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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FRIENDS OF ANIMALS, and)	
PROTECT MUSTANGS)	
)	Case No.: 3:15-CV-00057-LRH-WGC
Plaintiffs,)	
)	DECLARATION OF CRAIG DOWNER IN
vs.)	SUPPORT OF PLAINTIFFS'
)	TEMPORARY RESTRAINING
UNITED STATES BUREAU OF LAND)	ORDER/MOTION FOR PRELIMINARY
MANAGEMENT, an agency of the United)	INJUNCTION
States,)	
)	
Defendant.)	

I, Craig Downer, do hereby declare as follows:

1. I am a wildlife ecologist and have extensively observed and studied wild horses and their habitats in the Western United States.

2. I support the efforts of both Friends of Animals and Protect Mustangs to protect wild horses and to represent my interests in this lawsuit.

3. I have been a member of Protect Mustangs since 2012.

4. I graduated from the University of California, Berkeley, where I received an Arts Baccalaureate degree in Biology, with specialization in Ecology. I also received a Master's of Science degree in Biology, with a specialization in wildlife ecology, from the University of Nevada, Reno, and have reached Candidature status for the Ph.D. degree in Wildlife Ecology at the University of Durham-U.K. (the sponsor University for my over-decade-long, Mountain Tapir study chiefly conducted in Ecuador, but also throughout the northern Andes). I have been an academic at the School of Biological Sciences at the University College of North Wales, Bangor. I have extensive work experience as a wildlife ecologist, and have been a Research Fellow with the Wildlife Conservation Society for over a decade. I have over forty years of professional and over fifty years of personal experience with wild horses, dating from my boyhood. Attached hereto is a copy of my curriculum vitae.

5. I have written several articles about wild horses and burros, and have similarly authored two published books on these animals: *Wild Horse Living Symbols of Freedom* (1977), and *The Wild Horse Conspiracy* (2011). Most recently, I composed the peer-reviewed article: "The horse and burro as positively contributing returned natives in North America." This was published in the *American Journal of Life Sciences* on January 30, 2014. I also released a new edition of *The Wild Horse Conspiracy* in early 2014. These works focus on the plight of wild horses and burros, the subversion of the laws that should protect them and their habitats, their North American evolutionary roots and natural

ecological contributions, their social value, and the solution for restoring them as long-term-viable, ecologically well adapted, and naturally self-stabilizing populations: Reserve Design (a sub-discipline of Conservation Biology that I have intensively studied and put into practice in my conservation work for endangered species, see Ch. IV of *The Wild Horse Conspiracy*).

6. From my education, experience and observations, it is clear that the Federal Government's planned round-up, removal, and administration of PZP to horses in and around the Pine Nut Herd Management Area is not based on sound scientific principles concerning objectivity and does not support long-term viable and ecologically integrated wild horse populations.

7. I have been going into the Pine Nut Range to observe its wild horses since I was a boy. This is a vast range with wonderfully spirited wild horses thrilling to observe. I have been visiting them since the 1960's; and they never cease to amaze me. Each horse has a unique personality and I am personally identified with and concerned for many individual horses of the Pine Nut Range.

8. I also did an observational field study of them as part of my MS degree program at the University of Nevada-Reno. I go out to see them frequently, at least seven times a year and have plans to continue to observe, photography, and analyze their individual and collective life in the world of nature.

9. The wild horses of the Pine Nut range contain elements of Shetland pony and Spanish mustang. This is a rare combination that could be lost if the BLM conducts its proposed activities.

10. The proposed action would reduce this population to non-viable levels and break-up their social units, or bands. This would create disorder in their society and set back their natural adaptations to this particular ecosystem that have been generations in the making.

11. Moreover, the round-up and the aggressive use of PZP have irreversible, long-lasting effects on the wild horses.

12. Wild horses live in closely-knit, family structures. Gathers are stressful for wild horses, and are truly disturbing for a species that depends on familiarity for safety and comfort. Not only it is difficult for the horses to run long distances from the helicopter in a state of fear, on top of that there's the social unrest from confinement in close quarters with unfamiliar horses once trapped, and the loss of, or separation from, lifelong herd mates. The round-up and subsequent captivity, as proposed by BLM for the Pine Nut herd, would have long-term negative effects on the horses and the herd; such a dramatic event can compromise a wild horse's ability to deal with natural stressors, such a severe weather conditions. Stress from round-ups can have dramatic effects on how an animal functions, behaves and even looks. Such effects can last a lifetime. Epigenetic modification may even be inheritable. That means that what we humans do to and with today's generation of horses may affect future generations as well.

