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Ian Reid

Acting Forest Supervisor

Modoc National Forest (MNF)

225 West 8th St.

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Objections - Devil's Garden Plateau Wild Horse Territory Management Plan

Dear Supervisor Reid.

I strongly object to the Decision Notice and Finding of No Significant for Impact issued for the 2024 Devil's Garden Plateau Wild Horse Territory Management Plan. Despite the pretense of the NEPA process, it's not a surprise that you chose to implement Alternative 1. This management plan is clearly designed to further cater to the wishes of local ranchers and move toward eliminating the Devil's Garden wild horses whom the USFS was tasked with protecting under the 1971 Free-Roaming Wild Horse and Burro Act. Such collusion is blatantly evident by the agency's 2021 settlement with the Devil's Garden Preservation Group taking precedence over real data and science and the wishes of the American public who want wild herds to be managed humanely and sustainably on their public lands.

Currently the USFS manages 53 Wild Horse and Burro Territories. Of those, 19 are Inactive - although they are void of horses and burros, several still maintain high levels of private livestock grazing. As a result of this 2024 management plan, I will not be surprised if the Devil's Garden Wild Horse Territory (DGWHT) becomes the next Inactive Territory.

These specific objections are based on the comments that I submitted for the Scoping Notice and Draft EA as well as new information acquired after those comments were submitted.

\*According to the MNF, the 2023 spring census estimated that there were 1,339 horses including 43 foals on the DGWHT. Last fall, 238 horses were removed. This year's census estimated that there were 723 horses and no foals. Such a dramatic decrease in populations raises multiple questions about the validity of the census as well as what happened to the 375 horses.

In its efforts to reach AML and comply with its agreement with the Devil's Garden Preservation Group, the USFS plans to remove 500 more horses in another roundup that will begin on October 28th. If successful, only 223 horses will be left.

Two research projects are also being conducted by the United States Geological Survey and Wildlife Services on the Devil's Garden horses. In the first, 30 mares were vaccinated with Gonacon - a fertility control drug known to cause sterility - and returned to the DGWHT; in the second, an unspecified number of stallions were injected with GonaCon to determine if it would sterilize them.

If the Devil's Garden herd experiences the drastic loss in numbers as it did between 2023 and 2024 and many of the remaining mares and stallions are sterilized from GonaCon, it's highly likely that the herd could become extinct, which, as I mentioned, is what I believe is the intention of the USFS.

Remedy: Stop the roundup and removal and withdraw the 2024 management plan. Instead, the USFS must replace it with one that is based on real and current data and science and incorporates humane, less expensive, and more sustainable management strategies. These include implementing a PZP fertility control program instead of GonaCon as well as range improvements, such as the development of additional water sources and removal of fencing, to enhance the ability of the Devil's Garden wild horses to utilize the entire DGPWHT, instead of forcing them to concentrate in certain areas or move outside of the Territory.

Investing in rangeland improvements would benefit not only wild horses but also other wildlife and even private livestock, and it would mitigate accusations that wild horses are the cause of rangeland degradation, particularly when congregating around primary water sources in times of low water availability.

\*The awarding of the \$749,500 contract to CD Warner Livestock LLC for the 2024 roundup and removal is an abuse of American taxpayers' money. As I hope you know, one of its wrangler kicked a downed and exhausted mare during the Blue Wing Complex roundup in Nevada. Given that the MNF rarely provides meaningful public observation - often the trap site is miles away and not visible - and the dense forest blocks views of the helicopter and the activities of the wranglers, there will be no way for the public to monitor if such mishandling will occur again. Further, this contract along with past contracts has cost American taxpayers millions of dollars and, as stated, does not comply with the wishes of the majority of American who want wild horses to be protected on their federally designated habitat.

Remedy: Stop the roundup and removal and withdraw the 2024 management plan. Instead, the USFS must replace it with one that is based on real and current data and science and incorporates humane, less expensive, and more sustainable management strategies that are detailed above.

\*There are serious issues with transparency regarding information that is relevant to the EA and management plan. First is in regard to the two GonaCon research projects being conducted on the Devil's Garden mares and stallions. Neither the EA nor the management plan discuss these ongoing research projects or analyze the impacts they might have on the Devil's Garden herd. In fact, the only mention of the radio collared mares is on page 41 in the EA. It states:

\*\*2023 - Gather included 2 adults bait trapped in February, 2 stray mules gathered in September, and 30 radio-collared horses released.

