

NMCGA ON THE TRAIL....

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## **Impound Notice setting stage for more Aerial Gunning**

*By: Taylor Riggins, NMCGA*

*Allotment owners in proximity to the Gila Wilderness were given notice February 1, 2023 by the United States Forest Service (USFS) of intent to impound unauthorized livestock. The notice was given in pursuance to Regulation of the Secretary of Agriculture, 36 C. F. R. 262.10, stating all unauthorized livestock found upon the National Forest System Lands or other lands under Forest Service control within the following area may be impounded by the USFS on or after February 15<sup>th</sup> unless said livestock are removed permanently from the described land.*

*Any unbranded livestock, or any livestock bearing brands of previously unauthorized livestock which are found to be making continuing or subsequent unauthorized use within twelve months after publication of the notice may be impounded without further notice.*

*After the impoundment, owners of unauthorized livestock may regain possession thereof only by first showing proof of ownership and reimbursing the United States in full for the expenses incurred in impounding, feeding, and care of such livestock, or if impoundment costs exceed fair market value, by a payment equal to the fair market value of the impounded livestock. All impounded animals not redeemed within 5 days after notice of sale of impounded livestock has been published in a local newspaper, posted in the county court house and in one or more local post offices, will be offered for sale at public auction. Livestock not sold at public sale may be sold at private sale or condemned and destroyed, or otherwise disposed of.*

*Loren Patterson, President of New Mexico Cattle Growers' Association (NMCGA) along with Alisa Ogden, Past-President met face-to-face with Chuck Oliver, USFS Deputy Director of Timber Management, Range Management, and Vegetation Ecology earlier this month at the National Cattlemen's Beef Association Annual Convention. Leadership urged Oliver to allow a New Mexico Livestock Board (NMLB) directive, passed in December 2022, a year to work before the commencement of a second round of aerial slaughter.*

*The directive, in accordance with 77-13-5 and 77-13-6 NMSA 1978, would allow USFS allotment owners within the Gila National Forest and Wilderness the opportunity to purchase stray bovine after gathering and holding cattle for no more than 5 days. A NMLB Livestock Inspector shall inspect the cattle for proof of ownership and disease before giving the gatherer the opportunity to purchase the estrays at a cost set out as follows: bulls over 12 months of age, \$50; bulls less than 12 months of age, \$100; cows and pairs, \$150 and heifers, \$100. All proceeds of the sale return to the NMLB.*

*Since the first aerial slaughter operation in 2022, NMCGA and several stakeholders have faithfully met with USFS officials and Animal and Plant Health Inspection Service officials (APHIS) to come up with a more humane and sensible plan of action. The Association and fellow stakeholders continue to reiterate the immense need for infrastructure to stage captured bovine, further detailing the success of water and feed traps. Pens, fencing and roads need to be resurrected in the Wilderness to achieve the ethical removal of estrays within the vast and rugged topography. Another topic of discussion was past USFS contracts with cowboys to locate, capture and lead estrays out. It has been duly noted that proper compensation for such work has been sorely undervalued and the obstacles for such work to be accomplished were too strenuous under the requirements of a Wilderness Area, where motorized vehicles and equipment requiring fuel or electric power are strictly prohibited. Contracted cowboys are further regulated for the miles traveled on their horses used to complete their task, only able to pack in and feed their equine counterparts weed seed free hay. All viable options have been ignored by the USFS, and as of this release a one year delay of actions has not been granted.*

*President Patterson emphasizes that another aerial operation is just a band-aid and a long-term solution to population control of stray cattle in the Gila Wilderness will not be achieved. Since the grazing allotments in the Wilderness are vacant, the ranchers bordering the area have solely carried the load of infrastructure repairs and responsibility thrust on them by a negligent agency. The USFS notice of impoundment is unquestionably a step toward another aerial gunning mission.*