13. The IUCN Species Survival Commission's Equid Specialist Group recommends a minimum population size of 2,500 individuals for the long-term viability and ecological resilience of a population, and to prevent its inbreeding, genetic drift and other associated menaces to its survival. The proposed action to permanently remove 200 wild horses coupled with interference with bands and natural reproduction are a sure "management for extinction" (see Duncan, Patrick. 1992. *Zebras, Asses, and Horses*. IUCN SSC Equid Specialist Group. Gland, Switzerland; Animal Welfare Institute. 2007. *Managing for Extinction: Shortcomings of the Bureau of Land Management's National Wild Horse and Burro Program*. Washington, DC).

14. BLM's 2010 Environmental Assessment for the Clan Alpine, Pilot Mountain and Pine Nut Herd Management Areas Gather Plan (hereinafter, "2010 EA") completely failed to discuss many significant impacts that would result from BLM's proposed action in

this case. And it also failed to discuss sound alternatives to the drastic severe reductions of wild horse populations being proposed, such as Reserve Design (see my CV and list of publications as well as Chapter IV of my book *The Wild Horse Conspiracy*).

15. BLM could make a more informed decision about how to manage the Pine Nut Herd wild horses if it looked at new studies and information regarding wild horses and the environment and how to coexist harmoniously with viable and ecologically integrated horse populations.

16. I regularly comment on BLM's proposed actions, and would like the opportunity to participate in the decision-making process for the proposed round-up of the Pine Nut wild horses slated to occur later this month or early next month.

17. As is the case here, the BLM repeatedly fails to involve the public in its decision making process about how to manage wild horses. *See* National Research Council Report. "Using science to improve the BLM Wild Horse and Burro Program: a way forward." (2013): 630, *available at* http://www.nap.edu/openbook.php?record_id=13511.

18. The BLM's failure to involve the public in its decision making process is very upsetting to me, and I believe it results in uniformed decisions that endanger the future of wild horses on our public lands.

19. If the proposed action proceeds, I fear I will not be able to view and study the unique wild horses on the Pine Nut range except in a greatly diminished, damaged, and unnaturally altered state.

20. I also hold to the belief that each unique individual horse is singularly valuable and important in life's overall scheme (see Ch. VII of my book *The Wild Horse Conspiracy*). Horses are beautifully expressive and pulchritudinous animals to observe, especially in their wild state, wherein they become "switched on" in so many ways in order to realize themselves both individually and collectively more fully, for more greatly realizing their relationship to all the Rest of Life (*ibid*). To me, wild horses represent the

true spirit of freedom and independence of both my native country: America and of my native state: Nevada, whose official quarter was publically voted to have an image of the wild horses in the wild. There is nothing quite like these wild horses; and they have inspired me to compose several poems including some published in my book of poetry, *Streams of the Soul* (2005). They have had a lot to do with my conceiving some beautiful melodies including those scored, copyrighted and published in the piano CD *Wild Horse Rhapsody* (2007).

21. I would be very distressed if the horses I have come to know are rounded-up and forcible drugged with PZP. The proposed round-up, removal, and administration of PZP would undoubtedly hurt these wild horses, damage the established bonds, and threaten their continued well-being and very survival.

22. If the Court does not prevent the proposed actions I would no longer be able to study and observe these magnificent animals on the Pine Nut Range, except maybe as a few showcase, overly reduced and dysfunctional, remnant animals. Rather than my own, it is most of all for the wild horses' sake that I support Friends of Animals and Protect Mustangs' Motion for a preliminary injunction.

23. Pursuant to 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct. Executed in Minden, Nevada on January 29, 2015.

A handwritten signature in black ink, appearing to read "Craig C. Downer", written over a horizontal line.

Craig C. Downer