

*Wild Horses & Burros
Of
Sheldon
National Wildlife Refuge*

Historic Home of Wild Horses and Burros since the 1500's

*Comments to the 2007 draft Environmental Assessment
Submitted by Cindy MacDonald to the U.S. Fish & Wildlife Service, May 2007*

The current alternatives presented within the draft environmental assessment do not address many pressing concerns and issues regarding proper management of wildlife, habitat, wild horses and burros or the public at large, therefore all are deemed unsatisfactory until substantial issues of concern are properly addressed, viable solutions are presented, and options available that provide a “win-win” outcome versus the current “lose-lose” proposals.

Since short term concerns such as capture methods, humane handling procedures, and enforcement authority are dependent on the implementation of long-term management goals, logic suggests addressing the long-term management goals first, so it is clear what the short term goals are aimed at achieving.

In order to achieve this, significant discrepancies must be addressed in the information provided, omission of relevant data, assertions that are not supported or may be exaggerated, and changes in management that have effected resources within the Refuge that now require re-evaluation and adaptation to the proposals.

The first issue to be addressed is the assertion that wild horses and burros consumed 27,000 AUM’s of forage within the refuge. This statistic does not provide a time period of when Service personnel believe this forage was consumed or how they determined this consumption was exclusive to wild horse and burro populations.

According to the EA, the estimated population was 1,200 wild horses and 100 wild burros as of July 2006 with the current estimated population being adjusted to 1,500 wild horses and 100 wild burros due to the current 2007 foaling season.

While this adjustment would be accurate after the 2007 foaling season and valid during the period of proposed removal actions, the estimated increase of 240 wild horses are all foals and not subject to the forage consumption requirements of adults. Additionally, forage consumption rates since July 2006 would be based on the estimated population of 1,200 wild horses and 100 burros, not 1,500 and 100 respectively.

This in turn means that a more accurate estimation of forage consumption throughout the refuge exclusively utilized by wild horses and burros since July 2006 would only be approximately 15,600 AUM’s (through July 2007), not 27,000 AUM’s as reported.

While it is understood that the primary purpose and goal of the Wildlife Refuge is for forage abundance and availability for wildlife, the current “forage crisis” that is being portrayed through this inaccurate assessment of utilization levels is not as dramatic as implied.

According to the 1980 Environmental Impact Statement, 48,000 AUM’s of forage are safely available on the refuge and during the time that livestock grazing was still allowed, 38,000 AUM’s was determined to be an acceptable level of use under USFWS management plans.

Also, the 1980 EIS stated that approximately 14,000 to 18,000 AUM's will be removed annually as a result of livestock grazing within the refuge and the 1977 Horse & Burro management plan stated that 24,000 AUM's (3,600 cattle) were currently being utilized by livestock. Yet the current EA states that the peak of livestock utilization levels occurred in 1985 at 21,867 AUM's.

The conclusion from this information is that there is time to formulate new adaptive management strategies without significant threats to forage availability for wildlife within the refuge and maintaining wild horse and burro population levels within this span of 14,000 to 18,000 AUM's during the planning period will not result in irreparable harm to other species.

Furthermore, the EIS clearly states that some form of grazing management is required within the refuge for vegetative control. If not, grasses and other forage production will become overgrown, resulting in soil leaching, producing less than optimum forage that is nutritionally inferior, and plant vigor and over all health will suffer that will effect many species within the refuge.

Without some sort of grazing management, other means of vegetative control must be utilized, such as prescribed burning or mechanical and/or chemical controls, all labor and cost intensive, or livestock grazing must be re-authorized within the refuge.

The current plan to reduce wild horse and burro populations within the refuge to outdated population levels determined at a time when livestock grazing was still prolific fails to take into account or examine the impacts their removals will have to the documented issues and concerns of excessive forage production or healthy plant communities.

Another issue of concern that appears to be inaccurately reported or exaggerated is impacts attributed exclusively to wild horses and burros regarding vegetative trampling and soil compaction that cause permanent damage or extensive recovery time to habitat and forage.

First, it was noted by previous management that severe livestock overgrazing through 1940 by utilizing an estimated 70,000 AUM's annually in the refuge and through various periods since, had so completely damaged habitat, soil and streambeds, riparian areas and water sources that they stated "no matter what management strategies were implemented, they did not see the possibility of habitat improvement for at least 40 years".

Throughout the current environmental assessment, impacts by wild horses and burros are often lumped into impacts noted by cattle, a practice that has been discontinued for 13 years. It is well known by Service personnel that those prior impacts are exclusive to this livestock grazing abuse yet they imply that all habitat damage has resulted from exclusive current wild horse and burro use.

