

NMCGA on the Trail...

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## **Forest Service surpasses New Mexico law, commences aerial gunning**

By: Taylor Riggins, NMCGA

*This afternoon New Mexico Cattle Growers' and stakeholders briefly met with officials from the United States Forest Service ("Service") and APHIS-Wildlife Services, where it was announced the Service will commence lethal removal of estray cattle in the Gila Forest and Wilderness areas beginning next week. Elaine Kohrman, Acting Regional Forester for the Southwestern Region was the spokesperson for the Service.*

*The Service will impose a closure order to the Wilderness area on Monday, February 20<sup>th</sup>, and will commence aerial operations on Thursday, February 23<sup>rd</sup>. Gunning will take place over 4 consecutive days, they estimate there are 150 head to remove from the area in this manner.*

*Grounds for undertaking lethal removal, according to Kohrman, were that the Service now considers the cattle to be 'not domesticated', they pose a threat to public safety and that the cattle are not authorized to be where they are currently located. The Service is expected to post a release with their decision by end of business day today.*

*"It was offensive to learn of the Service's decision after over a year's worth of discussions to prevent further killing," said Loren Patterson, President NMCGA. "Today's meeting proved the Service is willing to bypass all stakeholder input and effectively turn their backs on sound reasoning. Out of the six groups represented (in the meeting) today, the Forest Service is the only one in favor of aerial operations."*

*Cattle Growers' asked specific questions of the Service and APHIS officials in attendance including: How will ownership be identified? How do you plan to avoid maiming cattle and refrain from causing undue suffering? How would cow/calf pairs be treated during the operation? What actions are compelling the Service to continue slaughter of livestock? What about our 2022 settlement, where it is clearly mandated that NMCGA and stakeholders shall receive 75 days' notice of intent to lethally remove livestock from the area? What jurisdiction does the Service have to override New Mexico's state law?*

*Kohrman replied that back in 2020, the Service found evidence of riparian damage, bank trampling, overgrazing on stream banks, and received several accounts over the years of a bull charging visitors in the Wilderness. At this time, they are planning a safe and effective operation where they would do their best to identify ownership from the air. Cow/calf pairs will both be shot. APHIS-Wildlife Services added that they will provide GPS coordinates for the location of each kill. In terms of jurisdiction and the 75 days' notice as settled upon, Kohrman replied that was for lawyers to discuss. The meeting ended with a statement made*

*that there was nothing that could be done to stop the aerial gunning of 'not domesticated' cattle in the Gila Forest and Wilderness areas.*

*NMCGA will take appropriate action to stop this unlawful killing as the Service refuses to follow law and is clearly determined to violate it. The Service's plan to shoot estray cattle violates their own regulations. Their reference of 36 CFR 262.10, in the recent Impound Notice to allotment owners adjacent to the Gila Wilderness, does not give them authority to proceed with shooting as first step. Their actions will criminally violate New Mexico State Statute 30-18-1(j), a law on animal cruelty. APHIS-Wildlife Service, who is under contract with the U.S. Forest Service, violates this law by aurally shooting livestock.*

*Cattle Growers' will continue efforts for long-term solutions to address the estray cattle without violation of law or acts resulting in inhumane treatment of livestock.*