

Americas Mustangs & Burros



**What's Left,
The High Costs of Miscalculating
And Will They Survive?**

By C.R. MacDonald

FORWARD

Since 1971, when wild horses and burros became a protected species, the answer to one of the most consistently pressing questions everyone wants and needs to know is – how many are really out on the range?

This fundamental question is at the heart of management for healthy rangelands, proper forage allocations as well as the financial costs of managing Americas wild free-roaming horse and burro herds.

When the Bureau of Land Management launched the 4 Year Healthy Rangeland Initiative that began a national campaign targeted at removing large numbers of mustangs and burros from public lands to protect the thriving ecological balance, despite BLMs concentrated effort to reduce wild equid populations, BLM has continued to report populations have remained relatively static in relation to their efforts.

As a result, public concern has continued to grow about both the number of wild horses and burros being taken both of the range and those that actually remain.

Recently, BLM has recently released the Fiscal Year 2008 National Herd Statistics for the Wild Horse & Burro Program. According to BLM, as of February 29th, 2008, approximately 33,000 wild horses and burros are reported as still roaming public lands, over 6,000 animals above what BLM has deemed is “appropriate use” established through their national Allowable Management Level (AML).

Of even further significance is approximately 33,000 wild horses and burros that now clog adoption pipelines and long-term holding facilities causing BLM to declare the costs of Wild Horse and Burro Program has now escalated out of control and BLM has reached their financial limits trying to manage the program on the currently allocated budget.

As a result, on June 30th, 2008, BLM announced the National Wild Horse and Burro Program has reached a crisis of epic proportions with only three viable solutions available to solve the financial quagmire they have found themselves in – either give them more money, grant them the authority to grant Instant Title to those who would take Americas wild horses and burros directly to slaughter or allow them to euthanize them, both on and off the range.

While the suggestion was put forth to stop the round ups until the financial pressure of the now warehoused wild horses and burros can be relieved through adoptions, BLM argues that adoptions have continued to drop throughout the program as a whole and with the current economic downturn, BLM projects demands for adoptions will continue to decline.

BLM also argues that a moratorium on round ups will result in wild horse and burro populations beginning to accelerate again if they are allowed to exceed BLMs established management levels, which in turn would increase damage, deterioration and degradation to public lands and resources due to their multiplying numbers and resulting overpopulations.

However, statistical analysis concluded the current crisis in the National Wild Horse & Burro Program has been manufactured through taking approximately 11,000 to 14,000 more wild horses and burros off the range than was necessary, which just happens to be around the same amount of warehoused wild horses and burros currently causing the financial crisis.

While BLM claims 33,000 wild horses and burros are still on the range as of February 29, 2008, an independent review based on their own reported population levels, reproduction rates and removals, found **the most likely wild horse and burro population still remaining on the range is only 13,500 ~ 20,000 less than BLM is reporting.**

Is there a way to actually prove what's left?

No, not without a reasonably accurate population count method as well as initiating a mass physical census of the remaining populations. With BLM still struggling as to the accuracy of their census methods and the off chance that Congress would contract a mass population count by an unbiased and independent firm, the reality of actually, physically proving the remaining wild horse and burro populations across the West is almost zero.

But what can be done is to use the same reported populations, the same reproduction rates and the same reported removal numbers BLM uses to form their conclusions and management strategies, then analyze those numbers according to their same methods but through an independent and objective process.

This is a reasonable alternative, as it is based on the same methods BLM applies – just with radically different results than BLM has been reporting.

Even in analysis that allowed BLMs reported numbers every possible benefit of the doubt, such as using obviously inflated population totals, generally high reproduction rates, and highly skewed removal ratios, **the absolute best case scenario showed only 16,800 remained as of February 29th, 2008, still 50% less than BLMs own population reports.**

Despite the repeated claims that wild horses and burros have been, and still are excessive in relation to BLMs national population objectives, analysis of the numbers fails to support BLMs claims by a large margin. In fact, statistics reveal what's actually left of Americas remaining herds, as well as the management techniques implemented and being proposed, have now put them in serious danger of multiple population crashes on a nationwide scale.

While the temptation may exist to dismiss this conclusion as “extreme” and we can only speculate as to why BLMs population counts fail to add up, the analysis, methods, research, data and numbers support this conclusion, extreme or not.

As BLMs management of the National Wild Horse and Burro Program has been coming increasingly under fire and public scrutiny, recently BLM has been pointing to flaws in population census methods and aerial survey techniques being insufficient to accurately gauge free-roaming wild horse and burro populations.

However, it must be pointed out, counting wild horses and burros from the air is not the only tool BLM is required to use in wild horse and burro management to gauge population levels.

As stated before, accurate evaluations of wild horse and burro use in relation to their actual use is at the very heart of BLMs legal authority to conduct removals by how many wild horses and burros are actually utilizing natural resources.

If there has been approximately 50% more wild horses and burros actually utilizing the range than BLM has previously been aware of, this indicates serious flaws in the monitoring data used to set wild horse and burro resource allocations and the national population objectives.

Consequently, if BLM continues to maintain there are still 33,000 wild horses and burros on the range, despite their massive removal efforts over the last seven years, obviously the target populations BLM established for wild horse and burro populations were actually reflective of resource utilizations from populations twice as large as BLM has been recording all these years.

In other words, if BLM had determined the carrying capacity for a particular area could only support 100 wild horses or burros, they would set a maximum population level, known as an AML of 100. BLM has maintained that once a herd began to exceed this population level, they would begin to exceed the limits of the areas resources and resource damage would begin to occur.

Yet if BLM was failing to recognize half of the actual wild horse or burro population as they are now implying, this means the established AML of 100 was actually reflecting a population twice that size, or in this example case, 200 wild horses and burros were present before they began exceeding the range's carrying capacity to support them, not the 100 wild horses and burros BLM initially thought were there.

Either way, whether through deliberate sabotage by BLM taking off thousands of wild horses and burros of the range than was necessary or through establishing resource utilizations that failed to accurately gauge wild equid populations, the conclusion remains the same –

BLM has removed thousands more wild horses and burros than was necessary.

While BLM is attempting to focus the public's attention on "what" should be done about BLMs reports of "excess" wild horses and burros, the first question the public should really be asking is, does BLMs data back up their claims?

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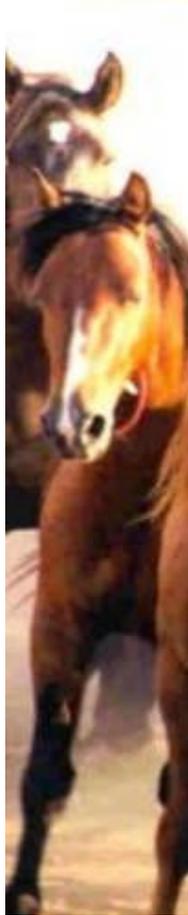
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PART I

What's Left?
National Wild Horse & Burro Populations

I. Overview

Historical Population Reports

In Fiscal Year 2001, BLM launched their 4 Year Removal Initiative in an aggressive attempt to reduce reportedly expanding wild equid populations that were now posing serious environmental risks due to rangeland deterioration based almost exclusively on these population reports.

Yet prior to launching this initiative, historical examinations of removals often failed to reflect significant impacts to total national wild horse and burro populations in many of the fiscal years analyzed since 1992. There are strong indications that the figures used to justify this “overpopulation” were consistently inflated on an annual basis prior to its passage, a trend that appears to continue through the present day on both local and national levels.

For example, between 1992 and 1993, 8,545 wild horses and burros were removed and the total population was reported as being reduced from 54,804 to 46,462. In 1994, BLM reported removing even less wild horses and burros than the previous year, totaling 7,868, but populations were reported as still declining, now estimated at 42,410.

Yet in 1995, BLM reported removing 9,286 wild horses and burros, more than in the previous two years and though the starting base population was over 12,000 animals lower than the 1992 population, BLM reported national wild horse and burro populations actually increased to 43,593 instead of decreasing like the previous two years.

The same thing happened again in 1996 with 9,365 removals but the total remaining population reported was 42,138, only a 1,455 reduction and in 1997, BLM reported removing 10,443, over 24% of the total population but again, populations increased to 43,037 instead of decreasing as they should have.

From 1998 on, the numbers appear rather muddy and increases in total population levels could possibly be attributed to the 20% foaling rates being higher than the removal numbers and this is why BLM was losing ground. But just a few years ago, a 20% foaling rate was being reported by BLM as “high”, unlike today when BLM states populations regularly increase at 20-25% (and often times more).

Additionally, those foaling rates only apply to a portion of the populations as a certain percentage are constantly being removed before foaling season and not contributing to population increases. It is not a static number that doubles every year because the removals are always reducing the reproduction rates of those still remaining on the range.

Furthermore, the foaling rate fails to consider the static wild horse and burro populations occurring between 1994-1997. Gathering around 10,000 p/year exceeded the 20% reproduction rate and numbers should have been going down but instead they were going up and those increases are what BLMs future populations were reported on and the basis of launching the Initiative – inflated numbers.

The same thing happened again beginning in 2001, where despite high removal numbers, national populations continued to stay static for the next few years.

BLM reported removing 13,277 wild horses in fiscal year 2001, equating to 29.20% of the population - this removal rate yielded a reduction in wild equid populations by 6,654 by 2002.

In 2002, BLM reported removing 12,029 additional wild equids, now equating to even a higher percentage of the total population, 30.99%, yet populations stayed relatively static with only a 1,629 reduction to reported national totals.

Also noteworthy is in BLMs 2007 Wild Horse and Burro Removal, Adoption, Population, AML Table, though BLM had been including the percentage of the total population their annual removals were comprised of since 1971, in 2002, BLM stopped reporting those percentages.

In 2003, BLM reported removing 10,081 additional wild equids, equating to 25.98% of the total population, yet national populations only declined by a mere 51 animals.

This brief summary of reported removals and populations is not entirely accurate in its presentation. It is only included here to show a general overview of the number of removals and percentage of populations that appeared to make relatively little impact on reducing wild equids populations as a whole.

This “inaccuracy” is accounted for later and is due to the fact that BLM has two separate cycles of reported numbers issued at different times of the year. Because these two sets of numbers overlap each other, they will be explained, analyzed and accounted for in detail in the Population Analysis & Methodology section of this report.

Noted discrepancies were also found in BLMs FY1999 wild horse and burro removals numbers as well as in FY2000 reported total populations in the originally published documents versus the newly published 2007 Herd Statistics. (See Appendix I)

BLM Reported Removal History 1992-2008

The following table is comprised of population and removal numbers reported by BLM published in the 2007 Wild Horse and Burro Removal, Adoption, Population, AML Table available at: http://www.blm.gov/pgdata/etc/medialib/blm/wo/Planning_and_Renewable_Resources/wild_horses_and_burros.Par.54130.File.dat/Wild%20Horse%20and%20Burro%20Removal%2071-07.pdf

Table 1. BLM Reported Wild Horse & Burros Populations & Removals: 1992-2007

Year	Total Pop.	WH Pop.	Burro Pop.	Total Removals	WH Removals	Burro Removals
1992	54,804	46,501	8,303	6,663	5,806	857
1993	46,462	38,962	7,500	8,545	6,947	1,598
1994	42,410	33,659	8,751	7,868	7,073	795
1995	43,593	35,588	8,005	9,286	7,355	1,931
1996	42,138	35,286	6,852	9,365	7,369	1,996
1997	43,037	37,615	5,422	10,443	8,337	2,106
1998	44,495	39,470	5,025	6,389	5,983	406
1999	45,968	40,705	5,263	6,004	4,950	1,054
2000	47,376	42,113	5,263	8,631	7,004	1,627
2001	45,469	39,815	5,654	13,277	11,764	1,513
2002	38,815	34,496	4,319	12,029	10,822	1,207
2003	37,186	32,145	5,041	10,081	8,865	1,216
2004	37,135	32,290	4,845	9,899	9,252	647
2005	31,760	27,369	4,391	11,023*	10,650	373
2006	31,201	27,593	3,613	10,399*	8,789	768 = 9,557
2007	28,898	26,024	2,874	7,726*	6,626	1,100

*These numbers included removals from USFS Wild Horse Territories. BLM has reported the following breakdown of USFS total removals but no individual populations were provided for wild horses and burros separately. The following breakdown is based exclusively on reported numbers by BLM via this report. Some of these numbers failed to be substantiated in other documents.

Table 2. BLM and U.S. Forest Service Removals 2005-2007

Fiscal Year	Total Removals	USFS Removals	Actual Removals from BLM Managed Populations
2005	11,023	777	10,246
2006	10,399*	245	10,154
2007	7,726	737**	6,989

* Several discrepancies have been noted regarding a variety of population reports for 2006. Due to this, an in depth examination of removal numbers has been provided between BLMs 2007 Wild Horse and Burro Removal, Adoption, Population, AML Table for Fiscal Year 2006, Table 5-13 Wild Free-Roaming Horse and Burro Removal and Adoption By Office, Fiscal Year 2006 and the 2006 Final Gather Schedule removal numbers.