Throughout the environmental assessment it is also repeatedly stated that trampling of soils and vegetation due solely to wild horses and burros within the refuge causes soil compaction that results in severe impairment of forage recovery.

Studying the photos provided on the cover of the 2007 Draft EA that attempts to highlight the grazing impacts to forage by wild horses and burros by presenting a pre-round up picture of Big Spring Creek in 2004 and comparing it to a post-round up picture in 2005 at distinctly different times of the year provides evidence that would indicate that forage production and recovery is not significantly affected at all by their impacts, despite the obvious former use.

While it does indicate that improper management of resources and population levels by Service personnel resulted in less than desirable utilization levels, it does not support the assertions that trampling and soil compaction by wild horses and burros require years of recovery as suggested within the assessment. There is substantially more documentation available that attribute those noted impacts to livestock grazing, not wild horses and burros, as is evidenced by the photos provided and the abundant forage production less than a year later.

I would also like to state that *any species* that becomes excessive produces the same results Service personnel are currently trying to attribute solely to wild horses and burros.

For example, in a Rangeland Health Assessment conducted by the BLM in 2005 for the Fish Lake Valley area, it was noted that the casual factor in riparian degradation in Ice House Spring # 3 was solely the results of the bighorn population.

In the High Rock Herd Management Area, BLM cited that as many as 3,000 pronghorn antelope would winter in the area. That can also create a lot of utilization and habitat impact just by sheer numbers. It is also noted that while the current EA provides the summer pronghorn antelope population, it also states that pronghorn utilize the refuge primarily as winter habitat, yet no winter population estimates are provided.

Another significant concern cited by Service personnel throughout the current environmental assessment is the repeated assertion that trampling and fecal contamination by wild horses was the single biggest factor for deteriorated water quality on the refuge.

Again, upon examination of the photos provided for Big Spring Creek, there is *no evidence of any fecal matter anywhere* within the spring area. Did Service personnel rake the area free of all “contamination” prior to taking the photo? Or is this repeated assertion untrue or highly exaggerated to present an inaccurate portrayal of the facts in order to justify wild horse and burro removals?

USFWS personnel cite concerns regarding the number of wild horses and burros involved in motor vehicle collisions. The numbers of wild horses and burros involved in these incidences are provided within the assessment yet comparison data of mule deer, pronghorn and other wildlife is absent. If this data was provided, ratios could be evaluated.

For example, if 14 wild horses were noted as involved in motor vehicle incidences but 150 mule deer were involved during the same time frame, it would illustrate that wild horse and burro incidences were actually low in comparison to other species. If however, the same 14 wild horses were involved but only 2 mule deer in similar incidences, evidence would indicate that indeed population levels are creating hazards that other species are not.

Nevada is an open range state and USFWS policies regarding public safety and animals within the refuge system states that the public should be given adequate notice either through signs at the entrance to the refuge, and/or notice and leaflets distributed to the general public warning of the dangers inherent in approaching animals in a natural environment (701 FW 8).

I must assume that this procedure has been followed, that adequate measures have been taken to inform the public of the need to exercise caution when driving through the refuge, not just because of wild horse and burro populations, but also due to all wildlife species that poses a danger through potential vehicle collisions.

If all wild horses and burro were removed from the refuge, would there no longer be any danger of any vehicle collisions or incidences with wildlife populations?

Additionally, while USFWS personnel provided cost analysis of financial impacts if wild horses and burros continued to be managed within the refuge, the data was absent as to the cost of their removals.

Finally, Service personnel cited that wild horses and burros had no natural predators besides the occasional mountain lion yet mountain lion predation and the need for cover was cited as an issue of concern for pronghorn antelope recruitment and fawning within the refuge.

Accurate information needs to be provided within the assessments to establish credibility of the proposals and the issues that must then be addressed.

USFWS is aware that the Horse and Burro Management Plans as well as the Environmental Impact Statement that is the guideline for the proposed management activities within the refuge is outdated and no longer reflects current or desired conditions within the area. It is for this very reason that they are announcing expected revisions and a new EIS's to be prepared to more adequately address the current issues and develop new strategies towards attaining desired future conditions within the refuge.

Because it is known that much of the former data and guidelines are no longer valid, it should also be recognized and acknowledged that the Horse and Burro Management Plans they are currently attempting to manage with are also outdated and obsolete and no longer reflect current conditions.

