

July 26, 2023

To: **DEPARTMENT OF THE INTERIOR Bureau of Land Management**  
BLM Cody Field Office  
Attn: Abel Guevara, Wildlife Biologist [aguevara@blm.gov](mailto:aguevara@blm.gov)  
1002 Blackburn Street  
Cody, Wyoming 82414

RE: Preliminary Environmental Assessment for Bait Trap Gather and Population Growth  
Suppression Measures of Wild Horses in the McCullough Peaks Herd Management Area,  
July 13, 2023

NEPA#: **DOI-BLM-WY-R020-2023-0003-EA**

Good Day,

Tammi Adams and Laura Leigh submit the following comments to this Preliminary Environmental Assessment (PEA) as individuals, federal U.S. taxpayers, as members and volunteers for Wild Horse Education (WHE), and as authorized representatives of Wild Horse Education, its members, Board, and volunteers.

The following comments are in response to the PEA (Project # DOI-BLM-WY-R020-2023-0003-EA) regarding Population Growth Suppression (PGS) and Bait Trap Gather of Wild Horses in the McCullough Peaks Herd Management Area (HMA). We respectfully submit the following comments to the Department of the Interior (DOI), Bureau of Land Management (BLM or the Agency), and Cody Field Office (CFO).

Several items we requested be included in our scoping comments were addressed in this PEA, thank you Mr. Guevara for trying to include so much information from such a plethora of comments. The McCullough wild horses are near and dear to us, and we are requesting additional information in the final EA, or more appropriately an HMAP-EA. However, the two proposed alternatives could be further refined/broken down (ex: Creation of an up-to-date HMAP-EA, continuation of current PZP protocol, research and monitoring of rangeland forage carrying capacity, etc.).

**This impending Preliminary Environmental Assessment for the McCullough Peaks HMA does not comply with the requirements and intentions of the Wild Free Roaming Horse and Burro Act (WFRHB, 1971), the National Environmental Policy Act (NEPA), the Code of Federal Regulations (CFR), Agency Policies, the Comprehensive Animal Welfare Policy (CAWP), and First Amendment Rights.**

The BLM is mandated to manage. Removal and population growth suppression (PGS) are potential management *tools*, not a herd *management* area plan (HMAP). Without clear data and plans to determine “need” for or use of any tool, let alone the repetitive use of these tools over a 10-year period, without evaluation of new information and new circumstances (i.e., climatic factors, extraction industry encroachment, recreation), this PEA should be set aside and an

HMAP-EA created to amend the 1985 HMAP and 2015 Cody RMP (also requested during Scoping).

The current HMAP for McCullough Peaks HMA is almost 40-years old (i.e., issued in 1985). While it is at least a “management plan,” it lacks fortitude for planning, utilizes administratively set AMLs, contains vague and overly broad language for population growth suppression, lacks updated and current scientific information (e.g., climate change, attrition modeling, equine ecology, bovine ecology, rangeland ecology, etc.), lacks science-based rangeland descriptors and past/present HMA rangeland health monitoring evaluation data, lacks provisions for CAWP, etc.

It is reasonable to expect the Agency to comply with NEPA and simultaneously update the 38-year old HMAP (1985) with an HMAP-EA, and subsequently the 2015 RMP. Chapter 11 of DOI’s Departmental Manual Part 516 (156 DM 11), which sets forth BLM’s policies and procedure for implementing the National Environmental Policy Act (NEPA) states, in relevant part:

**11.6 Existing Documentation (Determination of NEPA Adequacy).**

A. The proposed action is **adequately covered** by (i.e., is within the scope of and analyzed in) relevant **existing** analyses, data, and records; **and**

B. There are **no new circumstances, new information, or unanticipated or unanalyzed environmental impacts that warrant new or supplemental analysis.** . . .

[Emphasis added.]

BLM relies on underlying NEPA where new circumstance and information do require new analysis. Therefore, building any Gather and population growth suppression (PGS) PEA atop an inadequate and outdated HMAP (and consequently RMP) arguably represents noncompliance with the law.

The Herd Management Area Plan is defined in the *BLM Handbook -H-4700-1 Wild Horses and Burros Management Handbook (Public)*, p.10, stating habitat, foaling season, population management, and monitoring objectives shall be appropriately defined in a Herd Management Area Plan (HMAP) **rather than a Land Use Plan (LUP)/RMP**. Despite the 1985 McCullough Peaks HMAP, BLM CFO has continued to manage the wild horses through the RMP without providing an up-to-date HMAP.

**While the RMP itself is not an appealable decision, its implementation is.** *Animal Protection Institute of America*, 122 IBLA 295.

It is arbitrary and unreasonable for Wyoming BLM to argue that a 38-year old outdated HMAP (1985) is *sufficiently adequate* under current conditions (extensive multiple use intrusion on HMA, climate change, etc.), and that BLM can authorize a 10-year Population Growth Suppression and Gather EA to remove “excess” wild horses without complete attrition modeling of the herd, nor provision of current/updated science-based site specific rangeland health data or TNEB analysis.

The BLM proclaims that is not required to update an HMAP before issuing a gather decision to address excess animals. Further stating, “The Interior Board of Land Appeals (IBLA) has held

that an HMAP is not a prerequisite to BLM conducting a gather operation (Animal Protection Institute of America, 109 IBLA 112, 127 [1989]), so long as the record otherwise substantiates compliance with the WFRHBA.” We argue that this BLM statement is anecdotal and mendacious.

BLM CFO has not updated the existing HMAP, and the major components of an HMAP have not been addressed in this PEA (objectives/plans for management, migration patterns, plans/methods/calculations for monitoring/evaluating/reevaluation/restoration rangeland health, up-to-date rangeland forage carrying capacity, up-to-date rangeland indicator species taking into account climate change, water/rangeland resource improvements, triggers for removal/PGS actions, which PGSs on which horses, etc.).

Furthermore, parameters of private and multiple uses within the HMA have changed significantly since the 1985 HMAP (Madonna launched her first concert tour, Nintendo released *Super Mario Brothers*, the movie *Back to the Future* was released), and even the 2015 RMP (historic Paris Climate Accord). More and more projects for profit-driven industries are in place since 1985 and many more are proposed that will significantly impact the McCullough wild horses now and in the near future (public encroachment, increased recreation, extraction/”green” industries, etc.).

The McCullough HMA is not an “open range” but a series of livestock fenced grazing allotments (further divided into pastures), roads, and pipelines/transmission lines. Sections of McCullough have heavy use by private industry and recreation (increasing every year) and that can impact movement, water resources, forage utilization, etc.

