January 4, 2021

To Whom It May Concern:

These objections on the Draft Decision Notice ("DN") *and* Finding of No Significant Impact ("FONSI") for the Ochoco Wild Horse Herd Management Plan and Forest Plan Amendment are submitted on behalf of the American Wild Horse Campaign ("AWHC"). AWHC is a national nonprofit organization dedicated to preserving the American wild horse in viable free–roaming herds for generations to come, as part of our national heritage. Our grassroots efforts are supported by a coalition of over 60 historic preservation, conservation, horse advocacy and animal welfare organizations.

AWHC previously submitted written comments for the scoping phase and the draft Environmental Assessment ("EA") for the Ochoco Wild Horse Herd Management Plan and Forest Plan Amendment (#46228). AWHC's comments on the draft EA are incorporated by reference and attached at Attachment 1.

AWHC requests an Objection Resolution meeting to address the concerns raised herein regarding the DN, including the following:

1. The Forest Service's decision to establish an Appropriate Management Level ("AML") so low that it will endanger the long-term viability and/or genetic health of the Big Summit wild horse herd.

2. The Forest Service's decision to implement removals via bait-trapping/helicopter roundups and the sterilization of stallions before the use of safe, humane, and cost-effective PZP.

3. The Forest Service's failure to provide information on its disposition plans for horses removed from the Big Summit Wild Horse Territory ("BSWHT").

4. The Forest Service's failure to provide necessary information damage on resource damage blamed on wild horses

I. Establishment of a lower AML

AWHC objects to the DN's proposed reduction in AML of the Big Summit wild herd horse from 57-60 to 12-57 because it will endanger the long-term viability and genetic health of the Big Summit wild horse herd.

As AWHC noted in its comments on the EA, the USFS notes that the population growth rate of this herd is only 7-8 percent. (EA p.2). Thus, the reference to the National Research Council's ("NRC") estimation that some wild horse herds can grow at 20 percent is not applicable to this population. The USFS must manage the population in the Big Summit WHT under the assumption that the population growth rate is far lower than the 20 percent estimate, at 7-8 percent.

At a significantly lower population growth rate, the population of 12 individuals in a herd receiving fertility control, will largely alter the health of this population. This remains a concern for AWHC, especially because USFS noted in the EA that the herd is already genetically compromised. Thus, allowing the herd to be taken down to 12 individuals will in no way help the genetic health of the remaining animals. Even if the USFS were to bring in individuals from other areas, as proposed in the EA, AWHC objects to the dilution and potential replacement of original Big Summit genetics which provide adaptations to the Ochoco Mountain environment. Simply allowing the herd to remain roughly at the current population level would assure more random matings and an unknown rate of ongoing mutations commensurate with more horses.

To resolve this concern, the USFS must first adequately consider how any future use of fertility control with such a low AML and population growth rate could affect the health and genetic viability of the herd. Merely adding a couple of horses to a management area does not prevent inbreeding and genetic problems. Dr. Gus Cothran has personally informed AWHC that once genetic viability is low, it takes generations to correct and that adding a few horses does not prevent inbreeding in small herds.

Additionally, the USFS should seriously consider leaving the existing population in place while implementing a cost-effective and scientifically proven PZP program to stabilize the population that currently exists. This option would not only preserve the health of the herd but would also allow for a comprehensive management plan for the herd and WHT.

The Ochoco Mountain environment is fraught with high risk factors such as extreme winters, fire, and the unknown quantity of climate change. Even if the basis for the AML of winter forage availability could be validated through the analysis in this EA, it is important for the USFS to consider how just one harsh winter could decimate the herd at 57 individuals, let alone 12. How does the USFS plan to meet their obligation to maintain a viable herd of horses in the WHT in this instance?

II. Removals and gelding of stallions *before* the use of PZP

AWHC objects to the Forest Service's decision to utilize removals by bait-trapping/helicopter roundups with sterilization of stallions before the implementation of safe, humane, and cost-effective PZP.

Waiting to "get to AML" before implementing a fertility control program in the WHT is a misguided approach. The ultimate goal of the USFS should be the elimination of removals to maintain wild horse populations in the wild and reduce costs to taxpayers and the horses themselves.

Bait-trapping/helicopter roundups

Bait trapping is clearly the superior method for the USFS to employ. Helicopter roundups are known to inflict stress, trauma, injury and death on wild horses and collateral damage to sensitive sagebrush, grasslands, and riparian habitat areas and disruption to other wildlife species. Bait/water trapping will minimize stress to the horses, eliminate collateral environmental damage (as horses will not be stampeded through sensitive habitat), and maintain herd social structures. Thus the USFS should give further consideration to the implementation of an application of bait/water trapping use in the WHT.

Instead of consistent and continued removals, the USFS must consider the possibility of implementing a vigorous PZP program at current population levels utilizing Catch Treat and Release ("CTR") methods for the vaccination of all mares over 1 year of age with the PZP–22 or native PZP fertility control vaccine. The use of PZP fertility control is scientifically established, cost–effective and widely accepted in the mainstream wild horse advocacy and scientific communities.

Gelding of Stallions

As an initial matter, the USFS's response to AWHC's comments on the use of gelding in the WHT, notably that "Sterilization (including castration) is not an activity included under Alternative 1, therefore, consideration of this recommendation falls within the scope of the alternatives analyzed" does not exclude it from concern and proper analysis. In fact, according to the USFS's decision, "[S]terilization of studs may be used to promote a sex ratio that favors a slower population growth and will follow Standard Operating Procedures outlined in Appendix E of the EA."