As previously stated, the target population levels were established at a time when there was still prolific livestock grazing, a practice that has since been discontinued and adjustments need to be made to these target levels that reflect the changing trends, habitat requirements and continued concerns of the American people for the preservation of the historic Sheldon wild horses and burros. After all, it is established for everyone's enjoyment, not just a few, and through proper management plans and their implementation, this is completely feasible, desired and even necessary.

As also stated, it has already been formerly acknowledged that some degree of vegetation control must be implemented within the refuge and establishing a viable population of managed wild horses and burros is the most cost effective and "natural" way of accomplishing this.

The current assessment only provides two distinct options, "No Action", which is exactly as it implies, that no management of wild horse and burro populations be taken whatsoever. This is obviously completely unreasonable and therefore, not a viable option to those of us involved in trying to establish a truly viable management plan for all species concerned.

The other alternatives all reduce wild horse and burro populations to outdated levels that not only run counter to good wild horse and burro management but also to habitat management as well.

Because of this, the general public has no viable options to choose from, as presented in the current proposal, and to attempt to do so is just plain "bad management" on our part.

While the Service Policy Manual provides policy for horse and burro management throughout the Refuge system and it *does* specifically require that no wild horses and burros will be maintained at the Sheldon-Hart Wildlife Refuge (versus other wildlife refuges where they are allowed), it too is quite outdated as it was issued in 1982.

Furthermore, the assertion by current personnel that the former Regional Director approved a wild horse and burro management plan that went against Service policy is incorrect – that decision was made before the Service issued its new directives in 1982. Until then, USFWS had no formal policy on wild horse and burro management within the Refuge System and the inclusion of a balanced population within the refuge was both acceptable and "legal".

Regardless, while the current mandates state that no wild horses and burro shall be maintained within the Sheldon-Hart Refuge, there are also an array of options that USFWS can utilize that allow for exceptions and special considerations in the National Wildlife Refuge System as well as within Sheldon-Hart itself.

Because these options are available and because updated resource management guides are needed and pending, the USFWS has the ability to develop a temporary adaptive management plan for the wild horses and burros within the refuge until a new Environmental Impact Statement can be compiled and evaluated.

This would also provide the necessary time for Service personnel to fulfill the requirements, paperwork, etc. to exercise options available to them that allow management plans to be formulated under “special consideration” guidelines, a requirement that the interested public believes is necessary to fulfill USFWS responsibilities to the American people and the proper protection and preservation of our natural and historic resources for future generations.

Under USFWS Policy 601 FW 3.4, refuge managers are required to consider how the ecosystem functioned under historic conditions such as flooding, fires, and grazing. If these historic conditions cannot be fully restored, management is required to mimic these natural processes.

The native and historic North American ecosystem was dominated by grazers, specifically the American bison, whose numbers are projected to have ranged between 30 to 50 million. Since the buffalo’s expiration, exotic, non-native cattle have replaced their historic grazing, a species that evolved in a significantly different ecosystem.

USFWS Policy 601 FW 3.11 B instruct refuge managers that while “unnatural” physical alterations...would compromise environmental health if considered in isolation, they may be appropriate management actions for maintaining biological integrity and accomplishing refuge purpose (s).

Under 601 FW 3.11 C, policy states that a “species was present in the area of the refuge under historic conditions, we will not introduce or maintain the presence of that species for the purpose of biological diversity. We may make exceptions where areas are essential for the conservation for a threatened or endangered species and suitable habitats are not available elsewhere. In such cases, we strive to minimize unnatural effects and to restore or maintain natural processes and ecosystem components to the extent practicable without jeopardizing refuge purpose (s).”

601 FW 3.12 C states that “sound professional judgment to fit the pieces to create a conceptual picture of our resources under historic conditions” and describes these “historic conditions” to generally include those documented during the time of arrival of the Europeans to the “new world”.

Since the removal of livestock grazing from the refuge and the native grazers, bison, now predominately exist on the Department of the Interiors Seal, there is a necessity for refuge managers to find an alternative to historic ecosystem conditions that mimic these natural processes.

USFWS Policy, Habitat Management (620 FW 1.7) requires that refuge managers consider their refuge’s contribution at multiple landscape scales including national and international frameworks.

Additionally, USFWS has been charged with the protection of all species, not just native, under the directives outlined in the Endangered Species Act. Within its framework, Congress clearly directs the Service that “all classes of mammals, without limitation” are eligible for protection if such protection is found warranted.

While I am not suggesting that wild horses and burros are currently endangered, this indicates the Services responsibilities is to provide oversight into *all species* and ensure that they do NOT become threatened or endangered.