It is arbitrary and unreasonable for BLM to argue that a 38-year old outdated HMAP (1985) is *sufficiently adequate* under current HMA conditions (extensive multiple use intrusion on HMA, climate change, etc.). Furthermore, BLM CFO cannot authorize a potential 10-year Gather (and/or PGS) EA to gather “excess” wild horses without attrition modeling of the herds, without routine herd census for McCullough HMA, without migration mapping, without transparent provision of methods and multiple/historic years of rangeland health data for TNEB and AML establishment, with no up-to-date HMA rangeland forage carrying capacity, with outdated AUM provisions for livestock, with dubious AUM calculations for wild horses and burros, and without cumulative/causal TNEB impacts for *all* multiple uses. This significant information (requested during scoping) is absent from, or partially presented, in this PEA, and information that is presented provides anecdotal/misinformation in its conclusions within this PEA.

*“In making the determination that excess WH&B are present and require immediate removal, the authorized officer will analyze current information including grazing utilization and distribution, trend in range ecological condition, actual use, climate (weather) data, and current population inventory.”* (BLM Handbook H-4700-1, pg. 47, §7.1.2)

Based on all information provided in this PEA, BLM has NOT, with *sufficient adequacy*, determined under NEPA, the WFRHBA, federal laws, nor Agency policies that *excess* wild horses are present, that a gather for removal of wild horses from the McCullough Peaks HMA is warranted, nor has ANY meaningful rangeland health data or TNEB analysis been provided.

**Any Gather EA plan for the McCullough HMA is premature and unreasonable. We reasonably request that the BLM CFO update the 1985 McCullough HMAP with and**

**HMAP EA, and the applicable Resource Management Plan (RMP), prior to any future gather or PGS actions at the McCullough HMA.**

**Likewise, simply updating the applicable 2015 RMP (without addressing the site-specific HMAP-EA process) is akin to stating a mining operation will be allowed in the district under the life of the RMP without providing a Plan of Operations (POO) or livestock will be allowed without a site-specific EA for permit renewal.**

The PEA presents an AML that was assumingly established with rangeland health data from 1987-1989 (information obtained from 122 IBLA 292), after the 1985 HMAP (extraordinarily the same AML), without provision of methods or data utilized in this PEA (or any Agency document for that matter), and prior to Agency policies (H-4700-1) and guidelines for Rangeland Health Standards (H-4180-1).

The AML for the McCullough HMA wild horses has not been scientifically developed with up-to-date site-specific information, with new science (i.e., climate change, natural attrition modeling, AUM calculations), nor with any past or present rangeland health data or TNEB analysis (specifically rangeland data collected post wild horse removals). This PEA presents a “suspect” AML (administratively set as an “administrative convenience” in 1985) without ANY supporting rangeland health data or TNEB analysis, which is no longer considered acceptable.

***“Justifying a removal based on nothing more than the established AML is not acceptable.”*** (BLM Handbook, H-4700-1, pg. 47, § 7.1.2)

For BLM to declare in 2023 that the McCullough HMA AML was set appropriately, without disclosure of methodology or any historic or present rangeland health data, is arbitrary, unreasonable, and objectionable.

***“AML is set based on in-depth analysis of site-specific resource monitoring data including grazing utilization, trend in range condition, actual use and climatic factors (i.e., **AML is not set based on administrative convenience or single surveys**).”*** [Emphasis added.] (BLM Handbook H-4700-1, pg. 46, §7.1.1)

The DOI BLM acknowledged in its 2003 strategic plan (updated in 2005) that diverse methods were used to establish AMLs (BLM, 2003, revised 2005). In general, more consistent data collection has also been repeatedly recommended for grazing management (Veblen et al., 2011).

In this PEA, BLM is proclaiming AMLs affirmed in the most recent RMP are *accurately and fully disclosed and analyzed for the proposed action*. However, BLM fails to corroborate an actual method, formula or data for setting AML beyond being based on historical (anecdotal and admittedly deficient) prior processes. This is always perplexing as the agency provides *WinEquus Population Modeling* to project populations based on the plethora of PGS implementation planned, yet cannot seem to transparently provide relevant science-based, site-specific data on AML calculations as called for by the stake holding American public (providing AUMs does not equate to AMLs or allotment forage carrying capacity).

Additionally, it is important to note that part of the responsibility of BLM set forth by the WFRHB Act and acknowledged in this PEA is to “protect the health of public land AND support HEALTHY horses” [Emphasis added]. Accordingly, administratively set AMLs fail to recognize and comply with current scientific study and knowledge, and Agency policies. This is clearly in contravention of the BLM’s responsibility to manage and maintain healthy wild horse herds **on public lands** (the only “heartbeat” BLM is obligated to manage is wild horses and burros and the forage established *principally* for them on the HMA).

The AML for the McCullough HMA was also set prior to writing the 2010 BLM Wild Horses and Burros Management Handbook, which was developed by BLM in respond to GAO’s criticism that BLM had not provided guidance to its field offices on how AMLs should be established. It is disquieting that this PEA proposes actions that accept the AML which are administratively carried over since the early 1980’s and are deemed valid until 2033 (with any 10-year EA).

Furthermore, the suggested AML for the McCullough HMA was set prior to the National Academy of Sciences 2013 review of agency practices commissioned by the BLM, and these comments have been known for over a decade.

*Because AMLs are a focal point of controversy, how they are established, monitored, and adjusted should be transparent to stakeholders and supported by scientific information. Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward (2013).*

*The Agency acknowledged in its 2003 strategic plan (updated in 2005) that diverse methods had been used to establish AMLs (BLM, 2003, revised 2005). In general, more consistent data collection has also been recommended for grazing management (Veblen et al., 2011).*

*The Wild Horses and Burros Management Handbook was written in response to a critique by the Government Accountability Office (GAO) stating that, as of 2008, BLM had not provided formal guidance to its field offices on how AMLs should be established and that there was a lack of consistency in setting AMLs in the agency (GAO, 2008).*

*During the 2013 NAS review process the committee recognized that, by and large, AMLs for individual HMAs had been set before the publication of the handbook in June 2010 and that little time had passed for adjustments to be made between the publication and when the committee’s survey questions National Academies of Sciences, Engineering, and Medicine. 2013. Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward.*

**We reasonably request that natural attrition modeling be completed and reported and the subsequent AML method, data, and calculations be transparently provided and demonstrate utilization of science-based, site-specific data for the McCullough HMA, and that the science-based, site-specific calculations for AML be provided in an updated**

