APPENDIX 15. Public Comments and BLM Responses

An Environmental Assessment (EA) for the Sulphur Wild Horse Herd Management Area Gather DOI-BLM-UT-C010-2020-0029-EA was available to the public for a 30-day review/comment period beginning on March 22, 2021. Comments were received from numerous individuals and agencies. Many of the comments could be clarified or answered by referring to sections within the EA. Others were outside the scope of the document. All comments were considered but many were grouped with similar comments as addressed below. Changes were made to the EA based upon the comments and public involvement. Comments which are clearly addressed in the EA are not readdressed here. Below is a summary of the comments received and how BLM used these comments to change the environmental assessment.

#	Com-menter	Comment	BLM Response
Support Gathering Wild Horses			
1.	Redge Johnson State of Utah PLPCO	The State supports any effort undertaken by BLM to keep wild horse populations at appropriate management levels (AML) thereby promoting healthy rangelands. PLPCO supports the use of GonaCon (Alternative 2).	Thank you for the comment.
2.	Scott McCallister Fairview Land and Livestock	I highly recommend that this Wild Horse Gather proceed and assert that removal of horses is necessary to maintain an ecological balance and a multiple use relationship in the Sulphur HMA.	Thank you for the comment.
Oppose Gathering Wild Horses			
3.	Form Letter 1	I strongly oppose the BLM's plan to proceed with the Proposed Action.	Thank you for the comment.
4.	Form Letter 2	I strongly oppose the Proposed Action to roundup and removal of hundreds of wild horses on our public lands. Using population growth suppression techniques that destroy wild horse natural behaviors (for both stallions and mares) is unacceptable, cruel and contrary to the 1971 Wild Free-roaming Horses and Burros Act.	Thank you for the comment.
5.	Cecilia Mitchell	STOP these wild horse roundups. Why not "gather" the cattle and other livestock that are eating the forage plants and let the wild horses be wild? I ask you to share my email with Secretary Deb Haaland because she may be the only person in D.C. who has the respect and	Thank you for the comment. See Wild Horse Vs. Livestock Use/ AUMs section below.

#	Com-menter	Comment	BLM Response
		wherewithal to know how important the wild horses are to our heritage and the land's legacy. These BLM activities must be reviewed and hopefully stopped all together.	
6.	Mary E Young	I am writing to oppose the roundup of this iconic Sulpher herd. All herds are unique with the Sulpher having characteristics of their own. Well, this is in an area we the people dedicated to this protected by law "Preservation Herd".	Thank you for the comment.
7.	Kathleen Gregg	I am absolutely against any capture, removal, and any type of temporary or permanent sterilization of these wild equids who are legally living on their congressionally designated herd area lands.	Thank you for the comment.
8.	American Wild Horse Campaign	AWHC strongly opposes the BLM's proposal to roundup and permanently remove roughly 249 federally protected wild horses from the HMA.	Thank you for the comment.
9.	Janet Lynch	I write to you today to protest, in the very strongest terms possible, the proposal to round up and remove 164 to 249 of the 414 remaining horses in this enormous Herd Management Area, down to an AML range of just 165 to 250 individuals.	Thank you for the comment.
10.	Deb McBride	It is a mistake to remove horses from the wild.	Thank you for the comment.
Fertility Control			
11.	Form Letter 1	The BLM must utilize PZP in the HMA in a way that will ensure enough mares are vaccinated in order to reduce population growth rates and humanely reduce population numbers, if necessary.	Use of PZP is considered under Alternative 1. Refer to Chapter 2 of the EA. Using PZP exclusively to reach or achieve AML and a TNEB is considered but not analyzed in detail. Refer to Appendix 3 of the EA.
12.	Redge Johnson State of Utah PLPCO	The BLM should consider use of intrauterine devices (IUD).	This alternative was considered, but not analyzed in detail in the EA. See Appendix 3. Alternatives Considered but not Analyzed in Detail for further information. Additionally, to provide more information to the public about the method, SOPs for IUD use and a literature review on the effects of IUDs is now included in Appendix 5. SOPs for Population Growth Suppression Methods and Scientific Literature Review

#	Com-menter	Comment	BLM Response
13.	Mary E Young	The herd does not need to be given birth control. After the removal of most of the livestock, this herd will rebalance its self. It would be expected they will increase to a point they begin to utilize their ancient ability of self-regulation. (a trait deer, elk, nor bison have) Self regulation has been observed in other herds in Forest and BLM lands but have not been fully appreciated as being the cause of a herds population growth leveling off. They know the resources, the weather, the environmental stressors that effect their own population. Now, they know roundups and the stress of it being to their own genetic demise	The EA considers but does not analyze in detail alternatives that would control wild horse numbers by natural means and remove or reduce livestock within the HMA. Refer to Appendix 3.
14.	Eileen Hennessy	However, only SAFE, REVERSIBLE fertility control should be used to prevent injury, fatalities and permanent sterilization-- NOT PZP-22, Gonacon or any other experimental, untested methods of growth suppression such as IUDs, as, at present, there is insufficient data to ensure the efficacy and safety of implanting IUDs in wild mares.	A thorough analysis of PZP's and GonaCon-Equines's regulatory background and effects is included in Appendix 5. With respect to IUDs, refer to BLM's response to Comment 12.
15.	Bonnie Kohleriter	GonaCon affects the luteinizing hormone in the pituitary gland ultimately preventing ovulation. The pituitary gland is responsible for a number of hormonal functions in the body. As yet we don't know if GonaCon has affects over other hormones in the pituitary gland and we don't know what amount of this drug causes infertility. Its potentially precarious effect is dangerous given the low number of horses proposed to be in this herd. To maintain healthy horses, we need to insure their physical and social behaviors remain intact for their survival and we need to allow for replacement reproduction of themselves. For now this birth control means needs to be taken off the table until these issues are irrefutably addressed and resolved.	See response to Comment 14.
16.	American Wild Horse Campaign	The BLM must pursue a proposed action that includes implementation of a comprehensive humane, reversible, and vaccine-based fertility control program	Use of PZP and GonaCon-Equine are considered in Alternatives 1 and 2, respectively. Refer to Chapter 2 of the EA.

#	Com-menter	Comment	BLM Response
		immediately. AWHC supports the BLM's consideration of PZP-22to manage wild horses in the HMA.	
17.	American Wild Horse Campaign	BLM should also consider implementing a vigorous PZP program, at current population levels, utilizing a Catch Treat and Release ("CTR") method for the vaccination of all mares over 1 year of age with the PZP–22 or native PZP fertility control vaccine.	See response to Comment 11.
18.	American Wild Horse Campaign	AWHC asks that the BLM expand on its review of GonaCon for potential implementation in the HMA. Currently, GonaCon is an experimental fertility control vaccine that interferes with the production of reproductive hormones, which drive natural behaviors in wild horses. Before the agency moves forward with this method AWHC asks that the BLM add to its analysis and state that not much is known about the long-term safety, efficacy, and impacts to wild horse behaviors and natural social behaviors, which are the differentiating factors for these federally protected animals.	See response to Comment 14.
19.	American Wild Horse Campaign	According to current research, the efficacy of GonaCon is 37%, then decreases from there to 28% in the next year, and finally 0% in the third year. (Baker et. al. 2018) Thus, for the purposes of this proposed alternative, no mare that received a treatment of GonaCon in 2020 would be treated with PZP in the next 5 years.	The paper by Baker, et al. (2018) is included in the literature review in Appendix 5. This document identifies potential effects of fertility control methods. Mares initially treated with any form of PZP vaccine will be subsequently treated only with forms of PZP vaccine. Mares initially treated with GonaCon vaccine will be subsequently treated only with forms of GonaCon vaccine.
20.	American Wild Horse Campaign	The AWHC proposal (included in their comment letter) accounted for the treatment of 70% of the mares of breeding age in year one (2021) and increasing that to 73% in the third, fourth and fifth years. This approach maximized genetic diversity while also providing a reduction in population growth. Importantly, at 73% treated, the growth rate hit zero percent. This means that with the implementation of the PZP program, the population growth rate in the HMA will be stabilized in just two years. This	See response to Comment 16.

#	Com-menter	Comment	BLM Response
		analysis was conducted with the assumption that the 91.5% efficacy does not change over time (in part because individuals should be rotated, so they wouldn't build additional contraception).	
21.	Janet Lynch	The EA also fails to utilize PZP (Porcine zona pellucida) immunocontraceptive treatment, despite the fact that PZP is well-studied, safe, efficacious, cost-effective, and is recommended by members of the National Academy of Sciences as an effective means of humanely managing wild ungulate populations. Prioritize the management of this population with PZP fertility control rather than removals. The Cedar City FO must make arrangements to vaccinate a sufficient number of mares annually to attain zero population growth as soon as practicable.	See response to Comment 11.
22.	Craig Downer	PZP has many seriously harmful effects on the wild horses, both individually and collectively, and is a form of domestication of the "wild" horses that is antithetical to the true intent and spirit of the WFHBA! Among the adverse effects are social disruption, out-of-season births, lethargic behavior and a progressive weakening of the immune system.	See response to Comment 11. The commenter's statement that PZP vaccine use leads to lethargic behavior or a progressive weakening of the immune system in treated mares is not substantiated by any scientific studies known to the BLM. For an extensive review on identified potential effects of fertility control methods, please see Appendix 5.
23.	Craig Downer	I greatly protest the use of GonaCon! It produces some very serious effects on mares. These are very inhumane and include depression and mood swings, as it did in women until it was outlawed.	See response to Comment 16. Additionally, GonaCon-Equine has never been an approved vaccine for use in humans. For an extensive review on identified potential effects of fertility control methods, please see Appendix 5.
24.	Craig Downer	Use of Gelding [and ovariectomy]... to Reduce Growth rate: I very much object to this. It would be antithetical to the true and core intent of the WFHBA and very inhumane. Being more or less "harem" type social animals, horses run the risk of low male genetic heterogeneity. Gelding would only exacerbate this tendency and result in the serious decline of the wild horses over	Gelding and/or ovariectomy were not included in any of the alternatives carried forward for detailed analysis. See Appendix 3. Alternatives Considered but not Analyzed in Detail.

