



Guardians of the Range

Dedicated to the Multiple Use of Public Lands & the American Way of Life

Newsletter No. 120

May 2014



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Save the Date!

**4th ANNUAL
Wonderful Wyoming
Gathering**

June 14th

**Folded Hills Ranch
South of Buffalo, WY
www.foldedhillsranch.com**

**Social Hour 5pm
Prime Rib Dinner (\$50) 7pm
Band: TBA**

**RSVP Appreciated:
Dolly dfraleywyo@gmail.com
Muffy at 307-684-2652**

**Please try and RSVP
By May 31st
to help keep us organized**



Estray Horses

Dear Readers: We are running these items on this estrays horse issue for two special reasons: (1) To publically underscore the Guardian's position of support for management actions taken to address this long-standing trespass situation on your public lands; and (2) To ask that you consider writing your own letter of support. All too often the voice of support for good, but sensitive, management decisions remains silent while the extremists among us consume and dominate the court of public opinion.

*Please see **Estray** continued on page 2*

ALERT

Clean Water Act—Getting Muddy

**Water - Comment
Deadline
July 21**

Redefining 'Waters of the United State' Under the Clean Water

Act

Published April 21, 2014

in Federal Register

EPA Corps of Engineers

This effort to expand jurisdiction is going to be a serious and significant issue requiring your attention and willingness to submit public comments. No one in agriculture or any other natural resource industry can afford to be asleep at the wheel on this, nor 'too busy' to offer comments. It is going to require more than just the involvement of your large industry associations, organizations and their attorneys to keep these proposed rules from having serious negative effects and ramifications!

How to access the proposed rules in the Federal Register: www.gpo.gov. Click on SEARCH in the tool bar. Click on: FDSys Then just type in the title of the document: *Definition of Waters of the United States under the Clean Water Act*. This will bring it right up and you can open it up or print it off. (I have found this to be the quickest and most reliable way to access the document.)

Also - check back periodically to the *Issues* section of www.GuardianoftheRange.org for suggested comment points as we develop and fine-tune them.

*Please see **EPA** continued on page 2*

**"The difference between perseverance and obstinacy is, that one often comes from a strong will, and the other from a strong won't."
~ Henry Ward Beecher - 1813 - 1887) American Congregationalist,
speaker, social reformer**



Guardians at Work Highlights

Resource Advisory Council - SNF

Spring permittee meetings - BLM / USFS

Mechanized Recreation - BLM / USFS

Sage-grouse Predator Study - Collar & Release / Oregon Basin

Cheatgrass Task Force

Wild Horses - Greybull - BLM

Estray continued from page 1

Letters can be sent to both:

Mike Stewart m75stewa@blm.gov
Don Simpson dsimpson@blm.gov

Thank you!

EPA continued from page 1

Dates: Submit comments on or before July 21, 2014.

Address: Submit your comments, identified by Docket ID No. EPA-HQ-OW-2011-0880 by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Email: ow-docket@epa.gov. Include EPA-HQ-OW-2011-0880 in the subject line of the message.
- Mail: Send the original and three copies of your comments to: Water Docket, Environmental Protection Agency, Mail Code 2822T, 1200 Pennsylvania Avenue NW., Washington DC 20460, Attention: Docket ID No. EPA-HQ-OW-2011-0880.

Earlier this year we apprised you of a [special little report](#) in the 'wings': *Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence!* Well, these now published (Federal Register) proposed rules will be the legal effort to take what the authors of this report think needs to change in how waters in the United States are defined and regulated.

Please do not assume that all will be well just because Wyoming has strong state water rights! Please understand that complications and ramifications of any new rules under the Clean Water Act that are tied to this report could make things very difficult for you while legal challenges and clarifications get worked out. If you want to read the report cited above, simply go to any web browser and type in the title of the report. It will bring up many links to the report which is posted on the EPA's website.

Thank you and Please Care!



Estray Horses Removed from Public Lands in the Cody Field Office Area

Process

The BLM Cody Field Office (CYFO) gathered 41 estray horses on public lands north of Greybull, Wyoming, in Big Horn County, on March 18-19, 2014.

The State of Wyoming does not round up horses themselves but, under the state estray laws, after the BLM captures them the state has the responsibility to take possession of them. The public was notified that the horses would be removed by the Notice of Intent to Impound, which was signed by the CYFO on Feb. 18, 2014, and published in the Greybull, Lovell, Cody and Powell newspapers and posted in many local post offices.

In addition, all other appropriate contacts were made prior to the gather, including Big Horn County, livestock operators and adjacent landowners.

The notification and removal was handled like any other trespass or unauthorized use—the same process as would be followed for livestock in trespass.

