

December 21, 2007

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Re: Technical Recommendations in response to the PMWHR Draft Evaluation

On behalf of The Cloud Foundation and our supporters, thank you for allowing us to make technical recommendations based on your Draft Evaluation of past documents, and more specifically on the management direction you indicate in your staff recommendations.

1. The Cloud Foundation recommends that BLM put a major effort into expanding the PMWHR into historic wild horse use areas in the Custer National Forest.

We recommend that BLM urge the Custer National Forest to incorporate these current and historical rangelands into the designated Pryor Wild Horse Herd Range. Formally expanding the range would allow for a viable, self-sustaining wild horse herd of 300 adult animals. First-hand observations of Gail Tillett Goode, Hope Ryden, Reverend Floyd Schweiger, and others attest to the presence of horses north and west of the designated range in the Custer National Forest prior to, during and after passage of the Wild Horse and Burro Act of 1971. Photographic evidence of horses in the FS around the 1971 date also exists.

Hermann Krueger who addressed a group at the Pryor Mountain Complex Meeting in Red Lodge, MT on July 11, 1973 mentioned the presence of wild horses in the undesignated range. He stated, "Tony Island (on the Custer National Forest) was the principal hangout for range horses as there was water there, as well as grass. If any place could have been classed as prime horse range on Pryor Mountain that was it and that is where they were in number." (Tony Island remains a "hangout" for wild horses, yet it is not included in the wild horse range.)

Big Pryor in the FS was also used by the wild horses as reported in David Harvey's history of the range: A General Historical Survey of the Pryor Mountains page 20. "*Jim Donley of Cowley used to round up horses during the forties and fifties on Big Pryor. . .*"

Francis Singer, PhD in the Manager's Summary: Ecological Studies of the Pryor Mountain Wild Horse Range 1992-1997, p. 76) writes that "*the population was much larger prior to 1971 (n= 270 horses), although completion of the PMWHR boundary fence in 1970, which excluded 40 horses and a large winter kill and starvation losses (51%) in 1977-78 reduced the herd.*" Note that 40 horses were outside the boundary fence in 1970 on the undesignated forest service lands.

Despite documentation supporting the presence of wild horses in undesignated portions of the FS lands, the Custer National Forest has been reluctant to add the historic range to the designated range citing possible wilderness designation of this historic range as a reason to disallow legal status for the wild horses.

In August 2005, John Nickle and I met with Gail Kimbell when she was the Regional Forest Supervisor. In that meeting Ms. Kimbell stated to us that she had "*no problem with wild horses in Wilderness.*" And, subsequently, FS personnel traveled to the mountain to assess areas for potential wild horse expansion. However, expansion seems to be a sticking point with the Custer National Forest. Perhaps, now that Ms. Kimbell is the Chief of the U.S. National Forest, real strides can be made in adding this historic FS wild horse use area to the designated range, including the area north and west of the fence and south to the BLM/FS border fence at Demi-John Flat.

2. The Cloud Foundation (TCF) recommends that BLM implement a natural management strategy whereby predator and prey populations would be allowed to regain a natural ecosystem balance for the benefit of all wildlife in the Pryor Mountains. A natural management strategy would lessen the need for round-ups, bait trapping, and darting with PZP.

Allowing for a balance of predator and prey would save the horses the considerable stress they undergo as a result of these practices, as well as saving substantial taxpayer dollars. Adopting natural management was referred to in the 1984 BLM PMWHR Management Area Plan, which states that: "*One of the agencies management goals for the horse range is to maintain, as nearly as is possible, the natural balance between all levels of flora and fauna*" (p. 28).

Natural herd management has been successful in the Montgomery Pass herd area on the central California-Nevada border for over 20 years. Round-ups have not been conducted since 1984 due to mountain lion predation, according to researcher John W. Turner, Jr., PhD who spent 10 years in the field studying the lion/horse relationship.

Dr. Turner writes that “. . .no human intervention has been required in more than 17 years---a stark contrast to every other wild-horse range in the United States. . .” (Equus 2001, p. 78). A 1995 article featuring Turner’s research reported that “While 90 percent of the foals in other parts of the Great Basin survived to become yearlings, only 25 to 40 percent at Montgomery Pass made it to their first birthday. An investigation suggested the cause: “The range wasn’t overpopulated,” Turner says. “Mountain lions had it under control.” (National Wildlife, 1995)

The Pryor Wild Horse Herd has demonstrated self-management in the past, when it was at zero population growth and then declined in 2004 by 11 percent due to mountain lion predation. When three lions were killed in the winter of 2004/2005 the horse population increased. In the winter of 2006/2007, two more lions were killed and there has been no apparent predation on the 2007 foal crop.