#	Com-menter	Comment	BLM Response
		the generations. Ovariectomy of the mares is extremely cruel and results in terrible suffering and frequent death.	
25.	The Cloud Foundation	Gonacon destroys natural wild horse behaviors and with repeated application permanently sterilizes mares. Currently there is insufficient data to know the long-term impacts of Gonacon on wild horses and how many injections of Gonacon permanently destroys ovaries.	See responses to comments 14 and 16.
26.	The Cloud Foundation	Castration (gelding) and Gonacon similarly shut down the natural production of hormones cause changes to wild horses' natural behaviors including:•behavioral disruption of social structure and band integrity •physiological disruption of hormones that play a vital role in survival ability in the harsh and rugged wild environments •environmental impacts caused by sterilization procedures which may alter the way horses utilize the land. The EA fails to address that the WFRHBA requires BLM to manage wild horses and burros in a manner that protects their wild and free-roaming behavior. Breeding behaviors are not the only natural wild behaviors that must be preserved.	See response to Comment 24. For an extensive review on identified potential effects of fertility control methods, please see Appendix 5.
Gather Methods/ Timing			
27.	Jane Marsh	During late summer 2020, you gathered 620 horses from the Sulphur HMA and returned only 46, presumably with mares who were PZP darted. That roundup caused eight immediate deaths and was a major assault on the existing population from which the remaining Sulphur mustangs are still recovering. To follow this with another major gather would constitute excessive interference and further jeopardize the ability of this herd to fill its ecological niche and find its stabilized place within its own legal habitat.	Impacts to wild horses associated with the action alternatives are described in Chapter 3 of the EA.
28.	Eileen Hennessy	If deemed necessary, the NAS recommends fertility control as a more humane and non-invasive method of growth suppression	See responses to Comments 11 and 16. Additionally, helicopter gathers have been used since the late 1970s and have been

#	Com-menter	Comment	BLM Response
		which can be implemented on the range, for going cruel, stressful, and sometimes deadly, helicopter stampedes.	shown to be a safe and humane method for gathering wild horses. According to Scasta (2019), BLM's helicopter-based gathers lead to lower rates of injury and mortality than most other ungulate capture operations.
29.	American Wild Horse Campaign	The EA must analyze impacts of drastic reduction of population size on population growth rate; direct impacts of helicopter drive trapping to the environment and the horses; and economic and welfare concerns related to increasing the off-range holding population of wild horses.	Impacts associated with the action alternatives are analyzed in Chapter 3 of the EA. The economic concerns of off-range holding is outside the scope of this EA. The welfare concerns of off-range holding are covered in BLM's Comprehensive Animal Welfare Program (CAWP), which is available on the ePlanning website for this project (https://eplanning.blm.gov/eplanning-ui/project/1505407/510).
30.	Bonnie Kohleriter	Then the EA seems to seek money to put collars and tags on wild horses to spy on their characteristics, movement, interactions and habitat use. The purpose of these collars and tags are not clearly stated. I have concerns this tracking will result in harm to the wild horses. Then the collars and tags have been known to fall off so the cost is questionable.	EAs are not a budgetary tool or a budgetary request. This EA does not procure money for the action alternatives. The purpose and use of global positioning system (GPS) and very high frequency (VHF) collars is discussed in Chapter 2 of the EA. Potential harm to wild horses from collars has been added to Chapter 3 and is addressed in the Appendix 7. Affixing Radio Collars.
31.	American Wild Horse Campaign	The EA should disclose results, rather than just provide a summary, of the use of radio collars and other methods in the BLM's other HMAs, like Frisco and Conger. Specifically, any safety data (including number if injuries, deaths, etc. –if any) that occurred as a result of the collars should be disclosed in full.	The radio collar and tail tag studies that occurred on horses in the Frisco and Conger HMAs has been published in Schoenecker, et al., (2020). According to this study, the tags themselves did not cause any direct effects on horses; however, it is possible that individuals may form an irritation should vegetation get tangled in the tail. In this case, it is expected that the tag would ultimately pull out of the hair (resulting in no injury) as the horse rubs it. Serious neck abrasions or sores have not been reported in studies where equids have been collared (e.g., Collins, et al. 2014; Schoenecker, et al., 2020).

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			BLM is currently using this technology on the Sulphur HMA to monitor free-roaming horses to better understand their resource use, habitat preference, home range, and movement patterns. BLM has also used it to monitor individuals that have been treated with fertility control vaccines. Such information about animal movements, survival, and foaling rates may be useful for future management decisions within the HMA.
32.	American Wild Horse Campaign	If radio collars are to be used, then a breakaway design must be chosen, and all collars must first be tested and found safe in a controlled field trial conducted in an area much smaller than the expansive Sulphur HMA.	Chapter 2 of the EA discusses how the GPS and VHF collars would be released in emergency circumstances and after the conclusion of the monitoring period. The BLM has added a reference in the EA to a recent publication documenting a general lack of concerning health effects of collars or tags (Schoenecker, et al., 2020). In addition to the inclusion of manual-release and timed-release mechanisms that would be required for any wild horse radio collar, modern collars can be made with materials that degrade over time; these act as another form of timed release for the collars. Collars with this type of material will be used when possible (refer to Appendix 7).
33.	American Wild Horse Campaign	Removals, if they occur, should be incremental and over time. This alternative should include managing this population at the high AML. The BLM must consider all information it has available about the need to keep horse herds at certain population levels on the range in order to prevent adverse genetic harm to the population including inbreeding. In other words, the number of horses in an HMA should be relative to the number of acres and the ability of the land to accommodate large grazers.	Alternative 1 states: "The BLM would conduct gathers over a 10-year period to remove excess wild horses until the Sulphur HMA wild horse population is at the lower AML (see Table 1.1). Based on past gather success in the Sulphur HMA area, only 60-70% of the population can be gathered in a single gather operation, thus requiring multiple gathers over more than a one-year period to achieve AML. The gather, removal and fertility treatment numbers would vary each year over the 10-year period to accomplish the objective of achieving and maintaining the wild horse population to within AML." Gather and removal of wild horses to the AML

#	Com-menter	Comment	BLM Response
			upper limit was considered but not carried forward for detailed analysis; see Appendix 3 for more information. Appendix 13. Genetic Analysis for the Sulphur HMA states: "Genetic variability of this herd in general is on the high side but there is a high percentage of variation that is at risk. The levels of allelic diversity are essentially the same as seen in previous years. To some extent the higher allelic diversity seen this year could be explained by the large sample size compared to previous years and this could be related to the high percentage of alleles at risk. Genetic variability levels also are similar to those seen in 2009. The data indicates that the herd is fairly stable genetically. Genetic similarity results suggest a herd with mixed ancestry and the similarity results have been consistent over the past 11 years."
34.	American Wild Horse Campaign	AWHC asks that the EA further analyze alternative methodologies for wild horse removal including the exclusive use of bait and water trapping. The consideration of bait and water trapping over helicopter drive trapping is especially crucial for use in the Sulphur HMA given that the last time BLM conducted a helicopter removal in this HMA there were humane handling concerns during the operation.	See Appendix 3. Alternatives Considered but Not Analyzed in Detail.
35.	American Wild Horse Campaign	If a helicopter roundup is selected as part of the proposed action, the BLM must include improvements, to minimize stress and injury to horses during roundups such as: Limit the distance horses/burros may be chased by a helicopter to no more than five (5)miles; require all barbed wire fencing be flagged or that flight paths do not take wild horses towards fencing in the first place; require that the helicopter not chase/move horses at a pace that exceeds the natural rate of movement of the slowest animal in the band. Every effort should be made to keep	Amending the CAWP and national policies on public viewing is outside the scope of this document. The CAWP is available on the ePlanning website: https://eplanning.blm.gov/eplanning-ui/project/1505407/510.

#	Com-menter	Comment	BLM Response
		older, sick and young animals together with their bands as they are moved into the trap. If there are compromised, old, weak or young animals in a small band –the helicopter should not move or capture those animals; and establish strict parameters for suspending helicopter roundup operations in temperatures below freezing (32 degrees F) or over 95 degrees F.	
36.	Janet Lynch	The BLM must refrain from the use of helicopters to round up wild equines. As early as the1950s, it has been widely acknowledged that using aircraft to round up wild equines is inherently dangerous and inhumane. Flying helicopters close to the ground, as often happens in wild horse roundups, is not only dangerous and inhumane for the horses; it also raises clouds of dust and otherwise disturbs sensitive ecosystems unnecessarily.	The use of helicopters to gather wild horses and burros is in compliance with the Federal Land Policy and Management Act of 1976 (FLPMA) and the Wild Free-Roaming Horses and Burros Act of 1971 (WFRHBA). Helicopter gathers have been used since the late 1970s and have been shown to be a safe and humane method for gathering wild horses. Appendix 5 reviews potential impacts of gathers and includes reference to a study concluding that BLM's helicopter-based gathers lead to lower rates of injury and mortality than most other ungulate capture operations. Impacts to wild horses from gather operations are discussed in Chapter 3 of the EA.
37.	Craig Downer	I have noticed serious effects of helicopter roundups even years after they occurred. These are similar to PTSD among humans. And as concerns the foals, again you understate the harmful, long-lasting and adverse effects of roundups on these innocents. As concerns the orphans who are left after the roundups including out on the range, BLM could do a lot more to prevent this by providing a much fairer share of the survival resources for the wild horses including forage, water and shelter than it does at present... and by adopting the sound principles of Reserve Design.	See response to comments 35 and 36.
38.	The Cloud Foundation	The EA must consider the following information to minimize trauma and injury to wild horses during a roundup: a) Limit the	See response to Comment 36.

