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COYOTE CANYON HORSES GONE

by Dick Bergeron

Some call it a win-win situation, while others call it lose-lose. At any rate, the herd of wild horses that has called Coyote Canyon home for more than 70 years is gone, most likely forever. Yet there are advocates for the horses who are doing everything they can to bring them back home.

On March 17th the herd was rounded up by helicopter then trucked the following day to sanctuaries in South Dakota and Olancha, California. Only 29 of the expected 34 horses were located. An extensive air search found no trace of the others, and park officials presume the missing horses to be dead.

Coyote Canyon is located southwest of Anza and extends into the Anza Borrego Desert State Park (ABDSP). While the wild horses made the state park their home, they also wandered from time to time on other property including privately owned lands near Anza, Bureau of Land Management (BLM) lands, the Los Coyote Indian Reservation, and the Santa Rosa Indian Reservation.

Because the horses roamed on federal lands, they should fall under the protection of the Federal Wild Horse and Burro Act, but park officials say BLM gave up all claims to the Coyote Canyon herd. A park spokesman said that former BLM district manager Tim Salt was the one who gave up the claims. Mr. Salt was reassigned to the Washington, D.C. office in February 2002 in a move that resulted from his inability to set aside his personal biases in the performance of his official duties.

So, generally, the horses were deemed to fall under the jurisdiction of the state park. However, the 1995 Coyote Canyon Public Use Plan clearly states that the horses are under the protection of the Wild Horse and Burro Act. This supersedes previous documents and should negate statements made by park officials who are saying BLM disowned the horses.

The final fate of the horses has been sealed since 1985, starting when some humans decided to save the local population of bighorn sheep. Although no credible proof exists that the wild horses competed in any way with the bighorn sheep, various government agents over the years have contended that the sheep cannot survive alongside the horses.

ABDSP officials contracted with University of California, Davis to perform a two year study of the horse herd to determine if the horses were a danger to the sheep. Many of those who supported keeping the horses in the park felt the outcome of that study was predetermined given that park

superintendent Mark Jorgensen has never been shy about expressing his view that the horses must go.

In a story published in *H CJ* February 15, 2002, Mr. Jorgensen was cited as saying that the horses were not welcome in the park and he was exploring his options for having them removed, a position he personally maintained for many years. Aside from the bighorn sheep issue, Mr. Jorgensen complained that the horses polluted water sources and trampled Native American archaeological sites.

In that story Mr. Jorgensen also stated his belief that the feral horses were exotic to the park, with their ancestors most likely arriving in the 1900s to 1920s, years before the area was formed as a state park. However, recent press releases from Roy Stearns of the State Department of Parks and Recreation claim the horses were introduced in the 1940s, while a February press release by UC Davis says the horses were introduced in the 1930s, which would have been about the time the park was formed in 1933.

To opponents of the move, led by Robert and Kathleen Hayden of Santa Ysabel, the historic value of the horses is of significant importance and has been completely ignored by the very people who are chartered to protect and preserve California's history.

Park officials have been provided with Envirohorse pathogen studies by Mrs. Hayden, who is Public Lands Director for the Back Country Horsemen of California (BCHC). The generalizations about archaeological impacts are generally refuted by trained and experienced archaeologists.

The state park's study of the horses was being conducted as a \$45,000 doctoral thesis by Stacey Ostermann and some assistants under the tutelage of Dr. Walter Boyce, director of the UC Davis Wildlife Health Center. The study funds were paid by the park through the Davis Foundation.

The team studied the horses throughout last summer and into the fall, at which time it was determined that the horses were in poor condition, as were all free roaming wildlife in Southern California toward the end of a four-year drought period.

Those who want the horses to stay in the park call the herd wild, Mr. Jorgensen calls them feral, and Dr. Boyce has termed them to be domesticated. The distinction between wild and feral horses is one of semantics; feral animals are considered to be wild descendants of once domesticated animals. All wild horses and burros are feral. Yet the experts called in by park officials to evaluate the horses during a one-

day observation applied domestic standards to the herd's survival.

Those experts included Dr. Greg Ferraro, equine veterinarian and director of the Center for Equine Health at UC Davis; Dr. Joe Cannon, an equine veterinarian at San Luis Rey Equine Hospital; Joan Embery-Pillsbury, who is listed as a San Diego County resident and is best known as an ambassador for the San Diego Zoological Society; and Gail Gregson, a horse owner and breeder from Borrego Springs. The group toured by helicopter and on foot on February 6th.

In general the group of experts rated the condition of the horses to be from poor to fair; however, they did their evaluations by simple observation during a seven-hour period in the air and on the ground. Despite the herd's survival for more than 70 years, Dr. Ferraro was quoted as saying, "The environmental conditions under which they exist are certainly not 'natural' for horses and not likely to provide for their long term survival."

When Linda Eskin, a horse lover from Granite Hills, heard statements such as this she said, "Hmmm, by that reasoning it's an awful place for sheep to live since they would find it difficult. Maybe the sheep should be removed and their herds and family groups broken up, too - for their own safety." She followed her comment with a sigh.

Daniel H. Clifford, an attorney for the Back Country Horsemen of California, questioned what expertise the "experts" had with wild horses. Mr. Clifford said, "If their whole experience was with domesticated horses in pasture surroundings, their conclusions would be skewed through a comparison of these wild horses to those found in a stable. Sort of an 'apples and oranges' reasoning."

