



NATIONAL HORSE & BURRO RANGELAND MANAGEMENT COALITION

*Advocating for commonsense, ecologically-sound approaches to managing horses and burros
to promote healthy wildlife and rangelands for future generations*

22 September 2016

The Honorable Rob Bishop
Chair, Natural Resources Committee
U.S. House of Representatives
1324 Longworth House Office Building

The Honorable Lisa Murkowski
Chair, Energy & Natural Resources Committee
Chair, Appropriations Subcommittee on Interior
U.S. Senate
304 Dirksen Senate Office Building

The Honorable Ken Calvert
Chair, Appropriations Subcommittee on Interior
U.S. House of Representatives
B-308 Rayburn House Office Building

The Honorable Sally Jewell
U.S. Department of Interior
1849 C Street Northwest, Washington, DC

RE: Support for National Wild Horse & Burro Advisory Board Recommendation, Sept. 2016

Senator Murkowski, Congressman Bishop, Congressman Calvert, and Secretary Jewell:

The National Wild Horse & Burro Advisory Board (Advisory Board) recommended during its September 2016 meeting that the Bureau of Land Management (BLM) follow the statutory provisions of the Wild Free-Roaming Horses and Burros Act and sell, without restriction, or humanely euthanize unadoptable horses and burros:

“BLM should follow stipulations of WHB Act by offering all suitable animals in long and short term holding deemed unadoptable for sale without limitation or humane euthanasia. Those animals deemed unsuitable for sale should then be destroyed in the most humane manner possible.”

Because it reflects original Congressional intent and will help resolve the current wild horse and burro overpopulation crisis, our Coalition supports the Advisory Board’s recommendation. We encourage you to work together to remove Congressional appropriations language that prevents implementation of this recommendation and encourage other management actions to protect our public rangelands from further degradation.

The National Horse & Burro Rangeland Management Coalition is composed of 16 national organizations, with support of several state and local organizations. We are sportsmen’s, livestock, wildlife, and land conservation organizations and professional societies that collectively represent over 10 million Americans. We are concerned about the impacts excess free-roaming, wild, and feral horses and burros have on rangeland habitats and the overall ecosystem, upon which all other uses of rangelands depend.

The Management Challenge – Limited Options to Address Growing Overpopulation

Wild horses and burros on BLM-administered lands currently exceed 67,000 individuals - more than 2.5 times the ecologically-based management objective of less than 27,000 individuals. Under the current management approach, on-range populations of horses and burros grow 15-20% annually - a rate that will see populations double in size every 4 to 5 years. BLM currently has ~45,000 horses and burros in corrals and pastures at a cost of nearly \$50 million annually.

BLM has been unable to gather and remove animals from the range at a rate substantial enough to reduce or maintain population levels due to limited budgets for holding more excess animals. BLM is unable to transfer

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enough horses and burros out of their holding facilities via adoptions or restricted sales; adoptions have declined nearly 80% since their peak rate. Adoption rates would need to quadruple to even come close to countering the growth of the current on-range population.

Available fertility control drugs and methods are only part of a comprehensive solution for addressing such a large-scale overpopulation due to the frequency with which they must be administered and the logistical and financial challenges of administering drugs to enough animals across broad landscapes. Our Coalition believes that scientifically-based use of fertility control (e.g., proven to be effective and safe) can be an important component to the management of wild horses and burros, but is not alone a solution to large-scale overpopulation.

BLM is currently faced with more than 85,000 excess animals, both on- and off-range. This number will almost certainly grow to more than 95,000 by March 2017.

Continued and Growing Impact on Public Rangelands and Animal Health

When wild horse and burro populations exceed ecologically-sustainable levels, they have negative impacts on many of the multiple-uses of public rangelands.