Thus, regarding the use of sterilizing stallions, the EA must address AWHC's concerns regarding the implementation of a controversial and potentially harmful gelding program in the BSWHT. It blatantly ignores our request for consideration of "the often-severe impacts of gelding on wild stallions who will be returned to the range where they will be expected to fend for themselves and live in often-harsh conditions." These impacts include the not only the animals' physiology and ability to survive but also their behavior and therefore their influence on or relationship to the herd."

It also does not consider the expert testimony about gelding from Dr. Nock (Attachment 5) and Dr. Kirkpatrick (Attachment 6) or the NAS recommendation against gelding stallions who live on the range.

Of note, some or total loss of sex drive would be likely in castrated stallions, and this is counter to the often-stated public interest in maintaining natural behaviors in free-ranging horses. Further, with respect to effects at the population level, it is not clear how castration of males would be better than vasectomy, which does not affect testosterone or male-type behaviors. Ultimately, the growth rate of any population that includes reproductive horses of both sexes will

be commensurate with the number of fertile females in the population. and a potential disadvantage of both surgical and chemical castration is loss of testosterone and consequent reduction in or complete loss of male-type behaviors necessary for maintenance of social organization, band integrity, and expression of a natural behavior repertoire. (Attachment 4)

Importantly, the EA does not contain enough information on the specifics of the Forest Service's proposed gelding program, such as how it will select stallions, how many stallions would be gelded, and when the gelding would take place. AWHC requests that the EA be amended in order to include all of these details.

Finally, the EA's plans for monitoring of the geldings following their release is woefully inadequate and, as a result, could endanger both the geldings and the Big Summit wild horse herd generally. Clearly, the Forest Service has abdicated its responsibility for following up on these geldings when it states that it ***could*** monitor the geldings "periodically for complication for complications for approximately 7-10 days following release" or "by aerial reconnaissance, if available, or field observations from major roads and trails."

AWHC does applaud the Forest Service for its honesty in making clear that its gelding plan is not part of a study – even though such research the impacts of gelding is much needed before the Forest Service implements such a program. In place of such rigorous research, it commits to "Periodic population inventories and future gather statistics [that]could provide additional anecdotal information about how logistically effective it is to manage a portion of the herd as non-breeding animals." However, such efforts are not sufficient, and half-hearted at best, to determine the impacts of such a controversial and unprecedented plan. Instead, it would be more prudent for the USFS to endeavor in a gelding study if this management option must be implemented in the WHT.

III. Plans for horses removed from the BSWHT

AWHC objects to the Forest Service's failure to provide any further details on its plans to dispose of horses removed from the BSWHT and ensure their safety and welfare after their removal. In fact, in its comments AWHC specifically requested that the USFS must explicitly state for the public where the horses will be transferred and how the agency plans to ensure their safety after removal. This includes the USFS's plan for tracking the horses that are removed from the range, through holding, and adoption or sale (if completed). The agency must disclose and explain how it plans to track and keep record of every horse while they are in USFS, BLM, or private contractor custody.

The USFS did disclose in the DN, "[a]fter wild horses are gathered, they would either be: 1) transported to the BLM Burns corral facility or 2) transported to a Forest Service corral or to temporary/mobile corrals constructed by the Forest Service or 3) transported to leased or contracted private facilities, where they will be prepared for adoption or sale." However, while the DN states that removed horses would be transported to the to the BLM Burns corral facility, it still does not provide enough information on the other options. For example, what Forest Service corral or leased or contracted private facilities will the horses be transported to? Thus, once again, AWHC insists that the Forest Service must list any of these facilities that currently exist as well as any that the Forest Service is soliciting.

Further, AWHC once again requests that the Forest Service must

- Include what polices these facilities will follow in the care and handling of wild horses in their care;
- Disclose and explain how it will track the horses who are removed from the range, through holding, and adoption or sale (if completed); and
- Disclose and explain how it will track and keep record of every horse while they are in USFS, BLM, or private contractor custody.

Finally, and most important, the Forest Service adoption and sales policies do little to nothing to ensure the safety and welfare of the Big Summit horses once they are removed. AWHC notes that the Forest Service does not have a centralized system that can track the adoptions and sales of wild horses and burros and keep information on potential buyers before approval of a sale, similar to the BLM's Wild Horse and Burro Program Systems. And, unlike the BLM that restricts the sale of horses to 4 every six months to one buyer, the Forest Service allows the sale of 24 every day to one buyer. The BLM implemented such as policy because of increasing concerns about wild horses being sold and shipped for slaughter; the Forest Service's policy does nothing to stop that potential pipeline to slaughter.

IV. Lack of necessary information on resource damage from wild horse use

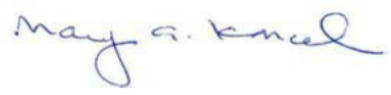
AWHC does not find appropriate correlation in this EA between past, current, or projected wild horse numbers and alleged resource damage. The presented data is frankly weak, with undisclosed monitoring locations and protocols, and specialists' reports are largely conjectural and presumptive. Further, cited studies are not site-specific, even by admission of the Ochoco National Forest, and are therefore misleading and noncontributory to the body of analysis resulting in the proposed action.

V. Conclusion

For the reasons explained above, AWHC believes that the above information and analysis is the minimum required to satisfy NEPA, and the WHA. We hope that USFS will seriously consider the foregoing objection. The above-mentioned concerns, data and information must be fully analyzed in the EA and adequately considered by the USFS.

Thank you for your consideration.

Sincerely,



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