

***Moving Forward: A Unified Statement on the Humane, Sustainable, and Cost-Effective On-Range Management of America's Wild Horses and Burros***



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## Preamble

In 1971, the Wild Free-Roaming Horses and Burros Act (Wild Horse Act), unanimously passed by Congress, declared wild free-roaming horses and burros “living symbols of the historic and pioneer spirit of the West” that “contribute to the diversity of life forms” and “enrich the lives of the American people.”<sup>1</sup> The Wild Horse Act protects wild free-roaming horses and burros “from capture, branding, harassment, or death.”<sup>1</sup> Yet, the Bureau of Land Management (BLM) has subverted its legal mandate to protect America’s wild horses and burros through decades of mismanagement, misinformation, aggressive treatment, and wasteful spending.

## Statement of Principles

As advocates and concerned citizens, we, the undersigned, are dedicated to protecting and preserving viable, self-sustaining free-roaming wild horse and burro populations on our nation’s public lands as required by the Wild Horse Act.

Together, we offer this Unified Statement to guide a management program that is humane for wild horses and burros as well as sustainable and cost-effective for American taxpayers. These principles are consistent with the findings from the National Academy of Sciences’ (NAS) 2013 report, “Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward”<sup>2</sup> and peer-reviewed research in the fields of veterinary medicine, wild equid behavior, biology, ecology, and others.

We invite all individuals, nonprofit organizations, and government officials and agencies, including the BLM and United States Forest Service (USFS), that have an interest in protecting and preserving our nation’s wild horses and burros to commit to these principles and the resulting recommendations when developing or advocating for a management policy.

### **1. The killing, destruction, and sale for slaughter of wild horses and burros must remain prohibited.**

The American public’s overwhelming support for protecting the West’s wild horses and burros led to Congress’ unanimous passage of the Wild Horse Act nearly five decades ago. Public support for protecting wild horses and burros remains high with 80 percent of Americans opposing the mass killing or slaughter of these iconic animals.<sup>3</sup> Given this public support and the availability of humane alternatives for wild horse and burro management, Congress should reject the BLM’s Fiscal Year 2018 budget request for permission to kill wild horses and burros or sell them for slaughter. If granted, this could result in an unprecedented mass slaughter of more than 90,000 wild horses in holding facilities and on the range. In rejecting this lethal option, Congress should maintain protections against killing and slaughter and direct the BLM to implement a humane, politically-viable, and scientifically-based management program.

### **2. Wild horses and burros must be managed in genetically viable, free-roaming herds.**

The BLM’s Appropriate Management Level (AML) of 26,710 is an extinction-level population limit that threatens the viability of America’s wild horse and burro herds.<sup>4</sup> In 1971, Congress determined that, at the existing population of 25,000, wild horses and burros were “fast disappearing from the American scene” and urgently in need of protection.<sup>1</sup> The BLM’s current goal of rounding up and removing over 50,000 wild horses and burros to reach its exceedingly low AML would leave many wild equine populations at levels that would seriously compromise their survival. Moreover, the 2013 NAS report identified approximately 20 percent of BLM Herd Management Areas (HMA) that are “at critical risk” in terms of genetic diversity.<sup>2</sup> Equally important, the NAS warned that the genetic diversity of small, fragmented wild burro populations was already weakened and that “removing burros permanently from the range could jeopardize the genetic health of the total population.”<sup>2</sup>

### **3. The natural behaviors and complex social organization of wild horses and burros must be preserved when managing their populations.**

While controlling the growth rate of wild herds is necessary, the BLM must use fertility control methods that will have minimal impacts on the natural behaviors and social organization of wild horses and burros. To date, with its 30-year history of being safe and cost-effective, the Porcine Zona Pellucida (PZP) vaccine for mares meets this requirement because it does not impact reproductive hormones that drive natural behaviors.<sup>5</sup>

The BLM's plan to geld stallions and spay mares is unscientific and incompatible with its legal mandate to protect and retain the free-roaming behaviors of wild horses. As the 2013 NAS report stated, gelding will "result in a loss of testosterone and consequent reduction in or complete loss of male-type behaviors necessary for the maintenance of social organization, band integrity, and expression of a natural behavior repertoire."<sup>2</sup> The effect of spaying wild mares via ovariectomy would be similar, and because of the possibilities of prolonged bleeding and infection, the NAS concluded that it is "inadvisable for field applications."<sup>2</sup>

