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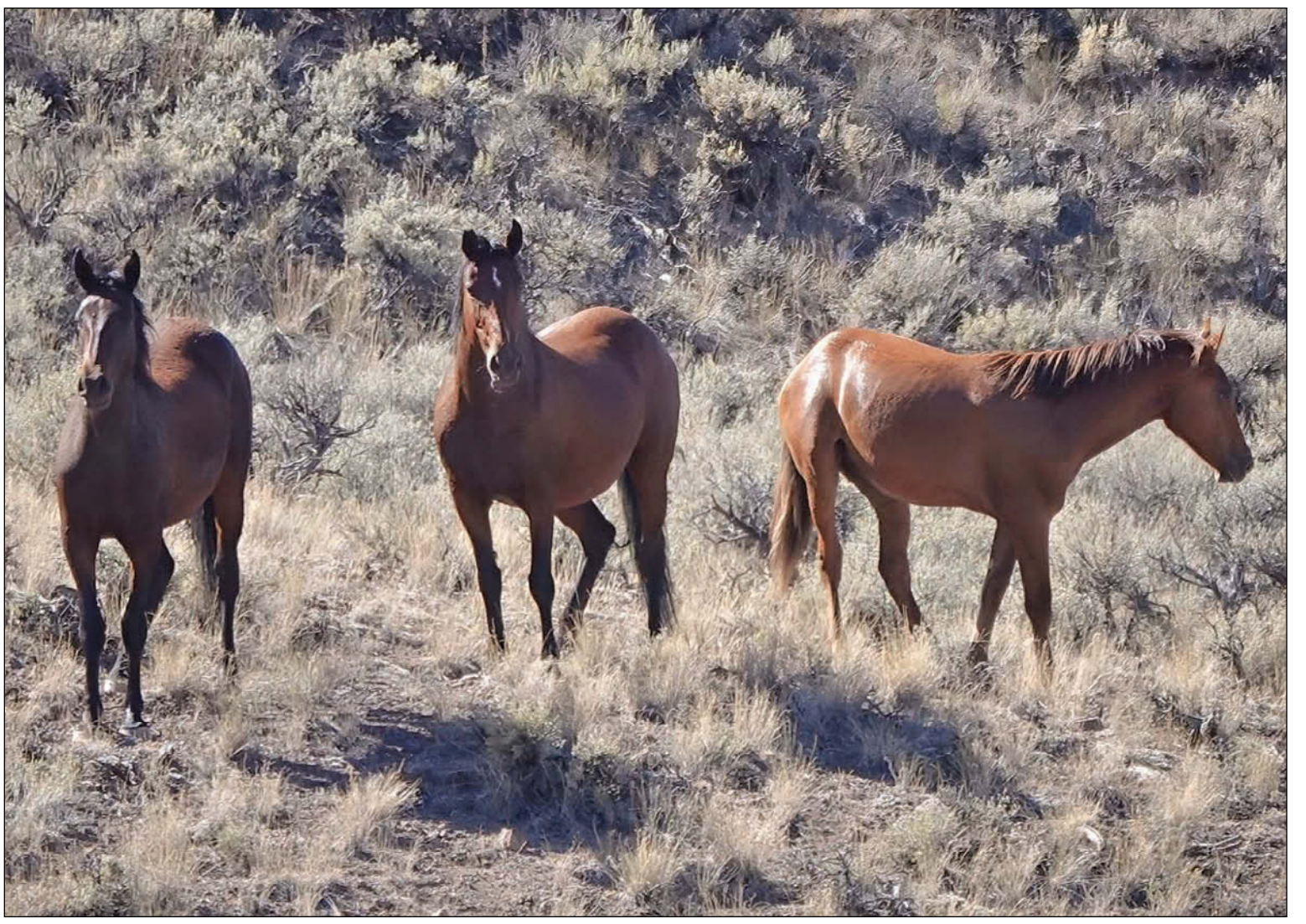
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IDAHO EDITION

Judge refuses to block adoptions, birth control for wild horses

By MATEUSZ PERKOWSKI
Capital Press



Wild horses belonging to Idaho's Challis herd. A federal judge has denied a preliminary injunction intended to "preserve the status quo" of more than 200 horses rounded up from Idaho's Challis herd management area in September. (Bureau of Land Management/Contributed)

Horse advocates have failed to convince a federal judge to block adoptions and fertility-control treatments of wild horses gathered from public lands in Idaho last month.