#	Com-menter	Comment	BLM Response
		distance wild horses may be chased by a helicopter to no more than five (5) miles. b) Require that the helicopter not chase/move wild horses at a pace that exceeds the natural rate of movement of the slowest animal. This means that if an animal begins to lag behind, the helicopter must lift pressure off the band so as to bring them in together. Keep older, sick and young animals together with their companions, bands or mothers as they are moved to the trap. The helicopter should not move or capture compromised, old, weak or young animals .c) Establish strict requirements for suspending helicopter roundup operations in temperatures below 32 degrees F (freezing) or over 90 degrees F. Roundups outside of this temperature range would be blatantly inhumane.	
39.	The Cloud Foundation	the EA must consider and implement the following with regards to CAWP: •Improved public observation of all agency actions. There is significant public interest in the agency's management of wild horses and burros and its management of these protected animals. The NAS specifically recommended to the BLM to improve the transparency of its management of the Wild Horse and Burro Program (Attachment1). The treatment of the wild horses and agency transparency are paramount. •All removal operations must be located on public lands to allow public observation of all activities. No government operations should be located on private lands for which the owners will not give permission for public observation of activities. •Real-time cameras with GPS should be installed on all aircraft and/or helicopters used in operations and video should be live streamed on the Internet. This will improve the transparency and accountability of roundup operations and enable the BLM and public to monitor the direct impact motorized vehicle usage has on wild horses	See response to Comment 35. Refer to Appendix 4. Standard Operating Procedures for Wild Horse Gathers, Appendix 5. SOPs for Population Growth Suppression Methods and Scientific Literature Review, and Appendix 9. Observation Protocol and Ground Rules. The comment supporting cameras on aircrafts has been noted, but falls outside the scope of this EA. In accordance with WO IM 2013-058: "The public/media are prohibited from riding or placing equipment in the helicopters contracted for a gather. The National Gather Contract §3.1.i specifies that "No cameras, including video cameras will be placed on the Contractor's drive trapping equipment." The BLM and the helicopter pilot must also comply with 14 CFR Part 91 of the Federal Aviation Regulations, which determines the minimum safe altitudes and distance people must be from the aircraft.

#	Com-menter	Comment	BLM Response
		and the environment. •Real-time cameras should be installed on any traps, corrals and temporary holding pens, again, so that BLM personnel, public and media can monitor the entire roundup operation and treatment of the horses.	
40.	The Cloud Foundation	While the Proposed Action does not include mention of the use of radio collars, the EA and accompanying documents do. The EA fails to consider the use of tail tags which are a far safer alternative to neck collars which are known to cause problems for wild horses. The EA fails to provide any evidence that neck collar's "remote-release function" have successfully been deployed on the range. Given the lack of sufficient safety information and the inability to have non-motorized break-away safety features, neck collars should not be used on wild horses who are not observed on a daily basis. Alternatively, neck collars should not be used until a safety break-away feature is incorporated in the neck collar.	The use of collars and tags are in the Proposed Action (Alternative 1), Alternative 2, and Alternative 3. Remote release and time wear release are a part of the collars proposed to be used. Potential impacts of collars and tags are discussed in Chapter 3. The procedures to be followed for affixing radio collars may be found in Appendix 7.
41.	The Cloud Foundation	The EA fails to disclose and analyze all details of BLM data, information and research that resulted from implementing radio collar research on wild horses in Nevada in the 1980s and other BLM radio collar projects. The EA fails to disclose and analyze that BLM-sourced data –including the resulting harm that occurred to the collared horses, deaths, euthanasia, etc. The EA fails to address how such deleterious effects of neck radio collaring of mares will be addressed or prevented given that mares also move their necks in manners that may allow the collar to become imbedded in the neck tissue, get caught on forage or fencing, be bitten by other horses, and cause discomfort or injury to the horse. The EA fails to consider and disclose the reason radio tail trackers are not used in mares as they are proposed to be used on stallions. The EA fails to take a hard look at existing scientific data that outlines natural wild	The use of and data on the use of modern collars that are proposed to be used are addressed in Chapter 3 and in Appendix 7. Affixing Radio Collars. Recent studies completed on the Frisco and Conger HMAs show little to no impacts to horses that have been collared. The EA now includes a reference to a recently published study on collar and tag effects (Schoenecker, et al., 2020) and potential impacts of collars and tags have been added to Chapter 3.

#	Com-menter	Comment	BLM Response
		mare movements, behaviors, activities that may or likely will cause radio collars to move and tighten on the horses' necks. The EA fails to disclose all safety measures that must include regular weekly or daily monitoring of mares fitted with radio collars. While it states that the collars will have a "remote-release function" yet the EA fails to disclose the technology and its reliability which is necessary for the public to question or provide comment.	
Number of Horses Gathered/AML			
42.	Form Letter 1	The proposed action would roundup and unnecessarily remove hundreds of federally-protected wild horses in order to achieve the unscientifically low "Appropriate" Management Level,	Establishing or modifying the AML is outside the scope of this analysis. AMLs were established through prior separate decision-making processes. See Chapter 1 of the EA. Available data confirms that wild horse numbers are currently in excess of the level at which a thriving natural ecological balance can be maintained, and the data does not support an increase in the wild horse AMLs. See Appendix 11. Utilization Studies, Appendix 12, Sulphur HMA 2021 Population Modeling, Appendix 14, Population Inventory and the Sulphur Monitoring Report May 2021 located at (https://eplanning.blm.gov/eplanning-ui/project/1505407/570). No data exists to indicate that increases to the AML is warranted at this time.
43.	Form Letter 1	Adjust the allowable number of horses (AML) in this HMA to, for example, accommodating the current population level, making forage adjustments, if necessary, pursuant to CFR 43C.F.R. 4710.5(a) to ensure that wild horses are given equitable usage of our public lands.	See response to comments 42 and 59.
44.	Eileen Hennessy	I strongly oppose Proposed Action to roundup and remove 100s of federally-protected wild horses from their legal habitat in the Sulphur HMA in Utah to achieve the low AML of 165-250 where the BLM claims a "guesstimated" population of	See response to comments 33, 42 and 59. The most recently available genetic monitoring report (Cothran, 2017) is now included in Appendix 13. Genetic Analysis of the Sulphur, UT448. The EA includes new text commenting on available

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		around 414 mustangs exist. This massive removal would not only reduce the population to below genetic viability but would clear the way for thousands of invasive, destructive sheep and cattle to graze within this legal wild horse habitat where, apparently, the horses themselves, for whom this habitat was created, are not welcome! In fact, after the majority of mustangs are nearly eradicated, the equivalent of one mustang for every 1,600 acres would be allowed to remain on roughly 265,711 acres of public and private land!	evidence about genetic diversity in this herd. As discussed in Appendix 13, the animals of the Sulphur HMA appear to be genetically well connected to a number of other managed wild horse herds, and current observed heterozygosity levels are at acceptably high levels. Periodic monitoring of genetic diversity, using samples obtained during gather operations, will indicate whether or not introduction of additional wild horses from another HMA would be prudent, to increase genetic diversity in this herd.
45.	Eileen Hennessy	Across the western landscape, there are a mere 4,000 or so wild burros left (with 20,000-35,000 or so wild horses), not the outrageous guesstimated numbers claimed by the BLM to justify removals. Shockingly, the AMLs of at least 83% of wild horse herds and 90% of wild burro herds are being managed at levels below genetic viability contrary to the minimum-viable population (MVP) guidelines deemed necessary by genetic experts for the survival of the species. Wild equines are allocated less than 16% of forage on less than 12% of public lands.	National population estimates are outside the scope of this document. The estimated wild horse population for the Sulphur HMA is based on an aerial population inventory completed in March 2020 minus horses gathered in September 2020. The Simultaneous Double Observer Method was used, in keeping with standard operating procedures published by the U.S. Geological Survey (Griffin, et al., 2020). A total direct count of 901 horses were recorded before the 2020 gather. Photos of each band of horses was taken during each transect along with additional data. Horses were identified as individuals or as a band by their color, leg markings, face markings, and finally area/time recorded. The photos were used to eliminate any horses that were observed more than once. The planned flight paths were loaded into a GPS and followed. The actual fight paths were recorded by GPS. Based on the National Academy of Science (NAS) report released in 2013, the estimated population could be 20%-30% lower than the actual population. See response to comments 42, 44, and 59. The NAS (2013) recommended that the

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			BLM consider wild horse herds (and wild burro herds) to be components of genetically connected metapopulations. Handbook H-4700-1, Wild Horses and Burros Management Handbook suggests the introduction of animals if ever there is cause for concern about local levels of genetic diversity. Considering the documented levels of genetic diversity in the herd, and the apparent high levels of connectedness with other herds (as indicated by pairwise Fst values documented in the 2013 NAS report) having herds in the Sulphur HMA at levels within AML is not expected to lead to any concern about the adequacy of the herd's genetic diversity.
46.	Eileen Hennessy	Dr. Gus Cothran, the BLM's own equine geneticist, has clearly stated in no uncertain terms that, due to the small number of wild horses and burros the agency permits on public lands, these federally-protected herds are facing a GENETIC CRISIS of epic proportions. Cothran states that wild horse numbers must never be reduced to levels below the minimal population level of 150-200 effective adult breeders of standard reproductive age (not counting foals, yearlings or bachelors) that is necessary for long-term genetic viability and the preservation of healthy, self-sustaining wild horse populations. Furthermore, the 1971 Act clearly states that wild horses "shall be managed as self-sustaining populations." Therefore, increasing the low AML the agency has arbitrarily set for the Sulphur Herd wild horses would seem to be in order.	See response to comments 33 and 44. Dr. Gus Cothran stated in his 2017 genetic report on the Sulphur wild horses (Appendix 13): "Current variability levels are high enough that no action is needed at this point and the apparent genetic stability suggest that recent management strategies are working well to maintain diversity." The NAS (2013) indicated that the BLM should consider genetic management of wild horses at the scale of metapopulations, not at the scale of single HMAs. The Sulphur HMA is evidently connected, genetically, to other herds, based on available evidence as now noted in the EA.
47.	Bonnie Kohleriter	The BLM Handbook 2010 and the recently retired BLM geneticist, Dr. Gus Cothran, suggests a "MINIMUM" of 150-200 with 50 effective breeding animals need to be in an HMA to have the possibility of long term but not indefinite viability. 135 adults are NOT a thriving herd.	See response to Comment 46. Under the action alternatives the minimum breeding population size would be greater than needed to maintain an acceptable level of genetic diversity within the HMA. The overall number of animals in the genetically-interacting