- ***Horse and burro health*** – *starvation and dehydration are a likely result of overpopulation*
At the same time the Advisory Board meeting was occurring, BLM began hauling water to horses after reports of 3 horses dying of dehydration in eastern Nevada - an area that is more than 300% above ecologically-based management objectives. The previous week, an emergency gather was conducted for horses in a different area of Nevada due to declining water resources and the health risk to dozens of horses.
- ***Native wildlife*** – *competition for water and forage, and habitat degradation*
Horses and burros compete with native animals for water and forage. Sage-grouse habitats overlap with more than 30% of BLM horse and burro management areas. Horses and burros overgrazing forage, trampling vegetation, spreading invasive species, and causing soil compaction undermine efforts to ensure this bird stays off the Endangered Species list.
- ***Rangeland ecosystem*** – *soil compaction, spread of invasive species, desertification*
Areas inhabited by horses and burros tend to have fewer plant species, less vegetative cover, and an increased susceptibility to invasive plant species – which can have ecosystem-wide implications.
- ***Western heritage*** – *reduced grazing, impact to recreational activities and local economies*
Western rangelands are utilized by ranchers, farmers, hunters, campers, and other recreationists. The detrimental ecological impacts of horse and burro overpopulation have resulted in a depletion of resources for livestock as well as for native wildlife that draw outdoor enthusiasts to the area.
- ***Taxpayer dollars*** – *\$50 million spent annually on horses and burros in holding; costs continue to rise*
This program's budget continues to be consumed by the off-range holding facilities, causing BLM to remove fewer and fewer horses and burros from the rangelands. The horses and burros removed from rangelands and placed in holding facilities currently cost taxpayers about \$50 million annually. The cost can reach \$50,000 per animal that remains in one of these facilities for its entire life.

BLM Should Not Dismiss Efforts of Advisory Board

BLM is frustratingly stuck in an ineffective status quo of wild horse and burro management. Due to many factors, the agency has long struggled to meet its legal responsibility to manage wild horses and burros in a

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“thriving natural ecological balance” as part of the multiple use mandates of our public lands as directed by the Wild Free-Roaming Horses and Burros Act of 1971.

The Advisory Board is a Federal Advisory Committee, directed and authorized by the Administration to provide insightful recommendations on behalf of the public. The Advisory Board made their recommendation after a careful review of the dire situation facing our public rangelands and wild horse and burro herds, and in recognition that the current and available management options are not capable of protecting the health of our rangelands, native wildlife, and horse and burro herds. The recommendation to allow sale without limitation and humane euthanasia is in line with the original Congressional intent in regard to wild horse and burro management.

The volunteer efforts of the Advisory Board to analyze, develop, and deliver their recommendation should not be wasted. We are concerned by the agency’s hastened dismissal of the recommendation via Director Kornze’s remarks to Congress on 14 September and a statement released on BLM’s website. Such quick dismissal expresses a lack of respect for the work of the Advisory Board and the realities facing BLM’s Wild Horse & Burro Program.

The Advisory Board aims to assist agency administrators in thoughtfully directing improvements to the program, and the agency is remiss to ignore their efforts. By quickly dismissing the Advisory Board’s recommendation, BLM risks eroding the public’s confidence in the agency and calls into question the level of meaningful review any future recommendations from the Advisory Board will receive.

Conclusion – The Secretary and Congressional Leaders Must Work Together

Given the current and growing numbers of wild horses and burros and the impacts to the rangelands, we urge you to work together to direct meaningful and fruitful changes to the management paradigm of the BLM’s Wild Horse & Burro Program. Congress must remove restrictions put in place via appropriations language. BLM must implement science-based actions to achieve ecologically-based management objectives.

We must prioritize the health of public rangelands above all other considerations. Healthy rangelands are where native wildlife can thrive, livestock can graze to support local communities, free-ranging horses and burros can live healthy lives, and water quality can be sustained. Healthy rangelands are critical to the future of the Western way of life.

We urge you to move forward with this recommendation from the National Wild Horse & Burro Advisory Board, permitting and directing BLM to sell unadoptable horses and burros without restrictions and euthanize those deemed unsuitable for sale as permitted in the Wild Free-Roaming Horses and Burros Act of 1971, as amended.

