THE ONLY LAND CLAIMED BY THIS COMPANY WITHIN ITS RANGE ARE THE ODD NUMBERED SECTIONS. WHERE RIGHTS OF WAY ARE NOT ESTABLISHED TO THE PUBLIC DOMAIN THE COMPANY OFFERS TO ESTABLISH AND DEFINE SUCH RIGHTS OF WAY UPON APPLICATION TO THE SECRETARY. ALL PERSONS ARE HEREBY WARNED NOT TO TRESPASS UPON ANY PORTION OF SAID ODD NUMBERED SECTIONS WHICH IS NOT TO BE USED AS A RIGHT OF WAY TO THE PUBLIC DOMAIN.

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September 10, 2018

VIA Email and US Mail

Senator Michael B. Enzi Attn: Nikki Brunner PO Box 12470 Jackson, WY 83002 Nikki_Brunner@enzi.senate.gov	Senator John Barrasso Attn: Travis McNiven 1575 Dewar Drive, Suite 218 Rock Springs, WY 82901 Travis_McNiven@Barrasso.Senate.gov	Congressman Liz Cheney Attn: Tammy Hooper 2120 Capitol Ave. Suite 8005 Cheyenne, WY 82001 Holly.Heussner@mail.house.gov

Re: Need for Effective Wild Horse Management

Dear Senators Enzi and Barrasso and Congressman Cheney:

Wild horse populations are exploding across the West and have more than doubled in the past eight years. Despite a vocal national advisory board and support for aggressive management from states and counties, the Bureau of Land Management ("BLM") struggles to adopt and implement a course of action that will address the long-term injuries caused by too many wild horses. The Rock Springs Grazing Association ("RSGA"), Wyoming Game and Fish Department ("WGFD"), the Wyoming Department of Agriculture ("WDA"), the Wyoming Stock Growers Association, and the Wyoming State Grazing Board ("Board") request your support in persuading BLM to promptly reduce wild horse numbers in Wyoming.

For the State of Wyoming, most of the herd management areas and about 75% of the wild horses live in the southwest. The BLM completed the most recent removal of the Adobe Town, Salt Wells, and Divide Basin Herd Management Areas ("HMA") on October 17, 2017 and removed 1,560 adult horses and 408 foals. Thirty days later, the BLM conducted a post-gather census and found that there were 1,818 horses inside these same HMAs – a total of 618 "excess" horses above the upper range of Appropriate Management Levels ("AML") for those HMAs. This estimate did not include the horses just outside the boundary of the HMAs – which adds another 316 horses. As of the date of this letter, assuming a conservative population growth of 20% for these particular HMAs, there are likely 2,560 horses on the ground consuming forage in competition with big game, priority greater sage-grouse habitats, and domestic livestock.

The Adobe Town, Salt Wells, and Divide Basin HMAs overlie core sage-grouse habitat, crucial winter range for antelope and mule deer, as well as livestock grazing allotments on public lands and RSGAs private or leased lands. Fecal studies sponsored by conservation districts and the University of Wyoming prove that horses subsist primarily on cool season bunch grasses that are essential to other wildlife – including sage-grouse – and livestock when conditions are favorable. During drought, horses also hedge sagebrush, erode water sources, and cause significant erosion of sensitive soils. Put simply, range resources in Wyoming – and across the West – face increasing degradation from overabundant wild horses, while BLM gives no indication that it intends to change the status quo.

The management situation in southwest Wyoming and other western states is further complicated by the "Checkerboard" pattern of public and private land. For example, of the five HMAs in the BLM's Rock Springs Field Office, four of them overlie the Checkerboard – a strip of land running east to west, 40 miles wide and 80 miles long that consists of one-mile sections of alternating public and private land. RSGA owns or leases the majority of that land – slightly more than one million acres. Although this ownership proves difficult for resource management, the Tenth Circuit Court of Appeals has reprimanded the RSFO for failing to come up with a viable solution. *See American Wild Horse, et al v. Jewell*, 847 F.3d 1174 (10th Cir. 2016) (the RSFO "must go back to step one and make appropriate judgements by redetermining the HMAs without the non-permissive use of private lands.").[1]

Currently, the Rock Springs Field Office is revising its resource management plan. The revision has been ongoing since February of 2011 and a public draft of the environmental impact statement has yet to be published. <u>The time for the RSFO to devise a workable and sustainable solution is now</u>. In 2013, the BLM and RSGA entered into a Consent Decree, that if implemented correctly, would resolve wild horse management issues in the RSFO, and prevent those issues from spreading to other field offices in Wyoming, Colorado and Utah. Perhaps the most essential components of the Consent Decree were converting the Adobe Town, Salt Wells, and Divide Basin HMAs to herd areas managed for zero wild horses, while *retaining* the White Mountain HMA as an example of how wild horses can be managed sustainably through various sterilization techniques. This framework not only protects the range but allows wild horses to persist on the landscape. The undersigned request that your office by letter or meeting encourage the RSFO and the Wyoming BLM to convert the Adobe Town, Salt Wells, and Divide Basin HMAs to herd areas managed for zero wild horses.

Secretary Zinke's report on Management Options for a Sustainable Wild Horse and Burro

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[1]Other field offices in Wyoming have equally failed to address the effects of wild horses on the landscape. BLM approved the Red Desert gather in fall of 2017 but a successful legal challenge stalled that gather – no gather has been scheduled set as of the date of this letter. The Red Desert complex includes the rest of the HMAs in Wyoming.

Program expresses many options available to the BLM to reduce the wild horse population.[2] According to that Report, many management approaches "result in the type of changes that would require the BLM to amend existing Resource Management Plans, and complete appropriate NEPA analysis before they could be implemented." *Id*. at 22. Thus, field offices, like the Rock Springs Field Office, must use the NEPA process to devise durable and enduring management actions to protect the range resources if necessary. In Southwest Wyoming, that time is now.

RSGA, WDA, the Board, and WGFD appreciate your willingness to address a big issue on a smaller scale that will significantly benefit resources in Wyoming, Colorado and Utah. We are happy to discuss any details further, so please don't hesitate to contact the undersigned.

John Hay, III
Rock Springs Grazing Association, President

Keith Hamilton
Wyoming State Grazing Board, Chairman

Doug Miyamoto
Wyoming Department of Agriculture, Director

Scott Talbott
Wyoming Game and Fish Department, Director

Jim Magagna
Wyoming Stock Growers Association, Executive Vice President

[2] *See* http://wildlife.org/wp-content/uploads/2018/05/WHB-Report-to-Congress.pdf.