blm/wo/Planning_and_Renewable_Resources/wild_horses_and_burros.Par.91906.File.dat/Strategic%20Research%20Plan.pdf)

The potential impacts to self-sustaining herds through improper application, inputs and parameters, especially when combined with fertility control drugs and/or the most recent consideration of including castrated stallions as a component of wild free-roaming herds, has potential to cause irreparable damage through inbreeding, population crashes and violations of federal law requiring BLM to manage herds in such a manner as to preserve them for future generations.

While it is completely understood that the concept can be very useful and the model itself MAY BE extremely accurate, if its not being applied properly, it will have little value. The most specific concerns for now include:

1. Inconsistent Application.

This includes a wide range of projection fields that have been used on the wild horse removals ranging from 4 years to 20 years. There are even proposals examined that had "split" Field Office jurisdiction where one Field Office ran the model for 11 years and one ran it for 5 years - on the same proposed management action.

Recommendation: Utilize an analysis that fits that actual proposal being considered. If the objective is to maintain AML through a cyclic gather process of every 3, 4 or 5 years, run the model on the actual proposal to determine results. The additional inclusion of running a separate 20-year projection may be useful in determining the outcome of the proposals cumulative impacts but using it as a substitute for the actual proposal provides no data as to the appropriateness of the management actions and their implementation.

2. Unrelated Input

There has been such a HUGE variation by BLM personnel throughout the Wild Horse & Burro Program in the numbers they use as their "starting base" in the Winn Equus trial runs that many times, the output by the program is completely useless in terms of relative value to the actual proposals.

For example, let's say the proposal plans to leave 100 horses post-gather. There will be inputs that may range from 40 to 500 as the starting base. This is NOT to be confused with the different alternatives such as No Action with the "500" starting base. This is about the ACTUAL proposal where BLM will say "We will leave a 100" and then start the model off on the proposed action with a population number that is nowhere near what they are proposing to do.

It is understood that slight variations in populations are necessary, such as starting with 90 because maybe, unexpectedly they took a little more than planned, or 115 to account for some they may have missed, etc. but BLM has issued such proposals as, "We propose to leave 100" but then they will start with a minimum population of 185, 200 and then it just keeps going up from there. Of course, then they use the median numbers, which are higher still and well, what good is that in determining outcomes of the specific proposal and it's impacts?

Recommendation: Make sure starting population levels and all population inputs used in the analysis are in a REASONABLE RANGE of populations relative to the alternatives and proposed actions for a more accurate projection. There should also ALWAYS be an input used that is identical to the proposal. Such as, if the proposal is projecting on leaving 100 post-gather, at least one trial for each Alternative considered should include 100 as the starting population input.

3. Cherry Picking

Too often, BLM has "cherry picked", for lack of a better term, what graphs they include while omitting other pertinent graphs and/or information that is necessary to assess the impacts of the entire projected proposals as a whole.

Recommendation: Include the full spectrum of trial runs used in each proposal AS RUN by the model itself without censoring data to lead the proposal to preformed conclusions.

4. Results In Their Own Image

BLM personnel creating their own graphs and inputs while claiming these are the results of the trial runs. While a summary graph may be useful for easy comprehension and overview of the proposals, it also allows the opportunity for BLM personnel to skew data and inputs that may not be tied to the actual data used or the results of the trial runs.

Some prior proposals have used numbers in their own created tables/graphs that were NOT used in the trial runs or they will again omit certain statistical data when creating their own graphs.

For example, in the trial runs personnel will NOT use the proposed post-gather population but in their own created graphs, they will. At the very least, this is misleading idea because it implies that the proposed population was the one the trial runs were computed on when in fact, that population was never used except in their own created graphs.

Recommendation: If BLM would like to include a chart of their own making to help clarify for easy comprehension, there is nothing inherently wrong with that but it should not be allowed to replace the full spectrum of trial runs usually included as an Appendix in removal activities. It is essential that the trial runs as computed by the software be fully published so that the numbers can be compared and verified as accurate. The data provided in self-created graphs should also contain the full spectrum of information obtained from the trial runs, including the actual numbers used to conduct the projections.

5. Complexes

While is understandably a useful tool, to project meta-population results through alternatives, how accurate is this technique in terms of individual populations?