When I sent your Wild Horse and Burro Specialist (WHBS) an email inquiring about the radio collared mares on 9/11/2024, she responded:

In response to your questions about the collared mares. Yes, this is a research project led by the USGS studying the demography of the Devil's Garden wild horse herd. The collars were placed on 31 mares and will help us better understand growth rates, movement trends, and bolster our aerial survey population. These mares were chosen from the corrals as they were older mares who had been in the corrals for at least two years after being gathered.

While I appreciate that she responded to my email, she does not mention the use of GonaCon - which is an essential - and controversial - part of the research.

Further, when I learned more about the GonaCon research on the mares and stallions from Dr. Drotor's presentation at the BLM Advisory Meeting and asked your WHBS for information on the research that wasn't included in the doctor's presentation, on 10/1/2024 your WHBS responded:

Mary,

Thank you for your questions and your interest in the Devil's Garden horses. Please route your questions through

the appropriate FOIA procedures.

Second is in regard to the Public Wild Horse Meeting to determine where trap sites would be located. The EA included this on p. 21:

At annual Wild Horse Public Meetings prior to scheduled gathers all selected trap sites would be disclosed to allow for public comment and resolution of any specific issues.

When I asked your WHBS about the date of this meeting, she tried to answer this question even though she had difficulty finding this reference in the EA. But this ended up being one of the questions that she told me to route "through the appropriate FOAI procedures."

Really? The USFS knows that it takes months if not years to receive FOIA records. As mentioned, given that these research projects have direct impacts on the current D'sG horse herd, the public should have been informed about them in the EA and management plan. And why should the public have to FOIA about a public meeting?

Also, related to the GonaCon stallion research that is exploring if it will cause sterility, how can the USFS be participating in that research, given that page 33 of Attachment 2. DGPWHT Fertility Control Vaccine Treatment SOPs Standard Operating Procedures (SOPs) for Wild Horse Population, specifically states:

GonaCon - Equine (GonaCon) is used to manage fertility in reproductively mature female wild or feral horses (*Equus caballus*) and burros (*Equus asinus*).

Why is the USFS embracing an off-label use of GonaCon? While Dr. Drotor discussed in length how handy GonaCon would be sterilizing older captured stallions, I can't help but believe that the real intent of the study is to use it to sterilize stallions in the wild.

Remedy: Answer questions directly even if they are controversial. The USFS complains about the number of FOIA requests being submitted by the public, but it forces the public to do so when it refuses to respond to legitimate questions.

More important, withdraw the Devil's Garden stallions from the study as it has serious health consequences for them.

The use of GonaCon on the DGWHT is entirely inappropriate as a form of fertility control. As I mentioned in my comments, an email obtained via a Freedom of Information Act request shows that 19 of the 24 mares boosted with GonaCon in 2013 as part of the Theodore Roosevelt study had, contrary to expectations, not returned to fertility as of 2020, and that reasons were unknown.

2021-001848\_Responsive Records\_RedactedBLM GonaConFinalFinal.pdf

Further, the 2023 article on Phase Two of the GonaCon study in the Theodore Roosevelt National Park concluded that a definitive time frame of reversibility was not determined for any reimmunization treatment, nor has it been ascertained whether permanent infertility was a possible outcome.

Current studies on GonaCon also generally show low efficacy upon initial treatment and improved efficacy upon boosting; however, efficacy between published studies has varied widely. More research is needed to determine the optimal booster schedule and the extent of potential side effects, and the possibility of darting this immunocontraceptive.

Therefore, the plan to booster the mares no sooner than 30 days following initial treatment may be in accordance with the EPA label instructions, but it has not provided any citation to a peer-reviewed, scientific study supporting

this protocol.

The USFS cannot simply ignore such findings.

Finally, the EA and the management plan do not state how many mares will be given GonaCon. But if the USFS successfully treats the majority of the remaining mares - along with removing excess foals and weanlings, the Devil's Garden herd will face extinction.

Remedy: The USFS should abandon its plan to use GonaCon and exclusively use PZP. which has a well-documented 40 plus year history of efficacy and safety, on the Devil's Garden wild horses.

Thank you for considering these objections.

Mary A. Koncel