**Significant discrepancies were noted in USFS removals in the 2007 Gather Schedules.

TABLE 5-13. WILD FREE-ROAMING HORSE AND BURRO REMOVAL AND ADOPTION BY OFFICE, FISCAL YEAR 2006

ADMINISTRATIVE OFFICE /A/	ANIMALS ADOPTED				ANIMALS REMOVED	
	FY 1971 - FY 2005		FY 2006		FY 2006	
	<i>Horses</i>	<i>Burros</i>	<i>Horses</i>	<i>Burros</i>	<i>Horses</i>	<i>Burros</i>
Arizona	3,074	2,822	198	79	0	192
California /b/	17,144	6,109	617	191	1,355	72
Colorado	6,381	779	202	20	278	0
Eastern States /b/	55,734	14,227	1,420	178	0	0
Idaho	4,043	293	12	0	1	0
Montana /b/	9,813	1,274	57	6	19	0
Nevada	3,864	283	71	4	3,876	873
New Mexico /b/	18,968	3,861	930	90	5	0
Oregon /b/	13,076	1,324	294	0	1,006	0
Utah	5,395	390	175	54	628	0
Wyoming /b/	16,055	1,124	217	14	1,621	0
Natl. Program Office	20,958	1,071	211	132	0	0
Total	174,505	33,557	4,404	768	8,789	1,137
Total Adopted, Fiscal Years 1971 through 2005:			208,062			
Total Adopted, Fiscal Year 2006:			5,172			
Total Removed, Fiscal Year 2006:			9,926			

/c/ These numbers include 245 animals removed from Forest Service territories; 86 in California; 6 in Montana; 3 in New Mexico; 136 in Nevada; 12 in Oregon; and 2 in Utah.

This document is also available at:

http://www.blm.gov/pgdata/etc/medialib/blm/wo/Planning_and_Renewable_Resources/wild_horses_and_burros/public_land_stats/1997.Par.77655.File.dat/PLS%2006%20table%205-13.doc

2006 Removals & Discrepancies

In the 2007 Wild Horse and Burro Removal, Adoption, Population, AML Table, BLM reports 10,399 removals for Fiscal Year 2006 but the individually reported removals only add up to 9,557. If USFS removals are added to the individual population total of 9,557, total removals only increase to 9,802, not 10,399 as is being reported.

As provided in the previous chart, Table 5-12, Wild Free-Roaming Horse and Burro Removal and Adoption By Office, Fiscal Year 2006 reports, BLM reports removing 1,137 burros, not 768 as reported in the 2007 Wild Horse and Burro Removal, Adoption, Population, AML Table, indicating a difference of 369. When these additional burro removals are added to the individual totals and USFS removals, removals still only total 10,171, not 10,399.

Additionally, the 2006 Final Gather Schedule reported removing 10,323 total animals, not 10,399, wild horse removals totaled 9,187 in the Gather Schedule not 8,789 as is reported in the National statistics, the Gather Schedule reported 1,139 wild burro removals versus 1,137 and the 2006 Gather Schedule only reported 222 animals removed from USFS Wild Horse Territories, not 245.

With respect to USFS removals alone, BLM reported 86 animals were removed from California but the 2006 Final Gather Schedule only reports 76, wild horses removals were reported as totaling 32 from New Mexico USFS Wild Horse Territories in the Gather Schedule but BLM only reported 3 were removed in the 2006 Removals & Adoptions Table, 136 USFS animals were reported as being removed in Nevada in the 2006 Removals & Adoptions Table while the 2006 Final Gather Schedule only reports 103, Oregon USFS removals were reported as 12 but the Gather Schedule reports 11 and while BLM cites removals for USFS as 6 in Montana and 2 in Utah, the Gather Schedule failed to report any removals for USFS in these states at all.

As for wild burro populations, the 2006 Final Gather Schedule reported removing 22 wild burros from California while BLMs 2006 Adoption & Removal Table reported removing 72. The 2006 Gather Schedule reported 244 wild burros removed from Arizona while the 2006 Removal & Adoption Table reported only 192 and finally, the 2006 Final Gather Schedule reported removing 895 wild burros from Nevada while the 2006 Removal & Adoption Table reported removing 873.

Because of other numerous noted discrepancies in wild horse removals, the following chart has been provided to illustrate the differences in reported removals per individual state.

Table 4. 2006 State Wild Horse Removals and Discrepancies

State	2006 Final Gather Schedule Reported Removals	2006 Removals & Adoptions Reported Removals
Oregon	960	1,006
California	1,389	1,355
Colorado	318	278
Nevada	4,171	3,876
Utah	622	628
Wyoming	1,673	1,621

2007 Removals and Discrepancies

Discrepancies were also noted between BLMs 2007 Final Gather Schedule, which only reported removing 7,365, which included USFS animals versus the nationally reported removals of 7,726 for fiscal year 2007.

With respect to removals conducted for USFS in fiscal year 2007, extreme discrepancies were also noted between BLMs Preliminary 2007 Gather Schedule and the Final 2007 Gather Schedule regarding USFS Wild Horse Territories.

Based on expected USFS gathers compared to actual gathers, only 275 were reported as removed. However, BLM conducted removals in January 2007 of the co-managed areas of the Johnnie HMA/WHT, the Wheeler Pass HMA, the Spring Mountain WHT and the Red Rock HMA/WHT totaling 864 wild horses and burros. No separation of HMA and WHT populations were provided but the total removals, in addition to the previous 275, equaled 1,139. BLM national statistics reported 737 animals were removed for USFS in fiscal year 2007.

II. Population Analysis and Methodology

BLM Reporting Methods

Throughout most of the history of the Wild Horse and Burro Program, BLM has reported all national wild horse and burro populations as of September 30th, which is the end of each fiscal year and is a result of their governmental obligations to adhere to fiscal year funding cycles as well as the requirement to submit relevant reports, data, and statistics.

However, fiscal year cycles do not correspond with wild horse and burro reproductive cycles and this method of reporting left much to be desired in terms of accuracy in relation to reproduction increases, gather operation impacts and estimating total populations.

In order to provide a better “snapshot” of actual populations, beginning in fiscal year 2001, BLM stopped reporting national populations as of September 30th and instead began reporting wild horse and burro populations as of February 28th of each fiscal year prior to the foaling season.

In theory, this change in reporting total populations greatly improved BLMs ability to accurately project population numbers, foaling increases and impacts of removals throughout the course of wild horse and burro reproduction cycles in relation to fiscal year statistics.

Prior to its implementation, the ability to track, estimate and project numbers and statistics within the program were almost futile. The most significant factor that prohibited proper population estimations was BLMs inability to separate wild horse and burro removals from the remaining population prior to foaling season. Having a reasonably accurate count of the population before adding the standard 20% foaling increase was imperative in determining just how significantly the population actually increased and how many removals would then be necessary to either achieve or maintain the national Allowable Management Level (AML).

Beginning Analysis

As a result of this change in reporting techniques, only five months transpired between the reported populations of fiscal year 2000 and 2001; Fiscal Year 2000 populations were reported on 9/30/00 and Fiscal Year 2001 populations were reported on 2/28/01.

Two different total population numbers have been reported by BLM as of 9/30/00. Their newest reports, which provide a complete history of the Wild Horse and Burro Programs statistics since 1971, now published for fiscal years 2006 and 2007, both report a total population of 47,376 wild horses and burros as of 9/30/00 while an earlier FY2000 report had cited a total population of 48,624 as of 9/30/00, 1,248 more than is now being reported.

Due to this discrepancy, it was hoped that the newest population estimates were a result of BLM being able to more accurately gauge population estimates with better reporting techniques and therefore, the total reported population of 47,376 has been used in this analysis.

In order to begin an examination as to the accuracy of reported remaining national wild horse and burro populations, a base population was necessary to provide a starting point to analyze BLM statistics. The base population used was the reported populations as of 9/30/00 of 47,376 and all subsequent reported fiscal year removals, foaling rates and total populations reported from this point on were applied to this base number.

Reproduction Rates

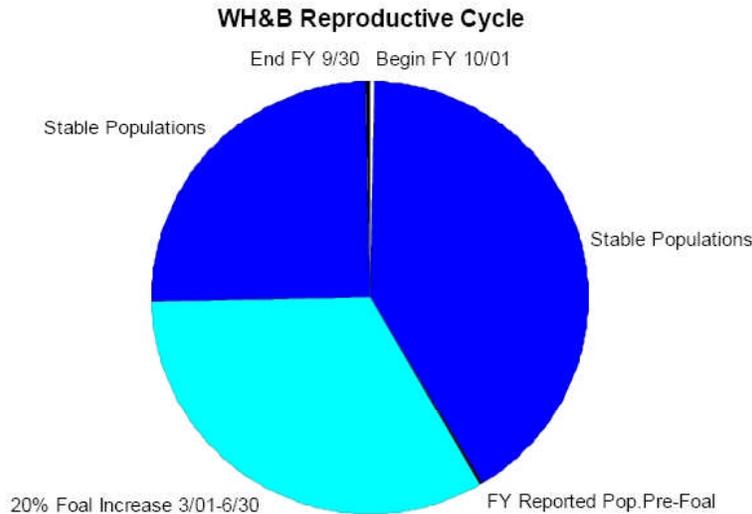
The issue of accurate reproduction rates in wild equid populations is just as contentious as most issues about wild horses and burros. While the debate continues as to true wild equid reproduction rates, BLM uses a 20% standard for both wild horses and burros. While it may or may not accurately reflect actual recruitment rates, since this is the rate BLM applies towards their own population projections, this is the reproduction rate that must be used in order to uniformly apply BLMs own statistics to wild horse and burro populations increases and declines.

Statistical Cycles

BLM uses two cycles in reporting and determining wild horse and burro populations. The first cycle is based on the reproductive cycles of the wild horses. Essentially, wild horse populations remain relatively stable through out the course of the year, except during March 1 through June 20, which is considered the “peak foaling season” were the bulk of wild horses foal.

A chart has been provided to help illustrate wild horse reproductive cycles in relation to BLM fiscal year cycles as seen in Table 5.

Table 5. Wild Horse Reproductive Cycle



The second cycle is based on fiscal year cycles, which is necessary due to funding issues and government required reports, data and statistics. In order to make these two cycles connect for accurate population estimates, they were divided into the following categories, which begin on October 1st at the start of each fiscal year and end on September 30th of each fiscal year.

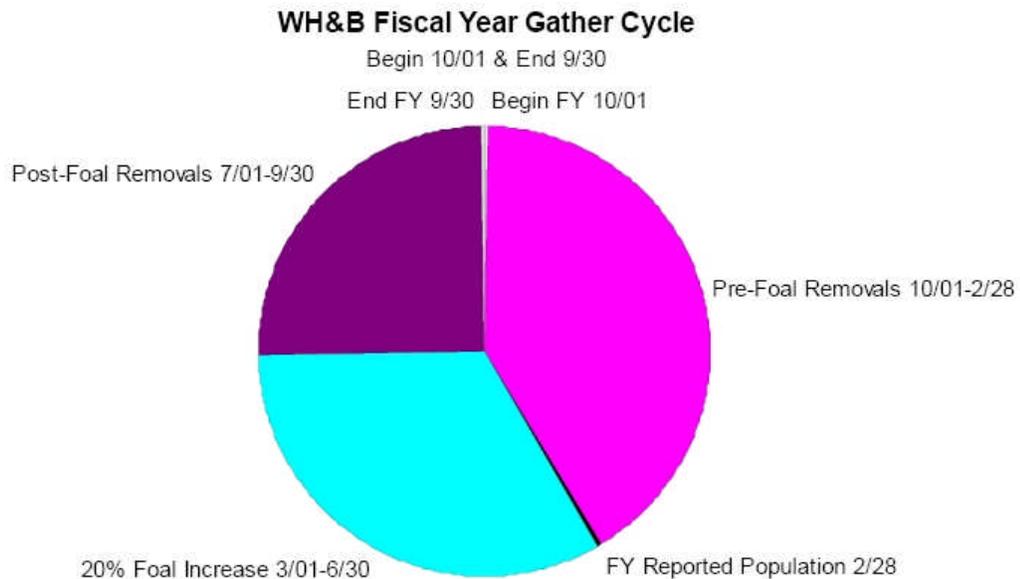
The Fiscal Year categories are as follows:

1. Pre-Foaling Population: This category reflects activities that occur from the start of the fiscal year on October 1st through February 28th, when BLM calculates and reports annual national population estimates. This category is necessary so that removals conducted prior to foaling season can be appropriately accounted for and prevents inflated reproduction rates being applied to wild horses and burros that are not actually contributing to reproductive cycles or population increases on the range because of their removals.
2. Foaling Increases: This category reflects the foaling season where no gathers occur between March 1 and June 30 of each year. The exception to this is wild burros are reported by BLM as foaling year-round, therefore BLM often conducts removals of wild burros during the normal foaling season for wild horses. Any removals of wild burros during this time frame are applied to the second half of the fiscal years removal statistics. BLMs standard of projecting a 20% population increase has been utilized in every analysis.
3. Post-Foaling Populations: This category reflects a 20% increase to the total populations reported on February 28th of each year and is considered completed as of July 1st.

4. Post-Foaling Removals: This category reflects removals as a result of gather operations conducted between July 1st and September 30th of each fiscal year.
5. End of Fiscal Year Populations: This category reflects impacts of removals to total populations due to removals that occur between July 1st and September 30th. A population estimate is necessary at this juncture due to BLM being required to begin a new fiscal year gather cycle and schedule with a new set of removal numbers that begin again on October 1st. In addition to the snapshot of populations reported on February 28th, it is necessary to also take this “snapshot” to determine the results of the removals that occurred over the course of the fiscal year so that the new fiscal year numbers may then be applied beginning again on October 1st.

Table 6 helps illustrate how the fiscal year cycles work in relation to removals, reproduction and estimated wild horse and burro populations.