Just because gathering an area for administrative convenience causes BLM to issue proposals as "Complexes" within a FO's jurisdiction, it does not necessarily accurately reflect the populations interactions as "one herd" or the accuracy of projecting outcomes based on HMAs that are not truly connected or interactive.

Additionally, there can be issues of fencing, roadways and topographical barriers that prevent any significant genetic interchange OR proposals may come up that BLM has no control over that radically alter herds migratory routes during the life of the projections that may cause the populations to crash through unforeseen actions.

A good example of this would be the Antelope and Antelope Valley HMAs where Nevada Department of Transportation put a roadway and fencing in that cut the traditional migratory route of the herds off and consequently trapped horses that historically moved between Antelope and Antelope Valley during summer/winter migration patterns.

Also, until BLM can ascertain with some degree of certainty the AMOUNT of interchange between the HMA populations and use that as an input, combining total populations is relatively useless. Even if using inflated "Complex" numbers with unknown interchanges appeared to provide for viable herds, it does nothing for projecting outcomes of individual herds that may experience population "crashes" because they never really mixed in the first place.

A recent example of how on paper populations may provide interchange but actual data fails to support the theory is the White Mountain and Little Colorado HMAs in Wyoming. These two HMAs are actually fairly well connected (at least according to the maps) so interchange should be fairly high. This fact was cited in context with genetic viability and herd health due to this potential interchange.

However, while both HMAs were last gathered together about 4 years ago, the White Mountain HMA had a huge jump in population while the Little Colorado HMA, at least by comparison, was considerably more stable and failed to reflect the same increases by a fairly large margin. In other words, the population expansion was not equal between the HMAs in real world results indicating very little actual interchange among the herds in this area were occurring despite theories and projections of potentially high interchange.

Additionally, the Silver Peak/Paymaster HMA in Nevada, which conducted the last and final round up for the now zeroed out Silver Peak wild horses in September 2006, cited the then

current population of 79 wild horses were showing signs of inbreeding. This reason was used as one of the reasons to permanently eliminate this free-roaming herd and there are scores of HMAs that BLM has now established maximum allowable management levels of 79 wild horses and/or burros or lower.

Recommendation: IF BLM wants to use trial runs to project "meta-population" projections as a useful tool under a Complex, they should ALSO be required to run to trial runs for each specific HMA as well, just in case something unforeseen happens or in case the migration and herd movement is less than expected. Plus, research has revealed that very few of the HMAs gathered as a Complex have significant access to other HMAs so the actual usefulness of using trial runs in this manner in "real world" terms needs supporting data to substantiate its effectiveness before confidence can be placed in the current strategy of just considering "potential" as actual and viable.

The fact that managers lack data on which herds are genetically isolated has also been cited and substantiated in the Strategic Research Plan (see pg. 35) and this fact needs to be appropriately incorporated in management strategies to ensure long-term viability and health in management actions and proposals.

5. Additional Considerations

Since its use is still fairly new, many of the initial gathers that began incorporating population projections took 3-4 years to go by before the accuracy of their application could be evaluated in each HMA or area. As a result, only recently has BLM had the opportunity to go back and verify, adjust, modify and evaluate the effectiveness of its application in relation to site-specific proposals.

Because of such wide variations used by BLM personnel in different FO's on different proposals over these crucial years, the issuance of many of them as "Complexes" and the instances where only partial data was entered, the BLM has missed a great opportunity to have acquired 3-4 years of data to now evaluate and perhaps modify the software and/or their management actions based on current real world results.

BLM should develop a consistent policy regarding it's use with the goal in mind of being able to use these trial runs later to analyze the effectiveness of the proposals. As it stands, because of BLM not developing a consistent policy of application, all potential data and projections are still relatively useless in terms of analysis and subsequent modifications if needed.

Incorporating these recommendations would help assure both BLM and the public that the statistics and data backs up the actual usefulness of the trial runs in "real world" applications so projected outcomes can be assessed fairly and confidently for healthy, sustainable herds.

Helicopter Removals

The issue of using helicopters to drive wild horses and burros continues to be a source of controversy and concern for many members of the public, even after all these years. There must be some merit to the reasons for this concern since the use of fixed wing aircraft to "hunt and chase" wild horses was the first law ever established toward the goal of humane treatment and protection of wild horses.

