**May 17, 2020**

**United States Department of Agriculture**

**Forest Service Ochoco National Forest**

**Lookout Mountain Ranger District**

**3160 NE 3rd Street Prineville, OR 97754**

**541-416-6500**

**Attn: project leaders: Beth Peer beth.peer@usda.gov and Tory Kurtz tory.kurtz@usda.gov**

**Re: Draft Environmental Assessment (EA) for the Ochoco Wild Horse Herd Management Plan**

**and Forest Plan Amendment**

**EA: https://www.fs.usda.gov/nfs/11558/www/nepa/100829\_FSPLT3\_5268324.pdf**

**Public Comment Submitted online: https://cara.ecosystem-**

**management.org/Public/CommentInput?project=46228**

**The Public Lands have been a very important part of life in our family. Most of our free time was spent there when our children were growing up. That is where they learned to respect and value nature and wildlife.  I feel that it is a civic responsibility to pay attention to and enter into decisions that impact this irreplaceable treasure that belongs to all of us.**

**Please include my comments in the public record.**

I am strongly opposed to the proposal to reduce the number of horses living in and around the Big Summit Wild Horse Territory (WHT). USFS continues to permit sheep grazing within the Big Summit Wild Horse Territory which is supposed to be devoted “principally” for the wild horses' welfare (1971 Wild, Free-Roaming Horses and Burros Act). The Environmental Assessment is inadequate and fails to adequately address, analyze and disclose to the decision-making public all truthful and quality information.

These wild horses contribute to the public enjoyment of the Ochoco National Forest public lands managed by the U.S. Forest Service (USFS). As an interested and affected party in this action we, the public, will be irreversibly harmed if the USFS proceeds with the drastic reduction of the Big Summit horse herd or destroys their natural behaviors through sterilization.

I am strongly opposed to the proposal to reduce the number of horses living in and around the Big Summit Wild Horse Territory (WHT). USFS continues to permit sheep grazing within the Big Summit Wild Horse Territory which is supposed to be devoted “principally” for the wild horses' welfare (1971 Wild, Free-Roaming Horses and Burros Act). The Environmental Assessment is inadequate and fails to adequately address and analyze the following:

Reduce livestock grazing in and around the WHT to provide habitat for wild horses as required by the 1971 Act. The EA fails to consider reducing or eliminating livestock grazing to provide the AUMs needed to accommodate the current population.

**AUTHORIZE VS PERMIT**

Page 55 of the EA states, “Relative to this project, one band of sheep is authorized to spend

approximately 19 days in June grazing in the wild horse winter range.” This is a misleading and

actually false statement because private/corporate domestic livestock are not “authorized” on

public lands. They are only “permitted”. Although livestock owners with grazing allotments are

permitted by the provisions of the Taylor Grazing Act of 1934, 43 U.S.C. § 315 et seq. the EA

failed to promote and follow the law that clearly states livestock can be removed. Wild horses

and burros are legally DESIGNATED on the wild horse territory lands and livestock are only

PERMITTED. The definition of the word “designated” is to “set aside for” or “assign” or

“authorize”. Definition of “permit” is to “allow” or “let” or “tolerate”. The Wild Horse and Burro

lands and resources are set aside for, and assigned and authorized for, the use of wild horses

and burros whereas the livestock is only allowed and tolerated and let to use the public range

resources. While commercial livestock grazing is permitted on some public lands, it is not a

requirement under the agency’s multiple use mandate as outlined in the Federal Land Policy

and Management Act of 1976 (FLPMA). Public land grazing clearly is a privilege not a right,

while the USFS is mandated by law to protect wild horses and burros. It should not have to be

the public’s responsibility to police the USFS.

It is well known that wild horses have seasonal migratory behaviors based on forage availability. The EA must analyze whether the current WHT boundary is in conformance with the horses' natural, lifesaving seasonal movement.

Wild horses must be appreciated specifically for their natural behaviors -their social bonds, herd dynamics and individual personalities. Therefore, I strongly oppose any management action that would interfere with or destroy the natural behavior of wild horses which is protected by the Act. Only natural, wild behaviors differentiate wild horses from their domestic cousins. Castration, ovariectomies (spaying) and drugs/vaccines that destroy natural hormone production should not be management actions because they are not in conformance with the Act and are shown to destroy or interfere with natural wild behaviors.