Nevertheless, based on recommendations from these experts, the park set wheels in motion to remove the horses to "greener pastures" as soon as possible. This is where the situation starts to get really sticky.

Various local equestrian groups have let park officials know for years that there was interest in helping to manage this herd of wild horses. While the groups generally wanted the horses to stay in place in the canyon for historical reasons, and because that is where they were able to survive for decades as a sustainable herd, a compromise could have relocated them to an area nearby.

Both public relations spokesmen, Roy Stearns of Parks and Recreation and Brian Cahill of ABDSP, denied knowing anything about any member of the public or organized group wanting to help.

In fact, while Borrego resident Les Levie, president of the Back Country Horsemen Borrego unit, was very vocal in his opposition to the removal of the horses without public notice and public hearings, Candace Ricks-Oathout, member of the BCHC Public Lands Committee, has documentation dating back to the summer of 2000 in which she offered her assistance to Clay Phillips of the state park, who forwarded her letter to Mr. Jorgensen. Mr. Jorgensen did respond with a letter that explained his position on the horses and his perception that they were harmful to the environment of the canyon. Mrs. Oathout followed up with a letter to Mr. Jorgensen dated July 19, 2000 to which she is still awaiting a response.

During the weekend of March 13-15, 2003, several units

of the Backcountry Horsemen had a rendezvous in Turlock, California. While there they discussed the plight of the Anza Borrego horses with BLM's Tom Pogacnik, a highly respected expert on wild horses from the Sacramento office who is a senior supervisor and wild horse specialist for BLM's National Wild Horse Program. Mr. Pogacnik expressed a strong desire to forge a three-way relationship between state parks, BLM, and private equestrian groups to manage the Coyote Canyon herd.

Mr. Pogacnik was recently quoted in a wild horse story on a web site for the National Assembly of State Arts Agencies as saying, "People view these animals as domestic horses out on the range, and they're not. They are a symbol of our pioneering past, but people don't appreciate what they really are. They try to make them fit what they want them to be."

During the Turlock discussions, Mr. Pogacnik assured the Backcountry Horsemen that the BLM has studied the environmental effects of wild horses in surroundings similar to those in ABDSP and has concluded that the park district's concerns regarding potential adverse environmental impact resulting from the wild horses' continued inhabitation of Coyote Canyon may be overstated.

When it became known the week before the removal that the park was going to take action to relocate the horses, several offers were made as local options, including the possibility of the Lost Valley Boy Scout Camp near the park and a large parcel in High Country Ranches in Anza. Another option was a potential offer of the 7,700 acres surrounding Vail Lake by owner Bill Johnson who said he would be very interested in allowing the horses to run free on his property. In addition, the possibility of utilizing previous ranch lands acquired for habitat purchased with Park Bond and Conservancy funds was being explored by horse advocates.

Neda Demayo of the Lompoc Return to Freedom Wild Horse Sanctuary was contacted by Mr. Jorgensen to see if she was interested in taking the horses. While Ms. Demayo said she did want to help, her facility in Lompoc has no extra room, so she is in the process of seeking additional land in Southern California. She was assured by park superintendent Van Cleve that she had until March 21st to work something out. Mr. Jorgensen obviously didn't want to wait that long. Ms. Demayo had also been networking with the Haydens and others prior to the removal of the horses. If the herd returns, she says she would love to assist in the management program, even introducing new genes into the pool by bringing in more mares or stallions (which was also suggested by Mr. Pogacnik).

BCH attorney Mr. Clifford attempted to convince Colorado Desert park superintendent Dave Van Cleve to delay the shipment of the horses, but at this point Mr. Van Cleve stated that he would not meet with any organizations or the BLM. Mr. Clifford told HCJ, "The Southern California [Backcountry Horsemen] units repeatedly requested the park officials to maintain the status quo while the details of the BLM/BCHC/ABDSP partnership agreement was worked out, and the park officials knew that we had a deep interest in maintaining the herd in the canyon."

The roundup was handled by one of the best in the business, although it is uncertain what effect the helicopter used to locate and herd the horses may have had on the bighorn

sheep. It is known that the sheep are adversely affected by low flying helicopters.

Dave Cattoor of Cattoor Livestock in Nephi, Utah, was hired for the roundup by state park officials. Mr. Cattoor does the majority of wild horse captures for BLM. ABDSP contracted to pay him \$40,000 for this roundup, which includes castration of the stallions and transportation of all the horses to their final destinations. Of course BLM was paying \$200 per horse captured in 2002, while ABDSP contracted to pay him \$40,000 for this roundup. While Mr. Cattoor did agree to castrate the stallions and transport all the horses to their final destinations, the cost per horse still came to a staggering \$1,379.31.

The horses that were captured and shipped had just a few that were in poor condition. Most of the herd was pretty

healthy looking.

Mr. Jorgensen seems intent on having the issue forever ended. Although the contract with the Cattoors calls for castration of the males within 30 days, Mr. Jorgensen called the Cattoors and asked them to have the castrations performed as soon as possible.

As the situation stands at press time, the Backcountry Horsemen units are preparing to take legal action to halt the castration of the stallions and to have the horses returned. In conjunction with that effort, California State Senator Bill Morrow of Carlsbad is leading an effort through his office to halt any further action until he can obtain some answers to many of the questions that have been raised over the propriety and legality of the horse removal.