Since the inception of the Wild Free-Roaming Horse and Burro Act of 1971, under the management decisions of the BLM, a minimum of 12.5 million acres of habitat once considered reserved for wild horse and burro preservation has been eliminated and over one-third of the herds have been completely lost and this trend is continuing at an accelerated pace.

In 2006, between BLM and USFS, 12 known herds and their habitat were completely zeroed out and many HMA's devoid of population are still being counted towards National totals even though they no longer exist.

In Southern California, wild burros and their habitat have been reduced by more than 90% since 1980 and only three BLM herds are officially recognized as remaining within the entire state with a target population level of 345 or less.

Nevada contains the largest population of wild horses and burros in the Nation yet the current state AML for wild horses is 12,229 and wild burro AML is merely 839 (These figures have been adjusted to remove AML's that BLM counts towards State AML but have no reported populations).

By way of comparison, Nevada's wildlife population was estimated in 2006 as 110,000 Mule Deer, 21,500 Pronghorn Antelope, 8,200 Elk, and 7,700 Bighorn Sheep (All Species).

Additionally, the Nationally established AML for wild burros is fewer than 3,000 and the National wild horse AML is established at approximately 24,500.

For comparison purposes, Nevada, home to the largest wild horse population in the Nation, is outnumbered by mule deer by 9 to 1, pronghorn antelope by almost 2 to 1 and the current National wild horse population target is less than the State target population of 25,000 pronghorn antelope. As for burros, the current State population of bighorn sheep exceeds the National target population by 250%.

Despite Nevada's current bighorn sheep populations overwhelmingly exceeding wild burros populations, bighorn are given special status and consideration in all management plans to the point that wild burro preservation is becoming an issue of concern.

NDOW reports that the current pronghorn antelope population, as of 2006, is the highest recorded population in the history of Nevada and is reflective of the above-average production and recruitment rates observed over the last several years. They also state that the Sheldon pronghorn population continues to experience herd growth and numbers on Sheldon have steadily increased since 2000. The herd is now estimated at 1,200 animals and does not include animals that move south to winter on the Sheldon from southern Oregon.

Mule deer is now estimated at 1,500 with the refuge with survival and fawn recruitment cited as strong. Populations are noted as being below the highs experienced during the late 1980's and early 1990's. NDOW expected habitat conditions and water availability to be much improved in the summer of 2006 and this expectation was cited knowing that the wild horse and burro populations were high within the refuge because the significant habitat concern was precipitation and water availability, not wild horse and burro population impacts to vegetation and forage.

The 2006 population estimates of California bighorn sheep in Sheldon are 176 bighorn.

Total agency managed National acreage, which includes Bureau of Land Management, National Park Service, United States Forest Service and United States Fish and Wildlife, totals approximately 630 million acres of habitat, all of which wildlife is managed on and for and includes over 176 million acres that is exclusively managed for wildlife while wild horse and burro habitat of BLM HMA's and USFS WHT's acreage is currently reported at approximately 36.5 million acres.

In 1971 at the passage of the Wild Free-Roaming Horse and Burro Act, no management actions were taken regarding the wild free-roaming horses and burros existing in the refuge due to confusion as to jurisdiction and responsibilities within the refuge shared between USFWS and BLM at that time.

In 1977, when all jurisdiction was transferred to USFWS, the Service cited a refuge status that had yet to be legally confirmed when they began their initial Horse and Burro Management Plans. In these plans, former personnel acknowledged the Sheldon horses as a distinct population isolated from other herds, called them wild and free-roaming, and acknowledged that these historic animals are now their responsibility and that they would be managed as such. If jurisdiction had been granted to BLM instead, these historic animals would now be protected and preserved under the Wild Horse & Burro Act.

The current personnel also acknowledged the historic status of the Sheldon wild horses and burros, citing recorded presence dating back to the 1500's as well as management activities that have ensued for over 70 years. Current USFWS historic and cultural policies only require 50 years to be identified as a historic resource (614 FW 1.7).

USFWS Natural and Cultural Resources Management policy state that caution must be exercised so that cultural resources are not inadvertently transferred, sold, demolished, or substantially altered as a result of Service sanctioned activities until appropriate identification, evaluation, and planning are accomplished. 614 FW 1.4 clearly states that these resources are to be managed in such a manner that values of importance are sufficiently protected for present or future scientific study, public appreciation, and soci-cultural use.

The recent determination in 2007 by Raymond and Parks that there is no historic property present on Sheldon Refuge can be disputed without having ever read their conclusions.

