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Title:
Comments: Dear Mr. Christofferson,

I am writing today in response for the notice to comment on the Environmental Assessment for the Devil's Garden Wild Horse Territory Management Plan, in response to a letter I recently received regarding same. I was contacted in this regard because I have previously officially commented on this issue, noting my grave concerns for this herd, and I appreciate the opportunity to comment again.

I remain deeply concerned about the welfare of these animals, as well as about the environmental integrity of the Territory. I call on the U.S. Forest Service to vacate its choice of Alternative 1 and instead choose Alternative 4, and in general to implement policies that would better safeguard the federally-protected wild horses living in the Devil's Garden Wild Horse Territory (DGWHT) and better protect the Territory by reducing livestock grazing to more environmentally sustainable levels.. I strongly urge the Forest Service to consider other alternatives to ensure both the safety of the horses and to maintain a Thriving Natural Ecological Balance (TNEB) in the Territory.

The Devils's Garden Wild Horse Territory is, as the name indicates, a Wild Horse Territory, as well as part of a national forest which is intended for a variety of recreational and resource uses for all Americans. It is not intended as a subsidized livestock grazing area to the detriment of other uses. It is not well suited for livestock grazing, and livestock grazing at unsustainable rates is negatively impacting TNEB in the territory. While livestock grazing is one of the uses permitted there, it should be reduced to protect environmental integrity and to allow other uses and environmental quality to thrive.

I am deeply concerned that management decisions for the territory, including determination of Appropriate Management Levels (AMLs) for wild horses in the Territory, appear to be heavily influenced by ranching interests, in contravention of the Forest Service's mandate to manage the land for all members of the public, to the detriment of the resource. Currently, forage allocations for livestock are far greater than allocations for wild horses in the territory. I am particularly concerned that management decisions regarding these allocations were heavily influenced by a special-interest industry advocacy group, the Modoc County Farm Bureau. The Modoc National Forest is for all Americans, and groups representing particular industries, especially when those industries have negative environmental effects on public resources (e.g. the ranching industry) should not be allowed to have undue influence on the decision-making process of federal agencies charged with managing public assets (e.g. the Forest Service).

Livestock grazing by cattle and sheep has significant deleterious environmental impacts on ecosystems, yet to date the Forest Service has not conducted unbiased studies quantifying those impacts. A 2017 GAO report on the Free-Roaming Wild Horse states, "According to USGS officials and documentation, research that evaluates and separates cattle and wildlife impacts from wild horse impacts has not been conducted, and studies on horse grazing effects are needed."

It is imperative that the USFS conduct unbiased research to determine the environmental impacts of livestock grazing as compared with those from wild horses within the territory. To date, what few studies have been conducted have been biased in favor of livestock interests. The Forest Service must not continue to conduct a massive program of exorbitant and inhumane roundups without reliable, verifiable data on livestock impacts. USFS claims without credible evidence that wild horses are solely to blame for environmental degradation in this

Wild Horse Territory, without accounting for the significant environmental impacts of livestock grazing. It then spends millions of dollars in taxpayer funds to round up and remove horses while ignoring livestock, despite the unpopularity, ineffectiveness and prohibitive costs of this strategy. To improve rangeland and water resource quality in the territory, livestock grazing must be addressed and reduced to more sustainable levels.

In addition to negative environmental consequences and prohibitive costs of this failed strategy, serious humane issues regarding treatment of the horses in the DGWHT remain. The Forest Service is pursuing an aggressive program of wild horse removals, with little regard for their welfare during or after the capture process. This is dangerous, expensive and inhumane, and it is ineffective as a management strategy.