According to 43 CFR 4150.4, unauthorized livestock on public lands may be impounded and disposed of by the authorized officer. After notice was published, all affected parties notified and the horses gathered, the impounded livestock were transferred to the State of Wyoming under their state estray laws.

On February 28, the CYFO applied to the Wyoming Brand Commission for a permit to gather unclaimed horses, which was granted on March 5.

The district brand supervisor took possession of the horses at the trap site and arranged transportation to the Worland auction yard.

Background

The estray horses were not federally protected wild horses.

There was no authorization for the horses to be on public lands (they weren't permitted).

The horses had been estray on public land for approximately 40 years.

The horses were offspring of abandoned rodeo stock. The original owner claimed ownership of the horses to the BLM in the 1990s, but said he was unable to catch them anymore. He passed away several years ago and the horses went unclaimed. In addition, the estray horses had increasingly become a nuisance to land owners, a safety issue and a rangeland health issue.

The horses frequented a bentonite haul road in the area and several years ago a horse died after being struck by an employee of a bentonite company as he was traveling to work. A horse was also euthanized after being struck by a Burlington Northern Santa Fe train.

The CYFO received several complaints over the years from permittees and adjacent land owners that the reproducing herd impacted their private, irrigated fields and threatened the safety of their livestock.

For more information about the disposition of the horses following the roundup, please contact State Brand Commissioner Lee Romsa, Cheyenne. (307) 777-6439. ★

GUARDIANS OF THE RANGE

April 10, 2014
 Michael P. Stewart, Field Manager
 Cody Field Office (CYFO) – Bureau of Land Management

RE: Support for Estray Horses Removed from Public Lands in the Cody Field Office Area

Dear Mr. Stewart:

The Guardians of the Range is a 501c3 organization dedicated to sound science and community partnership in public land management. Its efforts are organized around federal land policy issues, rangeland stewardship and community outreach. Our membership is comprised of many parts of the general public and many public land ranchers in this area.

The purpose of this letter is to express and document our support for the Bureau of Land Management’s involvement in the removal of 41 estray horses on public lands north of Greybull, WY, in Big Horn County on March 18-19, 2014.

We recognize and support the role of the agency in assisting the State of Wyoming in removing these animals from our public lands. The regulation (43 CFR 4150.4) which addresses removal of animals in trespass was followed. These abandoned horses had long been negatively impacting range resources, landowners and had become safety hazards in the area. They were not federally protected wild horses.

The application from the CYFO to the Wyoming Brand Commission for a permit to gather unclaimed horses was a prudent and appropriate action on behalf of the agency’s mission to manage public lands. While it has initially generated some negative feedback there are many in the general public that very much appreciate this appropriate and humane management of the problem.

The Guardians recognize that it was an uncomfortable decision to have to make. However, the courage and management insight to do what had to be done in the best interests of the horses, the rangelands, and public safety is very much appreciated. It would have been a lot easier to allow the trespass situation to quietly continue.

Clearly the reality that the horses, once gathered, were then sent to the Worland auction yard and ultimately to a slaughter facility has momentarily stirred resentment among some in the public. However, many in the quiet court of public opinion know the decision was appropriate and support the agency for doing what was best for all. We hope that the agency will weather the momentary outcry of this recent action with a quiet wisdom and respectful strength in knowing you acted to the long term benefit of the public resources and many communities you serve. We ask that the agency not shy away from such important and appreciated decisions in the future. They may be uncomfortable, but such decisions reflect a maturity of stewardship that the agency’s mission requires and the larger public expects and appreciates.

Sincerely,
 Kathleen P. Jachowski, Ex. Director
 Guardians of the Range



Enjoy Spring!

Executive Director

The Executive Director will be out of town and unavailable between June 18 and June 23!

Stay out of trouble while I’m gone!

CRAIG THOMAS GUARDIANS OF THE RANGE ENDOWMENT

Supporting this endowment is a wonderful tax exempt way to show your support for the Guardians’ effort, or to honor a family member or friend. We want to have a sustainable financial resource base to achieve our goals and objectives.

For more details, please contact a board member or Kathleen Jachowski (307)587-3723 or guardians@hughes.net.

Join Guardians of the Range

LIVESTOCK OPERATORS

\$100.00 up to 50 head of cattle
 \$2.00 / head 51 to 1,500 cattle
 40 cents / head for sheep

BUSINESSES, INDIVIDUALS & ASSOCIATIONS

without federal grazing permits:

\$25 - \$100	WRANGLER
\$250	RANGE RIDER
\$500	TOP HAND
\$1,000	GUARDIAN of the RANGE

You may join on line:

www.GuardiansoftheRange.org

To pay by check, please make checks payable to:
 Guardians of the Range
 mail to:

Guardians of the Range, P.O. Box 472, Worland, WY 82401

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