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March 30, 2011

Via email: wildhorse@blm.gov

Bob Abbey, Director
Bureau of Land Management
Division of Wild Horses and Burros
1849 C Street NW, Room 5665
Washington, D.C. 20240

Dear Director Abbey:

The Wyoming Department of Agriculture (WDA reviewed the details of the Bureau of Land Management's (BLM) Proposed Strategy for Future Management of America's Wild Horses and Burros document (Strategy) dated February 28, 2011. We offer the following comments for your consideration.

The WDA was pleased the Secretary of the Interior (Secretary) acknowledged problems exist in the Wild Horse and Burro Program with the release of Draft Strategy in June 2010. We were hopeful this was the first step toward a proactive management approach to a sustainable program. We provided comments on the draft and understand you received many other comments. We want to convey our disappointed with the direction and approach BLM has taken in the final Strategy.

General Comments:

After evaluating the Strategy, it is apparent the direction has veered from the directive given in the Wild Free-Roaming Horses and Burros Act of 1971 (as amended by Congress in 1976, 1978, 1996, and 2004) (Act). The Act expressly conveys BLM will manage wild horses as one of the multiple uses while maintaining a thriving natural ecological balance. In the Strategy, the approach of "ecological balance" is thrown out the window as the leaders of the program cave in to pressures from horse advocates who neither make their living from the natural resources provided by these ecosystems nor do they live in the rural communities economically-impacted by the imbalance.

The BLM is mandated to manage the nation's public lands for multiple uses as clearly stated in the 1976 Federal Land Policy and Management Act (FLPMA). BLM's first charge is land management to protect the land resource for multiple use. We want to emphasize wild free-roaming horses and burros (wild horses) are just one use of our public lands. Other Congressional mandates, federal statutes, implementing regulations and land use policies also call for multiple uses on BLM administered lands. The BLM website states "BLM continues to work with Law-enforcement authorities in the investigation and prosecution of those who violate the Act," yet BLM continues to directly violate the Act. Section 1333 of the Act mandates once the Interior Secretary "determines...on the basis of all information currently available to him, that an overpopulation exists on a given area of the public lands and that action is necessary to remove excess animals, **he shall immediately remove excess animals from the range so as to achieve appropriate management levels.**" The final strategy completely disregards this mandate.

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The WDA is extremely disturbed to learn the 2011 summer gathers are off the table. BLM should not postpone the immediate actions needed to address the critical ecosystem out-of-balance realities existing on the lands in the delineated Herd Management Areas (HMA). Without these gathers the numbers presented in the Strategy are immediately skewed.

Lack of action this summer in Wyoming goes directly against the Wyoming Consent Decree dated August 14, 2003, between the State of Wyoming and U.S. Department of Interior BLM. Within the Consent Decree, the BLM agrees to perform an inventory of HMAs every three years and as a result conduct a gather to reduce the population of wild horses and burros to Appropriate Management Levels (AML).

The AML set for all HMAs is approximately 26,600. The number of wild horses and burros currently reported on BLM's website is 38,365 as of February 28, 2010 – 44% over the set AML. It is untenable that the Strategy will not address the immediate need for gather and removal actions just to achieve the 32,000 to 36,000 level BLM proposes to maintain over the next three years. To state in the Strategy "Prioritize gathers in areas where overpopulation most threatens land health..." is troubling to us. Why wait until land health is threatened and who determines the subjective nature of "most threatened?"

The WDA questions the necessity for the National Academy of Science (NAS) Study. In light of the current federal budget situation, we find spending \$1.3 million dollars over the next two years on yet another study an unacceptable use of Wild Horse and Burro program funds. Reports and studies have already been conducted by NAS and numerous other entities. We do not support throwing money at a study from an already under-budgeted program will enhance the sustainability of the program. Previous report recommendations and findings have not been fully implemented and it appears the program continues to look for different results while using the same management practices.

The 2010 report from the Office of the Inspector General specifically states "...wild horse and burro gathers are necessary because BLM lands cannot sustain the growing population..." and goes on to say, "...must be addressed to achieve and maintain a thriving natural ecological balance...". Wild horse gathers are needed to achieve a thriving natural ecological balance, yet in the Strategy, gather numbers are reduced to 7,600 for the next three years. This allows the wild horse and burro population residing on the range to continue growth well beyond the designated AML.