**McCullough Peaks HMAP-EA** (this information was not included in this PEA as requested during scoping).

**We reasonably request that the 1985 McCullough Peaks HMAP (38-years old) be updated with new and current science-based site-specific information/data and that any future Gather (and/or Population Growth Suppression) EAs be completed under NEPA compliance as individual events as an HMAP-EA when established as necessary.**

**We reasonably request that BLM develop, model, and report the natural attrition model for the McCullough HMA wild horses, and expressly and specifically identify all types and quantities of possible PGS methods for proposed use on wild horses in an up-to-date HMAP-EA.**

The Agency cites *Friends of Animals v. Culver, et al.*, No. 1:19-cv-03506-CKK (D.D.C.) for permission to establish 10-year gather and PGS plans. However, the Court ruled that BLM's 10-year timeline “exceeds its discretion” per statutory command to “immediately remove excess animals from the range so as to achieve appropriate management levels.” **Hence, development of a 10-year gather plan for any wild horse and/or burro HMA/HA has been ruled as non-compliant with the courts under the WFRHBA as amended.**

This PEA would approve gathers (*tool*) and extensive and unlimited PGS (*tools*) through 2033 based on “suspect” AMLs and without adequate rangeland health assessment(s) while the range continues to be impacted by climate change, historic and current livestock grazing, ongoing encroachment, etc. This is a demonstration of *administrative convenience*.

A 10-year “Gather-EA” was also not the subject of 109 IBLA. IBLA has not adjudicated findings that no HMAP or RMP revision is necessary when BLM proposes a 10-year removal plan mixed in with multiple and unlimited forms of PGS.

It should be noted that the cited IBLA case was adjudicated based on a single removal in multiple HMAs (some with existing HMAPs); not 10-year removal plans, which after the first removal would no longer represent existing range conditions, no analysis of any range improvement/decline post-removal, no analysis of effectiveness of a single form of PGS, no analysis of impacts from multiple forms of PGS lumped together, nor addresses changing rangeland conditions or available rangeland after profit driven uses are approved (new roads, fences, mines, transmission lines, etc.).

Using PEA activities to prepare any plan (much less a 10-year plan) for Gather (and/or PGS) for McCullough HMA, would mean that all removals and ANY arbitrary PGS methods the BLM CFO plans to implement over the next 10-years shall omit any opportunity for NEPA public comment (just saying it will happen in this PEA is arbitrary and contradicts proven BLM historical actions). This is clearly contrary to the meaning and intent of NEPA, and likely other applicable statutory and regulatory requirements.

*NEPA itself requires the opportunity for public comment for each and every agency action, not just once for each type of recurring action, such as wild horse gathers, population growth suppression, or permanent removals.*

**Furthermore, any 10-year plan for wild horse and burro management has not been upheld by IBLA without multiple years of science-based comprehensive rangeland health data and TNEB analyses to support AML establishment. Therefore, all 10-year Gather and PGS Plans are likely against the law (this PEA is not an *emergency gather*).**

Consequently, this Gather and PGS PEA's "need and purpose" is based on unsubstantiated AMLs and no comprehensive rangeland health data, the conclusion of "excess" wild horses is arbitrary, and violates BLM's WH&B Handbook and Sec. 3(b) of the WFRHBA.

This 10-year Gather and PGS PEA should be set aside until BLM can demonstrate that all provisions of an HMAP have been met, or until BLM constructs an up-to-date HMAP-EA.

In this PEA, current and historical rangeland health data and thriving natural ecological balance (TNEB) analysis for the HMA are completely omitted. Nor is there any meaningful data or analysis of rangeland health from past wild horse removals as requested during scoping (last removal 2013). BLM understands that removal of wild horses only to achieve an AML is not compliant with the intentions of the WFRHBA nor Agency policies.

The 2013 National Academy of Sciences report (NAS) to BLM states, "The handbook does not provide guidance on how to assess a thriving natural ecological balance as called for in the legislation. It is also easily conflated with the allocation process, which is a policy-driven and sometimes court-adjudicated decision rather than something derived directly from currently available scientific information" The Agency has never scientifically defined nor provided methods, data, or calculations for the ever "fleeting" thriving natural ecological balance (TNEB) criteria which mandates the actual LIFE of wild horses and burros.

The BLM failed to look at environmental impacts of the extension of uses and failed to consider *all* relevant factors. The BLM violated NEPA by failing to consider and disclose these cumulative casual factors to TNEB. In addition, the BLM Rangeland Health Standards (H-4180-1) and 43 CFR §4180 require identification of ALL causal factors (cumulative impacts from all multiple uses on the HMA) when a rangeland Standard is not achieved (Chapter III, Section C).

There is no evidence that BLM has engaged in taking a "**hard look**" at **any** rangeland health assessments adequately enough to allow the Agency's conclusion that maintaining wild horses in the McCullough HMA to the suspect AML would achieve that "*optimum*" ***number of wild horses, which would maintain the range in a thriving natural ecological balance.***

"Excess animals" are defined as wild free-roaming horses and burros "which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area." 16 USC 1332(f) (1982). Hence, BLM is tasked with providing historical and meaningful rangeland health data and TNEB analyses to establish their claim of "excess animals" in the McCullough HMA. The TNEB data collected post-roundups (since

2013) in the McCullough HMA must also provide scientific analysis demonstrating that TNEB was established, or improved significantly, from removal of wild horses ONLY.

It is unreasonable for the DOI BLM to continue scapegoating wild horse and burro grazing as the only activity to negatively impact rangeland health and TNEB. Accordingly, it is required by law and reasonable for the BLM to study and understand impacts TO wild horses/burros/wildlife and TNEB from livestock grazing, extraction industries, public encroachment, and recreation in the HMA and surrounding areas – past, present, and future. Only then shall “multiple-use” be reasonably and scientifically reflected in any public rangeland TNEB analyses.

In this PEA, BLM has failed to “established that removal is warranted in order to restore the range to a thriving natural ecological balance and prevent a deterioration of the range threatened by an overpopulation of wild horses,” *Animal Protection Institute of America*, 109 IBLA 115.

