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*The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.*

**August 5, 2010**

**Bob Abbey**  
**Bureau of Land Management Director**  
**1849 C Street NW, Rm. 5665**  
**Washington DC 20240**

**Dear Director Abbey:**

**The Wyoming Department of Agriculture (WDA) staff reviewed the Working Toward Sustainable Management of America's Wild Horses and Burros Strategy Document (Strategy). We offer the following comments for your consideration.**

**First, we want to say it is commendable the Secretary of the Interior (Secretary) and the Government Accountability Office have acknowledged problems exist in the Wild Horse and Burro Program. Although we have some concerns over the proposed Strategy, developing this Strategy to make improvements to an unsustainable approach is a good first step. While we are sympathetic to the conflicting interests on this high profile issue and understand the diversity of pressures placed on the Bureau of Land Management (BLM), we want to emphasize wild free-roaming horses and burros (free-roaming horses) are just one use of lands managed by the BLM. Congressional mandates, federal statutes, and implementing regulations call for multiple uses on BLM administered lands.**

**We believe the Wild Free-Roaming Horses and Burros Act of 1971 (Act) as amended is adequate at providing direction and free-roaming horse management tools for the Secretary. We request the Secretary not include anything in the final strategy requiring Congress to amend the Act.**

**The WDA supports the five underlying principles of the Secretary's Strategy. While we support these principles, we have concerns over some of the goals, objectives and possible management actions outlined in the Strategy being capable of addressing the principles positively.**

**The WDA will submit comments electronically via the website. In addition, we are providing you with a written copy of our comments.**

**BOARD MEMBERS**

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## **Strategy Question Answers**

### **4.1 What Do You Think?**

Would you support increased use of fertility control and sex ratio adjustments to slow population growth?

The WDA supports the increased use of fertility control as a means of managing the increase in free-roaming populations. We encourage continued research in this area to improve the cost/benefit ratio and increase the control period.

We also support adjustments to herd sex ratios as one method to slow population growth. These adjustments may be a low cost method, but may have unknown consequences. We believe this method should be implemented within several HMAs to allow further evaluation of the pros and cons.

Would you support male-only herds in some HMAs? If so, how should the areas be identified?

The WDA supports the concept of male-only herds in some HMAs if fully evaluated for potential impacts. These non-reproducing herds should be implemented only if the animals in these herds were permanently sterilized to alleviate the possibility of them traveling to a reproducing herd and therefore nullifying the benefits of a non-reproducing herd. The animals within these herds should be identified with a visible method so to be easily identified. One option would be a specified freeze brand on the hip.

Under what conditions would you support placement of animals in good homes overseas?

We believe the criteria should be the same as established for placement of animals in the United States.

What suggestions do you have to increase the number of excess animals placed in private care?

The WDA urges the BLM to continue working with private consultants to continue expanding the efforts of placing free-roaming horses in the private sector. In addition, we believe there should be more emphasis on placing free-roaming horses in federal programs which utilize work horses. The free-roaming horses are a federal resource which needs to be fully utilized in other federal programs. As an example, Forest Service horses, Border Patrol horses and Marine Corp horses should all originate from the free-roaming horses.

We support the identified actions to accomplish the goal of placing more animals into private care in the Strategy. We support the expansion of the Wyoming's current efforts like the Mustang Challenge at the Wyoming State Fair and the Wyoming Honor Farm free-roaming horse training program providing training for the free-roaming horses and expanding the adoption customer base.

We would also suggest looking to pilot programs conducted in Wyoming and other states which perform larger adoptions and place free-roaming horses on privately owned ranches.

Would you support revising adoption requirements (such as lower fence heights, reduced shelter requirements, or reduced or waived title waiting period)?

The WDA does not support revising the current adoption requirements. Although the requirements may hinder adoptions and not necessary in all cases, the requirements are necessary for the

protection of the free-roaming horses adopted and the safe guarding the public's perception of the BLM to accomplish this duty.

### 5.1 Sustainable Herds

**Goal:** Manage wild horse and burro populations on public lands so that healthy rangelands and animals are maintained in a thriving natural ecological balance with other multiple uses.