Sincerely,



Keith Norris, Associate Wildlife Biologist@
Chair, National Horse & Burro Rangeland Management Coalition

CC: National Wild Horse & Burro Advisory Board members; Neil Kornze, Director, BLM; Kristin Bail, BLM Assistant Director of Resources and Planning; Dean Bolstad, Chief, BLM Wild Horse & Burro Program; Members House Natural Resources Committee; Members House Appropriations Subcommittee on Interior; Members Senate Energy & Natural Resources Committee; Members Senate Appropriations Subcommittee on Interior

Enclosures: NHBRMC Policy Timeline

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Major Policies Governing BLM's Wild Horse and Burro Program

Policy	Date	Relevant Provisions
Wild Free-Roaming Horses and Burros Act of 1971 (Public Law 92–195)	Dec. 15, 1971	Declares that “wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West.” Authorizes and directs the Secretaries of the Interior and Agriculture “to protect and manage wild horses and burros as components of the public lands ” that shall be managed in a “ manner that is designed to achieve and maintain a thriving natural ecological balance. ” Authorizes the Secretaries, in areas found to be overpopulated, to order old, sick, or lame animals to be destroyed in the most humane manner possible and to capture or remove wild horses and burros for private maintenance under humane conditions and care. Limits range of wild horses and burros to areas of public lands where they existed in 1971.
Federal Land Policy and Management Act of 1976 (Public Law 94–579)	Oct. 21, 1976	Directs the Secretary of the Interior to manage BLM lands under principles of “ multiple use and sustained yield. ” Authorizes the Secretaries to contract for the use of helicopters and motor vehicles in administering the 1971 Act.
Public Rangelands Improvement Act of 1978 (Public Law 95–514)	Oct. 25, 1978	Directs the Secretaries to “maintain a current inventory of wild horses and burros on given areas of public lands [Herd Management Areas]” to determine “whether and where overpopulation exists.” Directs the Secretaries to “determine appropriate management levels [AML] ...and determine whether appropriate management levels should be achieved by <i>removal</i> or <i>destruction</i> of excess animals or through other options (such as <i>sterilization</i> or natural controls on population levels).” Directs the Secretaries to destroy “additional excess wild free-roaming horses and burros for which an adoption demand by qualified individuals does not exist...in the most humane and cost efficient manner possible.” Authorizes the Secretaries, to transfer title of adopted wild horses and burros to individuals that have provided humane conditions, treatment, and care for the animal for a period of one year.
BLM's Burford Policy	1982	BLM euthanizes 47 excess animals between 1981 & 1982. After a large public outcry, BLM Director Robert Burford places a ban on the destruction of healthy horses.
Congress Directs BLM to Triple Removals	Oct. 12, 1984	Congress triples wild horse and burro program funding (PL 98–473) and directs BLM to triple removals. BLM removes 18,959 horses in 1985 after removing 6,084 horses in 1984; on-range populations drop from 60,356 in Mar. 1984 to 44,763 by Mar. 1986.
Fee-waiver adoptions	1987–1988	BLM considers a policy change that would allow destruction of surplus wild horses and burros 90 days after they are put up for adoption, but ultimately decides to waive adoption fees for two years. The number of adoptions increases from 7,600 in 1986 to 12,776 in 1987 and 10,646 in 1988 before dropping back down to 5,220 in 1989.
Interior Appropriations Rider	1988–2004	Congress inserts an Interior Appropriations Rider stating that “appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.”
Animal Protection Institute of America (APIA) Appeals to IBLA (109 IBLA 112)	1989–1990	Several gathers are halted pending a legal challenge from APIA. The Interior Board of Land Appeals (IBLA) concludes that under the 1971 Act, removals must be “properly predicated on a...determination that removal is necessary to...prevent a deterioration of the range.” IBLA then interprets AML as “synonymous with restoring the range to a thriving natural ecological balance.” Thus, the number of “excess” animals the Secretary is authorized to remove is that which prevents deterioration of the range— <i>taking into account multiple-use</i> —or that which exceeds a properly established AML.
California Desert Protection Act of 1994 (Public Law 103–433)	Oct. 31, 1994	Transfers approximately 3,500,000 acres of land formerly administered by BLM to the National Park Service (NPS), which is not governed by the 1971 Act. NPS views horses and burros as feral animals and therefore removes them from Mojave National Preserve and Death Valley National Park to preserve native desert species.