The BLM’s Rangeland Health Standards Handbook, H-4810-1 (purpose of 43 CFR §4180), *establishes standards and guidelines to determine land health, and methods to improve the health of the public rangelands*. The Handbook (H-4180-1; III-14) further states that with information/data from assessing resource conditions and evaluating the four Rangeland Health Standards, BLM *must develop a Plan to address all Standards which were not achieved or conditions of rangeland health that were not met*. This Plan must determine “if existing livestock grazing is a significant factor for not meeting one or more of the Land health Standards” (cumulative impacts to rangeland health and TNEB). This Plan must include a monitoring plan to study and measure progress towards achieving the Standards. BLM is directed to collect and evaluate inventory and monitoring data on a regular basis (H-4180-1, III-16), and to report rangeland health progress “**to state websites for public access**” (H-4180-1, III-16; 40 C.F.R. § 1500.1(b)). BLM has no such Plan for the McCullough HMA, and there is certainly no website for “public access.”

The BLM violates NEPA and Agency policies by inadequate consideration and disclosure of rangeland health and thriving natural ecological balance (TNEB) data and analysis and cumulative impacts to rangeland health and TNEB prior to issuing removal of the McCullough wild horses. 40 C.F.R. § 1508.25(c); 40 C.F.R. § 1508.7; 40 C.F.R. § 1508.27(b)(7); 40 C.F.R. §1508.25(a)(3). Limiting multiple-use, explicitly livestock grazing and extraction/energy industries, would logically and reasonably reduce rangeland health impacts and would improve rangeland health toward a TNEB faster than the removal of wild horses (BLM has failed to provide data supporting the removal of wild horses [or burros] improves TNEB – EVER). The BLM is required to consider “the habitat requirements” of wild horses (43 CFR §4710.3).

The BLM has failed to take a **hard look** and identify all causal factors and provide cumulative impact (from multiple uses) TNEB data assessments illustrating rangeland conditions based on and defined under 43 CFR §4180 (citation does not exclude livestock, recreation, extraction industries, etc.).

The BLM is noncompliant with NEPA as the Agency has *not demonstrated nor considered all relevant matters of environmental concern nor taken a “hard look” at potential environmental*



*impacts to make a convincing case that by removing wild horses from the McCullough HMA shall reduce impacts to rangeland health and TNEB to insignificance.*

Unfortunately, there is no current data or information provided by BLM to identify the forage carrying capacity of the McCullough HMA either. (Without data demonstrating what the actual forage carrying capacity is TODAY, the allocation of any AUMs is moot.)

This PEA (page 16) identifies six-livestock grazing allotments located within the HMA with 6,179 AUMs allocated for livestock (equals 12,358 cows) compared to 181 wild horses on ~140,000 acres (68 cows: 1 wild horse, far from a “*principal*” use). This information clearly points out that historical and current livestock grazing practices have a far greater impact on the McCullough HMA rangeland health than the few wild horses do, and it is livestock numbers that require reduction in order for TNEB to be feasible. Because extraction industries and recreation are never assessed for rangeland degradation, those two items get a “free” pass - hypothetically. Furthermore, **BLM’s failure to establish current forage carrying capacities on the McCullough HMA is an egregious omission, arbitrary, and requires immediate assessment.**

The last removal of wild horses from the McCullough HMA occurred in 2013. There are no methods or cumulative/historical post removal rangeland health data in this PEA to conclude that wild horse removals achieve TNEB in this specific area under these specific circumstances. TNEB improvement from wild horse (or burro) removal cannot be determined with the limited data presented by BLM in this PEA under the current circumstance; rangeland degradation in the area is caused by multiple and cumulative factors, and removal of only wild horses has not been demonstrated by BLM to be a long-term solution to public rangeland degradation. It is incumbent on the Agency to consider impacts in concert with other actions in the McCullough HMA that collectively impact the same resources (i.e., rangeland health, TNEB).

In addition, it is commonly understood that the Taylor Grazing Act of 1934 identified livestock overgrazing as THE issue on public lands. The reason for the Act in the first place was “to preserve the land and its resources from destruction or unnecessary injury” due to livestock overgrazing – yet BLM has allowed livestock overgrazing to continue into 2023. It is estimated that there were millions of wild horses on the range before Europeans invaded the west with their non-native livestock. Yet in spite of this historical and present day data/information on livestock overgrazing (and under assigned AUMs confirmed by USDA 2020 Report), wild horses and burros continue to be solely convicted of the crime.

Neither BLM nor the Secretary of the Interior have mandated meaningful reduction of livestock AUMs on public lands (none of which have up-to-date rangeland forage carrying capacity assessments) to support meaningful rangeland health/TNEB improvement for WH&Bs and wildlife habitats during livestock grazing permit renewals.

*Lest we forget the law, 43 CFR §4710.5 Closure to livestock grazing, part (a) if necessary to provide habitat for wild horses or burros, to implement herd management actions, or to protect wild horses or burros from disease, harassment or injury, the authorized officer may close appropriate areas of the public lands to grazing use by all or a particular kind of livestock.*

Wild horse habitat conditions require forage, water, and living space, all equally important. Yet BLM opted to omit reporting any meaningful information regarding mitigation of removed HMA acreage or new water resources for wild horse (and burro) use, nor (surface) water quality compliance assessment (Standards for the four fundamentals listed in Section 4180.1, [3] Water Quality). Livestock is a main contributor to high levels of nitrogen and phosphorus from fecal matter in surface waters (University of Minnesota Extension Office, 2022) protected under the **Safe Drinking Water Act**. BLM is required to assess water quality standards, yet there is no provision of any surface water quality or temperature data collected by BLM as required under federal law and Agency policy for Rangeland Health Assessments.

BLM has trail-cams, which could be installed around the McCullough HMA, and the camera documentation of onsite observations should be made available for public review on the WH&B website as to actual utilization of vegetation, riparian usage, and trailing/trampling damages. Additionally, recreation, and other multiple uses, require analyses by the Agency as a cumulative impact and causal factor for rangeland degradation and TNEB impacts.

The BLM states, "... impacts to water from wild horses are different than cattle due to behavior (wild horses tend to not linger at a source)" (NV BLM Clan Alpine HMA PEA, pg. 53, ¶ 2). Yet, impaction and riparian vegetation loss are blamed on wild horses, not livestock who will stay at a water source for days at a time prohibiting ALL wildlife from attaining life-essential water.

The Agency has made no meaningful changes to livestock allotment AUMs in the McCullough HMA, despite rangeland data identifying "historic and current livestock grazing" as the major causal factor for rangeland degradation, riparian damage, and failing TNEB. Again, BLM has trail-cams, which would provide *transparent* evidence and delineate "actual use" of riparian resources.