We are deeply concerned the success of the Strategy hinges on unproven success of fertility control and hitting adoption goals. We find this a significant flaw in the Strategy as BLM does not have direct control over the effectiveness of an unproven drug or control over individuals choosing a wild horse or burro over a domestic one.

Comments Specific to the Strategy

Sustainable Herds.

The WDA requests that BLM approach the Sustainable Herd element goal, objective and actions as "in addition to" current management and not "in lieu of" current management.

The Sustainable Herds goal, Objective 1, Action 1 is in direct conflict with the Objective itself. The AML is 26,600 and Action 1 allows populations from 32,000 to 36,000 while removing fewer animals per year.

While the WDA supports administering Immunocontraceptive Porcine Zona Pellucida (PZP) to mares in an effort to slow herd growth rates, we want to stress the importance of continued census counts to manage populations and not rely on the unproven effectiveness of PZP-22 controlling wild horse populations in expansive HMAs.

The WDA supports Sustainable Herds goal, Objective 5, "Conduct rangeland health assessments, herd health evaluations, and habitat monitoring..." WDA works closely with the Wyoming BLM to perform rangeland health assessment and monitoring activities. In doing so, we struggle to compete for BLM staff's time to conduct this required duty. We have learned quality assurance/quality control is critical to all data collected and submitted for use and it is important to include causal factors associated with documented negative observations.

Ecotourism.

The Ecotourism element of the Strategy should be locally developed and driven. It is important BLM work with the local communities on this issue and involve them in making decisions as to whether to pursue a value-added opportunity surrounding the presence of an HMA.

Pastures and Partnership Sanctuaries.

Although we find it honorable to issue procedures to facilitate long-term care by partners, it is important to acknowledge the amount of time and money needed to perform all the checks and compliance audits for a successful partnership. We appreciate the decision to remove the previous draft's proposal to include federal acquisition of horse preserves in the Mideastern and Eastern United States.

Place Excess Animals in Private Care.

The WDA supports the concept of placing excess animals in private care. As previously stated, we have concerns with the overall success of the Strategy hinging on 4,000 animals being adopted each year. We find the goal identified in the Strategy unattainable after taking into account the reality of today's economy, the increasing numbers of domestic horses, and the limited population who will adopt a wild horse. We are opposed to using "incentives to help defray the cost of horse ownership" and exploring "new authorities for new incentives" as provided. These actions would increase the cost to taxpayers to help individuals have the privilege of owning a wild horse or burro.

Adoptions are costly to the program in the short-term, but offer a cost savings in the long-term. The training and time needed to prepare a wild horse for a successful adoption is costly. Realistically, BLM cannot expect for this expense to be recovered through adoption revenue. Many potential adopters lack the knowledge and skill to successfully adopt an untrained horse, wild or domestic, and turn it in to a trusted, well-behaved mount.

We suggest moving Goal 2 of “Place Excess Animals in Private Care” to the Public Outreach element. Additionally for the Public Outreach element, include the specifics necessary for full transparency of the adoptions – timely reports of events, number of returned wild horses or burros and current information on compliance checks.

In closing, the WDA appreciates the opportunity to comment on this document dealing with an issue so critical to the agriculture producers of our State. But above all, it is not only critical to agriculture, it is also critical to the citizens of Wyoming. Management decisions made as a result of this document’s implementation will have social and economic impacts to individuals, businesses, communities, and the State. Long-term sustainability of the Wild Horse and Burro Program, without putting undue burdens on the resources provided by our public lands and the taxpayers, is paramount to the overall success of the Strategy.

We encourage BLM to take our concerns and suggestions into consideration and look forward to hearing more as the Strategy is implemented. We also look forward to continued work with the Wyoming BLM to address management of free-roaming horses.

Sincerely,



Jason Fearneyhough
Director

JF/lis

CC: Governor’s Planning Office
Don Simpson, State Director – Wyoming BLM
Jeannie Lesieutre, Wyoming Wild Horse & Burro Specialist
Rocky Mountain Farmers Union
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