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			metapopulation that the Sulphur HMA wild horses are part of is larger than the number of animals present in the Sulphur HMA alone.
48.	American Wild Horse Campaign	The BLM must pursue a proposed action that includes utilization of incremental removals over time, if necessary, to reduce populations to modified AML numbers and limit to adoptable animals that do not exceed adoption demand.	See response to Comment 33.
49.	Janet Lynch	AML of 165 to 260 individuals is not rooted in science or indeed anything other than agency fiat. It is not a genetically sustainable number and represents a draconian reduction in population numbers from just two years ago. As there are only approximately 414 wild horses remaining in this vast HMA, removing even 50% of them as proposed would make no ameliorative effect on the range itself, as numbers of wild horses there are already insignificant.	See response to comments 33, 42, 44, 45, and 46.
50.	Janet Lynch	AMLs are not supported by science, are well below the barest minima to ensure genetic health of populations, and appear to be determined arbitrarily and capriciously by agency fiat, without benefit of scientific input or participation by members of the concerned public	See response to comments 33, 42, 44, 45, and 46.
51.	Deb McBride	The Appropriate Management Level you have assigned for acceptable wild horse numbers within their legal HMA is grossly unjust and represents a betrayal of duty to defend the rights of the wild horses. Your assigned AML is 165 low to 250 high for a mean of 207.5 wild horses when all ages are included, or 135 to 180 if only the adults are included, if I understand your document correctly.	See response to comments 33 and 42.
52.	Craig Downer	The Appropriate Management Level you have assigned for acceptable wild horse numbers within their legal HMA is grossly unjust and represents a betrayal of duty to defend the rights of the wild horses.	See response to comments 33 and 42.
53.	Craig Downer	You claim that wild horses increase from 15 to 20% per year based on statements from	BLM has conducted population inventories at the Sulphur HMA every 2-3 years for the

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		the NAS 2013report and that they double every 3 years. This claim is extreme and fails to factor in several major mortality factors	past 20 years and additional ones before that. These inventories show population growth in the HMA between 17%-25%. We use the information from the NAS 2013 report because it represents a growth rate for all HMAs. See response to Comment 45. The final EA has been changed to reflect the mathematical result that those expected growth rates can lead a population to double every "3-4" years. A more recent review of wild equid demography also substantiated the conclusions of the NAS 2013 report. (Ransom et al. 2016).
54.	Craig Downer	During late summer 2020, you gathered 620 horses from the Sulphur HMA and returned only 46, presumably with mares who were PZP darted, and this roundup caused eight immediate deaths. This roundup was a major assault on the existing population from which the remaining Sulphur mustangs are still recovering. For this to be followed by another major gather would constitute excessive interference and further jeopardize the ability of this herd to fill its ecological niche and find its stabilized place within its own legal habitat.	See response to Comment 45.
55.	Craig Downer	Again, there is no recognition of the negative effects of PZP on wild horses nor any recognition of the wild horses' ability to limit their own population growth as they come to fill their ecological niche within the HMA. By allowing the establishment of mature social units, or bands, an intrinsic repression of reproduction by younger horses would occur –but the draconian roundups that disrupt these bands prevents this! The horse species is a climax species that is capable of self-limitation; to state otherwise is misleading!	See response to comments 22 and 45, and the more complete assessment of effects of fertility control vaccines in Appendix 5. Data currently available to BLM, as well as the National Academies of Sciences (2013) report, shows that wild horses are not self-limiting and would in fact destroy their habitat if left unregulated. Controlling the Sulphur population by natural means was an alternative considered but not analyzed in detail (Appendix 3). See response to Comment 13.
56.	Craig Downer	Population Modeling criteria: I question the validity of these modeling projects when	See response to comments 13 and 55.

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		they fail to take into consideration important factors such as the wild horses' ability to self-limit their population. Such models have a disturbing tendency to be overly simplistic. As with any such models, much depends upon how one uses them, including how results can be skewed.	
57.	Craig Downer	Aerial Wild Horse Counts: This methodology needs to give more attention to the possibility of double-or multiple-counting of the same horses who could move over to different transect lines being overflown by the censusing airplane. I have conducted such censusing counts myself. For this reason, I recommend exact, positive identification of individual wild horses that is so important to getting accurate census estimates. I also recommend conducting the aerial count as quickly as possible over the entire area to be censused.	See response to Comment 45.
Wild Horse vs. Livestock Use / AUMs			
58.	Form Letter 1	The EA should contain an alternative that maintains the current wild horse population without removals by implementing reductions in livestock grazing pursuant to 43 C.F.R. 4710.5(a). The BLM has a statutory mandate to protect wild horses, while livestock grazing is permitted only at the discretion of the Interior Department. Livestock grazing is not required to fulfill the agency's "multiple use" mandate. Further, it is far more cost effective to curtail taxpayer-subsidized commercial livestock grazing in this area than it is to permanently remove wild horses from the range.	This was addressed in Appendix 3. Alternatives Considered but Not Analyzed in Detail and multiple other areas in the EA. Livestock grazing can only be increased, reduced, or eliminated if the BLM follows regulations at 43 CFR Part 4100 and must be consistent with multiple use allocations set forth in the land-use plan. Yearly adjustments of livestock use are made through coordination with the livestock permittees and the yearly application process. Forage allocations are addressed at the planning level. Such changes to livestock grazing cannot be made through a wild horse gather decision or through 43 CFR 4710.5(a) and are only possible if BLM first revises the land-use plans to allocate livestock forage to wild horses and to eliminate or reduce livestock grazing.

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			BLM monitoring data also indicate that wild horses are causing resource degradation, including in areas where there has been no livestock grazing. There are utilization studies that show heavy to severe use on the Mountain Home allotment, which excludes livestock use. This allotment is 45,470 acres (17%) of the total 265,569 acres of the Sulphur HMA. Not only would removal or reduction of livestock not be in conformance with the existing Pinyon Management Framework Plan (MFP) approved in 1983 and the Warm Springs Resource Area Resource Management Plan/Record of Decision (RMP/ROD) approved in 1987, but it is also contrary to the BLM's multiple-use mission as outlined in the FLPMA and PRIA, and would be inconsistent with the WFRHBA, which directs the Secretary to immediately remove excess wild horses when such removal is necessary – as is the case in the Sulphur HMA. The WFRHBA requires that wild horses be managed in balance with other multiple uses such as livestock and wildlife – not as an exclusive use of the public lands. The Sulphur HMA is not a Secretarially designated wild horse "range" in the sense of section 1333(a) of the Act.
59.	Form Letter 2	The wild horse Allowable Management Level (AML) for the Sulphur HMA is unjustifiably low given that BLM permits the annual equivalent of nearly 900 cows in the HMA. BLM is now violating the plain language and intent of the 1971 Act and must reduce or eliminate all livestock grazing in the HMA to accommodate the current wild horse population. AML is set at artificially low levels for only one reason -- to accommodate private livestock. This is not based on science, according to the NAS, and is not supported by the majority of	See response to Comment 58. Consistent with 43 CFR 4700.0-6, wild horses and burros shall be managed in balance with other uses and the productive capacity of their habitat (i.e., wild horses and burros will be managed to achieve and maintain a thriving natural ecological balance and multiple use relationships on the public lands). The amount of forage available to allocate to wild horses and burros shall

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		Americans. We want our public lands managed principally for wild horses. If the Utah range is suffering, livestock must be reduced or eliminated before wild horses.	be determined through in-depth evaluation of resource monitoring data and following a site-specific environmental analysis and decision process. Forage for wild horses and burros calculated in animal unit months (AUMs) is allocated based on the AML upper limit. BLM Handbook H-4700-1, Section 4.2 outlines establishing the AML.
60.	Jane Marsh	This habitat is not supposed to be overrun by livestock. Livestock are not supposed to be given top priority in the wild horses' legal area! You never mention the gross and massive NEGATIVE impacts of cattle on the range and the negative impacts to climate change. Why? You are biased in favor of public lands ranchers who are literally eating from the trough of taxpayer subsidies, who destroy the land with impunity. Why should I allow BLM to subsidize 94% of the cost to feed their cow and at the same time destroy the land and imperil the wildlife that lives here? It's the definition of insanity.	See response to comments 58 and 59.
61.	Jane Marsh	The EA fails to adequately consider the following actions, which are supported by the majority of Americans, to humanely manage wild horses in Utah: - The intent of Congress in the 1971 Wild Free-Roaming Horses and Burros Act (WFRHBA), which was for designated wild horse habitat to be "devoted principally but not necessarily exclusively to their [wild horses'] welfare…" – not primarily for the livestock industry. We want our public lands managed principally for wild horses. - If the Utah range is suffering, livestock must be reduced or eliminated before wild horses. BLM regulation 43 C.F.R. 4710.5, states that livestock can be temporarily or permanently removed from public lands, "If necessary to provide habitat for wild horses or burros, to implement herd management actions, or to protect wild horses or	See response to comments 58 and 59.

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		burros …" We fully support livestock grazing reduction or elimination in the Sulphur HMA.	
62.	Mary E Young	Before any more of this herd is taken the reduction of cattle has to be done. Leave the horses alone for the next several years to help regenerate the soils.	See response to comments 58 and 59.
63.	Kathleen Greg	The EA lacks proof and examples of the usage and methods to determine usage of wild horses versus livestock usage. Per the unanimously passed United States 1971 Congressional Wild Horse and Burro Act, the land is to be "devoted principally although not exclusively to the wild horses and wild burros' welfare in keeping with the multiple-use management concept of public lands." The Sulpher wild horse proposal failed to be consistent with the BLM's responsibilities under the Wild Horse and Burro Act, ensuring that the Sulpher wild horses are considered as "an integral part of the natural system of public lands" and prioritizing wild horses, not private/corporate non-native sheep and cattle, on this wild horse herd area. In addition, grazing of livestock on public lands is not a right – it is a privilege whereas grazing of wild horses and burros on public land herd areas is legally designated by Congress.	See response to comments 58 and 59. See the utilization studies (Appendix 11) and the document titled "Sulphur Monitoring Report May 2021, Fillmore Data Summaries and Data on Allotments outside HMA," which is available on the ePlanning website for this project: https://eplanning.blm.gov/eplanning-ui/project/1505407/570
64.	Kathleen Greg	The wild horse (and wild burro) lands and resources are set aside for, and assigned and authorized for, the use of wild horses (and burros) whereas the livestock is only allowed and tolerated and let to use the public range resources. While commercial livestock grazing is permitted on public lands, it is not a requirement under the agency's multiple use mandate as outlined in the Federal Land Policy and Management Act of 1976 (FLPMA). Public land grazing clearly is a privilege not a right, while the BLM is mandated by law to protect wild horses (and burros). "Wild free-roaming horses and burros" means all unbranded and unclaimed	See response to comments 58 and 59.