Federal law protects our wild horses and burros and the public lands on which they were found in 1971. The WFRHBA, Public LAW 92-195, states that wild horses (and burros) are to be managed on the public lands where they were found in 1971; and the "range" where they were found must be enough land to sustain an existing herd, and *which is DEVOTED "principally" but not necessarily exclusively to their welfare*. [Emphasis added.] (Definition of "**principally**" – **for the most part, chiefly, mainly, mostly**.) It is recognizable that BLM manages "principally" for agriculture-related businesses/livestock (i.e., 68 cows: 1 wild horse or burro).

In this PEA, BLM identified the socioeconomic analyses of wild horses and burros as "present" but not affected to a degree that detailed analysis is required. Nonetheless, if BLM has not analyzed the socioeconomic impact to Wyoming tourism due to the eradication of wild horses and burros from public lands throughout Wyoming (Checkerboard), how can they possibly conclude that it is not important to hospitality-related businesses? The BLM must analyze and understand the socioeconomic impact of mass removals of wild horses and understand the impact to **Wyoming tourism**.

The cumulative impacts to rangeland health within the boundaries of the McCullough HMA should not only include livestock, but should also include the extensive expansion of public

recreation and encroachment. The BLM is directed to “Evaluate status of indicators in relation to climate, land uses, natural disturbances, **and human-induced disturbances.**” [Emphasis added.] (BLM Handbook, H-4810-1, pg. I-10)

BLM CFO has failed to address other causal factors impacting rangeland health more than the wild horse itself, and limiting those impacts would logically move toward a TNEB faster than any removal of wild horses (or burros). There is no data in this PEA to conclude that wild horse removals achieve TNEB in this specific area under these specific circumstances. TNEB improvement cannot be determined without rangeland health data as presented by BLM in this PEA under current circumstances. Rangeland health degradation in the area is caused by multiple factors, and removal of only wild horses has not been demonstrated by BLM to be a long-term solution to public rangeland degradation.

Noteworthy, is the presentation by an independent panel on rangeland health studies provided to the WH&B Advisory Board and the Assistant Directors for DOI and BLM at the June 27-30, 2023 meeting in Reno, Nevada. The panelists concluded that our degraded public rangelands are not a “single species removal” fix. The panel also stated, “We have reached a critical threshold and we need to move away from ‘reference’ comparisons of forage because it will never return.” The Panel suggested BLM utilize “trap cameras” to determine riparian use. **Furthermore, the research panel suggested that AUM forage allocations need new standards because the carrying capacity was assigned at a time when forage was different, the need for reexamination is imminent.** It is time for the DOI agencies to understand this information and act on it. We know from experience that this is unlikely, and made abundantly clear by the Agency administrators’ continued push for wild horse and burro removals only despite public outcry. Moreover, considering the “higher ups” were at this Advisory Board meeting, it is apparent this information fell on deaf ears, or was presented while they were on their phones or tablets/iPads.

Under FLPMA, the BLM is directed to create Allotment Management Plans (AMPs) that “shall be tailored to the specific range condition of the area to be covered by such plans, and shall be reviewed on a periodic basis to determine whether they have been effective in improving the range condition of the lands involved or whether such lands can be better managed.” (Title IV Range Management, pg. 33) This section goes on to further state, “... he (Secretary DOI) may reexamine the condition of the range at any time and, if he finds on reexamination that the conditions of the range required adjustment in the amount or other aspect of (livestock) grazing use, that the permittee or lessee shall adjust his use to the extent the Secretary concerned deems necessary.”

Since the current Secretary (and BLM Director) has livestock interests (did someone say conflict of interest?), there is reason to understand why this enforcement is not adequately imposed despite degrading range conditions from historical and current livestock overgrazing, which negatively impacts all public resources (wildlife, wild horses and burros, recreation, hunting, etc.). Further making this statement by BLM false, “Livestock grazing can only be reduced or eliminated through provisions identified within regulations (43 CFR 4100) and must be consistent with multiple use allocation set forth in the CRMP.” The Secretary has the authority

to implement this very significant action – immediate reduction of livestock grazing on public lands.

There are six grazing allotments within the McCullough Peaks HMAs. The Agency states, “It is essential that overgrazing not be allowed by any species, whether it be livestock, wildlife, or wild horses.” Of great importance to the Agency is utilization of animal unit months (AUMs) to ensure forage consumption rates based on the size of animals present on an allotment. The Agency recently defined an AUM as “The amount of forage needed to sustain one cow, five sheep, or five goats for a month. In order for the Agency to comply with FLPMA, grazing within the carrying capacity of forage within an allotment, variability of forage production, and sustainable use are required (Sec. 4130.3-1(a): 4100.0-5). Again, up-to-date carrying capacity of forage within the allotments is omitted in this PEA, or any document or website for that matter. Higher average weights of livestock (USDA Report, 2020) increases the amount of forage they consume and the agency must address this issue. “Annual dry matter intake will be 9,353 lbs., and 10,406 lbs. for the 1,200- and 1,400-lb. cows, respectively.” [Cow Size & Production \(beefmagazine.com\)](http://beefmagazine.com)

In practice, the “AUM” has slightly different definitions, which all contain conflicting and/or vague definitions. The overall AUM system needs clarification and revision to include the increase in body weight (increased food consumption) of domestic livestock occupying the range today. ([Resource: updating the Animal Unit Month, WWP, Revised 2008, John G. Carter, PhD](#))

An interesting observation of wild horse populations (using archival public rangeland information beginning around the turn of the last century) is that the average weight of wild horses on the range has declined. This trend appears to continue over the last 14 years through visual observation (BLM keeps no weight/attrition modeling data). In other words, the weight of the average cow (and sheep) has risen while the weight of the average wild horse has fallen. Furthermore, BLM describes the wild horses in the HMA and surrounding areas as rather small in stature, averaging 13-15 hands high, smaller than most domestic horses.

The BLM needs to incorporate new information and new circumstances under NEPA in an up-to-date HMAP-EA regarding current forage carrying capacity within the allotments and up-to-date AUM calculations, methods, and allocations for livestock and wild horses on the McCullough HMA.

Our interest in the humane treatment of the McCullough HMA wild horses (and burros) is long-standing, deep, and abiding. Injury to wild horses is more than hypothetical after a failure to hold appropriate (local) hearings *and* respond accordingly to concerns, irreparably injuring stakeholding Americans’ interests.