The use of aircraft to round up equines has long been recognized as inherently dangerous and inhumane, and it was banned by the predecessor to the 1971 Wild Horses and Burros Act on these grounds. In particular, Cattoor Livestock Roundup Inc., the company which the USFS has contracted for multiple recent roundups, has an abysmal record for mistreatment of wild equines associated with its roundup operations in multiple states throughout the American West. Cattoor's well-documented abuses include but are not limited to intentionally running animals into barbed wire, intentionally hitting horses with helicopter skids, chasing foals and pregnant mares for hours on end to the point of exhaustion and serious injury and/ or subsequent death, chasing animals to the point where their legs break, intentionally causing foals to be left behind, keeping mares and foals separated for too long, and more.  Cattoor personnel have also been implicated in multiple incidents of physically abusing captured animals as well as incidents of bullying and harassing humane observers. David Cattoor of the company has also been convicted for hunting wild horses with helicopters with the intention of capturing and selling them for slaughter. This is both deeply inhumane and illegal and in clear violation of even the most basic animal welfare standards. The Cattoor Company's long record of humane violations must disqualify it from future contracts with federal agencies.

In addition to being deeply unpopular and extremely inhumane, wild horse roundups are also excessively expensive and cannot be justified on fiscal or humane grounds. Yet despite its abysmal record, Cattoor Livestock Roundup Inc. has received contracts for roundups totalling nearly $2.5 million, as well as an additional $100,000 in contracts for transporting horses captured from the DGWHT. Based on Freedom of Information Act records, it is estimated that the cost of each roundup and removal, which includes not only the contractor but also USFS staffing and care of the captured horses at the agency's Double Devil Wild Horse Corrals in Alturas, CA , exceeds $1 million. The Forest Service should not be forking over taxpayer dollars to this abusive company which regularly violates animal welfare standards.

I also note with grave concern that the welfare of wild horses captured from the Devil's Garden WHT remains extremely precarious, with little oversight or concern for their welfare in captivity. The USFS lacks a comprehensive and enforceable animal welfare program, appears to lack policies and procedures to screen potential "adopters"/ buyers, and fails to freeze brand horses captured from the Territory, making them indistinguishable from domestic horses/non-federally protected animals. This in turn makes enforcement of laws protecting these animals from sale for slaughter nearly impossible. I understand that Congress has passed legislation which prohibits the Forest Service from destroying healthy wild horses and burros outright and selling these animals for slaughter, but serious concerns remain about the welfare of these animals after they are removed from public lands.

The Forest Service includes wild horses among the "unique" and noteworthy species in the Territory, along with other large mammals found there. According to the USFS website about the Modoc National Forest, "Rocky Mountain elk, wild horses, mule deer, and pronghorn antelope are some of the large, unique mammals that call the Modoc their home." Yet when one follows the links about wild horses in the Modoc, rather than learning about the natural history and biology of these animals, one is led to a page titled "Double Devil Wild Horse Corrals", where visitors are given information about and are encouraged to apply to buy captured horses at the Double Devil corrals, some for as little as $25 each. It is clear from that page that there is little scrutiny of potential

adopters and buyers, and the page explicitly states, "Purchased animal(s) are allowed to leave the United States immediately."

It is well known that horse slaughter is not permitted in the United States, so this language signals to potential slaughter buyers that transport to foreign slaughter facilities is permitted. This is utterly unacceptable. The Forest Service must ensure that it has appropriate measures in place to thoroughly check adopters and buyers and to conduct follow-up welfare inspections to ensure the animals will not be sent to slaughter, which is illegal in the United States and extremely unpopular with the American public, which highly values the horses of the DGWHT.

I support efforts to manage wild horse population levels through the use of the proven and effective reverisible PZP immunocontraceptive vaccine but note that it has been to date underutilized. A robust PZP darting program can and should be undertaken. Darting is an excellent and cost-effective management and delivery strategy, as it does not require capture of treated animals. When applied conscientiously at adequate levels, PZP is highly effective in managing wild ungulate populations. I strongly oppose the use of GonaCon on the grounds that it is both insufficiently tested and risky and also because it is unnecessary, given the proven efficacy, cost-effectiveness, safety and ease of use of the PZP vaccine. Instead of proposing experimental, untested methods with unknown side effects, the Forest Service should devote sufficient resources to implementing a PZP vaccine program at scale.

The EA also fails to take into account the real impacts that natural predators have on wild horses, particularly on foals. Both wolves and mountain lions are significant predators within the Territory, and their impacts must not be discounted.