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		horses and burros on public lands of the United States.	
65.	Kathleen Greg	The EA failed to include substantiated data on any proposed reduction or termination of livestock grazing for the next ten to twenty years or disclose livestock grazing costs. The EA failed to give a detailed explanation of any inequitable allocation of resources in these lands being reviewed in the EA including livestock grazing.	See response to comments 58 and 59.
66.	Eileen Hennessy	The Sulphur HMA is meant to be a WILD HORSE herd are where, according to the LAW, wild horses are meant to be the PRINCIPAL users of their own habitat -- despite multiple use. It was NOT meant to be turned into a giant feedlot for invasive commercial livestock! The BLM plan for this HMA would elevate private livestock over the best interests of the Sulphur Herd wild horses whom the agency has a statutory mandate to PROTECT as well as manage as the PRINCIPAL users of this legally designated wild horse range by means of helicopter stampedes to manage these mustangs at a level that would endanger the genetic health of the herd to pander to the whims of special interests, namely livestock ranchers. The Sulpher Herd wild horses belong to ALL OF US – they are not for the state of Utah or livestock ranchers to annihilate at will.	See response to comments 58 and 59.
67.	Eileen Hennessy	Restricting taxpayer subsidized commercial livestock grazing in this legal wild horse habitat is a far more cost-effective action than conducting a massive roundup and removal of wildhorses from the range. The BLM must seriously consider accommodating the current population by improving the range and eliminating invasive livestock from this legal wild horse habitat, pursuant to CFR 43 C.F.R. 4710.5(a), to ensure these wild horses are allocated an	See response to comments 58 and 59.

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		equitable portion of available water and forage on OUR public lands.	
68.	Bonnie Kohleriter	The AUMs for livestock and wildlife, if they were to be calculated, far outnumber the AUMs for wild horses.	See response to comments 58 and 59.
69.	American Wild Horse Campaign	Any analysis of changes to GRSG conservation plans must rectify this shortcoming and must adequately assess impacts of livestock vs. wild horses, taking into consideration these factors: (1) geographic overlap between actual areas of use by horses and GRSG habitat; (2) actual numbers of livestock vs. horses in GRSG habitat areas; (3) differences in land use, grazing patterns, and environmental impacts between livestock and wild horses; and(4) realistic assessment of threats and impacts to GRSG from livestock grazing –particularly the extensive livestock fencing that litters the public landscape.	None of the Alternative propose a change to the GRSG conservation plans. It is stated that Alternatives 1-3 are consistent with those plans. See Section 1.3 and Chapter 3 of the EA.
70.	American Wild Horse Campaign	The EA must include a complete description of total acres and forage allocations (Animal Unit Months, or "AUMs") for all grazing allotments (in acres) and HMA acres in GRSG habitat; a chart that clearly delineates the number of grazing allotments (in or overlapping the HMA) in each category of GRSG habitat, the acreage that lies within GRSG habitat for each allotment, the percent of each allotment that lies within each category of GRSG habitat, and the AUM allocations for each allotment that impacts GRSG habitat; and a complete description of the number of allotments (in or overlapping the HMA) that lie within or partially within GRSG habitat that are not meeting current rangeland health standards.	See response to Comment 69
71.	American Wild Horse Campaign	If the BLM is considering reducing the population of wild horses in the Sulphur HMA because of the presence of GRSG, the BLM must disclose range monitoring data of the PHMA from the past 10 years, as described above, including that which	See response to comments 58 and 69.

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		delineates between the impacts from livestock use and wild horse use.	
72.	American Wild Horse Campaign	the BLM should pursue analysis of an alternative that considers how the agency could accommodate a larger wild horse population through adjustments to livestock stocking rates with options such as voluntary grazing retirement opportunities. Such options should be explored with permittees in order to determine an equitable means to achieve a fairer allocation of resources for wild horses on public lands.	See response to comments 58 and 59.
73.	American Wild Horse Campaign	the BLM should reallocate 50% of the livestock AUMs overlapping with the Sulphur HMA—35% to the wild horses and 15% to be rested, thereby decreasing the overall percent utilization. In doing so, the high AML will increase from 250 to 588 ("AML-New"), rendering the current population below AML-New.	See response to comments 58 and 59.
74.	Janet Lynch	The massive reduction in numbers of wild horses in this popular and famous herd is also bad land management and cannot possibly achieve a "Thriving Natural Ecological Balance", combined as it is with land management policies which allow thousands of livestock to graze the area at levels far in excess of the land's environmental carrying capacity.	See response to comments 58 and 59.
75.	Janet Lynch	The Bureau must limit livestock grazing to more sustainable levels. Forage-hungry, water-guzzling cattle are ill-suited to the semi-arid lands of the Sulphur HMA at the levels currently allowed by the BLM. This is not to say that commercial livestock grazing should not be allowed at all, but it certainly must be limited to environmentally sustainable levels.	See response to comments 58 and 59.
76.	Deb McBride	Overgrazing is done by the cattle not the wild horses. There are also many dead cattle along Utah Highway 21 to the north of the HMA.	See response to comments 58 and 59. Vehicle collisions with livestock along Highway 21 are outside the scope of this document. Under the action alternatives, wild horses that have strayed to areas along Highway 21 and have become a public health and safety issue would be

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			gathered and removed. See section 2.2 of the EA.
77.	Craig Downer	You should be reducing livestock not wild horses in this HMA and seeing to it that a truly long-term viable population of wild horses has all its survival needs and habitat components available and treated as a top priority within the herd's legal area. You should give preference to the wild horses, not public land ranchers!	See response to comments 58 and 59.
78.	Craig Downer	There are ca. 8,355 sheep AUMs (Animal Unit Months) and 17,076 cattle AUMs on 9 allotments operating in at least some portion of the Sulphur HMA. At the mean AML level of 207.5 for wild horses, there would be, 207.5 times 12 months, or 2,490 AUMs, so it appears the wild horses are given a very minor portion of the forage allocation in the area of the Sulphur HMA compared to livestock.	See response to comments 58 and 59. The number of AUMs within the HMA based on percentage of land mass of allotment within the HMA is as follows: 5788 sheep AUMs, 4468 cattle AUMs with 250 wild horses using approximately 5400 AUMs (using standard Animal Unit Equivalent of 1.8 for horses). Due to the terrain, dietary needs and water availability there are areas where there is not competition between each of these animals. Other areas, mainly in the lower elevations, there is competition between these animals.
79.	Craig Downer	U.S. Drought Monitor West, 9/22/2020 & 3/16/2021. This situation looks very serious, particularly for states such as Utah, including western Utah. This is strong justification for reducing livestock grazing in and around the Sulphur HMA and other HMAs, including Conger. America's wild horses are generally better able to survive in drier conditions than are cattle. They are more pre-adapted to such in part due to their post-gastric cecal digestion as well as their more mobile, semi-nomadic lifestyle. And their greater presence would be of great benefit because of their role in mitigating and often even preventing catastrophic wildfires	See response to comments 58 and 59. All of the livestock permittees in this HMA voluntary reduced livestock numbers due to the drought. However, the drought also reduced water availability for wild horses in some areas because livestock water sources weren't turned on or hauled to. See Chapter 3 of the EA.
80.	The Cloud Foundation	The EA fails to render a comparable evaluation of wild horse use of these public lands with that of privately-owned livestock that use the same area-despite Congress' clear intention that these public lands are to be devoted principally to wild horses.	See response to comments 58 and 59.

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81.	The Cloud Foundation	The EA cites the land use plans which failed to consider, analyze and authorize the AUM resources “principally” or “comparably” for wild horses and therefore they are not in conformance with existing laws and statutes. The Final EA cannot implement the Proposed Action because it is not in compliance with existing laws and statutes. The EA fails to take a hard look at 43 CFR 4700.06(b), given the proposal to remove wild horses to low AML while allowing livestock grazing to continue.	Amendments to the land use plan are outside the scope of this EA. See response to comments 58 and 59.
82.	The Cloud Foundation	The EA states that horses must be removed to maintain a “thriving natural ecological balance" (TNEB). The EA fails to provide scientific data to support this claim; the EA fails to provide scientific data that shows the removal of livestock could not achieve the same objective. It is established that the BLM has no authority to remove horses merely to achieve AML. Other determinations must be made before wild horses can be removed. It is well documented that, there is no greater threat to the TNEB than the extensive livestock grazing authorized by BLM in this same area.	See response to comments 58 and 59. See the utilization studies in Appendix 11 and the document titled “Sulphur Monitoring Report May 2021, Fillmore Data Summaries and Data on Allotments outside HMA” in ePlanning: https://eplanning.blm.gov/eplanning-ui/project/1505407/570
83.	The Cloud Foundation	The EA fails to provide the actual use of livestock AUMs for each of the past 5 to 10 years. Instead, the EA states, “In general, actual livestock use within the HMA or in the allotments has been substantially reduced during the years of drought over the past fifteen years.” It is impossible for the public to provide meaningful comments with such ambiguous statements. We request that information be provided in the final EA or as an addendum.	See response to Comment 82.
84.	The Cloud Foundation	The artificially low wild horse “Allowable” Management Level (AML) of just 165to 250 horses for the entire 230,157-acre HMA is 18% to 27% of the total AUMs allocated in the HMA; the BLM allocates 3-4 times more for privately-owned livestock than for wild horses.	Raising the appropriate management level was addressed in Appendix 3. Alternatives Considered but Not Analyzed in Detail.

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85.	The Cloud Foundation	The EA fails to adequately disclose and analyze current range conditions and the contributing factors and the causation. The EA fails to provide any specific information indicating the criteria and science utilized by the BLM to distinguish between the impacts of wild horses and livestock. The EA fails to provide any disclosure of data outlining current conditions on the range, current rangeland health assessments for each allotment within the HMA, and any/all range improvements or alterations made within the allotment over the last 5 years. If TNEB is BLM's objective and if, as the EA states, and if this range is not meeting rangeland health objectives in order for BLM to make an excess determination for wild horses –the agency must provide the data, science and analysis behind its decision.	See response to Comment 82. See Sulphur Monitoring Report May 2021 located in ePlanning (https://eplanning.blm.gov/eplanning-ui/project/1505407/570).The
86.	The Cloud Foundation	The EA fails to take a hard look at the BLM authority to temporarily or permanently reduce or eliminate livestock grazing from the public lands in the HMA pursuant to 43 C.F.R. 4710.5(a). This regulation allows the BLM to temporarily or permanently close a public land area to livestock grazing, "If necessary to provide habitat for wild horses or burros..." The BLM has the discretion to implement this policy either temporarily or permanently and this action is available whether or not there is an emergency.	See response to comments 58 and 59. Even in areas where there has been no livestock grazing, wild horses are causing resource damage which confirms that their numbers are above the level that the range can sustain, even in the absence of any cattle grazing.
87.	The Cloud Foundation	There is nothing in part 43 CFR part 1600, nor any BLM regulation, that prohibits the BLM from amending the LUP or delaying the Proposed Action until such amending could be implemented. The EA must consider and take a hard look at using adaptive management and, through the LUP process, amending the RMP.	Amending the land use plan is outside the scope of this EA. BLM cannot modify a land use plan without following regulations at 43 CFR Part 1600, which process is separate and distinct from that required for issuance of a gather decision.
88.	The Cloud Foundation	The EA fails to consider utilizing the agency's Adaptive Management mandate and its discretion under 43 C.F.R. 4710.3-2 and 43 C.F.R. 4710.5(a), which allows for the reduction or elimination of grazing for privately-held animals in order to improve	See response to comments 58 and 59.

