

December 5, 2023

Regular

Meeting

Item #7b. -

Input to the

Inyo National

Forest and

Bureau of

Land

Management

Regarding

Proposed Wild

Horse

Gathering -

Updated letter



Jennifer Kreitz~District One Rhonda Duggan~District Two Bob Gardner~ District Three
John Peters~District Four Lynda Salcido~District Five

BOARD OF SUPERVISORS COUNTY OF MONO

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Queenie Barnard, Clerk of the Board

December 5, 2023

Jeff Starosta
Inyo National Forest
Bureau of Land Management
351 Pacu Lane
Bishop, CA 93514

Submitted electronically: <https://eplanning.blm.gov/eplanning-ui/project/2026934/51>

Re: Mono County scoping comments on proposed gather and removal of excess wild horses outside of the Montgomery Pass Wild Horse Territory (MPWHT)

Dear Mr. Starosta,

Thank you for the opportunity to provide input on the scoping phase of the proposed Environmental Assessment (EA) to gather and remove excess wild horses located outside of the MPWHT. Wild horses have long been a part of the eastern edge of Mono County's landscape, but their increasing numbers and range expansion, well beyond the MPWHT, have consequences for (1) public safety along roads and highways, (2) the conservation of the Bi-State distinct population segment of greater sage grouse, (3) protection of other wildlife habitat, streams, springs, and wetlands; and (4) the long-term management, health and safety, of a sustainable, wild horse herd.

Compromised highway safety in Mono County

Increasing numbers of wild horses and their range expansion pose a growing threat to motorists in Mono County. Highway 6 and Highway 120 East have a history of vehicle-horse collisions and horses are extending territory closer to Highway 395. Horses have repeatedly appeared on Highway 120E through the late summer and fall 2023. As recently as late October, a semi-truck struck and killed three horses at night on Highway 120E along Little Sand Flat below Sagehen Summit. While the driver was reportedly only slightly injured, it illustrates that horses are often on this roadway and that the potential for future accidents involving both horses and motorists is an ongoing concern.

Wild horses are regularly appearing along the south shore of Mono Lake and entering the Rush Creek drainage, and as many as 200 appeared between South Tufa and Rush Creek in December 2022. In 2021 approximately 40 horses were within 2 miles of Highway 395. Without management, horses can be expected to wander onto the much busier high-speed traffic of Highway 395, especially during the night

or during periods of pogonip fog in the Mono Basin. Collisions would be a stress for EMS and volunteer first responder resources and catastrophic and possibly fatal for travelers, Mono County residents, and horses.

Impacts to proposed critical habitat for Sage Grouse

Mono County has a long record of working collaboratively with the Inyo National Forest and Bureau of Land Management on issues that have been of mutual interest to the broader public and Mono County residents. Of note is Mono County's involvement in efforts to preserve the Bi-State Distinct Population Segment of the greater sage grouse ("Bi-State Sage Grouse" or "Sage Grouse") for the last twenty years. Mono County is a member of the Bi-State Local Area Working Group in addition to federal, state, local agencies, nonprofit organizations, and tribal representatives. Mono County helped develop and implement the 2012 Bi-State Conservation Action Plan (the "2012 Action Plan") to prevent the decline of the species and prevent listing under the Endangered Species Act (ESA). Working collaboratively to prevent listing has value for Mono County residents, offering a reasonable strategy to avoid undue, burdensome sage grouse regulations that might limit what private landowners and business owners can do within the County.

Sage Grouse are currently proposed for listing under the ESA as threatened, with proposed critical habitat. Wild horse numbers and presence has expanded across Adobe Meadows, into Sagehen Meadows, into the Mono Basin and into the forested areas leading to the edge of Long Valley—all of which contain active Sage Grouse lek sites and summer/wet meadow breeding habitat. The 2012 Action Plan recognized that grazing by wild horses was a factor in the destruction, modification, or curtailment of Sage Grouse habitat or range. Free-roaming horses are known to interfere with lekking sites and negatively influence the reproductive success of sage grouse in the Great Basin (Muñoz, D.A., Coates, P.S., Ricca M.A. 2020.) Unmanaged horses will upend the management and recovery of sage grouse and exacerbate the species ESA status.

Timely and appropriate management for horses in and outside of the MPWHT is required.

The scoping notice indicates that, based on the 2020 census by the Inyo National Forest (INF), that 654 horses were counted inside and outside the MPWHT, approximately three times the appropriate management level (AML) for the territory (138-230 horses as per the 2019 INF Land Management Plan) with 76% of the 654 roaming beyond the MPWHT. Based on recent aerial photographic evidence at Mono Lake, 440 horses were observed on August 10, 2021 while the following year 557 horses were recorded on August 21, 2022. With the knowledge that large numbers of horses are always present in Adobe Valley, recent data suggests that the actual number of horses in the region may be larger and steadily increasing from those counted in 2020.

If they find optimum conditions and habitat, wild horses can double in population every 5 years. These numbers are unsustainable for the health of public lands and the available resources in Mono County, and the multiple use goals of the Inyo National Forest. Too many horses inside and outside the MPWHT degrade important water sources like springs, seeps, wet meadows, and riparian streams needed to sustain fisheries, deer, pronghorn, and sage grouse. Wild horses may eventually expand and compete with long-established ranching and agricultural resources in Mono County, and they have already overwhelmed a valuable and much-visited Mono County tourism site as large numbers of horses overwintered during the harsh winter months at South Tufa in early 2023, some of which tragically died

of starvation. If left unmanaged, it is reasonable to assume that horses could expand to the Upper Owens River Watershed, Long Valley, Hot Creek, and Conway and Mattley Ranches.

Adhere to Comprehensive Animal Welfare Program (CAWP) standards and develop a robust adoption program.

Horses must be treated in a strictly-enforced ethical and humane manner on the range, during gathers, and throughout the process of transport to off-range corrals, eventual adoption, and placement. BLM must demonstrate CAWP compliance standards for all contractors and BLM staff involved in the project. Even the most well-planned and implemented gathers will lead to stress for the animals with the potential for injuries or worse. However, the highest level of training, vigilance, and care must be required and demonstrated by contractors under CAWP. Strict adherence will minimize incidents and discomfort for the horses. It will also build trust between the public, agencies, and contractors.

The Inyo and BLM should focus additional resources and engage partners on developing a specific adoption program focusing on the Montgomery Pass horses in order to expedite the adoption process and minimize the time and number of horses that remain in off-range corrals. Montgomery Pass horses are highly regarded, and these horses may be quickly adopted if they are properly handled and supported through a strong and dedicated outreach and social media program.

Manage for a sustainable wild horse herd and invest in long-term monitoring and fertility control.

Mono County values its wild horses and recognizes that their current population and range expansion is not sustainable. The time to manage these horses is now, because if left alone the impacts to the land, public safety, and the health and welfare of horses will escalate.

The INF, as the lead agency, must prioritize the development of a long-term management plan that includes monitoring and strategies that keep the AML to a reasonable level. After a gather, the agency should consider non-permanent fertility control and other methods (bait and capture for example) as an ongoing tool to keep horses within the territory at sustainable levels.

We also request the INF consult with and involve the Kutzadika Tribal Council, as well as other Tribes in the Eastern Sierra region, during the entire planning and implementation of this project.

Thank you again for considering these comments.

Sincerely,

Rhonda Duggan, Chair
Mono County Board of Supervisors
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