Reducing the number of horses in this already genetically-compromised herd fails to protect these horses. The EA fails to present any real-life evidence that adding a few horses to a herd actually increases genetic variability - this premise is entirely based on statistical calculations and has never been shown to be true.

Raise AML. The USFS received a warning in the 2010 Forensic DNA Profiling Facility, Florida International University report which stated “*the indiscriminate removal of horses, forcing nonrandom mating among close relatives, the mustang 'gene pool has the wild horses (and burros) facing a genetic crisis…a minimum of 150-200 horses would be needed to insure genetic diversity, reproductive success and foal viability and survival*..” This report warned that “*The data gathered on the Ochoco herd support genetic inbreeding many of the [captured]* …” This herd cannot afford to be reduced further, or suffer the cruel effects of forced inbreeding

**FAILED TO ACKNOWLEDGE WILD HORSES POSITIVE IMPACTS**

The FS must acknowledge the positive contributions that wild horses make to their natural environment/ecosystem.

**FIRE PREVENTION**

Global Warming is increasing the risk of catastrophic wildfire. Wild horses provide a very valuable catastrophic-wildfire-preventive service. The horses are perfect reducers of large quantities of ground vegetation that later in the drier seasons become dry tinder. Horses are more suitable than most ruminant herbivores in this role, because their post-gastric, caecal digestive system contributes less decomposed feces to soils. And as a consequence, these droppings create more vital humus content in the soils. And humus makes them more nutrient rich & water-retaining, elevating water tables & causing the whole ecosystem to become more species-rich, robust, resilient & stable.

**Fire Prevention — through Wild-Horse Grazing**

WILD HORSE EATING DRY GRASS

<https://drive.google.com/file/d/0B5zON7zDatuqX0RsNngyLUNwZlk/view>

WILD HORSE EATING OAK BRANCHES

<https://drive.google.com/file/d/0B5zON7zDatuqZG9sOWFxdVFuNWc/view>

**WILD HORSES APPEAR TO BE RESISTANT TO CWD**

# Wild horses have potential to stem killer toxins on American rangelands

***It is quite important to note that among large North American herbivores, wild horses (an American native species are*uniquely immune to prions*, arguably so through some evolutionary process, which we do not yet understand.***

***And by abating grasses and brush (each horse consuming 30lbs. of dry grass and brush daily) one of the suspected vectors, wild horses can meaningfully reduce environmental prions affecting other grazing animals, including cervids. This is important because the rate of infection for this prion disease (CWD) is believe to be*dose-related*. Such grazing by wild horses also has the added benefit of reducing the fuels (grass and brush) for catastrophic wildfires as I discuss***[***in this article***](https://www.horsetalk.co.nz/2017/07/08/fighting-fires-wild-horses)***.***

***As we consider all of the foregoing, in light of the Forest Service notion of removing even more wild horses from public lands to increase and extend grazing areas for cattle and sheep into known grazing areas where cervids are present, such a move is clearly a “*bad idea*” according to Dr. Zabel.***

***Grazing livestock in proximity to cervids may subject cattle and sheep to prion infections, which may initially be very difficult to perceive or diagnose short of a laboratory analyses, and potentially thereafter, infecting humans who have ingested the meat of any infected animals*.**

<https://www.horsetalk.co.nz/2017/07/16/wild-horses-killer-toxins-american-rangelands/>

**PUBLIC STATEMENT BY DIRECTOR OF PRION RESEARCH CENTER FOR CSU**

***I am associate director of the Prion Research Center at Colorado State University, one of the leading centers for prion research worldwide. Prions are infectious proteins that cause fatal neurodegenerative diseases in many mammalian species, including scrapie in sheep, bovine spongiform encephalopathy in cattle (commonly called “mad cow disease”), several rare human diseases and chronic wasting disease (CWD) in deer, elk, moose, and reindeer.***