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		conditions and forage availability for federally-protected wild horses or burros.	
89.	The Cloud Foundation	FLPMA requires that BLM "balance" wild horse and burro use with other uses which equates at minimum to a 50-50 allocation of available forage between horses and livestock on HMAs. The EA fails to address this. By allowing livestock to continue to graze and instead of reducing or eliminating livestock, which is far more pervasive across BLM-managed public lands, the agency has instead chosen to target wild horses for elimination and removal on the small 11% of public lands authorized for their use and as their habitat.	See response to comments 58 and 59. BLM is not aware of any laws, regulations, or policies requiring a minimum 50-50 allocation.
90.	The Cloud Foundation	While commercial livestock grazing is permitted on public lands it is not a requirement under the agency's multiple use mandate as outlined in the Federal Land Policy and Management Act of 1976 (FLPMA). Indeed, public land grazing is a privilege and not a right, and the BLM is mandated by law to protect wild horses and burros.	See response to comments 58 and 59.
91.	The Cloud Foundation	The EA fails to provide hard data that shows there is a need to remove "excess" horses that cannot be fulfilled by reducing or eliminating livestock grazing. In fact, the EA states, "This analysis assumes that livestock use would continue at levels as established by grazing permit renewal decisions ..." Yet, the EA fails to provide any information regarding the grazing permit renewals, allotment rangeland health assessments or livestock actual use in the HMA.	See response to Comment 82.
92.	The Cloud Foundation	Despite the range conditions cited in the EA, the BLM is maintaining the current permitted livestock grazing levels. On one hand the BLM claims that removing horses is needed because the range is suffering due to horses and that if the removal doesn't take place the environment will suffer. Yet, on the other hand, BLM continues the same number of livestock grazing and claims that does not have a negative impact on the	See response to Comment 82.

#	Com-menter	Comment	BLM Response
		range and endangered species and, accordingly, BLM land health assessments do not indicate a need to reduce livestock.	
93.	The Cloud Foundation	The EA fails to provide Rangeland Health Assessments for the allotments not meeting standards in the HMA. The EA also fails to indicate when the livestock allotment permits, within the HMA, were renewed.	See response to Comment 82. See Sulphur Monitoring Report May 2021 (https://eplanning.blm.gov/eplanning-ui/project/1505407/570).
94.	The Cloud Foundation	The EA lacks hard monitoring data, including data that support the claim that horses and not livestock are overpopulating the range and/or causing damage for the range. The EA is deficient of monitoring data that clearly separates the impacts of livestock and wild horse use.	See response to comments 58 and 59.
95.	The Cloud Foundation	The EA fails to consider the fact that horses utilize the environment, including stream riparian areas, very differently from cattle.	See response to comments 58 and 59. A riparian analysis has been added to Chapter 3.
96.	The Cloud Foundation	The EA fails to provide adequate information about water sources (and fences) on the range, mapping of these water sources; data regarding how fencing and engineering of wells and springs for livestock grazing has impacted water availability for wild horses and other wildlife species, how fencing may or may not be negatively impacting the ability of horses to access water throughout the HMA or during dry summer months, and other pertinent data necessary for managing range conditions for multiple use.	A map of range developments that includes fences and most water sources has been added to the document. Development of springs, water sources and fences are outside the scope of this document. However, several water sources including springs, well, pipelines, troughs, and catchments have been developed and maintained for the use of wild horses, wildlife, and livestock. Water resources will continue to be developed and maintained within the HMA. These actions are and will be covered in other documents.
Impacts to Gathered Wild Horses			
97.	Deb McBride	Filth is present from the moment they arrive to the trap and brutality. There is nothing gentling here, no voluntary loading into trailers, only force. Those that cannot keep themselves upright are shot and the old, lame, the young barely walking, the mares pregnant, the mares who have aborted by now or will, are all forced with waving flags on long sticks, loud shouts, prodding, and onto the trailers. The mares	Gathers would be conducted in accordance with Comprehensive Animal Welfare Program (CAWP) https://eplanning.blm.gov/eplanning-ui/project/1505407/570 and/or Standard Operating Procedures for Wild Horse Gathers (Appendix 4). BLM doesn't send wild horses to "kill pens." Section 1333(b)(1) of the WFRHBA

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		and yearlings and foals arrive at the kill pens extremely emaciated. Hooves overgrown, infested with lice, fleas, ticks and matted with burrs, filthy. Sickness is usually respiratory. Some are lame.	authorizes the Secretary to humanely destroy excess animals for which there is insufficient adoption demand. A long-standing congressional appropriations rider prohibits BLM from destroying healthy excess wild horses. Adopters or purchasers must sign to attest that they have no intention to knowingly sell any wild horse to slaughter.
98.	Craig Downer	Your report of gathered wild horse mortality of between 0.5 and 1% during a typical gather does not take into account subsequent deaths and the terrible aftermath of being rounded up that causes untold suffering, subsequent decline and man yearly deaths in the victimized horses following their roundup.	The scope of this document is what occurs during the gather operations, population growth suppression, and transport to short-term holding facilities. Mortality to individuals from gather operations is less than 1%, and mortality to horses once at short-term holding facilities is still very low (approximately 5%). See Section 3.3.4 (Impacts from Alternatives 1-3) of the EA.
99.	Craig Downer	Again, I feel you very much underestimate the serious trauma, injuries and death that occur during transport. I have observed powerful stallions going utterly berserk and badly harming themselves and other horses at helicopter roundups.	See response to comments 36, 97, and 98. Hundreds of thousands of wild horses and burros have been gathered through this process and have been gentled without any signs of "serious trauma." Impacts to the horses are described in Chapter 3.
100.	Craig Downer	Short-term Holding and Adoption Preparation: Concerning 5% annual mortality of wild horses held and need to euthanize gathered wild horses and burros, many of these would be fine and could live years more. After all, they were surviving at the time of capture. Also, if they had been left to pass on in Nature, they would have contributed their mortal remains to the ecosystem that sustained them all their lives. By removing them, BLM is depriving the other species, including predators, scavengers and soil microorganisms, andall the many plants that spring therefrom. Taking them away from their natural homeis a major diminishment of the ecosystem, in my estimation as an ecologist.	Wild Horses and burros in short-term and long-term holding facilities regularly live well into their 20s. In the wild only a few live into their 20s. There is no evidence that the removal of wild horses has diminished the ecosystem. A more complete review of ecological effects of wild horses and burros on the environment is now included in Chapter 3 of the EA.
General			
101.	Form Letter 1	There should be an alternative that prioritizes the management of the	See response to Comments 11 and 16.

#	Com-menter	Comment	BLM Response
		population with fertility control, not removals in accordance with the recommendations of the NAS in its 2013 report. Immediately vaccinate a sufficient number of mares yearly to attain zero population growth in the shortest amount of time.	
102.	Kathleen Greg	The Interior Board of Land Appeals (IBLA) ruled that the term "appropriate management level" is "synonymous with restoring the range to a thriving natural ecological balance and protecting the range from deterioration." The IBLA concluded that "section 3(b) of the Act does not authorize the removal of wild horses in order to achieve an AML which has been established for administrative reasons, rather than in terms of the optimum number which results in a thriving natural ecological balance and avoids a deterioration of the range."	See response to Comment 82.
103.	Kathleen Greg	The EA did not include A full disclosure of whether any member of the BLM management team for this project has any personal or financial interest (including but not limited to any interest in any grazing allotment within the Sulpher wild horse area in the proposed plan. It is imperative that the BLM ensure that there are no conflicts of interest and that it has established high scientific standards before spending hundreds of thousands of taxpayer dollars on this proposal. (see regulatory captured agency) "Regulatory Capture" is a form of political corruption that occurs when a regulatory agency, created to act in the public interest, instead advances the commercial or special concerns of interest groups that dominate the industry or sector it is charged with regulating. Regulatory capture is a form of government failure; it creates an opening for firms to behave in ways injurious to the public. The agencies are called "captured agencies".	A disclosure of this type is not required in the NEPA process for the action alternatives. No member of the BLM management team has any personal or financial interest in the grazing allotments associated with the Sulphur HMA.

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104.	Kathleen Greg	The federal government does not own land in the West and the federal government does not own these wild horses. These are not “state lands” and not “federal lands” and not even “government lands”. They are public lands. The American people own the public lands in the West and they are to be administered on our behalf by the national government under laws and regulations. This land and its resources, including the wild horses and burros belong to all citizens of the United States, not the federal government and certainly not to the Bureau of Land Management (BLM).	This is outside the scope of this document. Congress has placed the public lands under the administration of the Secretaries of the Interior and Agriculture. The Wild Free-Roaming Horses and Burros Act of 1971 (WFRHBA, Public Law 92-195) states: “All wild free-roaming horses and burros are hereby declared to be under the jurisdiction of the Secretary [acting through BLM and the U.S. Forest Service] for the purpose of management and protection in accordance with the provisions of this Act.”
105.	Bonnie Kohleriter	Wild horses are social animals. They form bonds. They have particular roles for survival. The stallion protects, the mare leads the band toward its resources and educates its young. The bachelor bands also work together for protection. Last September, 2020, a gather was completed. Undoubtedly, the wild horses' social structures were shattered and the wild horses were traumatized. Now they are slowly regrouping establishing their roles again. And you are what? •.• proposing to do it again and whenever the ranchers, commissioners and BLM govn. officials want to do it again for the next 10 years. This is animal welfare abuse threatening their survival.	See response to comments 27, 29, 33, and 42.
106.	Bonnie Kohleriter	This EA speaks about soil and vegetation. It suggests "observation," not scientific investigation, concluding, if wild horses were gathered and removed by some 200 to 300 wild horses, then soils and vegetation would improve for the livestock and wildlife. In this time of drought it is proposed a scientific study of the Sulphur HMA habitat be done to assess the fences, the water piping and sources, the forage, the HMA boundaries, and the axpayers contribution to the public land livestock and wild horses in the Sulphur HMA with a view of reconfiguring numbers and resources equitably and justly. This	Additional sections have been added to Chapter 3 which discuss soil, vegetation, and wildlife. These discussions include the latest evaluation of vegetative studies, rangeland health, and associated facilities. HMA boundary adjustments and forage allocations to livestock, wildlife, and other resources are outside the scope of this document. Chapter 3 of the EA also states that it may take 5-15 years for key forage species to recover from drought and over population of wild horses.

