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PERSPECTIVES FROM THE FIELD

Wild Horses Are Cultural Resources

Kathleen Hayden

I am not a professional "environmental practitioner." I am a member of the public, a citizen of the United States of America, whose land, environment, and way of life are affected profoundly by what environmental practitioners do. As practitioners, you are hired to manage land and land resources and to determine what impacts proposed changes in such management may have. My children, grandchildren, and I are among the people who suffer or benefit from the consequences. Sadly, "suffer" is usually the right word, and insufficient even to describe the effects of the injustice we experience.

I am a lover of history and the lands and cultures that have impacted me throughout my life. My life began at the end of World War II in an Idaho ranching, logging, and farming community surrounded by rivers, lakes, and forests. The community is steeped in history, some long forgotten. For the first decade of my life, I was raised by my grandparents. Grandpa was born in 1889 in Johnstown, Pennsylvania, in the year of the Great Flood, and subsequently moved to the Bronx, then left home at age ten and made his way to Idaho to work on the new Bonneville Dam. He settled in Long Valley, Idaho, where he purchased abandoned homesteads and established a lifelong career in ranching and farming in a predominantly Finnish community.

As a result, my world in my earliest years was viewed from the back of a horse. Some of our ranch horses were obtained from the wild herds when they were "free for the takin'." In 1948, we acquired our first Arabian mare from the University of Idaho horses that were brought back from Europe by General Patton.

My husband and I continue to ride into remote areas to experience the remnants of our pioneering past. We maintain close connections with ranchers, hunters, and recreational riders throughout the western United States (US).

In 1968, I moved to northeastern San Diego County, California, on the ancestral home of the Kumeyaa and from 1984–1988 lived on the Santa Ysabel Reservation with Florance Ponchetti, the last of the tribe's Spiritual Leaders.

I have been trying to save the last tribal wild horses of the Coyote Canyon herd. They are descended from the Spanish Colonial stock brought to establish San Diego in 1769 by the Portola and Father Junipero Serra expedition. Although their history has been documented from 1769 to date, they have yet to be recognized by the government as contributing to Southern California's historic resources.

Horses are central to my life and my identity and to those of my family and friends. Domestic and wild, they are part of our centuries-old traditional relationship to the land. Horses have been fundamental to our stock-raising, ranching lifestyle since the times of the Spanish vaqueros in the Southwest, the Mormon immigrants in Utah, and the great drives along the Old Spanish and Chisholm Trails. Despite the restrictions imposed by the federal government on ranching operations—which are many—we hold onto our way of life; it is at the core of our identity and, I believe, essential to the identity of the United States of America.

For the last several decades, my husband and I have devoted much of our time to the oversight of public land management, with a focus on the seminal laws that provide access to historic sites and the landscapes that are home to wild horses herds that once roamed across the western landscape.

As we have crossed and shared "paths" with these mystical animals, we never cease to be overcome by emotions that are difficult to describe. These emotions—often overwhelming—are unique to every individual, but we share a psychic connection with a majestic wild animal that is the symbol our country's roots and routes. We identify with

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wild horses as symbols of our own inherent and inalienable right of freedom.

Wild horses are evolutionary hoof prints from prehistoric ages, from Spanish exploration, from Native Americans, Mexican and western settlement. This history resonates in my children and community.

My husband and I established the Coyote Canyon Caballos d'Anza,[1] for the sole purpose of educating about and restoring a tiny segment of the last tribal wild horses in Southern California and to repatriate them to our historic landscape—the herd's historic range since 1769—with little help and much opposition from the state and federal agencies that manage the land.

So, are wild horses cultural resources? Should impacts on their cultural value—their significance to people like me and communities like mine—be considered in environmental impact assessment (EIA)? I think so—in fact, I believe that not considering them is detrimental to all that we cherish as our heritage and right of inheritance.

I'm not alone in thinking this. Not only are there a lot of people like me who value wild horses, but the US Congress, in the Wild Horses and Burros Act of 1971, found and declared that "… wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West; … they contribute to the diversity of life forms within the Nation and enrich the lives of the American people." Several national and regional organizations are devoted to preserving wild horses—and burros—on their traditional ranges (The Cloud Foundation, the International Society for the Protection of Mustangs and Burros, Protect Mustangs and Wild Horse Education, among many others).

Other countries and international organizations, too, are stepping up to the challenge of wild-horse protection and restoration. There is a "rewilding" movement that seeks to re-introduce wild horses throughout Europe, for instance, and the governments of Russia and China, among others, are trying to rebuild the Russian and Mongolian steppes' wild herds of Przewalski's horses.[2] Those responsible for "rewilding" programs recognize both the cultural significance of wild horses and the contributions they make to a healthy, diverse natural environment, and they work in cooperation with those who love and respect the horses, not at cross purposes with them.