#### **4. Wild horses and burros are an essential part of America's cultural and historic heritage.**

Americans affirm that wild horses and burros embody all that has made, and continues to make, this country great – freedom, independence, endurance, strength, perseverance – and that they must be preserved, as Congress intended, as "living symbols of the historic and pioneering spirit of the West" for generations to come.<sup>1</sup> Indeed, 80 percent of Americans – including 86 percent of Trump voters and 77 percent of Clinton voters – oppose killing and slaughter of wild horses and burros and support protecting and managing them humanely.<sup>3</sup>

#### **5. Wild horses are native wildlife.**

The Wild Horse Act declares wild horses to be free-roaming and an "integral part of the natural system of public lands."<sup>1</sup> Wild horses are, in fact, a native, reintroduced North American wildlife species. Both paleontological evidence and mitochondrial DNA analysis support the fact that wild horses are native to this continent, where the species evolved. It is believed that the modern horse died out in North America 7,000-12,000 years ago.<sup>6</sup> However, at various times in their evolutionary history, horses migrated over the Bering Land Bridge. Horses were eventually reintroduced to North America by Spanish conquistadors in the early 1500s. According to paleontologists, the fact that horses were reintroduced to North America from domesticated stock does not impact their status as a native reintroduced species.

**NOTE:** While the fact that the horse is a native North American wildlife species is important to understanding their role in the ecosystem, legally it is not relevant. Wild free-roaming horses and burros enjoy special status under a federal law that designates them as "living symbols of the historic and pioneer spirit of the West."<sup>1</sup>

#### **6. Federal public lands that were designated as habitat for wild horses and burros by Congress in 1971 must, to the extent possible, be returned to them.**

When Congress enacted the Wild Horse Act in 1971, wild horses and burros occupied 53.8 million acres of land; of those, 42.4 million acres were administered by the BLM. Today, they are restricted to 31.6 million acres of land, of which 26.9 million acres are managed by the BLM. This is a total habitat loss of 41 percent.<sup>7</sup> In most of these "zeroed out" habitat areas, commercial livestock grazing continues. The intent of Congress in passing the Wild Horse Act was to protect wild horses and burros as natural components of the lands on which they were found in 1971. Therefore, where feasible, wild horses and burros should be repatriated to habitat that has been eliminated for use by these species over the last 47 years.

#### **7. Range health must be assessed holistically; wild horses and burros must not be scapegoated.**

Over 80 percent of BLM land grazed by livestock is not occupied by wild horses and burros.<sup>8</sup> On the small amount of BLM land where wild horses and burros are allowed to co-exist with livestock, the BLM allocates the majority of available forage – over 70 percent – to livestock.<sup>9</sup>

Despite being vastly outnumbered by livestock, wild horses and burros are routinely blamed for damaging forage, soil, and water resources on public lands. In fact, not only do forage allocations greatly favor private livestock on public lands, but there is also no empirical research or credible monitoring data that differentiate the impacts of wild horses from those of livestock. In 2017, a report from the U.S. Government Accountability Office confirmed the need for studies to evaluate these different impacts.<sup>10</sup> And, in 2015, Public Employees for Environmental Responsibility addressed the scapegoating of wild horses and burros, writing that the BLM's sage grouse policy is "...skewed toward minimizing impacts from domestic livestock and magnifying those from wild horses and burros."<sup>11</sup>

#### **8. The management of wild horses and burros on public rangelands must be guided by the best current science and data.**

The BLM's management of wild horses and burros is seriously flawed in that its decisions are guided by special interest politics rather than solid science. Management practices lack sound methodology and utilize outdated and questionable data. For example, the 2013 NAS report found that the BLM's process for determining AMLs and allocating forage for wild herds lacked a "science-based" rationale.<sup>2</sup> In 2017, the U.S. District Court in Idaho ruled that the BLM must consider the



results of the NAS report in the development and analysis of management policy.<sup>12</sup> The NAS report laid out a viable roadmap for reform of the BLM program;<sup>2</sup> Congress must not allow the agency to discard the findings of the nation's premier scientific body.