Table 6. Wild Horse & Burro Fiscal Year Gather Cycle



Methodology

The first method applied to accurately gauge actual population status is recognizing that fiscal year gather cycles conduct removals on wild horse and burro populations before they are actually reported on February 28th of each year.

BLMs removals are scheduled in two distinct time frames defined as summer and winter removals. The winter removal cycle begins on October 1st of each fiscal year and continues through February 28th when operations are halted to allow for wild horse foaling season. After foaling season, removals resume as of July 1st and continue through September 30th, the end of each fiscal year with this time period considered the summer gather cycle.

To begin analysis, each annual population estimate begins with the reported removals for that fiscal year, October 1st through September 30th.

All fiscal year removal numbers were taken from BLMs 2007 Wild Horse and Burro Removal, Adoption, Population, AML Table except the fiscal years 2006, 2007 and 2008 when BLM Gather Schedules were available. These were used instead of the nationally reported statistics because actual removals reported by BLM between the pre-foal winter removals and the post-foal summer cycles could be accurately applied.

Therefore, the following exceptions should be noted:

a) The 2006 Final Gather Schedule removals of 10,323 were substituted for the nationally reported removals of 10,399 and the 222 USFS removals were applied from the 2006 Final Gather Schedule versus the nationally reported statistics of 245.

b) The 2007 Final Gather Schedule removals of 7,365 were substituted for the nationally reported removals of 7,726. Using the Gather Schedule removals numbers also allows for a higher project population than BLMs because less removals have been applied in analysis. Due to the extreme discrepancies noted in USFS Wild Horse Territory removals as mentioned earlier, no deductions were made to account for these populations. As no report or potential alternatives provided a removal number anywhere close to the 737 reported in the national statistics, no adjustments were made and the total removals of 7,365 were applied.

c) The 2008 removals were extracted from BLMs 2008 Winter Gather Schedule report as presented to the National Wild Horse & Burro Advisory Board at their February 25, 2008 meeting in Tuscon, Arizona.

The next step was to deduct removals reported by BLM as taken from USFS Wild Horse Territories through the fiscal years of 2005 and 2006 to isolate BLM managed populations and removal impacts to exclusively BLM populations as illustrated by the following table.

**Table 7. BLM Wild Horse & Burro Populations
National Removals 2001-2008**

Fiscal Year	Total WH&B Removals	USFS Removals	Actual BLM Managed Removals
2001	13,227	N/A	13,227
2002	12,029	N/A	12,029
2003	10,081	N/A	10,081
2004	9,899	N/A	9,899
2005	11,023	777	10,246
2006	10,323	222	10,101
2007	7,365	N/A	7,365
2008*	3,363		

*Removals reported via winter 2008 Gather Schedule to National WH&B Advisory Board 2/25/08.

These reported removals for the entire fiscal year were then divided and applied in various percentages to the wild horse and burro reproductive cycles. Different ratios were analyzed of removals to the pre-foaling season populations expressed as percentages of the years total reported removals such as a 50/50 removal rate, 40/60 removal rate and a 30/70 removal rate.

In order to accurately gauge how removals are impacting reproduction rates, it is necessary to apply each year's removals to a portion of the total populations before they foal. This prevents inflated reproduction rates being projected for wild populations that have already been removed.

Incorporating this method ensures that populations already removed and no longer contributing to population increases are properly accounted for and reasonably reflect actual impacts to population totals throughout BLMs winter and summer gather cycles.

Here is an example to help illustrate how this method works and the different ratios applied, which consequently produce different outcomes.

If BLM removed 10,000 wild horses and burros throughout a fiscal year, not all 10,000 removals occurred after foaling season. Some removals occurred prior to foaling season and some occurred after foaling season with those removed during the pre-foaling season no longer contributing to population increases.

When applying the three different ratios, the 50/50 analysis projected half of the populations were removed before foaling season known as the "winter removals" in BLMs gather schedules while half of the populations were removed after foaling season known as their "summer removals". Therefore, the actual breakdown of a 50/50 ratio would be: 5,000 wild horses and burros would be removed before they foaled and 5,000 after foaling.

The same method using the 40/60 analysis would project only 40% of the years removals being conducted before foaling season with the other 60% being applied after foaling season or 4,000 were removed prior to February 28th of that fiscal year and 6,000 were removed after foaling season between July 1st and September 30th

The 30/70 analysis projects only 30% of the population removed prior to foaling season, or merely 3,000 wild horses and burros with the remaining 7,000 removed post-foaling season.

The obvious effects of applying these different ratios towards the pre-foaling population are different rates of population increases. Here are the results of applying each these ratios to the post-foaling populations beginning in July 2001, the first year of BLMs new population reporting cycle on February 28th and concluding on July 1st, 2008.

However, it must be noted that while ratio removals were analyzed as percentage projections of 50/50, 30/60 and 30/70 in the years 2002 through 2005, the exact numbers of winter and summer removals were applied in 2001 as provided by BLMs reported removals, which resulted in the starting base population as well as exact removals were applied in the years 2006, 2007 and 2008 as reported by BLM Gather Schedules.

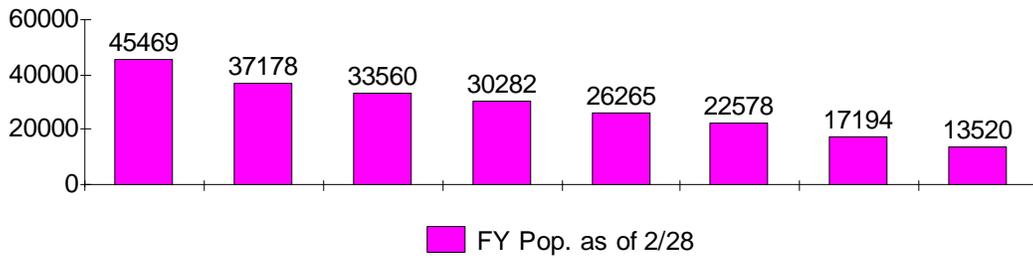
Since exact removal ratios as reported by BLM were incorporated in all three analysis for the most accurate projections possible, the projection methods of the 50/50%, 40/60%, 30/70% ratios only actually applied to four years of this analysis, these being fiscal years 2002, 2003, 2004 and 2005.

The following graphs illustrate projected populations through independent analysis applying the three different removal ratios for the same reporting dates BLM uses to report national populations on February 28th of each fiscal year.

Table 8. Removal Ratios/National Wild Horse and Burro Populations-February 28th

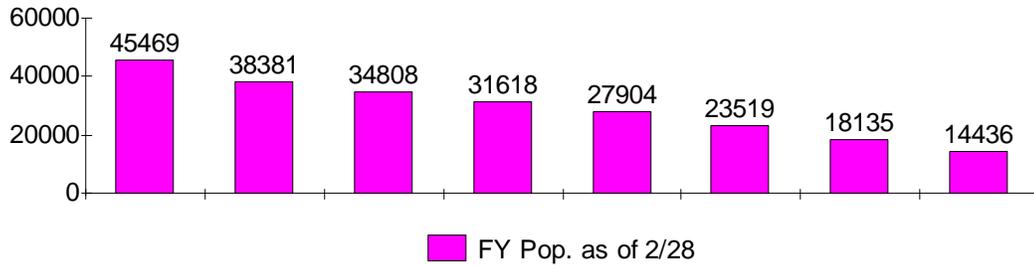
National WH&B Populations-50/50% Ratio

FY2001 Thru 2008 on February 28th



National WH&B Populations-40/60% Ratio

FY2001 Thru 2008 on February 28th



National WH&B Populations-30/70% Ratio

FY2001 Thru 2008 on February 28th

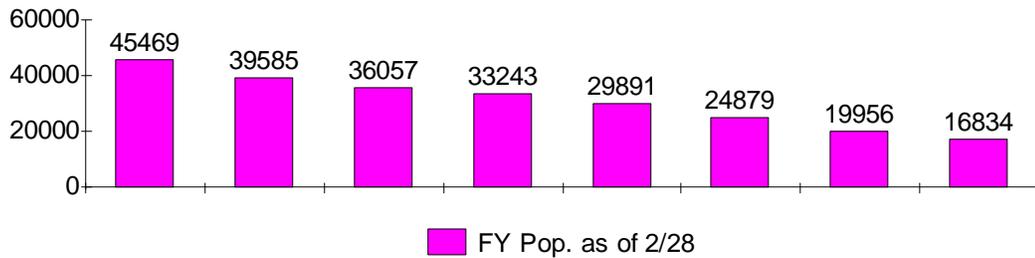
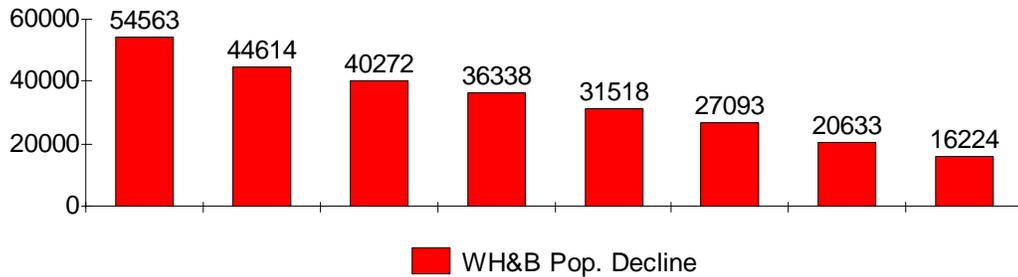


Table 9 reflects wild horse and burro population levels after foaling season considered concluded on July 1st of each fiscal year, according to the three applied removal ratios. The estimated current population as of July 1, 2008 is approximately 16,000 wild horses and burros.

Table 9. Removal Ratios/National Wild Horse and Burro Populations-July 1st

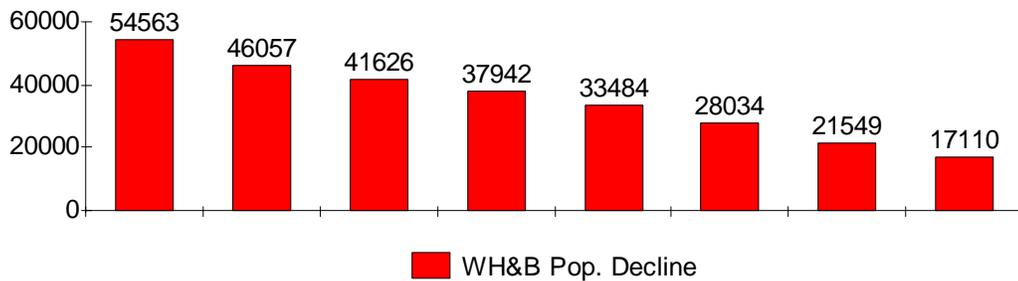
National WH&B Populations-50/50% Ratio

Post-Foal 7/01/01 thru 7/01/08



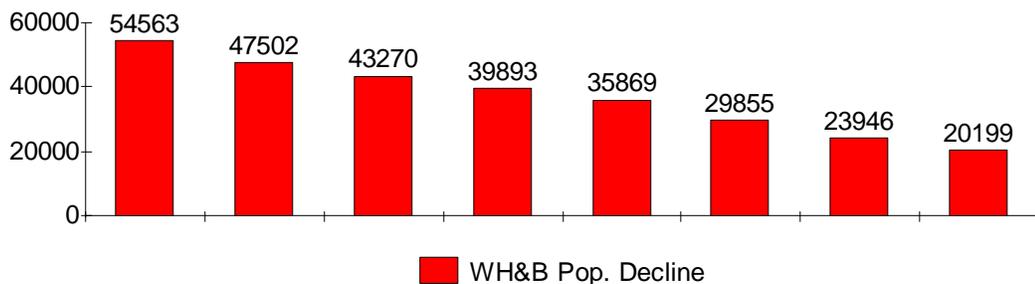
National WH&B Populations-40/60% Ratio

Post-Foal 7/01/01 thru 7/01/08



National WH&B Populations-30/70% Ratio

Post-Foal 7/01/01 thru 7/01/08



The second method applied is an alternative national population “snapshot” on September 30th at the end of each fiscal year. This provides a necessary assessment of the post-foaling summer removals in relation to the fiscal year gather schedules as well as providing a base population to calculate the next fiscal year gather cycle beginning October 1st.

The third method applied was to account for BLMs change of reporting dates for wild horse and burro populations between the end of fiscal year 2000 on September 30th and the new reporting date based on wild horse and burro reproduction cycles as of February 28th, which began five months later on February 28th, 2001.

The starting base population was calculated by first subtracting the reported population on February 28, 2001 from the reported population of September 30, 2000 to determine the amount of removals BLM had done prior to the February 28, 2001 reported populations. Then the difference between these two populations was subtracted from the total reported removals for fiscal year 2001 with the remaining removals applied to the post-foaling populations.

Specifically, BLM reported removing 13,277 wild horses and burros in FY 2001, which began on October 1, 2000 and concluded on September 30, 2001. As of September 30th, BLM reported 47,376 wild horses and burros on public lands. By February 28, 2001, total wild horse and burro populations had been reduced to 45,469, a difference of 1,907. This then became the number for how many wild horses and burros BLM removed during this five-month transition period known as the “winter” gathers.

This difference of 1,907 was then subtracted from BLMs total reported removals for fiscal year 2001 of 13,277 wild horses and burros with the remaining 11,370 removals being applied to the post-foaling population gather cycle between 7/01/01 and 9/30/01.