***One of the many unique features of prions as a pathogen is its extreme resistance to destruction that kill most other pathogens. Prions can exist in the environment for years, even decades, and substantial experimental evidence and mathematical modeling of disease spread indicate environmental contamination by prions excreted in saliva, urine and feces. Accumulating evidence suggests that these CWD prion sources may contaminate surfaces of plants (grasses, etc.), which may act as vectors for indirect CWD transmission.***

***CWD has now been found in half of the lower 48 United States, with some herds having up to half of its members infected. This obviously presents a huge management/mitigation issue due in part to the large geographical areas affected by this fatal disease, threatening not just wildlife populations, but also state and local economies that rely on hunting as a significant industry.***

***Mitigation and management options become limited at this scale, leading me to suggest that reducing potentially contaminated forage may significantly reduce disease vectors for CWD transmission to cervids (deer, elk and moose).***

***While prion diseases affect many mammalian species, scientists have shown that equine species are extremely resistant to prion disease. This observation supports the idea of deploying wild horses into CWD endemic habitats to graze and consume a potentially significant source of environmental CWD prions, preventing consumption by CWD susceptible cervids.***

***Since the large geographical distribution of CWD limits options for controlling its further spread, wild horses that are naturally resistant to CWD and consume huge amounts of forage could represent one of the few viable means of stemming the tide of CWD sweeping across the continent. Given the amounts of vegetative materials that can be consumed daily by a single wild horse (est. 30lbs/adult animal), equids may provide a potential solution to interrupt potential CWD vectors, while also aid in reducing dry vegetative materials that kindle wildfires.***

*Data accumulated through numerous studies correlate frequency, severity and duration of wildfires with a reduction or absence of large herbivores. Wild horse grazing would have the additional benefit of reducing brush and tinder responsible for igniting vast forest fires we see consuming landscapes and threatening homes and communities across the west every year. It certainly represents an idea that warrants further consideration. I support the implementation of a pilot study to explore this idea further. One opportunity could be to use of some or all of the ~40,000 wild horses currently being held in corrals by the BLM for this purpose*. [**Mark Zabel**](http://www.cvmbs.colostate.edu/mip/)

The goal of the **Ochoco Wild Horse Herd Management Plan must, by law,** be to preserve the herd for future generations. These wild horses come under the jurisdiction of the Wild Free-Roaming Horse and Burro ACT (WFHBA) which was unanimously passed by congress. The lawstates: “It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be consideredin the area where presently found [in 1971 when the law went into effect], as an integral part of the natural system of the public lands.”

The federal government does not own lands or the wild horses and burros in the West. These are not “state lands” and not “federal lands” and not even “government lands”. They are public lands. The American people own the public lands in the West and they are administered on our behalf by the national government under laws and regulations. This land and the wild horses and burros belong to all citizens of the United States, not the federal government

I am appalled by the USFS’s proposal to conduct any temporary or permanent or chemical sterilization on any captured wild horses. These procedures are both unjustified and contrary tothe core intent of the Wild Free-Roaming Horses and Burros Act (WFHBA) which clearly states “It is the policy of Congress that [they] shall be protected from capture, branding, harassment, or death.” The key words of this law are “protected from” and THAT is the job the USFS employees are required and paid to do. Therefore, I require the United States Forest Service cease and bring to a halt any current or future plans to proceed with these unnecessaryand politically driven and dangerous and possibly deadly procedures. There is **NO** reason for these wild horse and burro removals and destruction procedures … because there are **NO** excess wild horses and burros on their legally designated land. In 1971, when Congress passed the Wild Free-Roaming Horses and Burros Act, these animals were found roaming across 53,800,000 million acres. That amount of acreage could support more than a 250,000 wild horses and burros but even after 22,200,000 acres were stolen from the American people by government agencies the remaining 31,600,000 acres could support more than 100,000 wild horses and burros today. It is currently independently estimated that less than about 20,000 wild horses and burros are living on their legal land today and yet the government continues its aggressive removal and destructive management toward total wild horse and burro extermination. Under no circumstances is surgical sterilization acceptable. This procedure is utterly barbaric, rejected by veterinarians, and can be fatal.