***How satisfied are you that this element will lead to a successful strategy?***

The WDA supports the sustainable herds goal, objective 1 of the Strategy. We support increasing the use of Immunocontraceptive Porcine Zona Pellucida (PZP) and implementing sex ratio adjustments favoring males over females to reduce the number of females foaling on the range. We encourage continued research on methods of fertility control to improve the cost/benefit ratio and increase the duration of the control period. We also support the conversion of certain herds within Herd Management Areas (HMAs) to non-reproducing populations as a method for population control if the animals in these herds were permanently sterilized to alleviate the possibility of them traveling to a reproducing herd.

We do not support the sustainable herds goal, objective 2 and the associated actions. Free-roaming horses must be managed within their "piece of the pie" in the multiple uses on the range. Specifically, the definition of range states "...the amount of land necessary to sustain an existing herd...which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple-use management concept of the public lands." In the excess animals definition it includes "(free-roaming horses) which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area."

Many times forage is not the limiting factor on the range for free-roaming horses, livestock or wildlife. Water is often the limiting factor and its limited distribution on the range also limits the distribution of animals within an area. Protecting the water resource and the riparian area around the water are concerns to us and have been greatly compromised in many areas due to the over population of free-roaming horses.

In addition we strongly believe, if livestock grazing permits become available in an HMA, other permittees/lessees should have an opportunity to obtain these livestock grazing permits to maintain the livestock Animal Unit Months (AUMs) as designated in the land use plan. Research studies conducted by the Department of Agriculture and Applied Economics located in the University of Wyoming – College of Agriculture show how federal policies impact agriculture in Wyoming. The studies include the importance of AUMs, the significance of input and output of state agriculture, and the costs and revenues to counties of agriculture and other industries. Per the referenced research, the total economic impact from the loss of one public land AUMs equate to \$88.46/AUM; the loss an allotment will increase it to \$123.85/AUM; and the loss of a viable ranch due to the loss of public grazing AUMs is \$269.81/AUM. Changes in the use of the AUMs would certainly affect the continuation of agricultural operations within HMAs, impact the local / state economy, and should be evaluated before implementation occurs.

The WDA believes expanding the use of various gather techniques and improving gather efficiency could result in decreasing gathering costs. We would encourage expanding partnerships to accomplish gathers provided the assisting partners have the same goals and objectives.

This element of the Strategy is paramount to the overall success of the Strategy. Free-roaming horses must be managed to insure the number one principle for success to maintain land and animal health is accomplished. Again, we stress the importance of continuing multiple-use benefits on public lands. Controlling populations by implementing the actions provided in sustainable herds goal, objective 1 and objective 3 are crucial to our satisfaction in this element.

***What suggestions do you have to improve this element of the strategy?***

This key area of the Strategy focuses on free-roaming horse populations, but it does not identify how carrying capacity and available resources will be identified and managed. All of the multiple uses have impacts on the habitat carrying capacity and need to be taken into consideration when determining sustainable populations. Sustainable habitat changes with fluctuations in weather patterns, energy development uses, and wildlife numbers.

The WDA suggests adding an objective and associated actions to this element centering on determining the current state of habitat conditions and carrying capacity. This objective should be based upon the best available science for assessing free-roaming horse populations and other current resource conditions. The BLM must have accurate base-line data as a place to begin in order to determine success of the Strategy.

The WDA believes range inventories, assessments, and base-line data are needed to assess whether the goal is being met. Without this data, BLM cannot provide for an objective assessment of whether free-roaming horses are maintaining a thriving natural ecological balance with other multiple uses. We would encourage more resource monitoring to identify impacts of free-roaming horses on the range. Developing water in areas with limited distribution could reduce impacts on current riparian areas and allow for more even utilization of the forage resource within current HMAs. Adjust herd numbers within the Appropriate Management Level (AML) set within the Consent Decree in Wyoming based on vegetative monitoring and ecological balance indicators determined with a science-based approach on a case-by-case basis for each HMA.