It is recognized that using BLMs reported removals of only 1,907 wild horses and burros between 10/01/00 and 2/28/01 most likely reflects an error in BLM reporting statistics. The chances of less than 2,000 being removed over a five-month period while over 11,000 were removed in three-month period are remote. Additionally, applying this method causes the reproductive foaling rate to become highly inflated with a 20% increase being applied to a significantly greater portion of the total populations that had most likely been reduced to lower levels than this before BLMs February 28, 2001 reporting date.

However, a base point must be utilized somewhere and according to BLM reports, these populations were suppose to be reasonably accurate when they reported them on 9/30/00 and 2/28/01 and as such, they become the starting point for this analysis, whether accurately reported by BLM or not.

Once the starting population base was determined, no other effort was made to “match” reported populations in this analysis with BLMs reported populations each February 28th of the fiscal years analyzed. However, exact winter/summer removals numbers were incorporated as reported by BLMs 2006, 2007 and 2008 Gather Schedules.

The intent is to provide independent results through the application of BLMs own methods to determine an objective count based on their own fiscal year cycles, projected reproduction rates and reported removals.

III. INDEPENDENT ANALYSIS

Though three different removal ratios were analyzed, due to a wide variety of factors including a high potential for inflated populations during much of the 1990's, the minimal removals reported between September 30th, 2000 and February 28th, 2001, which in turn may have caused excessively high reproduction projections in 2001, the consistent application of BLMs "high" reproduction rate of 20%, the relatively static wild horse and burro populations between 2002-2004, the inclusion of wild burro populations contributing to reproduction rates even when they were often being removed and the introduction of fertility control on many of the wild horse herds over the last several years, it is believed that the 50/50% ratio is most likely to best reflect the actual populations still remaining on public lands.

Based of this conclusion, an in depth analysis of the 50/50% Ratio results has been provided for detailed evaluation of trends and population declines.

Results of Applied Methodology –50/50% Ratio

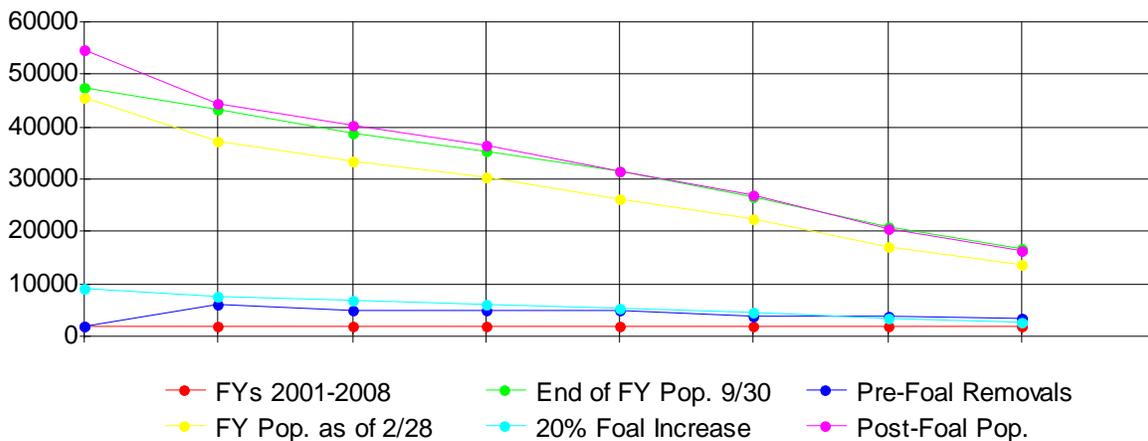
Despite starting with a base population that appeared highly inflated with skewed data, consistent application of fiscal year gather cycles and 20% foaling rates indicate that the total remaining wild horse and burro populations as of July 1, 2008 now number approximately 16,224 animals. If the BLM successfully removes every wild horse and burro currently scheduled in their fiscal year 2008 Gather Schedule, approximately 13,687 of both species will remain in BLM managed lands.

The following graph illustrates population declines based on reported removals between 9/30/00 through 2/28/08 and while it does include projected foaling increases in 2008, it does not include *potential* removals between 3/01/08 and 9/30/08.

Table 10. National Wild Horse and Burro Population Decline 2000-2008

National WH&B Populations-50/50% Ratio

9/30/00 thru 7/01/08



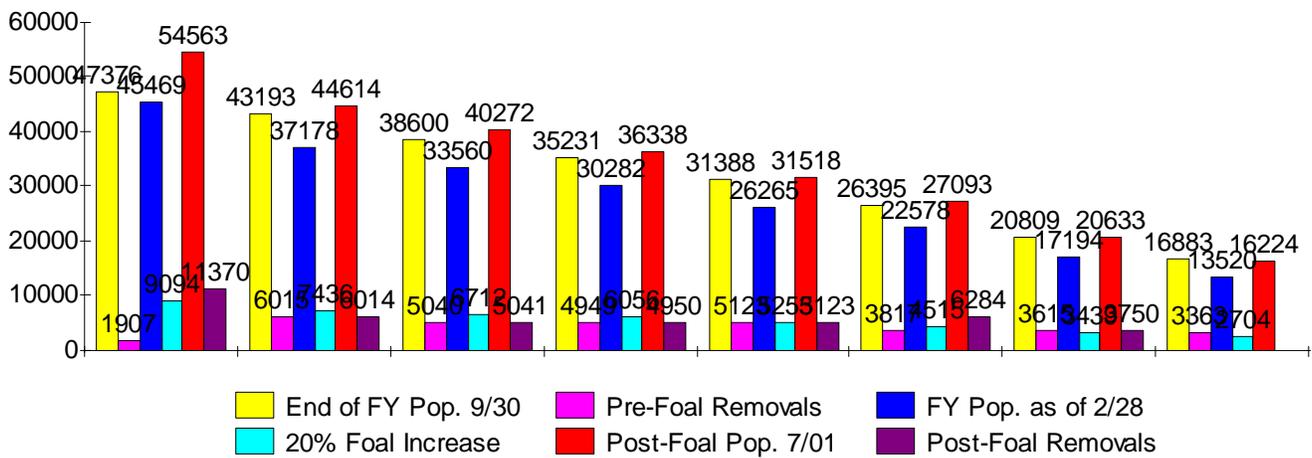
The annual progression of fiscal year and reproductive cycles were applied each year, starting with the end of fiscal year 2000 9/30/00 base population through projected foaling increases as of 7/01/08.

The following chart illustrates the results of each category through this progression; End of Fiscal Year projected populations on 9/30 of each year, Pre-Foaling removals between 10/01 and 2/28 of each year, reported fiscal year populations as of 2/28 of each year, 20% Foaling Increases between 3/01 and 6/30 of each year and finally, the Post-Foaling removals conducted between 7/01 and 9/30 of each year.

Table 11. National Wild Horse and Burro Population Annual Cycles – Fiscal Year 2000-2008

National WH&B Populations-50-50% Ratio

9/30/00 thru 7/01/08



Annual Cycles: 2000-2008

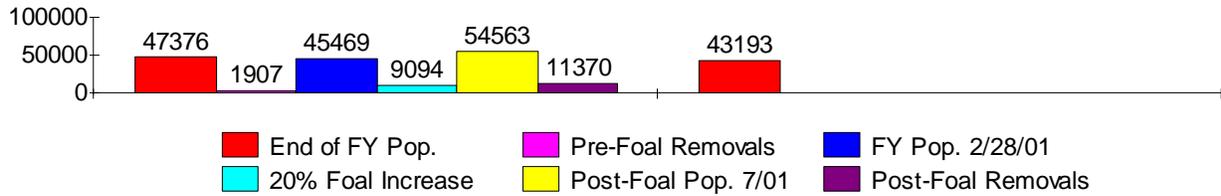
As already mentioned, the following methodology was used to determine an independent analysis of remaining wild horse and burro populations based on BLMs reported removals and the standard 20% foaling rate. Half of each years' removals were subtracted during the Pre-Foaling population and half of each years removals were applied to the Post-Foaling season population. This method also allowed for wild burro populations, though generally small in number, to be included in the foaling increase projections even though often times they were being removed and did not actually contribute to the total population increases.

The annual cycles of applying this calculation method yielded the following results. The only numbers used in this analysis that demanded correlation with BLM reports were the starting base population reported on 2/28/01 and the fiscal year removals reported by BLM. No other effort was made to “match” reported populations in this independent analysis with BLMs reported remaining populations each February 28th of the fiscal years.

However, exact winter/summer removals numbers were incorporated as reported by BLMs 2006, 2007 and 2008 Gather Schedules minus USFS removals for 2005 and 2006.

FISCAL YEAR ANALYSIS BY YEAR
50/50% Removal Ratio

WH&B Populations-Fiscal Year 2001
 9/30/00 thru 9/30/01



Fiscal Year 2001

10/01/00 thru 9/30/01

FY01 Total Removals 13,277

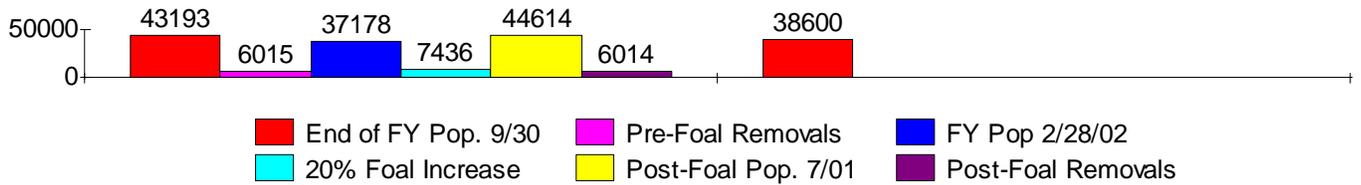
FY00 Population 9/30/00	47,376
FY01 Population 2/28/01	45,469
Difference	1,907

Removals between 10/01/00 and 2/28/01	1,907
FY01 Total Removals	13,277
Removals Applied to Post-Foaling Pop. 7/01/01 thru 9/30/01	11,370

Population as of 2/28/01	45,469
20% Foaling Increase 3/01/01 thru 6/30/01	9,094
Post-Foaling Population 7/01/01	54,563
Post-Foal Removals 7/01/01 thru 9/30/01	11,370
Remaining Population on 9/30/01	43,193

WH&B Populations-Fiscal Year 2002

9/30/01 thru 9/30/02



Fiscal Year 2002

10/01/01 thru 9/30/02

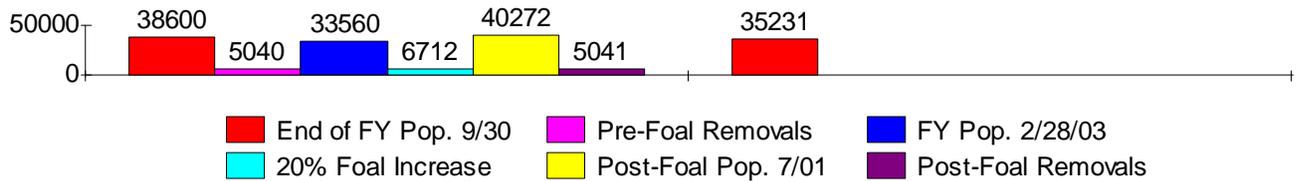
FY02 Total Removals 12,029

FY01 Population 9/30/01	43,193
Removals between 10/01/01 and 2/28/02	6,015

Population as of 2/28/02	37,178
20% Foaling Increase 3/01/02 thru 6/30/02	7,436
Post-Foaling Population 7/01/02	44,614
Post-Foal Removals 7/01/02 thru 9/30/02	6,014
Remaining Population on 9/30/02	38,600

WH&B Populations-Fiscal Year 2003

9/30/02 thru 9/30/03



Fiscal Year 2003

10/01/02 thru 9/30/03

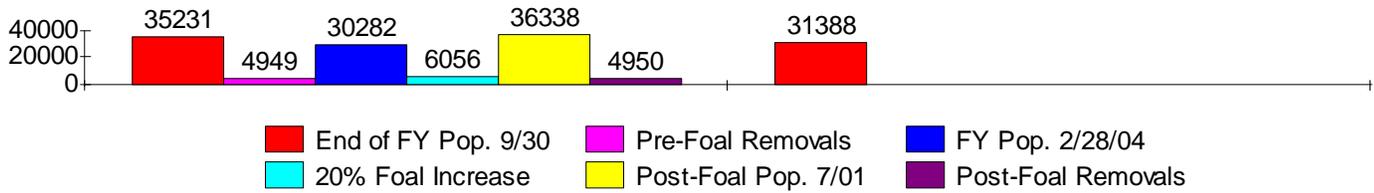
FY03 Total Removals 10,081

FY02 Population 9/30/02	38,600
Removals between 10/01/02 and 2/28/03	5,040

Population as of 2/28/03	33,560
20% Foaling Increase 3/01/03 thru 6/30/03	6,712
Post-Foaling Population 7/01/03	40,272
Post-Foal Removals 7/01/03 thru 9/30/03	5,041
Remaining Population on 9/30/03	35,231