Because of Nevada BLMs failure to take these concerns seriously, the entire affair became incorporated into a report titled, "*The Use of Helicopters to Remove Wild Horses and Burros From Public Lands*" June 2007 and has since been submitted to various BLM offices throughout the West, members of the National Wild Horse & Burro Advisory Board as well as both state and federal legislators.

In this report, a large amount of evidence was presented including eye-witness testimony and photographs of helicopter conducted removals graphically showing less than humane removal methods.

Among the concerns cited were eye-witness testimony of no traps set up with wild horses, including foals, being run straight into trailers, being left in the trailers all day with no water after being driven by the helicopters when temperatures exceeded 90 degrees, wild horses being trapped in panels that broke their legs and necks, failure to properly separate stallions, foals and mares causing severe injuries and death both during the on-site capture operations as well as during transport, rope injuries sustained around necks that collapsed breathing abilities and were left untreated by contractors and personnel resulting in death, a high degree of rope burns and deep cuts, foals being unable to keep up and being lost, some dying out on the range, others being found and hog tied for hours in high temperatures, while others still were estimated as being orphaned on the range for up to 3-4 days, foals sustaining excessive hoof wear, limb swelling, elevated muscle enzymes consistent with severe over-exertion, testimony from concerned citizens that veterinarians had stated horses and burros not conditions to run long distances can be harmed by helicopter driving and may result in abortion, premature birth, permanent damage to bones, hearts, lungs, joints and death, a wide variety of reported cases of strangles, an upper respiratory infection/disease that can kick in after a horse is stressed – or after, for instance, being run too hard during a helicopter round up with reports from the Animal Welfare Institute that almost every BLM facility had experienced outbreaks of strangles, leading to confirmed deaths of scores of animals (estimated as occurring between 2004-2006), all mares losing their foals after the 2003 Coyote Canyon wild horse round up, as well as the serious safety concern to humans that deeply ingrained psychological terror results

from driving wild horses by helicopters, which then poses hidden danger to future riders and has resulted in at least one known death of a young girl due to a helicopter “fly by” while riding a helicopter captured wild horse.

BLM is required to provide humane treatment and care for wild horses and burros placed within their charge as per 43 CFR 4700.0-2, which specifically outlines, “The objectives of these regulations are management of wild horses and burros as an integral part of the natural system of the public lands.... and humane care and treatment of wild horses and burros” and is further reinforced through 43 CFR 4700.0-5(e)(f), which stipulates, “*Humane treatment* means handling compatible with animal husbandry practices accepted in the veterinary community, without causing unnecessary stress or suffering to a wild horse or burro” and “*Inhumane treatment* means any intentional or negligent action or failure to act that causes stress, injury, or undue suffering to a wild horse or burro and is not compatible with animal husbandry practices accepted in the veterinary community.”

While it is understandable that BLM wishes to have a certain degree of flexibility in determining the best methods to conduct gather operations in any given area, their failure to provide specifics relative to individual gather proposals must be addressed.

While general standards are acceptable for overall guidance, site-specific standards for each gather proposal should be incorporated and the authorized officers assessment of the gather area prior to gather operations should be publicly posted and incorporated within each proposal so that the standards and impacts are clearly analyzed and defined in relation to the proposal areas environment.

BLMs Standard Operating Procedures are too vague. There needs to be some general specific humane standards and rules that must be established for all gather activities as well as legal consequences for contractors or personnel that violate these basic humane standards. These general standards include limits on distances such as “No wild horse or burro shall be driven more than 5 miles per day” as well as limits on temperatures such as, “No wild horse or burro shall be driven when temperatures exceed 100 degrees or fall below 32 degrees fahrenheit.”

Please include specific SOP’s relative to each gather proposal area that incorporate the requested specific information for public review as determined to be appropriate by the authorized officer for this specific proposal. These issues would include types of terrain wild horses will be driven through, estimated distances wild horses will be driven to the trap sites for each proposal area, temperature minimum and maximums that, once exceeded, will halt further gather operations. Also, due to funding considerations within the wild horse and burro

program, please include a cost comparison analysis between utilizing helicopter removal methods versus bait/water trapping or horse back capture methods.

Helicopter Contractors

As for the contractors themselves, questions have been raised as to BLMs procedures for securing helicopter contractors for gather operations. These questions include possible no-bid contracts being awarded preventing competitive pricing as well as awarding these same no-bid contracts to contractors that have a history of questionable criminal activity related specifically to the harassment and deaths of wild horses through being hired privately for the sole purpose of removing wild horses to commercially process them for horsemeat.