Chief U.S. District Judge David Nye has denied a preliminary injunction intended to "preserve the status quo" of more than 200 horses rounded up from Idaho's Challis herd management area in September.

The judge rejected the request from the Wild Horse Education nonprofit and its founder, Laura Leigh, because he determined they're unlikely to suffer irreparable harm or win their claim that the U.S. Bureau of Land Management violated federal environmental law.

The BLM captured about 200 horses during a roundup last month after the plaintiffs were unable to persuade the judge to impose a temporary restraining order against the operation.

The plaintiffs then asked the federal judge to prevent BLM from administering fertility control drugs or adopting out any of the horses, arguing these measures could lead to sterility and that the agency could lose track of the animals while the litigation remained pending.

However, the judge said the plaintiffs didn't point to "any concrete data, information or statistics regarding immunizations and sterility" that would warrant blocking the fertility control injections.

Though prolonged use of sterility drugs could lead to infertility in mares, most are expected to regain fertility, the judge said, citing a BLM horse expert.

The judge said there's also "no evidence" of irreparable harm to the horses that are eventually released if they end up at "a different site or with a different group."

"The court cannot impose the extraordinary relief of an injunction absent a clearer showing of harm," he said.

The plaintiffs are also unlikely to prevail on the legal merits of their claim that BLM violated the National Environmental Policy Act by relying on a seven-year-old review to justify the 2026 gather operations, the judge said.

The BLM did evaluate the impacts of drought and different riparian conditions this year, but "simply found no change was necessary" to the horse roundup plans from 2019, he said.

In conjunction with "updated metrics," the agency's previous environmental assessment of roundup operations was "sufficient to green light the 2026 gather," the ruling said.

"The fact remains; the parties have a shared goal—the preservation of a thriving herd of wild horses. They just differ on how to achieve that," the judge said.

R-CALF restarts push to roll back electronic ear tag rule

By DON JENKINS
Capital Press

R-CALF is moving ahead with a lawsuit seeking to repeal a USDA rule that requires cattle and bison to have electronic ear tags when crossing state lines.

The cow-calf producer organization paused the lawsuit in June to talk with the USDA about settling out-of-court. The talks, however, failed to reach an agreement.

R-CALF hoped the Trump administration would see the Biden-era electronic ear tag mandate as burdensome and unnecessary, R-CALF CEO Bill Bullard said.

"We saw no evidence it did," he said. "Our members remain steadfastly opposed to this rule."

R-CALF sued in the U.S. District Court for South Dakota just days before the rule went into effect in 2024.

The Trump USDA affirmed in a court filing Oct. 16 it believes electronic ear tags will help animal-health officials retrace the steps of infected cattle and help contain diseases.

R-CALF claims the rule violates the Administrative Procedure Act because it's unjustified. The rule will be costly and intrusive, but won't accomplish its objective, R-CALF contends.

While ranchers must use electronic ear tags, no one is required to scan the numbers into a database. Without mandated scanners, the problem of misrecorded numbers on paper records will persist, according to R-CALF.

USDA accuses R-CALF of simultaneously arguing that the rule is too intrusive and arguing it doesn't go far enough.

USDA could achieve its goal by requiring numbers on traditional ear tags to be easier to read from a distance or employing AI-powered cameras to capture the numbers, Bullard said.

R-CALF and USDA are scheduled to argue the case Nov. 18 in Rapid City, South Dakota, in front of U.S. District Judge Eric Schulte.

When it adopted the ear tag mandate, the USDA estimated the rule would apply to 11 million head of cattle, or about 12% of the nation's cow herd. The National Cattlemen's Beef Association supported the rule.

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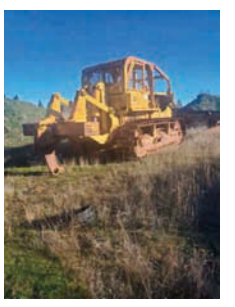
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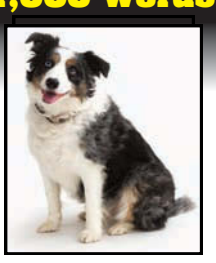


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