WH&B Populations-Fiscal Year 2004

9/30/03 thru 9/30/04



Fiscal Year 2004

10/01/03 thru 9/30/04

FY04 Total Removals 9,899

FY03 Population 9/30/03 35,231

Removals between 10/01/03 and 2/28/04 4,949

Population as of 2/28/04 30,282

20% Foaling Increase 3/01/04 thru 6/30/04 6,056

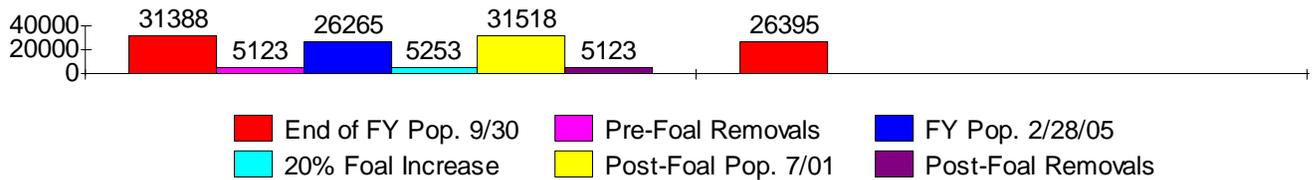
Post-Foaling Population 7/01/04 36,338

Post-Foal Removals 7/01/04 thru 9/30/04 4,950

Remaining Population on 9/30/04 31,388

WH&B Populations-Fiscal Year 2005

9/30/04 thru 9/30/05



Fiscal Year 2005

10/01/04 thru 9/30/05

FY05 Total Removals 10,246 (USFS removals deducted)

FY04 Population 9/30/04 31,388

Removals between 10/01/04 and 2/28/05 5,123

Population as of 2/28/05 26,265

20% Foaling Increase 3/01/05 thru 6/30/05 5,253

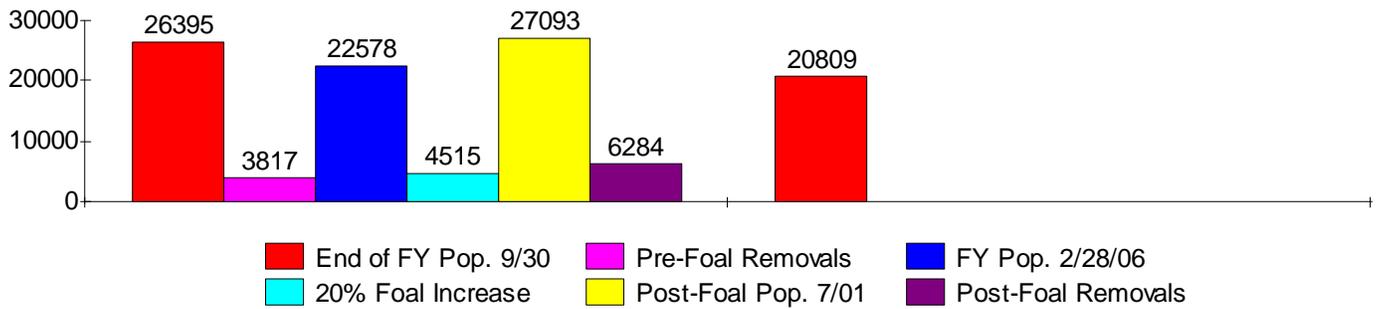
Post-Foaling Population 7/01/05 31,518

Post-Foal Removals 7/01/05 thru 9/30/05 5,123

Remaining Population on 9/30/05 26,395

WH&B Populations-Fiscal Year 2006

9/30/05 thru 9/30/06



Fiscal Year 2006

10/01/05 thru 9/30/06

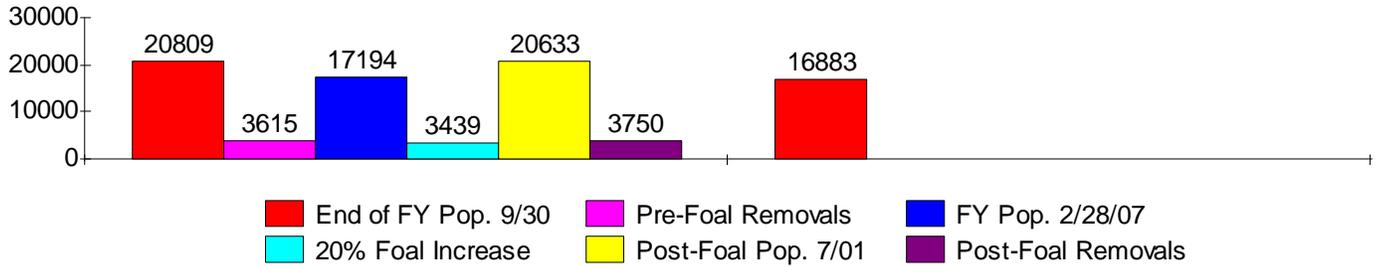
FY06 Total Removals 10,101*

FY05 Population 9/30/05	26,395
Removals between 10/01/05 and 2/28/06	3,817
Population as of 2/28/06	22,578
20% Foaling Increase 3/01/06 thru 6/30/06	4,515
Post-Foaling Population 7/01/06	27,093
Post-Foal Removals 7/01/06 thru 9/30/06	6,284
Remaining Population on 9/30/06	20,809

*BLM has reported three different sets of removal numbers for Fiscal Year 2006. The first report was from their Final 2006 Gather Schedule numbers, which reported 10,323 removals. The second report was in their History of the Program Fiscal 2006 removals reporting 9,926. The third report was from their History of the Program Fiscal Year 2007 removals reporting 10,399. Due to these discrepancies, the middle number reported first in the Final 2006 Gather Schedule numbers was used for this analysis so that exact winter and summer removal numbers could be also applied as well as subtracting USFS removal numbers per the 2006 Final Gather Schedule.

WH&B Populations-Fiscal Year 2007

9/30/06 thru 9/30/07



Fiscal Year 2007

10/01/06 thru 9/30/07

FY07 Total Removals 7,365*

FY06 Population 9/30/06 20,809

Removals between 10/01/06 and 2/28/07 3,615

Population as of 2/28/07 17,194

20% Foaling Increase 3/01/07 thru 6/30/07 3,439

Post-Foaling Population 7/01/07 20,633

Post-Foal Removals 7/01/07 thru 9/30/07 3,750

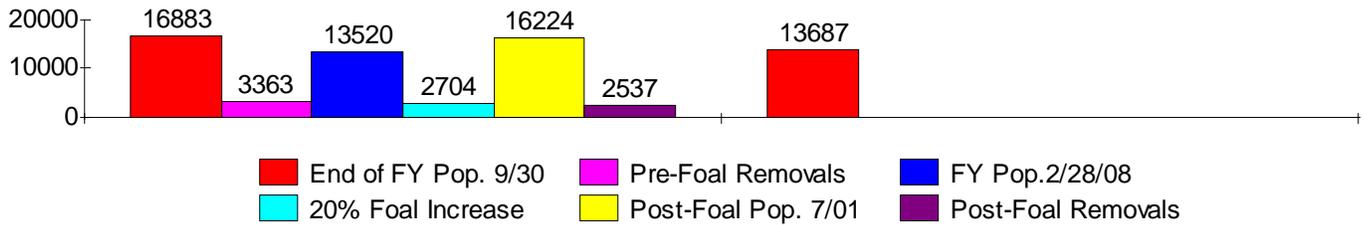
Remaining Population on 9/30/07 16,883

*BLM has reported two different removal numbers for Fiscal Year 2007. The first report was from their Final 2007 Gather Schedule numbers, which reported 7,365 removals. The second report was in their History of the Program Fiscal Year 2007 removals reporting 7,726. Due to these discrepancies, the original removal numbers reported in the 2007 Final Gather Schedule were used as to allow the highest level of remaining populations to be considered for this analysis. Also this afforded exact removal numbers between reported winter and summer gather cycles. No deduction was taken for USFS removals due to a myriad of discrepancies in Gather Schedules and reporting numbers.

Fiscal Year 2008 analysis is based in part on actual reported removal numbers provided by BLM to the National Wild Horse & Burro Advisory Board on February 25, 2008 and projected removals based on the summer portion of the 2008 Gather Schedule. The remaining population under the end of FY08 is projected populations only.

WH&B Populations-Fiscal Year 2008

9/30/07 thru 9/30/08



Fiscal Year 2008

10/01/07 thru 9/30/08

FY08 Total Removals Thru 2/28/08 3,263

FY06 Population 9/30/07 16,883

Removals between 10/01/07 and 2/28/08 3,363

Population as of 2/28/08 13,520

20% Foaling Increase 3/01/08 thru 6/30/08 2,704

Post-Foaling Population 7/01/08 16,224

Post-Foal Scheduled Removals 7/01/08 thru 9/30/08 2,537

Remaining Population on 9/30/08 13,687

IV. Emerging Theories

There is no logical explanation for these numbers if taken solely at face value but three theories have emerged as the most likely cause of the myriad of historical discrepancies and BLMs highly questionable remaining population estimates.

Census Methods

The first potential reason for such wide variations in reported populations is the census techniques BLM has utilized for years to count wild equid populations.

The need to refine census methods to produce accurate and reliable population counts of wild equids has long been a concern of both the Wild Horse & Burro Program as a whole as well as all those concerned with free-roaming wildlife populations in general.

Historical Methods

Currently, BLMs traditional census techniques use methods recommended by the National Academy of Sciences (NAS) Committee on Wild Free-Roaming Horses and Burros to estimate herd size, distribution, composition and rate of increase, as required in BLM Manual 4710 (11/23/88).

The NAS techniques have been verified as accurate through independent scientific review. Most recently, results were verified in a 1991 article published in *The Journal of Wildlife Management* 55(4):641-648. This study found that aerial counts consistently detected a large proportion of the wild horses (85-105 percent) but recommended that the high sightability probabilities reported should not be applied in areas with rugged terrain or dense woodlands. The exception noted to this technique was aerial counts for wild burro populations with a sightability factor noted as approximately 50%.

The Lincoln-Peterson mark-resight method is based on the 1982 Final Report BLM Contract No. AA851-CTO-52 completed by Siniff et al with the University of Minnesota, Department of Ecology and Behavioral Biology, which found that census flights using the direct count technique on areas with more difficult terrain and vegetation counted anywhere from 40-70 percent of the true population using a variety of different aircraft types. In this type of terrain, replicate counts using the Lincoln-Peterson mark-recapture method give the most accurate results. ⁽¹⁾

The short version is, BLM currently stands by the accuracy of their historical census techniques as verified by independent scientific review within a 15% (+/-) accuracy rate of most censused populations.

Emerging Census Methods

Currently, BLM and USGS have been working on a new census technique that has yielded some astonishing results, though data is still limited.

The most dramatic example of this occurred in Wyoming when in the fall of 2005, BLMs Wyoming Rock Springs Field Office issued a wild horse removal plan for the Adobe Town and Salt Wells Creek Herd Management Areas (HMA). BLM claimed that 730 wild horses would be removed in the environmental assessment but during the round ups, 1,197 horses were actually taken, 467 more than originally planned. ⁽²⁾

In the 2005 proposal, BLM stated, “*At the present time, it can be projected with a high degree of confidence what the population will look like at gather time...*” and BLMs numbers should have been very accurate due to the fact that Adobe Town and Salt Wells Creek wild horses have been rounded up 8 times in the last 8 years.⁽³⁾

The remaining wild horse population after the 2005 removals based on BLMs standard analysis methods was projected to be 861 and it can only be assumed that taking an additional 467 more wild horses during the removal operations was necessary to achieve the target population goal. Yet five months later, BLM reported 1,825 wild horses still remained – almost 1,000 more than was originally projected.

Based on BLMs reported populations in February 2006, the Salt Wells Creek HMA, which was suppose to have a remaining population of 251 after the 2005 fall gathers, was suddenly reported as increasing to 1,133 in February 2006. This also caused a dramatic increase in the projected new spring foals, bringing the Salt Wells reported population up to 1,360 by the summer of 2006 and as a result, once again wild horses became scheduled for more removals.

As more accountability and accuracy has been demanded of BLM in the wild horse and burro program, it is possible that as wild equid populations have been reduced through concentrated removal efforts, the true populations occurring on the range began to reveal themselves. As a result, despite taking large numbers off that should have been quickly achieving the targeted population objectives known as Allowable Management Levels (AML), instead BLM found populations remaining static or even increasing because they never suspected those populations existed.

If the historical census methods BLM has been using for the last several decades merely failed to recognize the number of wild horses and burros actually occurring on the range in as gross of proportions as the new methods suggest, this would indicate that AMLs were established solely through arbitrary convenience and not linked to any sincere monitoring of range conditions, actual populations or utilization levels as required by law, their real reproduction or mortality rates and generally would suggest, despite almost 40 years of managing wild equid populations, BLM has had very little idea of what has really been occurring with wild horse and burro herds or their habitat. It would also indicate it was taking a great deal more wild horses and burros than BLM knew about that were the real populations triggering issues of rangeland deterioration and degradation.

However, in regards to the issue of using census techniques that attempt to account for unseen populations as this new census technique does, the National Academy of Science (NAS) conducted a research study assigned to the Public Rangelands Improvement Act to specifically address issues, concerns and management of wild horses and burros on public lands. As far back as 1982, NAS cautioned against using techniques that attempted to expand census figures through correction factors such as the new USGS census methods are now employing.

The National Academy of Science study stated:

“While many BLM employees have considerable confidence in the accuracy of the censuses, the Phase II research has shown that they may miss anywhere from 7 percent of the horses in very open areas to as many as 60 percent of the ones present in areas of dissected topography and tree cover,

even when carried out by experienced and careful observers [*How Many Horses/Burros are there in the West?*, page 40]. Hence, we have no way of knowing whether the West-wide estimates of horse numbers are closer to 93 percent accurate or 48 percent, and we caution against the use of any blanket correction factor that attempts to expand census figures to allow for unseen animals [*ibid*, page 41]. (4)

It would appear the NAS report provided sound advice regarding the temptation to use correction factors on censused populations as the new census methods U.S.G.S. has been working on have returned preliminary results indicating the applied correction factors were unrealistically projecting higher population levels than were actually present.