1. Natural and Cultural Resources are defined in broader terms than just property, even by USFWS own policies and standards.
2. Failure to identify the Sheldon wild horses and burros within the National Historic Register is not conclusive or informed. Dr. Thomas King, one of America's leading and foremost authorities on determinations of eligibility for historic and cultural resources to be included in the National Historic Register, has been deeply involved in providing supportive data, testimony and structuring guidelines for including animals of all species as historic and cultural resources. (Declaration by Dr. Thomas F. King in support of plaintiffs, Civil Action No. C-03-4350 MHP)

One of his relevant excerpts from this Declaration:

“In essence, agencies were regarding as not eligible for the National Register any place that was not recognized and valued by a professional archaeologist, architectural historian, or historian, regardless of the significance of the place in the eyes of local communities. We at the NPS and ACHP thought this tendency to be ethnocentric, elitist, discriminatory, and inconsistent with NHPA's purposes (See, for instance, Section 1(b)(3): “the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people,” – not just to its historic preservation professionals).”

3. The Wild Free-Roaming Horse and Burro Act also acknowledges that wild horses and burros are of significant historic and cultural value to the American people, not just to Native Americans, and prior USFWS management recognized this value and connection. This is why continuation of historic wild horse and burro management activities were allowed and why the current managements failing to take into consideration our historic and cultural connection to the Sheldon wild horses and burros is resulting in so much opposition and conflict to their proposals. Two men do NOT speak for the Nation.
4. Within USFWS Policies and the National Wildlife Refuges own system, five refuges are presently authorized to preserve and propagate herds of nationally and/or historically significant animals. They have even been *reintroduced* into the Refuge System. These are the National Bison Range in Montana, the Wichita Mountains Wildlife Refuge in Oklahoma, Fort Niobrara National Wildlife Refuge in Nebraska, Sullys Hill National Game Preserve in North Dakota, and Walnut Creek National Wildlife Refuge in Iowa.

Within USFWS own policies it states that the Service will maintain remnant herds of nationally and/or historically significant animals on those refuges established for that purpose to ensure their continued existence in numbers sufficient to perpetuate the associated cultural, scientific, and aesthetic values.

The majority of animals protected and preserved within these Refuges can also be found outside the National Wildlife Refuge System, such as Rocky Mountain elk, which are now found in several states across the nation.

Despite bison (or buffalo) being the most undisputed native species on the North American continent, only one herd remains. While the Service's policies and mandates are to return as many of the refuges back to their historic natural environments as possible, they are also prevented from any further reintroductions of these native species within the National Wildlife Refuge System of lands, which of course runs contrary to policy to return habitat to historic conditions – this would include reintroducing buffalo to many of the refuges and wildlife habitats since their numbers were “historically” estimated to range from 30 to 50 million animals.

Furthermore, one of these protected species is non-native and non-indigenous – the Texas longhorn cattle, preserved in the Fort Niobrara National Wildlife Refuge, Nebraska.

This leads to a serious point of current contention in wildlife management and the restoration of natural communities and that is the issue of native versus non-native and the identification of the *equus* species as feral to North America.

This was addressed in the current environmental assessment under section 1.6.2.3 in which it states, “the issue of whether horses and burros are native species and not feral animals is a point that continues to be debated and has been neither proved or disproved.”

This reason this issue is continuing to be debated is there is a large body of growing scientific evidence that has conclusively proven all equine species currently in existence today are the results of 56 million years of evolution and adaptation that transpired exclusively on the North American continent. North America is hailed as the “evolutionary cradle” of the genus *equus*.

The referencing to wild horses and burros as “non-native” and “feral” are remnants of a time when such evidence was not available, when it was erroneously believed that until the arrival of the Spaniards in the “new world”, they had never existed here before.

Modern day science and research has conclusively proven that nowhere else in the world can the equine species be more at “home” than in North America and the current debate as to their native status is merely the results of an outdated cultural paradigm that is having difficulty adapting to modern scientific facts.

A “domestic animal” is nothing more than a wild animal that was forced into servitude to be utilized by mankind for various tasks. This did not, and does not indicate that the wild animal was in agreement with this plan, that it purposefully volunteered its service to mankind, that it agreed to becoming a steady food source or pack animal or component of military operations, etc.

Their domestication did not stop them from being “wild animals”, it did not erase their evolutionary history as wild animals, nor did it prevent them from being able to return to their natural evolutionary state when the opportunities presented themselves.