We also suggest the BLM work closely with private landowners to monitor free-roaming horses traveling outside the designated HMAs. In Wyoming, the BLM should also partner with the Wyoming Livestock Board to address this issue and the issue of domestic horses being turned out on public lands.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA continues to work closely with the BLM in Wyoming on free-roaming horse management. We have partnered to implement the directives of the Consent Decree over the last seven years and will continue partnering with the BLM to assist in implementing this element of the Strategy. We would encourage the BLM to include us in any planning efforts moving forward.

## 5.2 Preserves

**Goal:** Provide for sustainable long-term care of wild horses and burros in a free-roaming environment working collaboratively with our existing partners; develop new partnerships; and create educational and research opportunities and public access, while reducing costs of care within the next 10 years through an incentive-based approach that will provide local economic development opportunities.

### ***How satisfied are you that this element will lead to a successful strategy?***

While the WDA supports the concept of this element as outlined in the goal statement, we have concerns and issues with some of the stated objectives and actions. As outlined, we are not satisfied this element will lead to reduced costs to the BLM for the short-term or long-term. Local economies may benefit from this element, but we believe management and education costs for the maintenance of this approach will be costly for the BLM to administer.

The WDA supports the preserves goal, objective 1 and continue the stance in supporting healthy rangelands and healthy horses whether in HMAs or preserves. As stated "management of land for the sustained production of grass and other desirable forage plants" is a must.

We do not support the preserves goal, objective 3 and the purchase of federal land to house free-roaming horses. If this Strategy is successful in aligning the gather number of free-roaming horses with the adoption demand, the need for additional land required for free-roaming horses will go away. The purchase expense is not warranted.

We do not support the preserves goal, objectives 6 or 7. These objectives will not lead to reduced costs for the program and will not lead to a successful strategy in aligning the gather number of free-roaming horses with the adoption demand. A full analysis of the Horse Areas (Has) which have been zeroed out was performed and should not be used for preserves. The BLM should not spend the time or money to go down a path previously unsuccessful and thoroughly evaluated.

The WDA supports the preserves goal, objective 8, but believes it overlaps with Communication goal 1 and should be merged into a combined effort.

The WDA is not satisfied this element will lead to a successful strategy and believe this element will not assist in reducing the cost of the program.

### ***What suggestions do you have to improve this element of the strategy?***

The WDA would suggest leasing land from private individuals as an alternative to help the current over population of federal free-roaming horse holding facilities situation. Additionally, excess free-roaming horse could be placed on other public lands throughout the nation to increase the awareness and visibility of the program. We would only support this approach if careful assessments were done in advance to identify any potential conflicts with existing multiple uses. One example would be to expand partnerships with other federal agency land managers to allow opportunities to place excess free-roaming horses in areas such as national park service managed lands which would provide expanded public accessibility for free-roaming horse viewing. Dual benefits could be realized through such partnerships and free-roaming horse education could be provided along with other federal land area information.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA is only willing to partner with the BLM on the objectives we can support within this element. We have partnered to implement the directives of the Consent Decree over the last seven years and will continue partnering with the BLM to brain-storm free-roaming horse management solutions.

### **5.3 Treasured Herds**

**Goal 1:** Designate selected wild horses and burros as treasured herds through the BLM land use planning process.

**Goal 2:** Manage for healthy animals and healthy public lands.

**Goal 3:** Provide opportunities for ecotourism and value-added opportunities for local economies while maintaining the health of all wild horses and burros and the public lands.

**Goal 4:** Provide a fee generation system to offset growing costs to the overall program.

***How satisfied are you that this element will lead to a successful strategy?***

The WDA does not support the element of Treasured Herds as it is outlined in the Strategy. We are not satisfied this element provides sufficient support to make the Strategy successful as outlined by the principles for success. The WDA believes this element creates conflicts with the multiple use directive mandated on BLM administered lands through Congress, federal statutes, and implementing regulations. Treasured herd designations would serve to escalate conflicts, difficulties with free-roaming horse management and land use planning processes. This element will not lead to a reduction in costs and this approach is not providing for program sustainability.