Additionally, results released in 1998 New Zealand study on wild horse populations stated all three aerial population censuses resulted in inflated counts of actual populations and was attributed to wild horses running from the helicopters passes, which occasionally caused double counting. (5)

Recruitment Rates

Another possibility exists that wild horses and burros truly are prolific breeders with much higher reproduction rates than even BLM previously suspected.

However, the reality of this theory has very little scientific data or objective support based on various studies done on wild horse and burro populations over the years while much evidence has been found to the contrary and indicates even BLMs standard application of a 20% recruitment rate is high.

Regarding reproduction rates of wild horses and burros, the 1982 National Academy of Science (NAS) report on wild horse and burros referenced earlier stated that “From annual agency censuses, report from individual areas, and from the fractions of young populations, statements have been made that horses and burro populations typically increase at rates ranging from 16 to 22 percent per year. However, the Phase I Report explored several biases in census data, cited or calculated rates of increase based on a number of published values for reproduction and survival rates, as well as sex and age ratios, and concluded annual rates of increase of 10 percent or less [Executive Summary, page 1, paragraph 4].

To support this NAS’s assertion, a study by M.L. Wolfe in 1980 done of feral horse populations indicated that computer simulations for equids indicated that if all females four years and older regularly produced foals, the survival rate would have to be 70% for foals and 85% for adults to enable the population to increase at a rate of four percent per year. This would allow the population to double in 18 years. If mortality is high, due either to hunting and/or drought, the population will decline and it may be difficult or impossible for it to recover. (6)

In an New Zealand study conducted on wild horse recruitment rates in the Kaimanawa population between 1994-1997, estimated rate of wild horse increase ranged from 5.9% to 8.5%. (7)

One of the purposes of BLM utilizing the 20% “high” reproduction rate was to help account for population variables, including their census methods generally believed to be within a 15% (+/-) accuracy rate.

However just in the last few years, BLM now asserts wild horse populations reproduce at a rate of a 20-25% or higher with no evidence to support their newest standard and have changed their removal policy by stating removals need to be conducted every three to four years instead of five to keep populations stable.

In 2005, BLMs Wyoming Wild Horse and Burro Specialist Alan Sheppard told local reporters that a “40% increase in a year was not unusual”⁽⁸⁾ as BLM prepared for a new round of removals in the Adobe Town and Salt Wells Herd Management Areas. Yet, according to a report released by the U.S. Geological Survey in late 2007, despite almost forty years of management of these same herds, BLM had no records available of separate wild horse reproduction or mortality rates.⁽⁹⁾

Research on specific proposals have found BLM reporting a range of population increases varying from 12% to well over 60% in some areas. Wild burro reproduction rates is acknowledged as less than wild horses but little data has been found as to how much lower this rate might be.

In regards to the actual accuracy of BLMs projected recruitment rates, there is often little supporting data for many of BLMs assertions.

Sabotage

Historical Accounts

It is no secret that the Wild Horse & Burro Program has been fraught with questionable activity of the highest order for much of the history of the program.

There were the mass sanctuary and adoption schemes of the mid 80’s that resulted in the initiation of new regulations to limit adoptions to merely four per year per individual with a set minimum adoption fee of \$125.00 (the mandatory minimum adoption fee was later changed in 1996).

There was the Grand Jury investigation beginning in 1992 and finally terminated in 1996 with over 3,000 documents of hard won evidence alleging corruption and fraud that was never heard or subpoenas to inventory wild horse populations that was never granted.

The Associated Press reported that at least 32,000 wild horses were “missing” and as far back as 1998. Dale Tunnel, a special agent in charge of BLM’s division of law enforcement in Santa Fe stated that BLM would run one herd into another management area just to say it’s overpopulated so BLM could take a certain number off the land to favor livestock.⁽¹⁰⁾ This allegation was collaborated by Nancy Whitaker, formerly with the Animal Protection Institute of California, who studied grazing allocations for ten years and also claimed figures were purposely inflated to favor cattlemen.

A local resident of the little mountain community in Cold Creek, Nevada where wild horses roam freely among the cabins, has also reported this same kind of activity occurring for the last two years. See Appendix III for her statement.

Speculative Incentives

Creating a program based on moving temporary herds from one HMA to another to “prove” overpopulation could have a variety of hidden benefits, which might include:

- Higher reproduction rates than actually occur to justify removals,
- Reporting lower mortality rates than actually occur,
- Prevent reporting and accounting of true populations still remaining on the range,
- Allow for more frequent reductions in true populations due to the introduction of temporary herds,
- Reductions in actual wild horse and burro populations that put their long-term viability at serious risk with the long term objective of genetically “crashing” the majority of free-roaming herds,
- Unnecessarily increasing funding opportunities for the national wild horse and burro program as a whole,
- Creating an illusionary crisis in both populations and funding to justify the repeal of legal protections of wild horses and burros on public lands,
- Increase forage allocations on both a permanent and temporary basis at faster cycles for livestock production,
- Increase grazing authorizations to help facilitate higher loan values for base properties attached to grazing permits, which also increases public lands collateral value to banking systems on a national level,
- Provide a steady source of income to ranchers that operate long-term holding facilities with little concern as to verifying actual populations in these facilities while still receiving government guaranteed checks for horses that may or may not be there,
- Provide a steady source of income to helicopter contractors such as one that has reported earnings of \$12 million dollars just since 2000 through their monopolized services with the potential of kick backs and loyalty to the current “program”, and
- Provide opportunities for personnel to pocket extra cash through the sales of horses to slaughter as was alleged as a wide spread occurrence during the grand jury investigations of the 90’s.

While the feasibility of conducting such extensive covert operations on a national scale seems incredulous, there is sufficient evidence of prior misconduct through a wide variety of credible authorities as well as a consistent history of inconsistent numbers that indicate this theory cannot be easily ruled out.

Additionally from a historical perspective, government programs in general seem less concerned for “common sense” decisions in relation to taxpayer-funded proposals, especially those that require little oversight or accountability. The temptation to exploit a never-ending flow of subsidies while simultaneously covertly “managing” a contentious program towards permanent elimination may have been deemed the perfect solution to the “problem” of non-revenue generating free-roaming wild horse and burro populations on public lands.

V. Questions and Data on Current Populations

The trend of inflated populations appears to be alive and well, not only on a national scale but also within individual herd management proposals too.

Inflated Populations

Nevada

In the now infamous Jackson Mountain HMA in Nevada, where 185 wild horses eventually died through a variety of complications, had removed 661 wild horses in 2003. However, a June census conducted prior to the scheduled round ups found a little over 700 more wild horses than was previously projected and BLM provided two explanations. The first explanation BLM issued was wild horses had migrated outside the HMA boundaries during the course of the 2003 round ups and then returned later, the second explanation was they had just flat out “missed them” the first time.

Just between 2007 and 2008 alone, Nevada HMAs such as Diamond Hills South reported populations jumping from 20 wild horses in 2007 to 161 in 2008, Black Rock Range East went from 74 to 215 while Black Rock Range West skyrocketed from 76 to 399, Bald Mountain jumped from 338 to 519, Seven Mile went from 40 to 100, Spruce-Pequop’s population doubled from 72 to 144 and the Fox Lake Range, currently scheduled for emergency drought removals, went from 158 to 331.

Other Nevada HMAs BLM is now reporting unprecedented population explosions is Warm Springs Canyon, going from 139 in 2007 to 607 in 2008, Maverick Medicine HMA, going from 335 in 2005 to 875 in 2006 and Wilson Creek, where BLM conducted round ups in February 2007 and reported removing 646 wild horses with 130 remaining after the gathers – one year later, BLM is now reporting 386 wild horses have suddenly re-appeared, a 300% increase.

Clover Mountains, rounded up twice both early and late in 2006, reported 30 wild horses in 2007, but now have jumped to 78 in 2008 while the Granite Range increased from 208 in 2007 to 301 this year and the Tobin Range reported 146 wild horses in February 2007 but one year later, BLM claims wild horses now number 239.

The Antelope and Antelope Valley HMAs, where removals were conducted in 2002 as well as in 2005, reported 160 and 159 remained respectively after the 2005 removals. Treated with PZP, by February 2007, BLM wild horse populations were reported at 230 and 259 totaling 489.

After the 2007 foaling season, BLM estimated in December that wild horses now numbered 1,181 ⁽¹¹⁾ and scheduled “emergency removals” of approximately 964 excess wild horses while planning to leave 411; 217 in Antelope and 194 in the Antelope Valley. Though BLM failed to achieve their removal target of 964, taking 847 instead, just one month after the round ups, BLM now reports 619 are still in the HMAs. In order for 619 wild horses to have remained, they would have had to total of 1,466 wild horses prior to the round ups, not 1,181, as 285 wild horses have now been “added” to the post-gather population.

The Dry Lake HMA was part of a “complex” gather done in late 2006. Based on the February 2006 reported population plus that years foals, wild horses should have only numbered 102. Yet BLMs 2007 Final Gather Schedule reported removing 136 while still maintaining 75 wild horses remained. One year later, BLM has now reported wild horses jumped from 75 to 263.

In the fall of 2006, BLM conducted emergency removals of the Rock Creek wild horses due to wildfire damage on the range. Their 2006 Final Gather Schedule reported 250 wild horses were removed with only 52 remaining. Five months later in February 2007, the National Program Office reported the Rock Creek wild horses still numbered 220, completely contrary to what their own final round up reports said just a few months earlier.

North Stillwater HMA has not been “officially” rounded up since February 2003. Yet in 2005, wild horse populations were reported as going down from 255 to 199 as BLM only cited they had “achieved” AML that year – this fact has disappeared from the 2008 records. In 2006, BLM reported the North Stillwater population was 229 but by the next year, populations were reported as escalating to 370 in Fiscal Year 2007 with “emergency round ups” scheduled for the summer of 2008.

California

California’s High Rock HMA conducted round ups in the fall of 2006 and reported 124 remained, according to BLMs February 2007 National Program Statistics. One foaling season later, BLM now reports 356 wild horses in the HMA.

Other California HMAs reporting inflated populations include the Fox Hog HMA, which went from 144 in 2007 to 364 on 2008, the Buckhorn HMA reporting 71 wild horses in 2005 to 239 in 2006, and Twin Peaks HMA, the largest herd left in the state, is now reporting over a 40% increase over the last year.

Oregon

Oregon is reporting the Beaty Butte wild horses went from 151 in 2007 to 474 in 2008, a 213% increase, while the Paisley Desert HMA saw populations almost double in one year, going from 64 in 2005 to 118 in 2006.

Utah

In Utah, the Cedar Mountain HMA reported 355 wild horses in February 2007 but one year later, the population jumped to 531, as 49% reproduction rate. The Four-Mile HMA populations were reported at 30 in February 2006; two foaling seasons later, BLM now reports the populations tripled, now totaling 90 while Swasey wild horses have been reporting an annual increase of 40% for every year between 2004 and 2007.

Between 2005 and 2006, the Sulphur wild horses were reported as jumping from 300 to 490, a 63% increase. Round ups were then scheduled occurring in August of 2006 where the 2006 Final Gather Schedule reported 186 wild horses were removed with a remaining population of 314. Yet five months later, without any new foals to increase the populations, BLM reported in February 2007 the Sulphur wild horses now numbered 413 again.

Wyoming

For Wyoming, the Fifteenmile HMA, reported a population of 115 in 2006 but one year later, reports 240 wild horses, almost a 109% increase. The Muskrat Basin HMA went from 191 in 2006 to 305 in 2007, a 59% increase and the White Mountain HMA in Wyoming skyrocketed from 295 to 817 between 2006 and 2007 for no discernable reason, this time an increase of 276%.

In February 2006 in Wyoming's Divided Basin HMA, BLM reported 814 wild horses, which was an inflated population of approximately 108 more wild horses than a 20% foaling rate should have produced from the previous year. After another foaling season, which added 163 foals for a new total of 977, BLM conducted a round up in the fall of 2006, where they reported removing 594 wild horses. Yet again, five months later, wild horses were reported as still numbering 752. Even with using their inflated population rate of 814, only 383 should have remained, yet BLM still reported wild horse populations after the round ups at least twice as much as they should have been.

In 2007, BLM again went back to remove more wild horses from Divided Basin due to their failure to "achieve" their population goal, this time removing an 465 wild horses. In one year's time, BLM reported 1,059 wild horses were removed, more than the entire population started out to be.

The Wyoming Adobe Town and Salt Wells HMAs have had such a disturbing course of population reports, an entire section has been added as a case study titled "The Wild Horses of Wyoming, A Tale of Tallies" in Appendix IV.

Table 12. Inflated Wild Horse & Burro Populations Fiscal Year 2004-2008

*Indicates Round Up Conducted Prior To Reporting Date.