These inhumane and egregious wrongdoings to wild horses (and burros) continues to be permitted and has never been addressed by the Agency. Videos, photographs, and FOIA data collected by WHE team members of these sustained inhumane conditions and actions on wild horses (and burros) by the Agency and their Contractors arguably demonstrates irreparable harm is imminent to wild horses (and burros) and is not merely hypothetical.

The BLM is proposing bait and trap for the McCullough wild horses (thank you – no helicopters), yet the CAWP is never mentioned in this PEA, despite the proposed use of motorized vehicles for transport of captured wild horses. The CAWP must be acknowledged in this PEA and followed to comply with one of the most important standards under the WFRHBA law, humane care of wild horses (and burros). Usually, BLM merely includes a copy of the policy as an attachment, which is inadequate analysis. The CAWP has been actively incorporated into EAs and contracts since 2016. Yet, simply providing an attachment of the policy *does not demonstrate adequate analysis of handling procedures during removal operations nor in holding.*

**It is reasonable for BLM to provide plans and documentation of CAWP trap site implementation and transport operations in final EA. BLM must also verify corrective actions and provide current CAWP certification documentation for BLM employees and contractors for all gather/removal and PGS plans.**

The BLM Comprehensive Animal Welfare Program (CAWP, 2016) is riddled with deficiencies, lacks transparency, and enforces zero consequences to roundup Contractors. The Agency promised to review roundup operations, expand the program to include long-term holding facilities, and to provide annual reviews and revision of the policy. From 2016 to 2020, the BLM did not complete a single CAWP assessment nor complete a single revision. Furthermore, the Agency was to create consequences that included cessation of operations, written reprimand, and closure of contract opportunities. Finally, in 2021, BLM began to assess gather operations and holding facilities – six-years after program formalization. Even in BLM’s own CAWP assessments, severe deficits exist and have not resulted in a single policy revision to address repetitive violations.

The Agency intends to utilize bait trap and motorized vehicles in the proposed action to transport gathered wild horses within and around the McCullough HMA and to holding.

The Agency has not held a **local public** meeting for FY2023 in accordance with **43 CFR §4740.1(b)** which states, “Before using helicopters or motor vehicles, the authorized officer **shall conduct a public hearing in the area where such use is to be made.**” [Emphasis added.] No hearing in the Cody District or the State of Wyoming has occurred since...? BLM never released any material associated with the abandonment of local hearings, allowed public input on the decision, or any public evaluation on the legality of deliberative process that arrived at such a decision.

The non-local hearing of FY2023 does not fulfill requirements under **43 CFR §4740.1(b)** for an **annual local hearing** for the 10-year period as this PEA purports and does not fulfill this requirement even if BLM CFO had created a more appropriate single year gather-EA (as requested in scoping comments).

Furthermore, **Section 404 of The Federal Land Policy and Management Act of 1976 (FLPMA)** also states, “**Such use (helicopters or motor vehicles for the purpose of transporting or gathering wild horses and burros) shall be undertaken only after a public hearing.**” We participated in the ONLY FY2023 Agency held virtual public hearing for

Helicopter and Motorized Vehicle use for wild horse and burro roundups done as a single Zoom comment period for the entire West (as well as participated in multiple consecutive years prior to 2022 on a state-by-state basis). This solitary hearing held as a national Zoom call, with no written report, response or update to procedure, is being asserted in DOI-BLM-WY-R020-2023-0004-EA as full compliance with statute for the lifetime of the proposed “ten-year gather plan.”

Despite ours and stake-holding Americans’ participation in these hearings, there has not been **any appropriate** Agency response to specific FY2020-2023 public comments and concerns, and certainly no changes have been made to the unnecessary inhumane practices by the BLM. Despite documentation, reporting, and testimony by WHE team members of helicopter/motorized vehicle gross infractions of humane wild horse and burro management during helicopter roundups, horses going down and trampled in the trailer – some killed, all documented instances of the continuing immediate and irreparable harm to wild horses (and burros).

**Section 404 of FLPMA** further states, “Such use (helicopters or motor vehicles for the purpose of transporting or gathering wild horses and burros) **shall be in accordance with humane procedures prescribed by the Secretary.**”

Equally, **43 CFR §4740.1(a)** states, “**All such use (motor vehicles and helicopters) shall be conducted in a humane manner.**”

Videos and photographs taken by WHE team members during BLM led helicopter roundups document BLM Contractor helicopters’ driving horses into barbwire fences and horses/foals being maimed/killed; foals separated from mothers left alone on the range; relentless chasing of horses/foals and burros during inclement (extreme heat and cold) weather; horses, foals, and burros pushed over vast distances (>10 miles) to trap sites running horses to exhaustion; contractor negligence – hitting horses, etc. All of these incidents were reported during the FY2022 and 2023 Zoom calls, all examples of the immediate irreparable harm to the wild horses and burros during helicopter/motorized vehicle roundups, yet the stake-holding Americans’ interest in this iconic public resource (wild horses and burros) continues to be disregarded.

Noteworthy, is BLM attached the CAWP to the July 2023 Antelope HMA Gather and PGS EA, but has continued to push the herds in extreme heat (95+F) and during foaling season. In the first two weeks of the ongoing Nevada Antelope HMA helicopter roundup (July-August 2023), at least 21 horses lost their lives: at least 5 foals died of dehydration/colic, two mares broke their necks, a stallion confronted by a human, fell and broke his leg (compound fracture) was then chased by BLM for 35 minutes before he was killed (gunshot heard by all observers), and multiple foals have been left out on the range and were not found by BLM (or WHE observers) many days later. This certainly does not = humane treatment. Of note, euthanizing a foal for an umbilical hernia is insane, euthanizing a horse for an eye injury suffered during roundup is cruel, these and many other BLM declared “preexisting conditions” are treatable and should never be considered a “preexisting condition” without remedy demanding euthanization. Just for your information, “humane treatment” is defined as an adjective (or action) and is *characterized by tenderness, compassion, and sympathy for people and animals, acting in a manner that causes*

*the least harm to people or animals.* This definition should be distributed to DOI and BLM (or maybe an Agency tattoo).

The Agency has no data to support a 10-year removal plan with a plethora of unlimited population growth suppressions (PGSs) as presented in this PEA.

The appropriate place to determine necessity for any gather of “excess” horses (or population growth suppression) would be in conjunction with an evaluation of natural attrition modeling data and the process used to determine AMLs within an HMAP-EA. The Agency routinely offers a vague reference to population growth suppression in HMAPs stating, “...other means of population control are needed.”