## **9. The management of wild horses and burros on public rangelands must consider input from the American public.**

Americans value the West's wild horses and burros. According to numerous national polls, most oppose the removal of wild herds from rangelands and support the use of fertility control.<sup>3</sup> In 1982, a National Research Council report on the BLM's Wild Horse and Burro Program acknowledged Americans' interest in our wild herds and encouraged the agency to "be responsive to public attitudes and preferences."<sup>13</sup> Almost three decades later, the 2013 NAS report again reiterated the importance of addressing prevailing public preference and specifically recommended that the BLM improve ways to "engage with the public in ways that allow the public to influence agency decisions."<sup>2</sup>

To date, the BLM has failed to meaningfully consider public opinion in the development of management policy. In most cases, the agency has predetermined the outcome of its decision-making processes and does not give proper attention to the large volume of public comments that it does receive. Instead, the BLM skews policies toward the grazing, mining, and oil and gas industries. It largely shuts out the voices of the outdoor recreation community and ordinary citizens interested in viewing wild horses and burros on our public lands, thereby ignoring that they are an eco-tourism resource for rural communities located near wild equine herds.

## **10. There can be no "thriving natural ecological balance" on the range in the absence of predators.**

The Wild Horse Act directs the BLM and the USFS to "manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands."<sup>1</sup> Yet, every year, millions of predators – including mountain lions, a documented predator of wild horses and burros – are killed through state issuance of hunting tags and a federal predator control program, which lethally removes wildlife at the request of livestock operators. There can be no thriving natural ecological balance without predators, and protecting predators must be part of an overall plan for achieving a "thriving natural ecological balance" in wild horse and burro habitat areas.

## **Recommendations**

A humane, sustainable, and fiscally responsible wild horse and burro management plan is urgently needed. As the 2013 NAS report emphasized, the BLM's current practice of roundups and removals not only is wasteful but also "facilitates high population growth rates" of wild horse and burros who remain on the range.<sup>2</sup> Additionally, killing or slaughter is not a solution because it still requires costly, traumatic roundups and is overwhelmingly opposed by Americans.<sup>3</sup> Moreover, the slaughter of America's horses and entry of unregulated horse meat into the food pipeline poses a public health threat.

Therefore, we, the undersigned organizations and individuals, endorse the following recommendations for humane management of our nation's wild horses and burros.

1. Develop a ten-year plan to reduce and stabilize wild horse populations in targeted Herd HMAs with native PZP or long-acting PZP-22 administered by remote darting or Catch-Treat-Release using bait/water trapping. This requires reallocating funds in the BLM budget and developing more public-private partnerships to implement a comprehensive fertility control program. However, the savings could be immense. For example, a respected economist found that, using PZP in just one HMA, the BLM could save \$8 million and achieve population goals in 12 years.<sup>14</sup>
2. Re-establish the historic ranges of wild horses and burros as determined after the first census in 1974. Where feasible, zeroed-out HMAs and Herd Areas (HA) should be restored for use by wild horses and burros. The BLM should repatriate captive geldings, mares vaccinated with PZP, and jennies from expensive short-term holding facilities to "zeroed out" habitat areas as a mechanism for significantly reducing holding costs and improving the quality of life for wild equines currently living in feedlot conditions.
3. Revise Resource Management Plans to raise AMLs based on an equitable (at least 50-50) allocation of resources between livestock and wild horses on the small fraction of public lands designated as wild horse and burro habitat.
4. Create a process to determine management approaches for individual HMAs, HMA complexes, HAs, and Wild Horse Territories (on USFS lands) or at a regional level; maximize public/private partnership opportunities; and engage all stakeholders. This would involve, for example, consideration of terrain and water resources, number of wild horses

and/or burros, availability of local groups to partner with, and ways to encourage involvement or “buy in” from all stakeholders, including livestock grazing permittees.

5. Adjust livestock grazing levels within HMAs to accommodate the current wild horse and burro population, pursuant to 43 CFR 4710.5, which authorizes the BLM to reduce or eliminate livestock grazing. Permittees could be offered direct public and/or private financial compensation or tax credits in exchange for grazing permit retirement, non-use, or reduced use in wild equid habitats.
6. Continue research on multi-year, remotely deliverable, safe and reversible fertility control vaccines and other management methods that are humane and minimize impacts to natural behaviors.
7. Prohibit the use of sterilization and other population growth suppression methods that substantively alter wild horse and burro natural behaviors and/or endanger their health and well-being.
8. Develop apprenticeship programs with local community colleges and institutions to develop pathways into federal positions within the BLM and USFS for qualified and interested candidates. These positions may involve oversight of volunteers assisting with inventories of horse populations, fertility control programs, and other range and animal stewardship programs.
9. Create more opportunities to engage all stakeholders in addressing management issues by, for example, expanding the BLM Wild Horse and Burro Advisory Board to include a broader range of perspectives; developing formal and informal programs for individuals and groups to meet with BLM and USFS staff to collaborate on solutions; and utilizing citizen-science monitoring efforts to develop an accurate database of horses and burros on the range. Advances to keep wild equines on the range have occurred whenever the BLM and USFS have seriously engaged with equine advocates and the public.
10. Protect predators (e.g. mountain lions and wolves) in and around all HMAs, HAs, and Wild Horse Territories.
11. If removals occur, the BLM should remove only horses and burros for which there is more adoption demand (1-5 years old) from the range, with the number of animals removed not exceeding the agency’s ability to place them in adoptive homes. Training programs for captured wild equines should be expanded to help increase adoptions, and follow-up monitoring of adopters should be mandatory before title transfer. Additionally, bait/water trapping is the preferred method of capture for wild horses and the only acceptable method for wild burros.