State	Herd Management Area	Populations Reported in:				
		2004	2005	2006	2007	2008
CA	High Rock HMA	263	308	402	124*	356
	Fox Hog HMA	475	556	120*	144	364
	Buckhorn HMA	61	71	239	287	344
	Twin Peaks HMA (WHs)	802	1,079	1,398	779*	1,122
NV	Bald Mountain	424	270*	302	338	519
	Black Rock Range East	160	56*	64	74	215
	Black Rock Range West	143	57*	66	76	399
	Buffalo Hills	412	306*	352	405	542
	Calico Mountains	485	200*	230	264	549
	Callaghan	271	454	569	669	847
	Clover Mountains	14	41	40*	30*	78
	Diamond Hills South	242	13*	15	20	161
	Dry Lake	60	72	85	75	263
	Fox Lake Range	466	119*	137	158	331
	Goshute	167	74*	90	108	194
	Granite Range	601	157*	181	208	301
	Maverick Medicine	286	335	875	190*	228
	New Pass/Ravenswood	200	400	486	571	268*
	North Stillwater	255	199*	229	370	386
	Roberts Mountain	183	270	317	372	123*
	Seven Mile	167	196	33*	40	100
	Spruce-Pequop	188	49*	60	72	144
Tobin Range	100	111	128	146	239	
Warm Springs Canyon	337	105*	121	139	607	
Wilson Creek	564	521	625	130*	386	
OR	Beatys Butte	591	105*	126	151	474
	Paisley Desert	64	118	142	170	204
UT	Cedar Mountain	420	190*	238	355	531
	Four Mile	36	51	30*	35	90
	Sulphur	250	300	490	413*	435
	Swasey	100	136	192	250	114*
WY	Dishpan Butte	127	50*	60	142	108*
	Divided Basin	490	588	814	752*	415*
	Fifteenmile	188	80*	96	115	240
	Muskrat Basin	195	159*	191	305	341
	Salt Wells Creek	405	480*	1,133	327*	379
	Stewart Creek	223	165*	277	145*	171
White Mountain	200	246	295	681	205*	

Deflated Populations

Conversely, there are also reports of BLM taking way too many wild horses or burros than they should during round ups, population reports that stay static for several years with no reported increases, declining populations despite no records indicating gathers have occurred and the additional complication of BLM having two kinds of round up reports, the “official” round up they report as “Last Gathered” and the “Achieving AML”, where they report all removals conducted under “emergency conditions”, which have both disappeared in subsequent reports as well leaving the impression that no round ups have been conducted in areas that really were.

On top of this, there is also the issue of wild horses and burros being reported as removed “outside” the HMAs, which leaves many populations open to wide variables, and can be used as a ruse for removing animals actually located inside their legal boundaries while failing to report it.

For example, during the 2007 Stone Cabin Complex round ups, BLM reported they only intended to remove some “stray” wild horses outside the Reveille HMA boundaries and their 2007 Final Gather Schedule supports this as no wild horses were cited as removed from Reveille – yet 125 were reported as being removed “outside” the gather areas.

In 2006, BLM reported the Reveille population was 116 wild horses, adding the spring foals would have brought it to 139, just peaking the maximum established AML. Yet the National Program Office reports removals were conducted in Reveille as populations were reported as declining to 49.

The Lake Mead Conservation Area in Nevada was once home to a large and thriving burro population. Gold Butte is the last HMA left were wild burros have not been zeroed out. In March of 2006, BLM proposed a round up due to wildfire damage that burned almost 50% of the HMA. (12) They took 132 wild burros according to the 2006 Gather Schedule but provided conflicting reports about how many burros were actually left. The Gather Schedule reported 98 still remained while the Las Vegas Field Office reported only 36.

In March 2007, just one year later, BLM went back to conduct another round up, this time their target was not only the Gold Butte burros but also to take all the remaining burros in the Muddy Mountain HMA, recently zeroed out through manipulations of data and omissions of crucial considerations. (13)

After raising questions about BLMs intent to take more burros out of Gold Butte when they claimed so few were left after the last round up, BLMs Nevada State Director Ron Wenker assured the public that all the burros to be taken around Gold Butte were living “outside” the HMA boundaries and none were scheduled for removals inside the HMA itself. In BLMs 2007 Final Gather Schedule, 149 burros were reported as taken from within the HMA.

Additionally, when BLM lists wild horses and burros for adoptions, if they were removed from outside HMA boundaries, it is BLMs policy to list them only as “outside”, with no further explanation of where “outside” is. When the “outside” Gold Butte burros began showing up on BLMs Internet Adoption websites, all were listed as being taken from inside the HMA, despite BLMs assurances that this would not be the case.

In relation to BLM removing wild horses without any records, the Miller Flat HMA in Nevada presents an interesting study in wild horse “disappearances”. All Fiscal Year herd statistics between 2004-2008 report the HMA has not been gathered since 2002. There is also no record of removals being conducted in BLMs 2006/2007 Final Gather Schedules.

The only record of wild horse removals occurring in the Miller Flat HMA in December 2006 was found in the Oak Wells Livestock Allotment Renewal for George I. Andrus, permittee ((EA# NV-040-07-22, pg.9) published by the Ely Field Office and the briefly mentioned wild horse gather provided no information of what the pre-gather or post-gather populations were nor did it provide any removal numbers as a result of the secret round up.

The National Program Office has continued to report the last time any wild horses were removed from the Miller Flat was in 2002 and there was no reported reductions in the Miller Flat wild horse populations in February 2007 after the above referenced gather. However, after this mysterious round up was reported to BLM in July 2007, herd statistics for 2008 report populations declining from 50 to 27 – but still no removals have been “officially” reported in the wild horse and burro program.

If BLM has been deliberately sabotaging the numbers for as many years as their own records suggest, then no one has any idea how many wild horses and burros are actually left.

However, analyzing nationally reported removals and reproduction cycles just since September 30th, 2000 with the supporting documentation of numerous herds being reported at inflated rates over the years, there is the significant possibility that national populations are likely to be much lower than is being reported, or even less than this analysis revealed and it is likely it may have been this way for a number of years.

Callaghan Complex-Current Case Study

The BLM recently sent out a public scoping proposal for the Callaghan Complex in April 2008, a collection of herd management areas in central Nevada proposed for round ups in late 2008 or early 2009. One of the areas included in the proposal, the Bald Mountain Herd Management Area (HMA), was scheduled for round ups in late 2007 but funding issues postponed the removals.

In the spring of 2007, BLM published an environmental assessment claiming the post-foaling population in the Bald Mountain HMA was approximately 379 wild horses with a historical reproduction rate of just 12%. Yet just one year later, a “new” census has determined populations are now estimated at 607 instead, a 60% increase according to the new reports. (14)

Every HMA surrounding the Bald Mountain HMA had mass removals conducted in 2007 and all achieved their targeted population objectives, with the exceptions of the Callaghan and Rocky Hills HMA, the other two areas being proposed for removals.

The BLM last conducted removals in the Callaghan HMA in 2002, where 868 wild horses were estimated prior to foaling season. Yet BLM applied a 35.8% reproduction rate for the herd while simultaneously claiming a historical reproduction rate of 17.8% and as a result of using the inflated reproduction rate instead, issued the projected population of 1,179 for the area. (15)

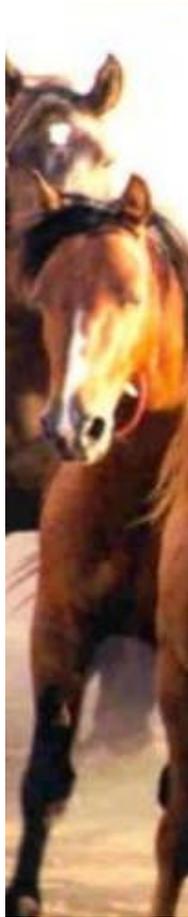
The Callaghan mares returned to the range after the round ups were treated with PZP to supposedly slow reproduction rates but population estimates by the National Program Office reported an extreme population jump of from 271 to 454 between 2004 and 2005. The BLM is now reporting an estimated post-foaling population in 2008 of 995 yet applying a 20% increase to the reported 2004 population prior to the 2005 inflated levels would only yielded 542 wild horses in the area, 50% less than is currently being reported.

No unusual population increases were found for the Rocky Hills HMA, the last area in the Callaghan Complex gather proposal.

The purpose of recounting the history of these three wild horse areas is to provide a clear, current example of potentially reported inflated populations. Despite reasonably timely removal schedules conducted over the last several years in the all the surrounding areas, which insured no significant wild populations were left that could have migrated into these HMAs, both the Bald Mountain and Callaghan HMAs are now reporting unusually high population numbers for no logical or discernable reasons.

Americas Mustangs & Burros

What's Left,
The High Costs of Miscalculating
And Will They Survive?
By C.R. MacDonald



PART II

The High Cost of Miscalculating

I. Financial

Based on this analysis, approximately 14,000 more wild horses and burros have been removed than were actually necessary to achieve BLMs national population objective, the cause of the massive increase in short and long-term holding costs - yet more removals are scheduled throughout the summer of 2008, most conducted under an “emergency” umbrella.

As of February 2008, BLM reported over 32,000 wild horses and burros are now being warehoused in holding facilities and has recently released yet another bid for additional holding facilities.⁽¹⁶⁾

BLM has reported in Fiscal Year 2007, \$38.8 million dollars was spent on the wild horse and burro program with the cost for holding wild horses and burros in short and long term holding facilities reported at \$21.9 million, accounting for more than half of what BLM spent and BLM is now reporting these costs are projected to exceed \$26 million dollars or about three-fourths of the wild horse and burro programs budget for Fiscal Year 2008.⁽¹⁷⁾ It is interesting to note budget projections for Fiscal Year 2009 find holding costs declining again to about 21 million, about the same as they were in Fiscal Year 2007.

While it is not the focus of this report to audit the financial and budgetary concerns of BLMs Wild Horse and Burro Program, as this would be significant enough to require a completely separate report, a general overview has been provided for BLMs projected budgets for Fiscal Years 2008 and 2009 to help illustrate the various costs associated with the program overall.

However, even a superficial examination of these budgets pose some initial questions worth mentioning, the first being, why income generated from adoptions of wild horses and burros failed to be included in the Funding credits BLM has to work with on an annual basis.

Based on the reported adoptions numbers, such as in Fiscal Year 2007 where BLM reported 4,772 wild horses and burros were adopted averaging \$125.00 each, the program should have been credited with almost an additional \$600k dollars. There are also known incidences of adopted animals going for much higher fees than the standard fee of \$125.00 as well. However, in the interest of fairness, over the last few years BLM has also offered such bargain basement prices as \$25.00 per horse.

Income derived from the For Sale Horses touted as necessary to help defray the costs of the program, now cited as “more than 2,700” since BLM first began selling wild horses and burro in 2005, has also failed to be credited in their budget analysis.

However, it is possible that the fees BLM is accepting for these wild horses and burros is so nominal, it fails to impact their budget in the slightest. Though shrouded in mystery as to what the BLM is actually receiving for these sales, there is at least one well-known offer to ranchers to purchase the now captured wild animals for merely \$10.00 each with stories of BLM selling them for as little as \$1.00.

Table 13. BLMs Fiscal Year 2008/2009 Wild Horse and Burro Program Budgets

All budget figures provided courtesy of Dean Bolstad, National Wild Horse and Burro Program Lead.

Fiscal Year 2008 Projected Costs & Funding

FY2008 Enacted	\$36,201,000
FY2007 Carryover	\$223,000
FY2007 Reprogramming	\$500,000
Forest Service Income	\$1,819,610
<u>NV Emergency Stabilization Funds</u>	<u>\$2,043,576</u>
TOTAL FUNDING	\$40,787,186

Herd Management	-\$1,718,026
Adoption/Compliance	-\$5,036,575
Gather/Remove BLM & FS	-\$3,288,555
Short-Term Holding	-\$15,461,649
Long-Term Holding	-\$10,862,310
<u>Overhead/Uncontrollable Costs</u>	<u>-\$7,846,000</u>
TOTAL COSTS	-\$44,213,115

DIFFERENCE -\$3,425,929

Target Animals Adopted	5,235
Animals Gathered For BLM	5,653
Animals Gathered For FS	196
TOTAL STH & LTH COSTS	-\$26,323,959
Holding vs. Enacted	72.7%

Fiscal Year 2009 Projected Costs & Funding

Presidents Proposed Budget	\$36,960,000
<u>Estimated Forest Service Income</u>	<u>\$1,800,000</u>
TOTAL FUNDING	\$38,760,000

Herd Management	-\$1,575,026
Adoption/Compliance	-\$6,921,200
Gather/Remove BLM & FS	-\$1,511,622
Short-Term Holding	-\$10,392,814
Long-Term Holding	-\$11,276,253
<u>Overhead/Uncontrollable Costs</u>	<u>-\$7,085,065</u>
TOTAL COSTS	-\$38,760,000

Target Adopted Animals	5,200
Animals Gathered for BLM	3,300
Animals Gathered for FS	183
TOTAL STH & LTH COSTS	-\$21,669,067
Holding vs. Budget	58.6%

II. APPROPRIATE MANAGEMENT LEVELS (AML)

In addition to the high financial costs of unnecessary wild horse and burro removals, there are additional concerns regarding the established allowable management levels themselves with an apparent and steady downward trend, both in terms of “what” BLM has established in terms of the number of wild horses and burros deemed appropriate as well as “how” they have justified these decisions.

Part I - Examining Established AMLs

National Overview

Nationally, BLM reports there are 318 Herd Areas, the originally designated habitats deemed to be eligible for protection at the passage of the 1971 Wild Free-Roaming Burro Act. Currently, BLM is reporting habitat acreage of these original Herds Areas totaled approximately 53.5 million acres.