A feral animal is an animal that was once domesticated and has since gone “wild” or reverted back to its natural evolutionary state. The Sheldon wild horses and burros residing in the refuge have never been domesticated; therefore the assertion that they are feral is incorrect.

Furthermore, a feral animal is also described as wild, indicating all traces of learned behaviors acquired through the “domestication process” have been abandoned. Since the definition of feral includes an acknowledgement of wild status, feral animals are now, again, wild animals.

While the history of the equine species is 56 million years long, the history of their domestication is *considerably* shorter and as USFWS is one of the *leading* agencies in science based management, this fact should be incorporated to include modern analysis and conclusions of the *equus* species extremely long **native** presence in North America.

Though “breeds” have been created through mankind’s manipulation of species, these differences are barely measurable from a genetic point of view and all horses are still scientifically identified as “*equus caballus*” and all burros, donkey’s, etc. are still identified as “*equus asinus*”. They are no different than the miniscule differences between a “domestic” sheep breed and a bighorn since all significant evolutionary development had already transpired long before mankind ever became involved with either species.

While it is understood that Sheldon-Hart Service personnel are not in the position to decide or declare the “official” position as to the status of wild horses and burros as native or non-native species within North America, it is important to mention because eventually, the facts will ultimately cause an “official” shift in policies through the acknowledgement that they are indeed, a native species and indigenous to the North American continent. If care is not exercised now for their wild preservation, the threatened and endangered status that all “official” wild equid species are now facing globally will also become an issue here at home.

The inclusion of updating scientific modern facts within the USFWS policies and frameworks is provided under 601 FW 3.13 B citing that USFWS will “periodically update our information on historic conditions with results from ongoing historical, archeological, and other studies.”

Furthermore, the American public cannot fail to ignore the hypocritical standards being supported and applied by authorities charged with overseeing wildlife, habitat and their management of non-native species if it suits *their* purposes.

The management of the Sheldon-Hart Wildlife Refuge freely acknowledges that non-native species have been introduced and are being managed for within the refuge with no concerns or plans to remove them while they continue to obsess over the supposed non-native status of wild horses and burros.

This of course leads to the question, why are double standards being applied in science-based management?

The Service has refuted allegations that they are managing species within the refuge on the basis of financial gain by stating that the majority of revenue collected from hunting activities are collected by the state wildlife agencies, specifically Nevada Department of Wildlife (NDOW) not USFWS, and that financial gain to the Service is minimal.

While this may be true in part, the Service fails to mention significant and relevant contributions that the refuge receives from NDOW in terms of habitat restoration, volunteer services, wildlife reintroduction programs, joint ventures, and their Partners for Fish & Wildlife Programs (640 FW 1) that is strongly encouraged and developed throughout all USDWS managed programs.

In fact, the partnership between NDOW and USFWS is so close that USFWS Washington's address is listed on the front of the 2005-2006 Big Game Status Report.

Here are some examples of partnership programs and potential revenue that may benefit Sheldon-Hart through "indirect" hunting revenue.

In the February 9, 2007 Minutes of the Wildlife Commissioners meeting, a \$20 million dollar annual "endowment" is being negotiated and earmarked for five Northern Nevada counties that will focus on habitat restoration. While it was not specifically stated that any of this funding would be used within the Sheldon-Hart Wildlife Refuge, it does illustrate that NDOW makes significant contributions to wildlife and habitat and Sheldon can be considered for inclusion in this funding through "Partnership Programs".

Another such example is found in the BLM's Fiscal Year Annual Report for 2005, which stated that almost \$13 million was given to the BLM and other Interior bureaus in Cooperative Conservation challenge cost-share grants to fund 256 projects. These range from eradicating invasive species to restoring wildlife habitat and providing stable water supplies for elk. The grants cover 40 states, involve 749 partners, and leverage \$24 million in partnered dollars.

In this same report, it was stated that as of September 30, 2005, the Directors of the BLM, U.S. Fish and Wildlife Service, and National Park Service, in partnership with the Chief of the USDA Forest Service, have recommended and received approval from the Secretary of the Interior for the expenditure of almost \$1.2 billion...

In an e-mail response from USFWS employee Sylvia Cabrera regarding an inquiry about how much money was collected by the 1996 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation that goes to habitat purchases for ESA, and how much was used to fund studies for species in the Colorado Desert District, Ms. Cabrera replied that from 2001 and 2006, California obligated about \$31.8 million dollars to support management of game species throughout the State via the Wildlife Restoration grant program.