The killing of mountain lions has a direct result on foal survival according to Dr. Turner. In his scholarly document: **Influence of Predation by Mountain Lions on Numbers and Survivorship of a Feral Horse Population** (John W. Turner, Jr., Michael L. Morrison *The Southwestern Naturalist*, Vol. 46, No. 2 (Jun., 2001), pp. 183-190,) Turner states that “increased foal survival during the latter part of our study, and especially during 1997, was apparently related to a substantial decrease in the number of lions.”

TCF recommends that the BLM work closely with the Wyoming and Montana wildlife officials to suspend all hunting of mountain lions in the wild horse range and adjoining Custer National Forest Lands.

We have no reason to believe that the BLM cannot have significant influence on the Montana and Wyoming wildlife agencies. Case in point: *In 1999 it was reported that NPS managers suggested that the Montana Department of Fish, Wildlife and Parks suspend hunting of the declining bighorn herd. State officials instead issued only one hunting permit for the herd.* State officials decreased the number of hunting permits on the request of the NPS.

Mountain lions are the natural and top predators of wild horses in the Pryor Mountains, and their absence has led to an unbalanced ecosystem.

It is odd that in this lengthy and thorough 2007 PMWHR Draft Evaluation there is no mention of the wild horses’ major predator, the mountain lion. However, they were discussed in the 1984 HMAP: “The mountain lion has the greatest potential of being a predator of the wild horse herd...this method of biological control of herd numbers is endorsed by all three agencies” (p. 28).

TCF supports the above 1984 statement by the BLM and encourages BLM to make this a cornerstone of a new, less intrusive management strategy.

3. TCF recommends that the BLM assist in the funding of a mountain lion research

project in order to determine the impacts of mountain lion predation on the wildlife populations as proposed by Cassity Bromley of the National Recreation Area. Her study would determine what impacts mountain lion predation have on their primary prey (mule deer, wild horses, and bighorn sheep) in the Recreation area, the designated PMWHR, and the adjoining historic use area of the wild horses in the Custer National Forest. During this study no mountain lions should be removed from the study area. In a similar research project conducted by Rich DeSimone, a wildlife biologist with the Montana Department of Fish, Wildlife and Parks, he told us that collared cats were shot soon after they were collared, so he requested a hunting ban in the study area which was granted.

4. We recommend managing for a “self-sustaining” Pryor wild horse population. This is a unique genetic herd and any augmentation plans should not be implemented or considered. The 2007 PMWHR Draft Evaluation states on page 1, that: “*the resource objectives in this action will be to maintain a viable breeding herd which could perpetuate the characteristics of the Pryor Mountain wild horses.*” According to Gus Cothran a genetically viable population minimum is 150 individuals, 50 of which are expected to be successful breeding adults in wild horse populations. However in personal conversations with Dr. Cothran, he expressed his concern with having a Ne of 50 and indicated his support of a greater Ne to guard against the uncertainties of living in the wild (predation, weather, disease). He indicated that the herd is experiencing some genetic loss at the current levels.

Gary Wockner, Francis Singer, and Kate Schoenecker write in their report (An Animal Location-Based Habitat Suitability Model for Bighorn Sheep and Wild Horses in Bighorn Canyon National Recreation Area and the Pryor Mountain Wild Horse Range, Montana and Wyoming, August 1, 2004). “*Since the Ne>-50 goal is set for the breeding of domestic animals, and since the vagaries of drought, severe winters, predation, and other stochastic events cause stress in wild animals, larger goals for Ne (e.g. Ne>-100) for wild horses are even more desirable (emphasis added)*”. (USDI, BLM 1999). A Ne of 100 would mean that the herd would need to grow to 300 to be truly safe from the vagaries mentioned in this report.

5. TCF does not support any periodic augmentation of the Pryor Mountain horse herd through the importation of wild horses from other herds. The only reason for importing outside horses is a significant loss of genetic make-up in the herd due to managing the horse population at a non-sustainable level (i.e. too few horses). The BLM is required to maintain the herd at sustainable levels per the Wild Horse and Burro Act of 1971. Hope Ryden, one of the writers of the draft that eventually became the 1971 WHB Act, indicated that the drafters clearly meant sustainable to be interpreted as “*self-sustaining*”.

6. TCF does not recommend the creation of satellite herds, wherein portions of the Pryor Mountain wild horse herd would be removed from their home to live in areas outside their historic range. A self-sustaining wild population would not warrant the creation, maintenance or use of satellite herds.