So what stops the US from really protecting wild horses and cooperating with wild-horse lovers? Some people, and government agencies, think of wild horses as members of an invasive species, doing nothing but damage to the environment. Some of us are not convinced. It is possible that ancient horses native to North America survived the great early Holocene extinction to breed with the incoming Spanish stock, but that aside, horses as we know them have been on the continent for at least 500 years, and every species was "invasive" at some time. And while the hoofs and appetites of horses can certainly damage springs, grasslands, and forests—that is, when the horses are restricted, and denied access to their migratory ranges—it shouldn't be forgotten that horses, like range cattle, occupy niches similar to those once occupied by the far more numerous bison. No, there wasn't a simple replacement, and yes, there may be conflicts to resolve between livestock and other parts of the environment, but the simple belief that horses—and burros and cattle—are bad and ought to be excluded from the landscape is just that—simple.

There's also another problem that's directly related to EIA. Horses and other animals, including game and nongame animals that people hunt and watch, fish on which traditional communities on our coasts and islands depend, and iconic birds such as the eagle and condor, are categorized as natural, not cultural resources; so in an impact analysis, they become the province of wildlife biologists and other natural resource specialists. "Cultural resources" are evaluated by archaeologists and sometimes historians, who seldom have any training or interest in dealing with living creatures. And while our main cultural resource law, the National Historic Preservation Act (NHPA), requires that agencies consult with communities and landowners and Indian tribes, as well as state officials, about how to manage impacts on "historic properties," natural resource laws like the Endangered Species Act do not have similar requirements. So we who love the horses—or burros, cattle, cattle culture, salmon, or eagles—don't have a seat at the table in figuring out how what we love will be affected by land management or in negotiating its fate. For lack of that seat, we and our future generations are denied our inheritance.

The excuse used by agencies and EIA companies for not consulting us as the NHPA requires is that NHPA protects only sites and buildings that are eligible for the National Register of Historic Places. "The National Register," we are told, "doesn't list animals." That's actually not entirely true; the National Register lists places that *include* animals as "contributing elements"—zoos, for example, and rivers where fish runs are culturally and historically significant—but it's an easy, off-the-cuff way to tell us to shut up. It is an

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easy way to ignore the need for and value of consultation, agreements, and partnerships. Incidentally, one federal court has opined that animals *might* be eligible for the Register,[3] but this finding has had no impact on the government or its consultants.

Wild horses and burros, and other animals that we value for their roles in our history and culture, certainly *are* cultural resources—our cultural resources, and impacts on them should be assessed by people who know something not only about animals and their needs, but about human culture and the value that people and communities assign to animals. Management should be planned and carried out in consultation with those who value animals as parts of their cultural environment.

These are not revolutionary ideas. Congress has dictated that wild horses and burros be protected and managed wisely, and laws like the NHPA provide for consultation and agreements. They should be easy ideas for EIA experts and public officials to understand and embrace. But based on the results we have seen, perhaps reflecting a political agenda, it appears to be existing policy to exclude our nation's living cultural resources from consideration when analyzing the impacts of decisions that threaten wild horses, burros, cattle, salmon, eagles, and all the other animals with which we share our planet.

Notes

1 See https://www.facebook.com/Coyote-Canyon-Heritage-Herd-208957562491269/info?tab=page_info (accessed January 16, 2016).

2 See, for instance, Linnartz, L. and R. Meissner. 2014. *Rewilding Horses in Europe*. Rewilding Europe, Nijmegen, The Netherlands. Available at https://www.rewildingeurope.com/wp-content/uploads/2014/09/Rewilding-horses-in-Europe-2014.pdf; Arkhangelskaya, S. 2015. *A Legendary Breed of Wild Horse Returns to Russia*. RBTH. Available at http://rbth.com/science_and_tech/2015/11/09/a-legendary-breed-of-wild-horse-returns-to-rusia_538635; American Museum of Natural History. n.d. *The Wild Horse Returns to Mongolia*. Available at http://www.amnh.org/explore/science-bulletins/bio/documentaries/the-last-wild-horse-the-return-of-takhi-to-mongolia/article-the-wild-horse-returns-to-mongolia; Frayer, L. 2014. *Rare Horses Released in Spain as Part of "Rewilding" Effort*. National Public Radio. Available at http://www.npr.org/sections/parallels/2014/01/08/260777584/after-2-000-years-wild-horses-again-roam-western-spain; United Nations Development Programme. 2015. *Returning Wild Horses to the Russian Steppe*. Available at https://undp.exposure.co/returning-wild-horses-to-the-russian-steppe; (all accessed January 16, 2016).

3 In *Dugong v. Rumsfeld*, No. C 03-4350 MHP, 2005 WL 522106, at 6–8 (N.D. Cal. Mar. 2, 2005).

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