Menopause…and Wild Horse Management

*Dr. Bruce Nock*

*Liberated Horsemanship*

*Menopause and Wild Horse Management*

*You might be wondering what this has to do with wild horse management, right?*

*Let me explain. In 2010, the Bureau of Land Management (BLM), raised the possibility*

*of gelding males (removing their testes) and spaying females (removing their ovaries)*

*before returning them to the range.1 Now, they have once again proposed spaying*

*females as a method to control wild horse populations. Technically speaking, horses*

*have estrus cycles, not menstrual cycles.2 Nevertheless, spaying removes the primarysource of estrogens and progestins from the body, just like menopause, and there is no reason to believe the consequences are less severe for mares than they are for woman. In fact, for woman the surgical removal of the ovaries results in more severe symptoms of menopause, because in natural menopause the ovaries continue to produce low levels of female hormones. It is hard to imagine that removal of these hormones from the body by spaying won’t compromise a mare’s ability to survive and thrive in the wild.*

*You see, the ovarian hormones are powerful steroid hormones. They have*

*widespread effects on physiology and behavior. Estrogen, for example, is essential for healthy bone. When estrogen production declines due to menopause, whether naturally*

*occurring or surgically induced, or after exposure to radiation or chemotherapeutic*

*drugs, bones become brittle and break easily. Spaying mares is likely to have similar*

*effects on bones density and strength. I wonder, does the BLM really think returning*

*mares to the open range in a condition associated with the increased risk of breaking*

*bones is a good idea? Have they given it any thought at all? The image of a horse*

*suffering with a broken leg on the open range due to compromised bone density isn’t a*

*pretty one.*

*Ovarian hormones also influence many neural circuits throughout the brain by*

*binding to transcription factors which regulate the activity of certain genes.3 In addition*

*to the hypothalamus and other brain areas related to reproduction, they affect the*

*activity of serotonin pathways, catecholamine neurons, and the basal forebrain*

*cholinergic system. They influence the functioning of the hippocampus, a brain region*

*involved in spatial and declarative memory. Ovarian steroids also have measurable*

*effects on affective state, e.g., mood/emotion, and cognition … the mental processes*

*involved in learning, memory, problem solving and decision making. They affect*

*cardiovascular health and immune function. And, anyone who has watched mares in “heat” might guess, ovarian hormones have potent effects on social relations too … an effect incompatible with the BLM’s goal of creating a “thriving natural ecological*

*balance” for the wild horses (see 4).*

*But, taking out the ovaries doesn’t just remove ovarian hormones from the body.*

*There’s more to it … a lot more. It affects other endocrine systems as well. Even forty*

*years ago endocrinologists appreciated the subtle intricacies of endocrine system*

*function and the complexities of hormone interactions. My endocrinology professor in*

*graduate school, Dr. Alan Leshner PhD, drove home time and again the point that “No*

*hormone works independently of other hormones.” Take away one hormone and it*

*affects the levels of other hormones too. Remove ovarian hormones and pituitary hormone releasing and inhibiting hormone activity changes, gonadotropic hormone*

*levels go up, adrenocorticotrophic hormone levels go up, cortisol levels go up, thyroid*

*hormone levels go down, and so on and so on. It’s a fact. Moreover, the assessment of*

*the long-term consequences of such hormonal imbalances requires in-depth, long-term*

*comprehensive field studies by professional scientists … individuals trained and*

*experienced in the art and science of science. Veterinarians don’t currently know the*

*consequences. BLM personnel don’t currently know the consequences. The National*

*Science Foundation doesn’t currently know the consequences. But, it is reasonable to*

*suggest based on what we do already know that spaying is likely to have serious consequences for a mare’s ability to survive and thrive on the open range.*

*So, the idea of spaying mares as a method of population control doesn’t sit well*

*with me when I think beyond how it impacts reproduction. I’m also skeptical about whether it can be done safely in the field. Taking out the ovaries which reside in the*

*abdominal cavity is a much more serious procedure than removing the testes of a male.*

*When we ovariectomize rats for research, we do it in a state-of-the-art animal facility.*

*We’re required, by federal law, to use sterile procedures and defined recovery and*