Without an up-to-date HMAP demonstrating the Agency’s arrival at site-specific AMLs for the McCullough HMA, the BLM has unreasonably presented an arbitrary “need” to gather and/or use PGS on these wild horses. This proposed gather and use of PGS is unsubstantiated and violates the WFRHBA and Agency policies, and fosters requirement of Wyoming BLM CFO to provide transparent and scientifically calculated appropriate HMAP-EA AMLs utilizing HMA site-specific parameters in advance of conducting any Proposed Gather Plan and/or Population Growth Suppression EA actions.

The BLM CFO has been implementing PZP for over a decade, and achieved less than 2% population growth of the herd. This should be considered a successful PGS campaign, yet DOI BLM cannot even accept this success. If PGS measures are considered necessary after BLM CFO lawfully updates the HMAP-EA and site-specific AMLs for the McCullough HMA, then the least invasive PGS method should be employed first, such as darting and only utilizing vaccine protocols proven reversible (PZP native annually) and effects analyzed and reported.

Furthermore, it is reasonable for BLM to continue with utilizing only the reversible PGS protocol methods (PZP) currently being employed and for less than 4 consecutive years. This PEA must be put aside and an up-to-date HMAP-EA crafted for the McCullough HMA wild horses including delineation of which PGS shall be employed on which ages of mares (while taking into account foaling season), and provide research, data, and analyses on the cumulative impacts of **individual PGSs** on wild horse and burro behaviors, health, and wellbeing.

Given concerns about its known and significant potential for permanent sterilization and injection site abscesses, GonaCon should NEVER be considered as an option for PGS treatment for wild horses, including those of the McCullough wild horses. **(BLM has known since 2019 from research data on the Theodore Roosevelt National Park wild horses [which BLM supported] from Colorado State University, which demonstrated that after just two doses of GonaCon given 7-years apart, GonaCon rendered 19 of 24 mares sterile. GonaCon dosing began at 4-years of age on most of these mares, and they never returned to estrus. This report is missing from the PEA references and should be included in the final EA.)**

In this PEA, BLMCFO states that they will not utilize GonaCon on any mares younger than 15 years of age. This would be beneficial if those mares have already contributed to the genetic pool of the herd (i.e., attrition modeling). However, 59 wild horses are identified as older than

15 years, and the lowest age population is prime breeding age, 4-8 years. The argument for leaving the McCullough wild horses in the HMA and continuing with the current reversible PZP PGS protocol is reasonable and supported by the data BLM provided in this PEA.

Noteworthy are the drastic and alternative PGS methods being considered by BLM, such as spaying and IUDs for mares, are drastically invasive and come with serious risks of complications even for domestic horses when used in controlled environments (barn, vet office, large animal surgical facility, consistent quality feed and water, etc.). Any research presented by the Agency regarding these types of aggressive PGS actions were followed with close and constant veterinarian monitoring and care. Consequently, it should be abundantly clear that spaying, IUDs, and similarly *invasive treatments are dangerous and inhumane* if applied to wild mares (or jennies) and, therefore, should never be considered as viable options for PGS.

One can only assume PGSs are lumped together with the intention to use any and all PGS in conjunction with removal to achieve permanent sterilization of herds.

In 2000, Clan Alpine was one of the early large field trials done by BLM using hand injected PZP-22 after a large roundup (PZP-22 consists of an initial priming injection of ZonaStat-H and three time-release pellets engineered to release PZP at 1, 3 and 12 months). **A field trial from 2000 to 2004 at the Clan Alpine HMA was used to document that a single injection of PZP-22 reduced fertility in mares by 91% in year 1, 73% in year 2, and 38% in year 3.** The public often thinks PZP is one formula; it is not. PZP has the 1 year, PZP-22 (1-4 years), and the formula called “SpayVac” that can cause permanent infertility; all labeled “PZP” despite different formulas and protocols. The Agency must define specific PGSs in an HMAP-EA.

The current PZP darting program has been used to seemingly effectively manage the McCullough wild horse herd population (evaluation data missing or/and not reported by BLM CFO). While there continues to be wide disagreement on the ethics and long-term effect of its use for wild horses, at this time, BLM CFO should only propose PZP-native application as a form of PGS in any forthcoming Final EA and HMAP-EA, without adding ANY other forms of wild horse PGS.

The BLM recognizes, “Kirkpatrick et al. (2011) raised concerns that anti-GnRH vaccines (like GonaCon) could lead to adverse effects in other organ systems outside the reproductive system. GnRH receptors have been identified in tissues outside of the pituitary system, including in the testes and placenta (Khodr and Siler-Khodr 1980), ovary (Hsueh and Erickson 1979), bladder (Coit et al. 2009), heart (Dong et al. 2011), and central nervous system, so it is plausible that reductions in circulating GnRH levels could inhibit physiological processes in those organ systems.” **Reversibility of the GonaCon contraceptive effect has a substantial variability in reversal time** (NAS 2013). “There are few if any published studies of immunocontraception treatment where control groups have been matched or balanced with respect to other variables that might affect behavior (such as age, dominance rank, tenure in the group, group size, social or reproductive history, and characteristics of other group members [NAS 2013]).”

Additionally, BLM states, “Following resumption of fertility, the proportion of mares that conceive and foal could be increased due to their increased fitness; this has been called a



‘rebound effect.’ Elevated fertility rates have been observed after horse gathers and removals (Kirkpatrick and Turner 1991).” Yet BLM to continues “business as usual” with widespread roundups, long-term holding requirements for captured wild horses and burros, and continued skyrocketing costs to taxpayers to fund BLM’s inadequate management of wild horses and burros on HMA designated public lands. (Noteworthy, is the 1985 HMAP states that population growth for the McCullough wild horses without PGS intervention was 12%. With roundups/removals the annual population growth professed by BLM is now 20-25% - perfect example of the “rebound effect,” yet BLM continues with egregious and bellicose removals without provision of any supporting research, data or analyses as required by law and Agency policies.)

Of implausible concern is the DOI BLM has stated intentions of completing permanent sterilization/eradication of OUR wild horse and burro herds. BLM deliberately and repetitively states that the Agency goal of herd sterilization falls under the guise of the Wild and Free-Roaming Horse and Burro Act of 1971, as amended (WFRHBA). The Agency states:

- “However, even if some number of mares become sterile as a result of PZP treatment, that potential result would be consistent with the contraceptive purpose that motivates BLM’s potential use of the vaccine.”
- “Although the exact timing for the return to fertility in mares boosted more than once with GonaCon-Equine has not been quantified, a prolonged return to fertility would be consistent with the desired effect of using GonaCon (e.g., effective contraception).”
- “If long-term treatment resulted in permanent infertility for some treated mares, such permanent infertility fertility would be consistent with the desired effect of using GonaCon (e.g., effective contraception).”
- “It is conceivable that some fraction of mares could become sterile after receiving one or more booster doses of GonaCon-Equine. If some fraction of mares treated with GonaCon-Equine were to become sterile, though, that result would be consistent with text of the WFRHBA of 1971, as amended, which allows for sterilization to achieve population goals.”
- “We are using ALL TOOLS IN THE TOOL BOX” (i.e., slaughter) – Assistant Director of BLM, June 2023.