The WDA supports the idea of local community support for herds and the transparency of their management. We also support efforts to leverage private funding for the sustainability of free-roaming horses if dollars go to existing management options which reflect established multiple uses of the public lands in the area. These actions could be incorporated into other elements of the Strategy.

***What suggestions do you have to improve this element of the strategy?***

The WDA would suggest removal of the Treasured Herds element within the Strategy. Some of the individual actions of the element could be incorporated into other Strategy elements.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA is willing to partner with the BLM only on the actions we can support within this element and its objectives and will continue to cooperate with the BLM for sustainable solutions.

### **5.4 Place Excess Animals into Private Care**

**Goal:** Place more animals into private care.

***How satisfied are you that this element will lead to a successful strategy?***

The WDA believes the success of the Strategy is dependent upon the success of this element and will lead to are satisfied it will lead to a successful Strategy. We support the three objectives within this element.

***What suggestions do you have to improve this element of the strategy?***

The WDA urges the BLM to continue working with private consultants to continue expanding the efforts of placing free-roaming horses in the private sector. In addition, we believe there should be more emphasis on placing free-roaming horses in federal programs using horses in their work. The free-roaming horses are a federal resource which needs to be fully utilized in other federal programs. As an example, Forest Service horses, Border Patrol horses and Marine Corp horses should all originate from the free-roaming horses.

We would also suggest looking to pilot programs conducted in Wyoming and other states which perform larger adoptions and place free-roaming horses on privately owned ranches.

We support the identified actions to accomplish the goal of placing more animals into private care in the Strategy. We support the expansion of the Wyoming's current efforts like the Mustang Challenge at the Wyoming State Fair and the Wyoming Honor Farm free-roaming horse training program providing training for the free-roaming horses and expanding the adoption customer base.

We suggest the BLM provide additional educational and support services to those adopting free-roaming horses. This includes written resources of people available for answering questions in addition to offering BLM sponsored training clinics for those who have adopted or plan to adopt free-roaming horses.

With this effort, we would caution the BLM to be mindful of the private horse industry as a competitor for placement of horses in the private sector. In doing so, include representatives of the private horse industry in more fully developing this strategy and actions leading to its success.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA is willing to continue our partnership with the BLM to explore options for increasing the placement of excess animals into private care. The WDA, State Fair Division has partnered on Mustang Challenge events and with promotional efforts to increase awareness of the Wild Horse and Burro Program and enhance adoption efforts. We are committed to the removal of excess animals from the range to achieve established AMLs and believe an option for excess animals includes an increase in their placement in the private sector. We would encourage the BLM to include us in any planning efforts moving forward.

## **5.5 Communications**

**Goal 1:** Partner with stakeholders and others to protect and manage wild horses and burros and tell the story of America's wild horses and burros.

**Goal 2:** Increase the Wild Horse and Burro Program's transparency; improve communications and visibility.

***How satisfied are you that this element will lead to a successful strategy?***

The WDA believes communication, partnerships, enhancing understanding of America's free-roaming horses, increasing transparency of the program and increasing the availability of information to the public about the program are crucial to any program. We are satisfied this element, if implemented properly, will definitely improve the chances of success for the Strategy.

***What suggestions do you have to improve this element of the strategy?***

The WDA suggests the first place to focus efforts in BLM's attempt to strengthen its communication efforts is to commit time and resources to getting the Wild Horse and Burro website up-to-date and keeping it current.

The WDA suggests in all communication efforts, a balanced, multiple use benefit approach is imperative in the achievement of a positive, successful Strategy element. BLM should include local, state and federal cooperating agencies when developing educational materials and messages. The constituent base of these cooperating agencies encompasses the entire spectrum of the public

Additionally, we suggest the BLM greatly enhance education efforts to the public regarding the financial and ecological cost of maintaining free-roaming horses throughout the west and identify the impacts to native ecosystems and other multiple uses. BLM should be willing to provide unbiased information on both the pros and cons of the current situation and let the public hear the full story. These education efforts need to include a cost versus benefit comparison of the current program which relies so heavily on free-roaming horses residing in holding facilities.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA is willing to be a full partner within the element of communication. We continue to work closely with the BLM in Wyoming on free-roaming horse management and would embrace the opportunity to assist in expanding efforts to tell the story of America's free-roaming horses. We would like to play a part in public education using a multiple use benefit approach in addition to relating the difficulties encountered in management of the fine line between the state of ecological balance and being out of balance.