7. TCF recommends that “*population control*” be limited to periodic helicopter gathers only when the wild horses pose a threat to themselves and their environment. We do not recommend the use of bait trapping which proved so damaging to the land in August and September of 2006 and also set up an unnatural situation in which mountain lions picked off two foals in successive nights.

8. We recommend that any wild horses removed during a gather be offered at the base of the mountain to qualified adopters through a competitive bid auction. The sealed bid adoption was unsuccessful in the fall of 2006. For the first time in the history of the Pryor range animals received no bids and five were subsequently being readied for shipment to long-term holding until the BLM Billings and the TCF interceded. These horses are now in great homes in Colorado, are healthy and are being ridden by their very proud adopters.

9. TCF does not support or recommend the use of the experimental immunocontraceptive drug, PZP, which continues to have an unusual and unpredictable impact on the Pryor Wild Horse Herd.

PZP treatment was first administered to young females (seven yearlings and one two-year-old) in 2001 when they were given shots in the corrals after a roundup in September 2001. The drug was designed to extend one year of infertility to this group. It was given in two consecutive years. The second year the drug was administered via field darting.

Of these eight young mares, one died and four have foaled. The only two-year-old, Moshi, foaled in 2002, as she was already pregnant. However, Moshi has produced no foals since.

Of the six remaining yearlings, now seven-years-old, four have produced a foal. Of the four foals, three were born in September. Administration of PZP was stopped on younger mares in 2005 due to **a natural decrease in population largely because of mountain lion predation**, and the unexpected absence of foal production by the young mares.

Nearly 50% of the young mares receiving the drug in the years 2001-2004 have never foaled. Of the 34 young mares to receive the drug between 2001-2004, 11 have died, 13 have foaled and 12 have not foaled. Two veterinarians (from Switzerland and Colorado) have independently expressed the same concern to us: mares not producing foals at a typically younger age (i.e. three-seven years) will have a more difficult time conceiving. They point out that this is true not just in horses but in humans as well as other species.

Of the 13 young mares that have foaled, five foals have been born out of season. One foal born in September, never grew to full-size and was subsequently bait trapped and adopted out in September 2006. Another foal, born to Cecelia, #2224, a mare darted as a yearling and two-year-old in 2003 and 2004, was born in *December of 2006*. The majority of Pryor Mountain mares foal from May 15-June 15.

Photo evidence attests to the masculine and aggressive behavior of certain PZPed fillies

as well as the masculine appearance of Aurora #2036. She has a stallion-like cresty neck and physique. It is obvious that the hormones of these young mares have been altered by PZP.

Of 21 older mares (11 years of age and older) given PZP beginning in 2003, 57% or 12 mares have foaled in spite of the field darting with Porcine Zona Pellucida. Only 43% or nine mares have not foaled (drug worked as designed). One mare, Tonopah #8603, produced a foal at the age of 21 in 2007.

Aside from the cruelty of raising a newborn foal going into a Montana winter, the drug has had other negative side effects in the form of abscesses, bleeding, and swelling on the hips of field darted mares. Of the 54 mares listed on the PMWHR Injection and Reaction Observations –updated June 2007 (BLM-03262), 41 mares are listed with swelling, nodules, bleeding or a combination of all these. 20 mares still have visible signs of nodules even years after they were injected. One mare, Hightail #8901, had an abscess from darting this year which has since healed on its own.

Phoenix #9104 had a major wound at the location of a injection site lump from the last field darting prior to the observed wound. Photo comparisons indicate the wound, which appeared in June 2007 matches the left hip nodule from a previous darting with PZP. (Photos included). The mare and her foal were captured and treated in the corrals at the base of the mountain. Upon release to her band, the abscess looked to be healing although the mare had lost weight while in the Britton Springs corrals.

The BLM has reported that *density dependence* (the ability for a wildlife population to self-regulate its numbers based on available resources) and *compensatory reproduction* (over-production by females to increase an under-represented population) have taken place on the Pryor Wild Horse Range. In other words the older mares that continue to reproduce despite the use of PZP are responding to an under-population. Generally the core reproducers as well as the older females share this burden. One older mare, Madonna #8913, who has been darted with PZP yearly since 2003, foaled in June 2007. The foal appeared to have trouble suckling and milk ran out its nose when nursing. The foal likely died during the night, as she was not with her mother the following morning.

To our knowledge this is the only herd in the West to receive PZP via field darts (Assateague Island off the coast of Virginia uses field darts with few reported problems). We believe that the many problems with swelling, bleeding and abscessing may be partially blamed on field darting. The projectile is shot through unclean surfaces on the hips of the mares.