This is an arbitrary and perverse interpretation of the WFRHBA law to achieve population goals by “indirect or intentional” sterilization/eradication of wild horse and burro herds. At the time of the 1971 WFRHBA, the intent of the term “sterilization” meant gelding. PZP was not used as a fertility control (PGS) vaccine by BLM until it was approved by the EPA in 2012 ([blm.gov/blog](http://blm.gov/blog)) – FORTY-TWO YEARS after the WFRHBA. **It certainly was not the intent of the 1971 WFRHBA to incorporate a never-ending plethora of PGSs like those proposed by the Agency, nor did it provide for the “experimentation” of PGSs on wild horses (i.e., IUDs, new PGSs).**

The DOI BLM continues to imply that they are utilizing “ALL THE TOOLS IN THE TOOL BOX” for population control, anecdotally indicating that slaughter of wild horses and burros in “back on the table.” The American stakeholders will not stand for this return to the 1960’s, and the slaughter “*tool*” for wild horses and burros must be removed from the TOOL BOX. The DOI

BLM should consider the “*tool*” of actual monitoring and management of public lands for wildlife, wild horses and burros, and other creatures who call the range home. Livestock are invasive, nonnative to North America, privately owned, grazing subsidized by taxpayers, and must be managed as such.

It is readily apparent that what motivates BLM is total eradication of our wild horses and burros from public lands, a personal affront to millions of Americans and people around the world. The BLM’s proposed gather and PGS activities are arbitrary actions theoretically leading to permanent sterilization of entire wild horse and burro herds treated with the “*tool box*” of proposed and undisclosed PGSs, gelding, IUDs, slaughter, etc., which negatively impacts the enrichment of American lives.

There is no data to support any PGS plan (much less a 10-year plan) or Gather Plan with a mishmash of fertility control where mixing methods is already demonstrating extreme changes in herd behavior. For example, at Onaqui where only two methods of PGS were employed (sex skewing and PZP), the same population growth suppression methods utilized on multiple wild horse and burro herds. Significant aggression and deaths of wild horses were reported due to repeated breeding of mares lead to fatal tears in the vaginal cavity, and aggressive fighting among males lead to crippling and/or fatal injury, all documented by several concerned advocacy groups and individuals. Instead of these findings at Onaqui sending up a “red-flag,” these *significant problems are being unreasonably ignored by the Agency*. These findings alone require immediate cessation of BLM’s continued approval of multiple forms of fertility control and obliges that cumulative effects be carefully studied, considered, and transparently disclosed.

**Connected actions, cumulative actions, and similar actions must be considered together in a single NEPA document. 40 C.F.R. § 1508.25.**

This statement legally obligates the BLM to carefully consider on a site-specific and case-by-case basis, the connected and cumulative actions of PGS on the wild horses of the McCullough HMA.

Several BLM Population Growth Suppression and Gather EAs include multiple studies on the procedures, substances, devices, *individually*, but *NOT ONE study on compounded or “cumulative” effects of population growth suppression on wild horses*. Because BLM has finalized this type of PGS conglomerate action in other HMAs does NOT make it appropriate here, especially with disturbing new information available and documented by BLM (yet, ignored).

The First Amendment of the U.S. Constitution provides the right to petition the government for a “redress of grievances” which guarantees citizens the right to ask the government to provide relief for a wrong. We (WHE) are newsgatherers and reporters and have the guaranteed right to document and report on wild horses (and burros) on the range, immediately after capture, and throughout their lives in long-term holding.

Our “timeliness of access” for newsgathering on the welfare and humane handling of captured animals in short-term holding has been repeatedly impeded and/or flat out denied by the BLM at

multiple gather sites in multiple states. This PEA fails to identify on-range holding/sorting corral location and if it will be on private or public lands (closed or open). This Gather and PGS PEA does not identify a processing/holding facility and if that facility is an intake (open) or overflow (closed). Additionally, the Agency repeatedly sends our wild horses to private facilities off-limits to public observation, in direct violation of WHE's First Amendment Rights of "timeliness of access." The Agency's actions of denying WHE immediate access to captured wild horses (and burros) in short-term holding and denying routine public access to long-term holding facilities is a direct violation of First Amendment Rights, upheld by U.S. District Judge Michael Simon, 9<sup>th</sup> Circuit, by failure to provide "timeliness of access" for newsgathering and reporting.

Secretary Haaland promised in her Secretarial order in April of 2021 "...to improve agency transparency and public engagement in the decision making process."

"While darkness and denialism can hide much, they erase nothing," President Joe Biden, July 26, 2023.

The American public demands transparency from the DOI and BLM, and to have our voices heard, yet anecdotal/misinformation and omitted methods and data continues to engulf the practices of the DOI and the Agency.

We respectfully request that an comprehensive and up-to-date HMAP-EA be created for the McCullough HMA prior to any decision or finalization of this Gather and PGS PEA that addresses the data and analysis deficits previously discussed/provided in these comments in order to craft a science and data based decision.

Thank you for the opportunity of public engagement to provide comments for the Preliminary Environmental Assessment for the proposed McCullough Horse Gather (and PGS) **DOI-BLM-WY-R020-2023-0004-EA**. It is our belief that it is reasonable for the BLM CFO to update the 1985 McCullough HMAP (and 2015 RMP) with an HMAP-EA including the information requested in this document, prior to finalization of this Gather and PGS Plan PEA. We look forward to a direct written response from BLM regarding these comments and concerns.

Best Regards,

Tammi M. Adams, Wild Horse Education  
21991 150th Street NW  
Elk River, Minnesota 55330  
[tmadams7263@yahoo.com](mailto:tmadams7263@yahoo.com)  
763-479-3696

Laura Leigh, Founder and President, Wild Horse Education  
216 Lemmon Drive, #316  
Reno, NV 89506  
[laura@wildhorseeducation.org](mailto:laura@wildhorseeducation.org)