When questions were posed to BLM last year about Cattoor Livestock Round Ups history of criminal activities regarding wild horse captures, BLMs response indicated it was a minor transgression that had been appropriately accounted for. However, further research indicated it was considerably more than minor and that much of the restitution paid was a result of complicated and hidden court proceedings that include over 1,600 pages of legal documentation on the issue – hardly a “minor” situation at all.

Furthermore, the obvious inappropriateness of BLM continuing to award contracts to someone with such a questionable history in relation to wild horse captures for commercial processing continues to be completely unacceptable and implies abuse of both government ethics considerations as well as a betrayal of the public trust.

Additionally, the use of Cattoor Livestock Round Ups is no longer appropriate. Prior history of criminal activities regarding private contracts to capture wild horses for commercial processing, being the contractor responsible for the well-documented footage of wild horse and foal deaths occurring in the Sheldon Wildlife Refuge in June 2006 as well as being the contractor that oversaw the Jackson Mountain wild horse gathers in August 2007, provides ample historical evidence and clear indications that humane handling and accurate assessments of wild horse needs are not being sufficiently incorporated or placed as a priority with this contractor.

The use of Cattoor Livestock Round Ups appears to be nothing more than a long and profitable relationship of exclusive government no bid contracts with no accountability required by BLM to the public or to the wild horse herds they are suppose to be protecting and as previously stated, continued use of this company is completely and totally unacceptable.

Please provide information as to where/how BLM posted bids for helicopter contracts for this proposed action and what qualifications were used to determine awarding the contract to the approved contractor(s).

Euthanasia

While it is understood that BLM has the authority to euthanize wild horses/burros due to specific health conditions, concern is growing as to the validity of BLMs assertions that it is necessary to euthanize X amount of wild horses/burros due to “unrelated” issues from helicopter driving methods.

Conditions cited in prior removal operations that resulted in euthanasia of wild horses/burros include Henneke body class conditions of unacceptable ratings, deformities, prior injuries unrelated to helicopter driving methods, and age classifications determining a wild horse is no longer capable of surviving either in the wild or in captivity.

It is suggested that BLM list the specific criteria that will qualify wild horses for euathanasia before the operations begin for public review as well as to actually document these conditions through photographic evidence that these euthanasia’s are indeed warranted by the conditions cited as well as providing evidence that these wild horse/burro deaths are indeed non-gather related.

Please incorporate the stipulation that all euthanized wild horses will be photographed before and after euthanasia’s and available for public inspection to determine the appropriateness of these management activities to public resources.

Additionally, a qualified veterinarian should be the only individual authorized to determine if a condition is untreatable and requires BLM to put a wild horse/burro down and this stipulation should also be incorporated within the removal proposals SOP’s.

If BLM continues to insist that a veterinarian is not necessary to be present and on site throughout the removal operations and/or will be on call “if needed”, please provide the qualifications of the authorizing officer who will determine medical conditions of wild horses that warrant euthanasia as their ability to communicate serious medical conditions properly via telephone will be paramount in the veterinarians ability to issue such a decision without any actual contact with the animals that will be put down.

Herd Characteristics

BLM has been managing wild horses and burros for almost forty-years but do the herds of today remotely resemble the herds BLM was originally charged with protecting? Has BLM deliberately culled out Spanish ancestry of smaller frames to promote larger, more colorful and adoptable animals that also may not be as hardy, adaptable or require less resources to survive?

While those who seek to covet public resources for their exclusive use are fond of promoting the “feral ranch horse” image of the American Mustang, historical records show that Native Americans across the West recognized their value almost instantly and routinely stole Spanish horses from Spanish settlers and missionaries until the horse became deeply embedded into Native American culture and various tribes on a wide spread scale.

As everyone else, many ranchers recognized the value of these prized animals and often chose to mix larger breeds for their own purposes, creating the genetically modified “stock” that many authorities now assert were the vast majority of the 2-3 million free-roaming horses estimated on the range at the turn of the 19th century. Of course, we will never know their actually lineage at that time, will we.

Has BLM continued to promote “breeds” of wild horses to conform to this ranch stock or do they look for conformation and qualities of the Spanish rooted American Mustang?

Please include a description of what qualities BLM considers significant in terms of preservation for the Challis wild herds for future generations.