Of the original group of young mares given the shot by hand while in the corrals, only one had any swelling. The other seven had no swelling, nodules or abscesses. This compares with 41 of 54 mares (a staggering 76%) with reported swelling, nodules and bleeding from at least one field darting experience. 43% of the mares darted this year have nodules or bleeding and one mare had an abscess (Hightail #8901).

According to scientific reports, not all darts are recovered. Some needles may break off and remain in the mare where they could cause later abscessing. Significant problems may not be immediately observed, rather bacteria may linger and the problem area might be walled-off for some time then suddenly emerge as in the case of Phoenix #9104. This was mentioned as a possibility by four of the six equine veterinarians we consulted with. These veterinarians practice in California, Oregon, and Colorado and were asked for their opinions regarding the efficacy of field darting mares in the PMWHR, the potential hazards of this practice, and the possibility for a late abscess to appear months after the darting. One veterinarian expressed concern that the mare was darted again, thereby placing more strain on the immune system. Phoenix is one of the older mares who has produced a foal despite being darted.

Ironically, the initial stated reason for the administration of PZP by BLM was “*purely from the standpoint of compassionate use*”. Compassionate use was defined as “*the use of the tool (or in this case a fertility control agent) to improve the quality of life of another (in this case younger or older wild mares)*”. . .” (BLM Field Manager, Sandra S. Brooks-June 3, 2004). BLM sought to prolong the life of the older mares by causing them not to foal and to delay the foaling of the younger mares for one year.

The stated goal of the scientific community regarding an ideal wild horse fertility control agent was that it should be “*at least 90% effective*” (Wild Horse Contraceptive Research document, 1991 USGS website, posted 2-21-06). While the drug appears to be over 90% effective on Assateague Island, it has not performed in a similar manner in the Pryors. It has not prevented the foaling by a majority of the older mares and it has prevented foaling by the majority of the younger mares for 5 years in some cases.

Most importantly, instead of trying to manage the Pryor Mountain Wild Horses in a natural way, allowing for a predator-prey balance and only conducting a roundup when truly necessary, the former wild horse manager opted for the use of PZP **in combination** with helicopter roundups and bait trapping. These policies threaten the health of the unique Spanish mustangs of the Pryor Mountains

10. TCF recommends that no fences be constructed that restrict the free-roaming ability of the herd, including fencing wild horses out of water or out of their historic range in the Custer National Forest.

11. TCF recommends that taxpayer dollars be expended to:
- enhance or create water sources for the horses in under-utilized portions of the range
-remove interior barbed-wire fencing
-rehabilitate the bait trap site above the Krueger spring-fed water hole.

12. TCF recommends that the BLM continue to ban off-road vehicle use.

13. TCF recommends that BLM require that all ATV's entering the horse range be licensed.

14. TCF recommends BLM set up self-pay stations similar to the BCNRA sites. These would be located at all the entry points to the designated Pryor Wild Horse Range. All vehicles would be required to pay, place their license numbers on the stub which would be placed with payment in the station box. Display of the pass would be required on each vehicle. Too often ATV's going off road can only be identified by color. We feel there needs to be some method to report offenders and for BLM to have some record of who is on the range.

15. TCF recommends that a speed limit be put in place to all motorized vehicles. I have personally had a near head on collision with a young ATV driver going very fast. As he swerved off the road to avoid my vehicle, he simply laughed off his "near death" experience and raced on.

16. TCF recommends that no main roads be closed, and strongly disagrees with the comment in this draft about people "racing" to the mountaintop to view new foals in the spring. On the contrary, the "racing" we see is by ATV's trying to make a loop out of Burnt Timber Ridge Road and Sykes Road in one day or afternoon. These drivers rarely stop for more than a few minutes (or at all) to view wild horses or other wildlife, including newborn foals.

17. TCF recommends that the BLM conduct minimal road improvement on Sykes and Burnt Timber Ridge roads where wash-outs and rocks have created dangerous conditions. We would be happy to identify these specific areas on a map.

18. TCF recommends that more volunteers be present on the mountain, particularly on weekends. An orientation for volunteers could be coordinated by the Pryor Wild Horse Center personnel who are familiar with the horses and the rules of the range.

TCF believes that if BLM works toward these management goals, they will not only improve the range, the wild horse herd and all the wildlife populations in the Pryors, they will mend the long ruptured bond of trust that can and should exist between public servants and the public.

Thank you for your time and consideration of our recommendations.

Sincerely,
Ginger Kathrens
Volunteer Executive Director
The Cloud Foundation