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BLM limits removals to concentrate on adoptions	1998–1999	BLM limits removals to concentrate on adoptions in an attempt to move some of the animals out of long-term holding. Adoptions, however, continue to decline while on-range populations increase.
4 Year Wild Horse and Burro Removal Initiative	2001–2004	BLM attempts to reduce expanding wild horse and burro populations that were posing serious environmental risks due to rangeland deterioration. Between 2001 and 2004, the BLM removes over 45,000 wild horses and burros from public lands; the on-range population drops, but the off-range population swells to over 27,000 by 2006.
BLM begins Fertility Control Program	2004–Present	In collaboration with Humane Society of the United States, BLM continues to support the development and implementation of fertility control methods for wild horses. However, significant reductions in the rate of population increase have not yet been apparent and fertility control remains difficult to administer on a population level.
Fiscal Year 2005 Omnibus Appropriations Act (Public Law 108–447)	Dec. 8, 2004	Directs the sale, without limitation, of excess wild horses and burros, or their remains, if “the excess animal is more than 10 years of age; or the excess animal has been offered unsuccessfully for adoption at least 3 times.” Sale of excess animals shall continue until “all excess animals offered for sale are sold; or the appropriate management level... is attained.” Also provides that wild horses and burros, or their remains, once sold, are no longer wild horses and burros for purposes of the 1971 Act; thereby exempting animals sold under this provision from the general prohibition against processing their remains into commercial products.
BLM Establishes Limitations on Sale of Wild Horses and Burros	2005–Present	Despite their legal requirement to sell excess wild horses and burros without limitation, BLM implements internal controls intended to prevent slaughter of sold animals. As part of the sale of any wild horse or burro, buyers must agree not to knowingly sell or transfer ownership of the animals to persons or organizations that intend to resell, trade, or give away animals for processing into commercial products.
Last Domestic Horse Slaughterhouse Closes	Fall 2007	With this outlet removed, more domestic horses are either shipped to Canada or Mexico for processing or become available to the public— causing direct competition with wild horse/burro adoptions and sales. The number of domestic horses killed in slaughterhouses from 2000 to 2006 ranged from about 40,000 to 100,000 annually.
Interior Appropriations Act Rider	2010–Present	Congress inserts language into the text of Interior Appropriations prohibiting “the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau... or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.”
The National Academy of Sciences’ Review of BLM Wild Horse and Burro Management Program	2013	Report finds that “continuation of ‘business as usual’ practices will be expensive and unproductive for BLM. Because compelling evidence exists that there are more horses on public rangelands than reported at the national level and that horse population growth rates are high, unmanaged populations would probably double in about 4 years. If populations were not actively managed for even a short time, the abundance of horses on public rangelands would increase until animals became food-limited. Food-limited horse populations would affect forage and water resources for all other animals on shared rangelands and potentially conflict with the multiple-use policy of public rangelands and the legislative mandate to maintain a thriving natural ecological balance.”
BLM Mare Sterilization Research	September 2016	BLM initiates efforts to comply with the 1971 Act by allowing for implementation of a proposed Mare Sterilization Research study. Research, however, is halted in the wake of extensive public opposition and three separate lawsuits.
National Wild Horse & Burro Advisory Board Recommendation	September 2016	“BLM should follow stipulations of the [1971 Act, as amended,] by offering all suitable animals in long and short term holding deemed unadoptable for sale without limitation or humane euthanasia. Those animals deemed unsuitable for sale should then be destroyed in the most humane manner possible.”

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Rapid population growth resulting from a saturated adoption market, low removal rates, and limited on-range management options