I do applaud efforts to increase the Middle Section, but consider the proposed increase of 114 to be woefully insufficient and advocate for adding a much larger area so as not to concentrate wild horses in limited areas, reducing pressure on resources. Much of the existing fencing should also be removed from this area to better facilitate movement and to disperse herds to put less pressure on resources.

Recommendations:

The remaining Devil's Garden horses must be humanely managed in the wild via a comprehensive PZP fertility control program. Forage resources should be reallocated to reduce livestock grazing and to the extent feasible maintain the remaining wild horse population within the Territory. This will save taxpayers money, and protect this unique California mustang herd which is a significant, unique mammal species of the Modoc National Forest. Limiting livestock grazing in the Territory will also significantly improve environmental integrity of the Territory and lead to the goal of achieving and maintaining TNEB.

To best manage this territory to ensure long-term TNEB for the benefit of the environmental integrity of the Territory and for the public, I strongly urge the USFS to REJECT Alternative 1 in favor of Alternative 4. Alternative 4 sets the AML for wild horses in the Territory to 500-1,000 horses while significantly reducing livestock grazing. This will ensure both equitable allocation of resources and ensure environmental and rangeland health by reducing pressure from livestock grazing. It will also reduce the significant costs to taxpayers and unacceptable humane violations associated with deeply unpopular, costly, inhumane and ineffective roundups and removals.

Alternative 4 also prohibits the use of GonaCon, gelding, as well as sex ratio skewing. As noted above, GonaCon is insufficiently tested, risky and unnecessary, considering the efficacy, cost-effectiveness, safety and ease of use of dartable PZP. Gelding and other methods of permanent surgical sterilization carry significant, unacceptable veterinary risks for wild horses, and sex ratio skewing undermines the integrity and safety of herds, making lethal aggression more likely. To ensure the best outcome, the Forest Service must allocate sufficient resources for a robust PZP darting program while eschewing other experimental options. For best results, PZP should be administered at adequate levels well before AML levels are reached.

Should any horses be removed, helicopter roundups must be eschewed in favor of bait and water trapping, and alternative contractors with unblemished safety and humane records should be engaged for this purpose. Under no circumstances should the USFS continue to contract the Cattoor company because of that company's well-documented, multiple, flagrant humane violations.

As per 36 CFR § 222.69(C), any horses removed from inside or outside the DGPWHT should be transferred to other suitable Wild Horse and Burro Territories. Under no circumstances may captured animals be offered for immediate sale allowing transfer outside of the country to reduce the risk of sale for slaughter of these animals. The boundary of the DGPWHT should be enlarged, and rangeland improvements, such as the development of water sources and the removal of fencing, should be implemented to allow the free movement of wild horses across all parts of the DGPWHT, resulting in fewer horses moving off the Territory and fewer conflicts with adjacent ranchers. It would also reduce pressure on forage and water resources as wild horses would be better distributed throughout the Territory and not concentrated in limited resource areas.

The USFS must also, as a matter of priority, implement comprehensive, enforceable, well-defined animal welfare standards to govern treatment of animals both during and after capture operations. Such standards must provide for humane training of staff and adequate monitoring of roundups and their aftermath to ensure humane transport, care, and handling of captured animals. Potential adopters and buyers must be thoroughly investigated through background checks to ensure the welfare of adopted animals, and loopholes which allow buyers to transport animals abroad for the purpose of slaughter must be closed.

Roundups and removals of wild horses from the DGWHT are extremely dangerous for the animals, prohibitively expensive, and highly unpopular with the public, whose interests the USFS is bound to serve. They are also an utterly ineffective means to achieve environmental quality/ reduction of pressure on range resources, because they do not address the very significant environmental impacts of livestock grazing. To truly achieve TNEB in the Territory, livestock grazing must be reduced to sustainable levels, as part of a program of sustainable management.

The Forest Service should adopt Alternative 4 and the other recommendations contained herein to protect the health of the Territory and the species which live there - including wild horses - for this and generations to come.