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		scientific inquiry should be done by independent scientists.	
107.	Bonnie Kohleriter	This EA suggests wild horses are impacting sage grouse habitat again with no scientific evidence. In meetings with BLM government employees present lt rs always livestock, ravens and homeowners vacation encroachment that is cited as culprits to sage grouse survival. Suggested is stop blaming the wild horse to justify your gather and removal of the wild horses to benefit the ranchers in this time of drought.	A section on greater sage-grouse has been added to Chapter 3.
108.	Bonnie Kohleriter	This EA seems to seek money to erect fences along the highway to evade danger to wild horses. More cattle than wild horses killed are seen on this highway. Perhaps ranchers should be held responsible to do the fencing.	A fence that was built in 2018 along Highway 21 to reduce vehicle collisions is mentioned in Chapter 3. Funding sources for construction of additional fencing along Highway 21 is outside the scope of this document.
109.	American Wild Horse Campaign	The BLM must pursue a proposed action that includes implementation of range improvements to ensure adequate water and forage resources are available for wild horses within the HMA.	Range improvements continue to be constructed and maintained within the Sulphur HMA for the benefit of wild horses. There are multiple NEPA documents that cover these improvements. Range improvements will continue to be constructed and maintained in the Sulphur HMA.
110.	American Wild Horse Campaign	The BLM must analyze economic and social impacts in this analysis. For example, the BLM's decision to roundup and permanently remove wild horses from this area vs. the more cost-effective options of reducing livestock grazing and managing herds on the range with PZP fertility control is irresponsible. Additionally, this analysis must not ignore the social impacts at a time when most Americans support protecting wild horses on our public lands and oppose horse slaughter, while a small minority want our public lands used for livestock grazing.	See response to comments 11 and 58.
111.	American Wild Horse Campaign	The proposed roundup and removal will add wild horses and burros to taxpayer-funded holding facilities. Instead, a comprehensive field-darting fertility control program will save the agency, and taxpayers, money while managing the horses humanely.	See response to comments 11 and 58.

#	Com-menter	Comment	BLM Response
112.	Deb McBride	Your proposal runs contrary to the core intent of the WFHBA, which in its Section 2 c states that wild horses are to be given "principal" survival resources within their own legal areas.	The Sulphur HMA was designated in the Pinyon Management Framework Plan (MFP) approved in 1983 and the Warm Springs Resource Area Resource Management Plan/Record of Decision (RMP/ROD) approved in 1987 as an area for the management of wild horses in accordance with the WFHBA. These land use plans identify the multiple uses in the Sulphur HMA in accordance with the multiple laws and acts to which BLM must adhere. The Sulphur HMA is not a Secretarially designated wild horse "range" as defined in section 1333(a) of the Act.
113.	Deb McBride	Consider using satellites for counting animals.	This is outside scope of this document. Use of satellites for counting wild horses has not been demonstrated to be accurate and precise enough for use in management applications and, as such, is not currently an approved method for estimating wild horse herd sizes.
114.	Deb McBride	Horses should be left in the wild to graze the fuel for fire. Areas where the horses don't graze look like an extreme fire hazard. When the mega-fauna are removed, the flora and fauna are left to die off.	Wild horses are to be managed for a thriving natural ecological balance. The overuse of key forage species to reduce fuel for fires is not in accordance with the BLM's land use plans or the BLM's fire management plans. See the response to Comment 112.
115.	Craig Downer	You should be reducing livestock not wild horses and you should also be restricting Off-Highway Vehicles (OHVs), for these are causing much damage to the habitat, as I observed last June. This would help the Greater Sage Grouse (GSG) in its Priority Habitat Management Area, but merely taking it all out on scapegoated wild horses would not solve save the GSG.	This is outside of the scope of this document, and it would not meet the purpose and need for the proposed action or alternatives. Pointing out the positive contributions of wild horses isn't needed to determine if there are excess wild horses on the HMA. See response to Comment 59.
116.	Craig Downer	It appears you inadequately announced this EA gather proposal to the public and that the main public sectors you involved in giving input were traditional enemies of the wild horses, particularly the public land ranchers. Those among the public who greatly appreciate and would defend the	The public was provided with several opportunities to provide input into the EA. See Chapter 5. Consultation and Coordination.

#	Com-menter	Comment	BLM Response
		legal rights of the wild horses and their adequate habitat appear to have been scarcely involved in the past.	
117.	Craig Downer	There should have been an alternative for reducing livestock, OHV impacts and fencing within the HMA, as well as setting up Cooperative Agreements under Sections 4 & 6 of the WFHBA. These would allow a greater, more truly viable wild horse population.	See response to Comment 115.
118.	Craig Downer	I recommend that you follow the sound principles involving a Reserve Design approach to wild horse conservation in the Sulphur HMA and elsewhere. This would be in conformance with the true spirit and intent of the WFHBA, as it would honor the horses' natural lifestyle and provide for their long-term viability by providing them with a commensurate long-term habitat and the resources that are required for true thriving and long-term viability.	Habitat is adequate for wild horses in the Sulphur HMA when the population is within AML. A thriving natural ecological balance can be maintained when wild horse populations are within AML.
119.	Craig Downer	There is no mention of the need to reduce livestock, OHVs, water pumping and piping, interior fences within the HMA and other harmful factors present and impacting the wild horses as well as the rest of the natural life community in which wild horses are a positive and enhancing component.	See response to Comment 115.
120.	Craig Downer	There is no mention of the positive contributions by wild horses.	This is not the purpose and need for the proposed action or alternatives. Pointing out the positive contributions of wild horses aren't needed to determine if there are excess wild horses on the HMA and whether action is necessary to remove the horses. Chapter 3 of the EA discloses the current conditions and expected impacts from the action alternatives. The commenter does not suggest any specific conditions or impacts that should be added.
121.	Craig Downer	Though you state that 'currently there are ca. 150 wild horses within 6 miles of Highway 21 and that they tend to graze in the rumble strip and that some have been	Once a wild horse is reported to have been injured or killed along Highway 21, the BLM investigates the report. If a dead horse is found, the BLM removes it. When

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		killed by vehicle collisions, in June of 2020 I did not notice any dead wild horses along this highway, but did observe ca. 20 dead cattle who obviously died from vehicle collisions	livestock collisions occur, the dead livestock is the responsibility of the livestock owner and may or may not be removed.
122.	Craig Downer	I disagree that the No Action Alternative would violate the WFHBA, etc. BLM is skewing this law's interpretation in order to justify a terrible suppression of the wild horses in their own legal area where they have a right to be the "principal" recipient of resources. Again, Reserve Design is the solution.	Thank you for the comment.
123.	Craig Downer	I recommend you more greatly value the high degree of Spanish Colonial Mustang heritage that is present in the Sulphur HMA herd and do a lot more to perpetuate this by increasing the AML population level and corresponding viable habitat resources.	An increase in population size doesn't equate to a greater value of the high degree of Spanish Colonial Mustang heritage. Chapter 3 now includes more specific language about the genetic background of this herd. Although an early monitoring report suggested that there was a particularly high degree of Spanish ancestry, the more recent genetic monitoring from this area led Cothran to conclude that the herd is of mixed ancestry, with highest similarity to "…Light Racing and Riding breeds, followed closely by the North American Gaited breeds." See Appendix 13. Genetic Analysis of the Sulphur, UT448.
124.	Craig Downer	I object to the Fuels/Fire Management judgement by BLM official M. Esplin that states that there will be "no impacts ..." I do this because by removing the great majority of the wild horses, a much heavier fuel load would result that would exacerbate the risk of catastrophic wildfires.	See response to Comment 114.
125.	Craig Downer	**B**y removing the great majority of the wild horses from the Sulphur HMA and taking them down to a level of ca. one individual wild horse per 2 square miles, you will be counteracting the very important role that wild horses play in sequestering Carbon. This is due to their different post-gastric digestive system (as contrasted to the ruminant one of cows, deer, sheep, etc.). Their droppings	The sequestering of carbon is outside the scope of this document. However, to provide a more complete review of available evidence, a literature review on ecological effects of wild horses and burros is now included in Appendix 5. That review does note some general observations about effects of herbivory on potential carbon flux in rangeland

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		are not as decomposed, hence, they sequester much more Carbon within the vital Humus component of soils and keep it from going into the atmosphere. You need to connect horse droppings with increased N in soil, increased humic acid, healthier soil, higher Carbon sequestration, nutrient capture, moisture retention and, consequently, ecosystem resilience in face of rising temperatures.	ecosystems, in particular with reference to effects of overpopulated (high-density) herds: "As is true of herbivory by any grazing animals, light grazing can increase rates of nutrient cycling (Manley et al. 1995) and foster compensatory growth in grazed plants which may stimulate root growth (Osterheld and McNaughton, 1991; Schuman, et al., 1999) and, potentially, an increase in carbon sequestration in the soil (i.e., Derner and Schuman, 2007; He, et al., 2011). However, when grazer density is high relative to available forage resources, overgrazing by any species can lead to long-term reductions in plant productivity, including decreased root biomass (Herbel, 1982; Williams, et al., 1968) and potential reduction of stored carbon in soil horizons."
126.	Craig Downer	Hydrologic Conditions: This assessment ignores the positive contributions that wild horses make by building healthier, more nutrient-rich and water-retaining soils and, hence, augmenting aquifers where they occur.	These impacts are now discussed in Chapter 3. Also see response to Comment 125.
127.	Craig Downer	I am very surprised that you state horses are contributing to the spread of Houndstongue within the HMA! According to Nevada Noxious Weed Field Guide(2010, E. Creech et al. Univ. Nevada Coop. Ext.) Houndstongue (Cynoglossum officinale) is "toxic to livestock, especially horses [and it] has a distinctive odor that may cause animals to avoid [it]."	The ground disturbance of horse trailing and heavy/severe grazing has opened up areas for invasive weeds. The horses then carry the seeds on their feet and hair allowing the weeds to spread to areas with ground disturbance.
128.	Craig Downer	Recreation: This assessment totally ignores the substantial negative impact upon wild horse viewing opportunities by the public.	Nothing in the proposed action or alternatives prevents the public from viewing wild horses. The public may see fewer wild horses after the population is within AML, but the opportunity will not be restricted by the action alternatives.
129.	Craig Downer	Soils: This evaluation ignores the negative effect of livestock, OHVs, roads and even hunter and other vehicles and also that the livestock impact is much greater than that of	See response to comments 58 and 115.