## **5.6 Animal Welfare**

**Goal:** Use a progressive approach to implement a Comprehensive Animal Welfare Program (CAWP). Develop and implement a CAWP to ensure the well-being of wild horses and burros at gathers and in facilities; ensure compliance with animal care requirements following adoption. The CAWP will bring together existing elements like adoption compliance, with a progression of new components, such as education for employees and contractors; an ongoing, internal animal welfare assessment program; and periodic external reviews of our animal care and handling. Coordinate all components of the CAWP through a new position, the National Animal Welfare Coordinator. Conduct the CAWP with complete transparency.

***How satisfied are you that this element will lead to a successful strategy?***

The WDA cautiously supports this element of the Strategy and believe additional safeguards must be written into the objectives and actions before we would be satisfied it will help lead to a successful strategy. Creation of a Comprehensive Animal Welfare Program (CAWP) as outlined in

the animal welfare goal, objective 1 must be laid out in detail with strict parameters and guidelines in order to positively influence the program.

***What suggestions do you have to improve this element of the strategy?***

The WDA suggests statements are included in the element emphasizing the CAWP will provide support for the other elements in the Strategy. Nothing within this element should hinder or prevent implementation of any of the management actions necessary to control the population of free-roaming horses. Overpopulation of free-roaming horses with an HMA is a form of inhumane treatment that must be stopped and management is essential

We also suggest that in providing transparency for the program it is imperative to allow BLM to limit public viewing during management operations for the protection of the animals and to insure the highest level of animal welfare as a part of the CAWP.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA supports efforts of humane animal treatment and also believes excess animals should be removed from the range to alleviate unnecessary suffering due to lack of water and forage availability. We are willing to partner with the BLM in Wyoming on free-roaming horse management efforts to insure the well-being of free-roaming horses continues.

## **5.7 Science and Research**

**Goal:** Use the best science available to manage wild horses and burros.

***How satisfied are you that this element will lead to a successful strategy?***

The WDA is satisfied this element will help lead to a successful strategy if implementation is done on a case-by-case basis using the best available science for the given area. Too often we see scientific research applied too broadly. Using scientific research to determine management actions is mostly beneficial but applying science inappropriately is detrimental. As an example, research conducted on an HMA in the red desert in Wyoming may not be applicable to a herd residing in northern California. Climatic conditions and forage resources are different.

***What suggestions do you have to improve this element of the strategy?***

As previously stated, the WDA strongly suggests the gathering of new or additional rangeland health assessment information to use for management decisions rather than relying on current or historic rangeland health information. Information often predates the period of extended drought in the past decade, increased energy development and other uses impacting the areas. In addition, provide for the additional resource monitoring in this element.

***Is the WDA willing to be a partner with the BLM to assist with implementing some or all of these actions?***

The WDA continues to work closely with the BLM in Wyoming on free-roaming horse management. We have partnered to implement the directives of the Consent Decree over the last seven years and will continue partnering with the BLM to assist in implementing this element of the Strategy to the

full extent our qualifications will allow. We would be happy to assist the BLM in the collection of new or additional rangeland health information through our Rangeland Health Assessment Program.

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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 final Strategy is developed. We also look forward to continued work with the Wyoming BLM to address the management of free-roaming horses.

Sincerely,



Jason Fearneyhough  
Director

JF/lis

CC: Governor's Planning Office  
Wyoming Game and Fish Department  
Wyoming Board of Agriculture  
Wyoming Stock Growers Association  
Wyoming Wool Growers Association  
State Grazing Board  
Wyoming Association of Conservation Districts  
Rocky Mountain Farmers Union  
Don Glenn, Division Chief - Wild Horse and Burro Management  
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Wyoming Congressional Delegation