## References

1. The Wild Free-Roaming Horses and Burros Act of 1971-Public Law 92-195. Retrieved from [https://www.blm.gov/or/regulations/files/whbact\\_1971.pdf](https://www.blm.gov/or/regulations/files/whbact_1971.pdf)
2. National Academy of Sciences/National Research Council. (2013). Using science to improve the BLM wild horse and burro program: A way forward. Washington, DC: National Academy Press. Retrieved from [https://www.blm.gov/or/regulations/files/whbact\\_1971.pdf](https://www.blm.gov/or/regulations/files/whbact_1971.pdf)
3. 2013 and 2017 National Polls - Public Attitudes toward Wild Horse and Burro Protection. Public Policy Polling. Retrieved from <https://americanwildhorsecampaign.org/media/polls>
4. Bureau of Land Management. (2018). Wild Horse and Burro On-Range Population Estimates. United States Department of the Interior, Bureau of Land Management. Retrieved from <https://www.blm.gov/programs/wild-horse-and-burro/about-the-program/program-data>
5. Rutberg, A.T., Grams, K., Turner, J.T., & Hopkins, H. (2017). Contraceptive efficacy of priming and boosting doses of controlled-release PZP in wild horses. *Wildlife Research*, 44(2):174-181.
6. Haile J., Froese D.G., MacPhee, R.D.E., Roberts R.G., Arnold L.G., Reyes, A.V., et.al. (2009). Ancient DNA reveals late survival of mammoth and horse in interior Alaska. *Proceedings from the National Academy of Sciences of the United States of America*. 106(52): 22352-22357. Retrieved from <http://www.pnas.org/content/106/52/22352.long>
7. Bureau of Land Management. (2018). Program Data: Wild Horse and Burro Acreage. United States Department of the Interior, Bureau of Land Management. Retrieved from <https://www.blm.gov/programs/wild-horse-and-burro/about-the-program/program-data>
8. Zach Reichold Email re: AUMs. (2014, April 21). Retrieved from <https://americanwildhorsecampaign.org/media/zach-reichold-email-re-aums>
9. Bureau of Land Management. (2018). Livestock Grazing on Public Lands. United States Department of the Interior, Bureau of Land Management. Retrieved from <https://www.blm.gov/programs/natural-resources/rangelands-and-grazing/livestock-grazing>
10. U.S Government Accountability Office. (2017). Animal Welfare: Information on the U.S. horse population. (GAO-17-680R). Washington, DC: Government Printing Office. Retrieved from <https://www.gao.gov/products/GAO-17-680R>
11. Public Employees for Environmental Responsibility. (2013, September 16). BLM weighs wild horse impact much more heavily than cattle: Agency sage grouse review puts thumb on scale to magnify wild horse and burro effects. Retrieved from <https://www.peer.org/news/news-releases/blm-weighs-wild-horse-impact-much-more-heavily-than-cattle.html>
12. American Wild Horse Preservation Campaign, et al. v. Ryan Zinke, et al (D.I. 2017). Retrieved from [https://www.gpo.gov/fdsys/pkg/USCOURTS-idd-1\\_16-cv-00001/pdf/USCOURTS-idd-1\\_16-cv-00001-0.pdf](https://www.gpo.gov/fdsys/pkg/USCOURTS-idd-1_16-cv-00001/pdf/USCOURTS-idd-1_16-cv-00001-0.pdf)
13. National Research Council. (1982). Wild and Free-Roaming Horses and Burros: Final Report. Washington DC: National Academy Press. Retrieved from <https://www.nap.edu/catalog/18789/wild-and-free-roaming-horses-and-burros-final-report>
14. de Seve, D. and Griffin, S.B (2013). An economic model demonstrating the long-term cost benefits of incorporating fertility control into wild horse (*Equus Caballus*) management programs on public lands in the United States. *Journal of Zoo and Wildlife Medicine*, 44(4s), S34-S37.