She further added that U.S. Fish and Wildlife Service administers the Wildlife Restoration grant program which provides financial assistance to the States for projects dedicated to wildlife restoration and enhancement. The money comes from Federal excise taxes on sporting arms, ammunition, archery equipment, and handguns. Manufacturers deposit these into the Treasury's wildlife restoration funds, and the U.S. Fish and Wildlife Service apportions the funds annually to the States, Commonwealths, and Territories based on a formula set forth in legislation.

In other words, there are a great deal of indirect benefits that the refuge may receive through their partnerships with NDOW, hunting related and affiliated activities, programs, organizations and groups.

One of the serious issues and valid concerns that Service personnel have with respect to wild horse and burro management is lack of appropriate funding to properly manage the herd populations so that they can co-exist harmoniously with the wildlife and habitat of the refuge.

The reason this is an issue is because their wild populations haven't been "officially" acknowledged even though they exist and because of this, no additional funding is provided towards their proper management.

If USFWS took the necessary steps to "officially" manage wild horses and burros on the refuge in balance with other wildlife and habitat needs, a win-win situation could be developed that would resolve many of the long-term issues the Service currently faces with proper funding being a significant factor.

In addition to the other policies and criteria previously cited that refuge management may utilize in resolving the long-term issues they have faced regarding proper wild horse and burro management, USFWS policy 601 FW 3.16 B states that "We require no action to reduce or eradicate self-sustaining populations of non-native, noninvasive species (e.g., pheasants) unless those species interfere with accomplishing refuge purpose (s). We do not, however, manage habitats to increase populations of these species unless such habitat management supports accomplishing refuge purpose (s)."

Again, the Sheldon-Hart National Wildlife Refuge is going to require some manner of vegetative and forage control for the healthy plant communities required to successfully achieve its primary purpose of healthy plant communities, wildlife species, and pronghorn antelope.

Since the wild horses and burros of Sheldon have been documented as co-existing with the wildlife “natives” for over 400 years, it is safe to assume that their presence is more “natural” and harmonious under proper management implementation than any other alternative currently available.

While it is understood that the Wildlife Refuge System is designed to be flexible, to conserve and preserve natural resources and ecosystems based on the unique qualities or purpose that a particular refuge represents, I would like to provide an example of one such refuge that is managing its operations under the “flexible and adaptive” criteria afforded USFWS.

The Havasu National Wildlife Refuge has successfully lobbied for the removal of the wild horse herd that once use to inhabit the Havasu HMA and is continuing its efforts for total burro removals. Reasons cited are identical to those currently being cited by the Sheldon-Hart management with the primary purpose being to attempt to restore ecosystems to historic pristine conditions and wildlife preservation. (See Attachment 1)

Pretending that the American public is going to stop caring about the Sheldon horses and burros, that their extinction at the hands of USFWS “policy” will go unnoticed, is a completely unrealistic expectation and will only result in a great deal of effort, time and money lost since the public will continue to oppose agendas that do not consider or incorporate our values too.

It would be time and effort better spent in doing what is necessary to legally and officially find viable solutions that include the historic and cultural values that the Sheldon wild horses and burros have to us and have always had – that is why they are still there.

So, I would like to suggest that USFWS begin to file the necessary documents to legally establish a viable herd of wild horses and burros in the refuge, to develop an adaptive management plan that includes a managed population level that benefits healthy vegetative and plant communities in balance with other wildlife, and thereby receive the funding they deserve to provide proper stewardship of the refuge and all the species within it.

The longer you wait, the more wasted time, effort and money will be spent fighting with the people you are suppose to represent and consider.

As for the short-term issues, wild horse and burro removals must not be implemented to the outdated management levels established when conditions were very different. This will cause threat to habitat, result in other measures needing to be implemented for vegetative control, and destroy the historic genetic pool that currently exists.

A wild horse herd maintained between 400-600 animals would only result in 4,800 to 7,200 AUM's of forage being consumed annually with an additional 1,200 to 2,100 AUM's available for wild burros at a managed herd of 100-175. If managed properly and funding is secured through official channels, the maximum forage utilization in the refuge would only be 9,300 AUM's. This is far below historic grazing levels, well-below forage availability within the refuge, and yet still sufficient to maintain genetically viable herds for their future preservation.

As for removals themselves, obviously USFWS is very clear about not rounding them up again during foaling season. Generally, the beginning of July is considered a "safer" time to begin round up activities.

Limits need to be set, and enforced, for the distance that wild horses and burros are forced to run. Wild horses do not have a natural pattern of running hard over long distances as conditioned endurance horses do. This sudden demand and unnatural running pattern can be damaging to their legs, bones, heart and lungs and is obviously especially hard on newborn foals.