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		the wild horses. It also totally ignores the positive contributions horses make to building healthier soils.	
130.	Craig Downer	Vegetation: This simplistic statement that the major reduction of the wild horses by the gather would benefit vegetation ignores so much concerning how naturally living horses actually benefit many plant species, as for example by building richer soils, seeding more intact, germinative seeds and of a greater variety, etc., and how this then benefits many animals who eat, shelter in or otherwise derive benefit from these plants.	See response to comments 106 and 126.
131.	Craig Downer	Visual Resources: Again, this statement totally ignores the wonderful beauty of the wild horses out in nature and the very negative impact that gutting the wild horse herd would have on the visual aesthetics that so many non-biased people greatly enjoy and benefit from while observing "wild horses in the wild".	See response to Comment 128. The proposed management and removal of excess wild horses would not negatively impact the visual quality of the landscape and would conform to VRM objectives.
132.	Craig Downer	Wetlands / Riparian Zones: This overly simplistic statement fails to carefully analyze all the factors contributing to riparian impacts, especially livestock, OHVs, etc., and merely blames the wild horses. It also ignores that wild horses do not camp on riparian habitat as do cattle, but are highly mobile, dispersing their foraging pressure over broad areas, unless overly restricted by fences, or harassment.	See response to comments 58, 106 and 115. Chapter 3 contains new sections discussing riparian resources and wildlife.
133.	Craig Downer	Controlling Wild Horse Numbers by Natural Means: This statement is extremely tendentious and is very deceptive and misleading. So much of what is stated here is based on a very warped view of the wild horses and their ability to harmonize with the ecosystem, naturally adapt and self-stabilize their numbers. As an ecologist who has studied wild horses in depth and observed them extensively in the field, I believe this statement is very wrong. I seriously question the 95% survival of foals, though their greater survival could well be related to BLM's frequent major reduction of	See the response to Comment 13. There are multiple studies and management examples from around the world that show Equine populations don't self-regulate. A thorough scientific review of the matter was conducted by the National Academies of Sciences, in their 2013 report, whose conclusions based on available scientific literature were not in line with the views reflected in this comment.

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		the herd and the consequent opening up of habitat and wild horse niche space.	
134.	The Cloud Foundation	The EA fails to adequately analyze important issues and consider the prevailing public sentiment in the Proposed Action.	No specific issues are identified in this comment.
135.	The Cloud Foundation	43 CFR § 1610.5-3 states, "Any person adversely affected by a specific action being proposed to implement some portion of a resource management plan or amendment may appeal such action pursuant to 43 CFR 4.400 at the time the action is proposed for implementation." We are therefore appealing this Proposed Action and the RMP which authorizes it.	This EA does not represent an appealable final agency action. If a decision is signed, the appropriate appeal process will be included. Appealing the MFP or RMP/ROD is no longer timely.
136.	The Cloud Foundation	The EA fails to address that FLPMA highlights the importance of the non-market value within its definition of the term "multiple-use." The intrinsic value of wild horses and burros falls under the non-market definition specified by both laws.	The introduction (Chapter 1) quotes the WFRHBA, which states that the BLM is to "…manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands." The introduction also states that "Wild horses are living symbols of the pioneer spirit of the West." These statements illustrate the non-market value of wild horses in a multiple use setting.
137.	The Cloud Foundation	The EA fails to consider the interests of those who cherish the opportunity to observe, photograph, and otherwise enjoy wild horses and their natural behaviors ... these are the very horses which Congress declared to be "national esthetic treasure[s]" when it enacted the Wild Free-Roaming Horses and Burros Act of 1971.	This is outside the scope of this document. See response to Comment 128. The public will still be able to observe, photograph, and otherwise enjoy wild horses within the Sulphur HMA.
138.	The Cloud Foundation	The EA fails to provide any scientific information or data to support the artificial skewing of the sex ratio. While the Proposed Action does not outline plans to skew sex ratio–we are responding to this point given it is included in the materials included in the EA. Creating unnatural sex ratios increases aggression among males and causes stress and social disruption; it would create dangerous situations for females, who are subject to repeated rape by stallions as a	Skewing of sex ratios is not included as part of the Proposed Action or action alternatives.

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		result of the lack of mares. Additionally, this increased aggression between stallions and against mares puts foals at great risk of injury and death. Such an ill-conceived management strategy has no basis in science and would have a devastating impact on both individual horses and family bands.	
139.	The Cloud Foundation	The EA fails to take a hard look at fully implementing a humane PZP fertility control program and reducing livestock grazing as an alternative to the removal of wild horses. The EA fails to consider as an alternative partnering with a bonafide wild horse advocacy organization, such as The Cloud Foundation, to implement a humane PZP fertility control program. While we do not believe any wild horses should be removed from the Sulphur HMA, we do believe a PZP fertility control program should be started now to prevent future removals.	See response to Comment 58. Alternatives 1 and 2 indicate that the primary use of population growth suppression would be to maintain the population within AML once achieved. The proposed use of fertility controls in Alternatives 1 and 2 are in accordance with the recommendations included in NAS (2013) report. The use of fertility controls as the sole method of managing the wild horse population is discussed under Appendix 3. Alternatives Considered but Not Analyzed in Detail. As noted in Chapter 2 (Section 2.2.2), GonaCon-Equine is also an approved fertility control method that has been identified as a preferred method in the NAS (2013) report. Chapter 3 of the EA analyzes potential impacts associated with fertility control vaccines on wild horses. See Appendix 5 for a more detailed scientific literature review of potential effects associated with fertility control vaccines.
140.	The Cloud Foundation	By issuing a 10-year Decision Record, the public's ability to take legal action may be constrained. It is our right to oppose actions covered by the DR within the 10-year period as more information becomes available. Given that the Proposed Action includes vague and expansive terminology to include and implement currently untested fertility control methods, citizens would have no legal recourse to object to actions which may be taken in the future that would not be	If a decision is signed, the public has the chance to appeal the decision that is made. Any population growth suppression methods that are not analyzed in detail in this EA would require additional NEPA analysis and an additional decision before they could be used.

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		disclosed to the public. Due to changing environmental conditions, a blanket, 10-year EA cannot be considered sufficient under NEPA.	
141.	The Cloud Foundation	The BLM must pursue completing the necessary fencing along Highway 21 and the BLM must relocated horses outside the HMA to the HMA.	Additional construction of fencing along Highway 21 is outside the scope of this document. However, it may be proposed and analyzed under NEPA in the future. BLM Manual 4720 states that excess animals are defined as those animals which must be removed from an area to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area. This definition includes wild horses located outside the HMA in areas not designated for their long-term maintenance. The proposed action (Alternative 1) and the other action alternatives would remove excess wild horses within and outside of the Sulphur HMA. By managing wild horses within the HMA at AML, there will be sufficient forage and water for the wild horses such that they do not take up residence outside the HMA in areas not managed for wild horses.
142.	The Cloud Foundation	BLM must also develop year-round water sources to accommodate the wild horses on the range, just as is regularly done for privately-owned livestock on public lands.	Development of springs and water sources are outside the scope of this document. However, several water sources including springs, well, pipelines, troughs, and catchments have previously been developed and maintained for the use of wild horses, wildlife, and livestock. Water resources will continue to be developed and maintained within the HMA. These actions are and will be covered in other documents.
143.	The Cloud Foundation	These mares may be permanently sterilized and their ovaries destroyed with the second injection of Gonacon. Dr. Baker's data highlights that BLM's assertion that Gonacon is reversible is not based on a second application; therefore differentiation	Please see added information on Page 11 of the EA. Also see Appendix 5. SOPs for Population Growth Suppression Methods and Scientific Literature Review.

#	Com-menter	Comment	BLM Response
		between the impacts of one and two applications should be addressed in the environmental assessment process that for allows public input. Additionally, there is no data on the effects that three applications of Gonacon may have on mares. Clarification from BLM on the number of Gonacon applications is critical to ensure management actions are based on science, provide transparency on government actions and allow the public to provide meaningful comments. We urge BLM to exclude Gonacon from its population management. Short of that, we urge BLM to either state that only one application of Gonacon will be administered to mares (and continue to cite the reversibility claim) or acknowledge that current data shows Gonacon may not be reversible after just two applications. For transparency, and it would be helpful to the commenting public, we urge BLM to clarify if it plans to administer two applications of Gonacon to mares and if more than two applications are intended (over the life of the DR/EA) include clarification that there is no scientific data to support such usage. If the BLM plans to use Gonacon - beyond an initial application - we urge the agency to outline how the agency will not permanently sterilize mares (and destroy their ovaries) after two applications. We request the BLM outline the criteria utilized by the agency to determine usage of Gonacon versus PZP. Also, it is of public interest to understand any criteria the agency utilizes when determining when/where to utilize Gonacon (location, age, number of mares and how they were chosen). We remain adamantly opposed to the application of Gonacon on wild horses. Aside from basic living behaviors (eating, moving, sleeping, drinking, grooming), there is no scientific data that suggests natural wild behaviors -- the only thing that differentiates wild horses	

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		from their domestic cousins -- are preserved after application of Gonacon. Data shows that one application of Gonacon does not come close to providing the same high efficacy as PZP. Therefore, it seems the BLM utilization of Gonacon is only done with the intention of a second application (or more) which is why we ask the agency to address the issues raised above in the Final Environmental Assessment/DR. We urge the BLM to incorporate this above-mentioned information in its decision-making process and make this a part of the record. In summary, we urge the final EA to address the above-mentioned concerns and to acknowledge (1) there is no scientific data supporting claims that Gonacon is reversible after two applications (8 years after a second treatment with Gonacon 75% of mares treated did not foal) and (2) there is no scientific data that supports claims that Gonacon does not destroy natural wild behaviors.	