*followup protocols. I’m wondering, can and will the BLM, a federal agency, adhere to*

*the practices the federal government requires us to follow for rats when removing the*

*ovaries of horses in the field? I seriously doubt it is possible.*

*Even if such precautions are effectively implemented, I doubt the wisdom of*

*returning spayed horses to the open range when bone health, mental and emotional processes and social behaviors have been compromised. The endocrine system is one of*

*the major signaling systems of the body and ovarian hormones are major components.*

*They are powerful agents which function to coordinate behavior and physiology.*

*Inducing what could be described as physiological chaos by removing ovarian*

*hormones and disrupting the normal functioning of neural and other endocrine systems*

*to boot is very likely, in my opinion, to compromise a mares ability to thrive as a fully*

*integrated herd member.*

**STERILIZATIONS/SEX RATIO SKEWING**

I am strongly opposed to the administration of PZP, GonaCon and other sterilizations such as ovariectomies and stallion castrations The weight of scientific evidence and public opinion clearly do NOT support decisions to conduct any of these sterilization procedures.

The Senate voted AGAINST *sterilization,* euthanasia and unrestricted sales of Federally Protected Wild Horses & Burros.

On America’s wild free roaming mares..This type of butchery is a violation of the least feasible management clause of the Wild Free Roaming Horses and Burros Act.

The Forest Service does **not** possess the statutory authority to perform sterilization surgeries

Neither should the unnatural skewing of sex ratios be implemented. All of these disrupt normal wild horse behavior, thwart their ability to survive in the long term, affect their social integrity, causing stress & dissension among wild horses, between stallions & also between mares & stallions & even between mares, as has been observed in the field. All these unnatural manipulations are cruel & contrary to the true intent of the Wild and Free Roaming Horses and Burros Act.

Please know that that the American citizens realize that the USFS proposals for capture/removal/sterilization operations make it clear that these are nothing more than a strategic and deadly action in the ongoing management of the American people’s wild horse for EXTINCTION.

**PZP**

The EA failed to inform the public that U.S. District Court Judge Michael Simon adopted the findings and recommendations outlined by United States Magistrate Judge Patricia Sullivan in October of 2019 regarding the sterilant commonly known as PZP. Information is now available to the EPA regarding the unintended—and previously undisclosed—side effects on both targeted mares and wild horses in general. It not only shows unreasonable adverse effects, but also indicates the use of PZP on wild horses likely violates the Wild Horse and Burro Act of 1971. Since EPA originally granted the registration, independent research has been published identifying previously undisclosed effects of PZP on wild horses. Among the findings, it is now known that PZP poses the risk of immediate physical damage to the dosed mares, can increase the mortality rate in foals born to treated mares after the PZP loses its effectiveness, can result in social disruptions among herds with treated mares that can damage long-term herd cohesion that is critical to the health of the animals.

**PROTECT PREDATORS**

I support the protection of predators like mountain lions. They are nature’s way of controlling population and should be protected at all costs. It is the Cost of Freedom for wild horses as it is for all creatures of the wild. Compared to the cost of captivity, it is worth the price.

Governmental/tax-funded killing of Wildlife is repugnant and unacceptable to a Public that is already oversaturated with news of violence and wanton killing. While BLM is not responsible for the actions of other federal agencies, BLM can and should interact with them in order to protect the Public Lands and Wildlife within its jurisdiction.

*The Federal Government Killed Nearly Three Million Animals Last Year*

*But culling predators may not be an effective way of preventing those losses. A 2014 study examining livestock data from 1897 through 2012 found that lethal force against wolves actually increased the odds of a wolf attack on sheep by 4 percent and cattle by 5 to 6 percent. That's likely because killing wolves causes the pack structure to collapse, which leads to solitary wolves looking for food beyond their usual hunting grounds.*

*"Wildlife Services once again wasted taxpayer dollars killing nearly three million animals last year," Oregon Representative Peter DeFazio, a Democrat, told VICE News. "Their lethal predator control program is particularly inhumane and totally unnecessary."*