## Supporters of Moving Forward: A Unified Statement on the Humane, Sustainable, and Cost-Effective On-Range Management of America's Wild Horses and Burros

**April 2018**

3H Humans, Horses & Herds	Fly North Adventures
A.C. Kandler Photography	Freedom Reigns Equine Sanctuary
American Horse Rescue Network	Friends of a Legacy (FOAL)
American Wild Horse Campaign	Front Range Equine Rescue
Animal Law Coalition	Great Escape Mustang Sanctuary
Animal Welfare Institute	Habitat for Horses
Arrowhead Photography	Horses Happily Ever After
Black Hills Wild Horse Sanctuary	Heber Wild Horses Freedom Preservation Alliance
Blixx Horses	Hidden Valley Wild Horse Protection Fund
Cachuma Ranch Company	High Noon Horse Farm
CANA Foundation	Horses for Life Foundation
Caroline Christie Photography	In Defense of Animals
Cat Kindsfather Photography	Institute of Range and the American Mustang
Central Oregon Wild Horse Coalition	Jamie Baldanza Photography
Chilly Pepper Miracle Mustang	Jeanne Nations Photography
Chris Lombard Horsemanship	Jicarilla Mustang Heritage Alliance (JMHA)
The Cloud Foundation	Judy Barnes Photography
Coloradans Against Horse Slaughter	Kimerlee Curyl Fine Art
Corolla Wild Horse Fund	Labyrinth Dressage
Crawford Farms	Lara Joy Brynildssen Photography
Darcy Grizzle Photography	Laurie Ford Wildlife Photography
Dream Catcher Wild Horse and Burro Sanctuary	Let 'em Run Foundation
Vickery Eckhoff - The Daily Pitchfork	Linda Ghent Photography
Epona's Path, Inc.	Lockwood Animal Rescue Center
Equine Voices Rescue and Sanctuary	Longhopes Donkey Shelter
Equine Welfare Alliance	Love Wild Horses
Ever After Mustang Rescue	Lynne Pomeranz Photography
Terri Farley - Nevada Writers Hall of Fame	Maine State Society for the Protection of Animals

Maryland Horse Council  
Meadowlands Racing and Entertainment  
Mobilization for Animals  
Montgomery Creek Ranch  
Mustang Ambassadors Program  
Natural Horse Magazine  
Natural Horse Talk  
Natural Horse University  
Old MacDonald Barnyard Animal Rescue  
Pam Nickoles Photography  
Pine Nut Wild Horse Advocates  
Pity Not Cruelty Foundation  
P.J. Kaszas Photography  
Pryor Mountain Wild Mustang Center  
Red Canyon Wild Mustang Tour  
Respect 4 Horses  
Return to Freedom Wild Horse Conservation  
Robin Kelly, DVM - AWHC/Scientific Advisory Board  
SAFE Food SAFE Horses Coalition  
Salt River Wild Horse Management Group  
Sand Wash Basin Advocate Team  
Serengeti Foundation  
Skydog Sanctuary  
The Soul of the Horse  
Southern Sun Farm Sanctuary  
Special Horses  
Spirit Heart Ranch

Spirit Horse Equine Rescue and Education Center  
Spirit of the Wild Horse  
Standardbred Retirement Foundation  
Steadfast Steeds  
Sun Pony Ranch  
Texas Humane Legislative Network  
The Winners  
Tioga Downs Racing Casino and Entertainment  
Vernon Down Racing Casino and Hotel  
Virginia Range Wildlife Protection Association  
Virginia Wild Horse Rescue  
Vista Caballo  
Warm Springs Horse Network  
Washington Horse Defense Coalition  
Wild Burro Rescue and Preservation Project  
Wild Equid League of Colorado  
Wild Heart Sanctuary  
Wild Horse Connection  
Wild Horse Photography Collective  
Wild Horse Preservation League  
Wild Horse Protection Act  
Wild Horse Rescue Center  
Wild Horse Tourism  
Wild Horses of America Foundation  
Wild Horses of Nevada Photography  
Wildhorsesrockmyworld Photography  
WindDancer Foundation