Often, the BLM cites distances not to exceed 5 miles during removal activities in their environmental assessments, so I would recommend prohibiting wild horses and burros being run by contractors to more than 5 miles in a day. This would also give contractors incentive to "take it slow" because there will be no point in attempting to push the horses to increase their revenue collections that are often reaped on a "per head" basis.

If the horseback option was exclusively utilized, then the wild horses couldn't be pushed any further than the domestic horses, unlike being run with a helicopter that never tires, and I personally feel this would be the most humane way to remove them.

There also needs to be enforcement of established removal procedures and clear outlines need to be provided as to what measures will be taken if these procedures are not adhered to.

Last year, the general public was kept at a distance of over 2 miles during the round up activities and many felt this distance was to provide protection to personnel and contractors for their improper treatment, inhumane handling and the brutal results of the round up activities.

To prevent any future allegations of impropriety and to assure the public that humane procedures *are* being followed and enforced with contractors, the public should be allowed verify this for themselves by providing close public access and documentation of the removal activities, instead of removal activities being hidden and forcing the public to rely solely on *assurances* that all is well.

Finally, some manner of verification and enforcement towards adoption agents that fail to prevent the Sheldon wild horses and burros from ending up in slaughter facilities, including Canada and Mexico, needs to be clearly outlined and followed through.

The American public is now very aware of the horrible suffering and inhumane procedures utilized during horse and burro slaughter and we have clearly stated on a National level that this is completely and totally unacceptable.

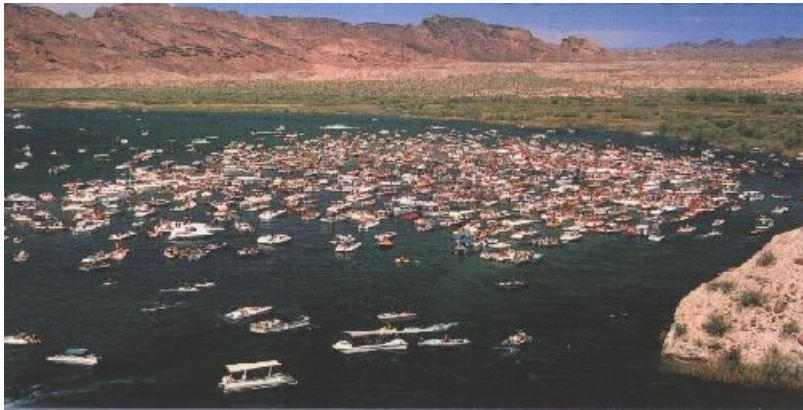
We felt that way in 1971, which caused the passage of the Wild Free-Roaming Horse and Burro Act and we still feel this way today. Just because USFWS is not legally bound by the protections of that Act does not in any way indicate that the American public thinks its “okay” for other agencies to be allowed to treat them inhumanely or have them slaughtered for “convenience” or because the only thing being regarded as of value is their “financial bottom line.”

In conclusion, I hope that my research and analysis of this proposal provides helpful and informative data to better assist USFWS implement viable “win-win” solutions regarding issues of concern within Sheldon-Hart National Wildlife Refuge, proper wildlife and habitat management, securing necessary funding to implement that management, and still being able to include the public and National values that USFWS has been established to preserve.

Attachment 1

Lake Havasu Wildlife Refuge

USFWS wildlife managers successfully lobbied for the total removal of the lone wild horse herd in the Havasu HMA. They are currently lobbying for the total removal of wild burros citing the need to preserve historic ecosystems and protect native wildlife within the Refuge.



“The Sandbar” 2001 Lake Havasu National Wildlife Refuge, AZ
Courtesy of Terry Watt - American Horse Defense Fund

*“Ecotourism is one method to derive economic benefits from the conservation of wildlife and habitat.”**



“The Sandbar” 2001 Lake Havasu National Wildlife Refuge, AZ
Courtesy of Terry Watt - American Horse Defense Fund

*“Recreational visits to national wildlife refuges generate substantial economic activity. In FY 2004, more than 36.7 million people visited refuges for recreation. Their spending generated \$1.37 billion of sales in regional economies.”**

*From Banking on Nature 2004: *The Economic Benefits to Local Communities of National Wildlife Refuge Visitation*, James Cuadill, Ph. D. and Erin Henderson, Division of Economics, U.S. Fish and Wildlife Service, Washington, DC September 200