**Organizations Team Up in the Wake of a Severed Mountain Lion Foot Found in a Trap**

***Missoula, Mont. (April 14, 2015)*** *– An unlikely alliance between the Bitterroot Houndsmen Association, Footloose Montana, and In Defense of Animals is calling on Montana’s Department of Fish, Wildlife, and Parks (FWP) for more accountability in the management of mountain lions in the Big Sky State after the gruesome and horrific discovery of a severed mountain lions limb in a foothold trap. The alliance is seeking a reduction in the overall quota of mountain lions in the Bitterroot Valley, by counting trap-related injuries and deaths toward the overall hunting quota, and by holding trappers accountable.*

*The severed mountain lion foot was discovered around March 24 by a resident in the Bitterroot Valley. He reported deep claw marks on a nearby tree, indicating that the estimated four-year-old male lion was desperately trying to seek shelter and escape the source of pain – a foothold trap set for wolves. Thanks to recreational and commercial trapping, this mountain lion is likely dead now, either succumbing to starvation, attack by other carnivores, shock, or a painful infection of the severed limb.*

**DISASTROUS AML EQUALS BACKDOOR TO ACHIEVING ZERO WILD HORSES.**

The USFS’ proposed appropriate management level (AML) of 12-57 wild horses is most certainly a **planned extinction** for this wild horse herd. The AML must be raised to a minimum of at least 150, which would allow for genetic viability without the need to introduce horses from another area.

Determining AML for the Big Summit Territory by only considering the

approximate 4,600-acre winter range as the limiting factor is scientifically flawed. By the Forest Service’s own mapping, the horses’s winter range was shown to be virtually the same as its summer range.

**FLAWED DATA**

The Forest Service (FS) EA is based on flawed data that only considers 4,900acres, which constitutes the horses’ winter range, instead of the **25,434 total acres of their territory.** The FS also utilized a unreasonable 30% riparian zone calculation to account for transitional areas between dry land and bodies of water, despite only 4% of the winter range is actually designated as “riparian.”

*“As with most, if not all, wild horse territories, it has been historically documented that the Big Summit Territory was not created according to Wild Free Roaming Horses and Burros Act provisions.  Instead of drawing the line around all areas used by horses, and maintaining the numbers found in 1971, the boundary line which should have legally been where the wild horseswere found when the WH&amp;BA became law when signed unanimously by Congress, the so-called Big Summit Territory boundary was literally drawn with a felt tip marker line, with discernible barriers only on the edges with fences.  It was completely random.  Areas where the authors admitted horses had existed were left out.”* -Gayle Hunt, Central Oregon Wild Horse Coalition

I request an expansion of the BST to include the original 1971 habitat where the wild horses have legal right & also through the setting up of Cooperative Agreements, as Sections 4 & 6 of the WFHBA allow, so that an even greater AML can be assigned given expanded habitat.

The ONLY possible proposed alternative that will follow the Congressional WH&B Law is ALTERNATIVE #3. There are numerous reasons but one of the major reasons is that the law clearly states federal regulations and policy state that wild horses and burros shall be managed as viable, self-sustaining populations of healthy animals in balance this is required with other multiple uses and the productive capacity of their habitat (CFR 4700.0-6).

**U.S. Forest Service**

**Motto: Caring for the Land and Serving People**

The phrase, “Caring for the Land and Serving People,” captures the Forest Service mission. As set forth in law, the mission is to achieve quality land management under the sustainable multiple-use management concept to meet the diverse needs of people: It includes:

*We follow* ***laws,*** *regulations, executive direction, and congressional intent*.

This is the law:

*Congress finds and declares that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West; that they contribute to the diversity of life forms within the Nation and enrich the lives of the American people; and that these horses and burros are fast disappearing from the American scene. It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands.*

The social impacts on the American public of destroying these Wild Horse Herd populations is overwhelmingly given the strong support the American public has to protect, preserve and view Wild Horses living naturally on protected public lands. The Forest Service has been given a very great responsibility to manage and protect America’s Public Lands, Wildlife and natural resources. Our Wild Horses and Burros are very much a part of that. Thank you considering my comments and please take this responsibility seriously. Future generations will either blame you or thank you for the decisions and actions that you take.

Thank you for considering my comments