Of these original Herd Areas, BLM has determined only 34.3 million acres are suitable for wild horses and burro management, a loss of 19.2 million acres of habitat with more habitat loss pending.

The current national allowable management level (AML) totals 27,210 wild horses and burros and is comprised of 24,304 wild horses and 2,915 wild burros. However, these numbers fail to take into account a number of relevant issues.

There are currently 199 wild horse and burro territories BLM has determined are still suitable for Herd Management Status and as such, have been deemed a Herd Management Area (HMA). Though BLM reports 199 Herd Management Areas are still active, a total of 192 herds actually exist, 165 wild horse herds and 27 wild burro herds.

It is important to distinguish between a Herd Management Area and the actually remaining herds for a number of reasons, these being:

1. Non-functional HMAs are counted in BLMs total HMA statistics even though wild horse or burro herds have been zeroed out or have an established AML of 1, artificially inflating actual HMA and herd status.
2. There is HMAs BLM still counts towards HMA status and AML totals where no populations currently exists.
3. One HMA may contain both wild horse herds and wild burro herds but they are lumped together in statistical reporting.

Because of these reasons, it was deemed necessary to utilize the actual remaining wild horse and burro herds versus using BLMs current system, which allows for a number of variables as described above that prevent accurate accounting of habitat, allowable populations and those herds that actually still remain.

The following table provides both national and state totals, individual herds per state and includes areas BLM reports under their HMA statistics being managed for U.S. Forest Service.

Table 14. 2008 Status of America’s Actual Wild Horse & Burro Herds

<u>State</u>	<u>Total # of Herds</u>	<u>Wild Horses</u>	<u>Wild Burros</u>
Arizona	8	2	6
California	20	16	4
Colorado	4	4	-
Idaho	6	6	-
Montana	1	1	-
Nevada	94	80*	14
New Mexico	2	2	-
Oregon	19	18	1
Utah	22	20	2
<u>Wyoming</u>	<u>16</u>	<u>16</u>	<u>-</u>
Totals	192	165	27

*Includes the Montgomery Pass wild horse herds estimated at 55 in FY08 though AML has yet to be established.

Non-Functional Herd Management Areas

A non-functioning Herd Management Area is considered any HMA where;

- a) Allowable Management Levels have been established at 0 but are still listed as an HMA.
- b) Allowable Management Levels have been established at 1.
- c) Allowable Management Levels have been established but are reporting zero populations.

An additional consideration is these AML statistics fail to include areas where AMLs are counting towards national or state totals but population levels have been slashed to the bone after the round ups, such as the Little Humboldt HMA with an AML of 80 but with only 12 wild horses left after round ups were initiated to protect the range from wildfire damage.

There is also the Hot Creek Wild Horse Territory in Nevada, though a U.S. Forest Service Wild Horse Territory (WHT), it is cited in BLMs national Herd Statistics as an HMA. Though the National Program Office is reporting removals were conducted in January 2006, no records can be found of this occurring in their 2006 Final Gather Schedule, though it is possible USFS conducted these removals without BLMs assistance. However, with an established allowable management of level of merely 41, populations dropped from 128 (plus the foals prior to the round ups) to now reporting merely 3 wild horses remain.

Oregon’s Sand Springs HMA, with an AML of 200, conducted round ups in 2006 and while BLM reported at the time that 125 still remained, new population figures have been reported as of February 2008 as only 42 still occurring within the HMA.

Currently, only California and Nevada have HMAs that fit the criteria for non-functioning HMAs. These two states contribute an additional reduction of 369 less wild horses and burros being applied towards national AMLs where no populations actually exist.

California

California currently reports 22 HMAs still remain statewide with established allowable management levels of 1,761 wild horses and 476 wild burros for a total of 2,237 for both species. However, three of California's HMAs are classified as non-functional; the Lee Flat, Palm Canyons and Piper Mountain HMAs and contribute to inflated statewide AMLs by adding 120 more wild horses and burros than BLM actually has.

Today's statistics also fail to show the cumulative impacts over the years, which have decimated both habitat and populations.

Southern California was once home to the largest wild burro population in the country and at the time of passage of the California Desert Conservation Area Plan in 1980, there were 19 recognized Herd Management Areas that could be managed for burros and 14 were officially designated for that purpose within the Conservation Area alone. The combined AMLs totaled 2,747 wild burros and their available habitat was 3.5 million acres.

Today, this same area has only 2 burro herds left, the Chemehuevi and Chocolate-Mule Mountains HMAs, with only 252 wild burros still allowed on less than 300k acres – a loss of over 90% of both habitat and populations.

Though BLM reports California burro herds have a statewide AML of 476, two of its non-functioning HMAs are burro herds with an AML of 97 wild burros being counted towards state totals even though no actual populations exist. California's true wild burro allowable management level is merely 379 throughout the entire state.

Nevada

Nevada is home to the largest remaining wild horse populations in the West and as such, their statistics play a particularly important role in the overall scrutiny of the National Wild Horse & Burro Program as a whole.

BLM reports a total of 22.8 million original Herd Area acres, 19.7 of which are actually under BLM jurisdiction. Of the original Herd Area acres, almost 17.5 million Herd Management Acres has been deemed suitable for wild horse and burro use and granted Herd Management Area status, almost 1.7 million of these acres are actually under BLM jurisdiction - a habitat loss of 2.2 million acres.

Additionally, BLM is applying over 1.1 million acres towards Nevada's Herd Management Area acreage and status that are considered non-functioning HMAs due to a zero AML, an AML of 1 or HMAs where an AML has been established but there are no reported populations actually occurring in the HMAs.

Herd Management Areas & AMLs

BLM reports Nevada has a total of 102 Herd Management Areas with a state allowable management level (AML) of 12,290 wild horses and 808 wild burros totaling 13,098 for both species. Since 2004, BLM has reduced the state AML by 1,458 wild horses and burros with more currently pending.

While these are BLMs reported statistics, actual AMLs are lower due to BLM applying AMLs towards state totals where zero populations are being reported. The actual Nevada AML is 12,119 wild horses and 730 wild burros totaling 12,849, a further decrease of 249 wild horses and burros.

Of these 102 HMAs, though BLM cites only 6 HMAs have been completely zeroed out, direct counts revealed there are actually 8 HMAs with a zero AML status. These counts also fail to reflect such maneuvers as zeroing an area out completely for wild horse use but converting it instead to exclusive wild burro use as was done in the Bullfrog, Gold Field, Gold Mountains, Johnnie, and Stone Wall HMAs so it fails to reflect the now zeroed out wild horse herds.

Additionally, Nevada has 3 HMAs with an established AML of just 1 wild horse and 3 more HMAs, which have established AMLs totaling 249 wild horses and burros but report zero populations occurring in the HMA.

Table 15. Nevada Zeroed Out Herd Areas/Herd Management Areas

<u>Herd Management Area</u>	<u>HA Acreage</u>	<u>HMA Acreage</u>
Amargosa Valley	8,901	8,901
Ash Meadows	115,492	115,492
Cherry Creek	37,275	37,275
Eldorado Mountains	95,233	16,521
Meadow Valley Mountains	97,845	97,845
Montezuma Peak	77,930	77,930
Muddy Mountains	187,310	78,581
Silver Peak	242,174	242,174
Totals	862,160	674,719

Table 16. Nevada Herd Areas/Herd Management Areas with AML of 1 Wild Horse

<u>Herd Management Area</u>	<u>HA Acreage</u>	<u>HMA Acreage</u>
Applewhite	30,969	30,969
Blue Nose Peak	84,788	84,788
Rattlesnake	71,433	71,433
Totals	187,190	187,190

Table 17. Nevada HMAs w/Established AMLs - No Reported Populations

<u>Herd Management Area</u>	<u>Herd Area Acreage</u>	<u>Herd Management Area</u>	<u>AML</u>	<u>Population</u>
Gold Mountain	107,638	107,638	78	0
Palmetto	118,279	118,279	76	0
Horse Butte	49,780	49,780	95	0
Totals	275,697	275,697	249	

As a result of all these factors, currently Nevada has a total of 94 “functioning” herds remaining, 80 wild horse herds and 14 wild burro herds.

Additional AML Reductions

In late 2007, BLMs Tonopah Field Station issued a decision on multiple Herd Management Areas that converted all wild horse use to wild burros instead resulting in a loss of 333 wild horses, though their final round ups are still pending.

In 2004, Nevada’s BLM Ely District issued a mass AML decision for twelve HMAs, reducing their current AMLs from 884 to 684, a permanent reduction of 240 wild horses. Four years later, BLM has gone back again and issued a new proposal in November 2007 for the Ely Districts new Resource Management Plan, currently undergoing the Protest Period, which proposes to re-arrange and zero out an additional 16 Herd Management Areas totaling over 1.6 million acres with an additional loss of 446 more wild horses from public lands pending approval.

Genetic Diversity and Viability

A leader in the field of equine population genetics is Dr. Gus Cothran, Director of the Equine Blood Typing Research Laboratory at the University of Kentucky. In addition to blood and hair samples collected from horse breeds around the world, Dr. Cothran has been analyzing blood samples from U.S. wild horses. He has been studying the Pryor Mountain wild horse herd of southern Montana since 1991 as well as other wild horse herds on public lands in the West.

Dr. Cothran suggests that managing wild horses at low population levels leaves them vulnerable to a long range loss of genetic diversity. This is the same sort of problem which plagues endangered species around the world. But, just how small is too small? At what point do wild horse populations suffer the risk of irreparable genetic damage?

Based on his DNA analysis, Dr. Cothran now believes that the minimum wild horse and burro herd size is 150-200 animals. Within a herd this large, about 100 animals will be of breeding age. Of those 100, approximately 50 horses would comprise the genetic effective population size. These are the animals actually contributing their genes to the next generation. Dr. Cothran has stated that 50 is a minimum number. A higher number would decrease the chances for inbreeding. (A number of variables such as an unbalanced sex ratio in favor of males would cause this minimum number to be revised upward. Unbalanced sex ratios with many more males than females occur on at least some of the wild horse and burro herd areas.)

Dr. Cothran has worked in collaboration with Dr. Francis Singer, a research ecologist with the Biological Resources Division of USGS in Fort Collins, Colorado.

In a letter dated July 7, 1999 from BLM Field Manager Sandra Brooks to Custer National Forest Ranger, Rand Herzberg, regarding the need to expand the Pryor Wild Horse Herd, Ms. Brooks stated that. "preliminary evidence suggests that the herd {Pryor Mountain Wild Horse Herd} has been managed at dangerously minimum levels over the past 25 years and an increase in established appropriate management levels (AML's) will need to be considered in order to preserve the genetic viability of the herd."

The remaining herds represent highly fragmented populations that in many cases cannot interchange genetically. Fences erected to rotate cattle and sheep from one "pasture" to another keeps herds away from healthy inter-breeding. Combine this with BLM's policy of removing younger animals, leaving predominately horses and burros older than 5 years of age and in many cases leaving only those older than 9 years of age, and it becomes clear that the BLM is setting our "national heritage species" (PL 92-195) up for inbreeding, winter kill, failure to reproduce, low vitality, population fragmentation and eventual extinction in the wild.⁽¹⁸⁾

Since Dr. Cothran's initial work, a number of "genetically viable" numbers have come forth, including revisions from Dr. Cothran himself.

However, during the gather proposal for the last round up in the fall of 2006 of the now zeroed out Silver Peak wild horses, one of the reasons cited for issuing the zero wild horse AML decision was studies had suggested inbreeding characteristics may be occurring within the herds. Their population was estimated at 71 when BLM issued this decision, though they removed a total of 143 during their final round up.⁽¹⁹⁾

Genetic Viability of the Herds

Of the 199 Herd Management Areas, there are a total of 192 remaining herds, 165 wild horse herds and 27 wild burro herds.

Genetically Vulnerable Herds.- AMLs at 60 or Less

Herds with a maximum Allowable Management Level of 60 or less are considered extremely vulnerable to population "crashes" due to severe winters or drought.

For example, in the mid-80's, Wyoming's Green Mountain Herd Management Area lost 60-80 wild horses during a severe winter where livestock fencing had trapped them and prevented them from migrating to their normal winter range.⁽²⁰⁾

Of the remaining 192 herds, BLM has issued a maximum population AML of 60 or less wild horses or burros for 69 herds, 35.9% of the total populations. Wild herd populations are also reduced considerably lower than their "high" AMLs after round ups, meaning that even though a maximum AML has been issued for 60 animals, actual populations may only be 30, 20 or even less.

Extremely Vulnerable Genetic Populations

Table 18. Wild Horse & Burro Herd Populations Allowable Management Levels (AML) of 60 or Less

Herd Totals: 69 35.9% of Total Populations

California: 10 out of 20 Herds – 50%

Bitner-25, Carter Reservoir-35, Chicago Valley-12, Massacre Lakes-20, New Ravendale-25, Nut Mountain-55, Red Rock Lakes-25, Wall Canyon-25, Waucoba Hunter Mt-11, Round Mt/Devils Garden-10

Idaho: 3 out of 6 Herds* - 50%.

Black Mt-60, Four Mile-60, Saylor Creek-50

*Though Sand Basin has an AML of 64, it has not been included in this count.

Nevada: 36 out of 94 Herds – 38.2%.

Blue Wing Mt-36, Cherry Creek-0, Clover Creek-14, Clover Mt-16, Deer Lodge Canyon-50, Diamond Hills North-37, Diamond Hills South-22, Dogskins Mt-15, Fish Lake Valley-54, Goldfield-37, Granite Peak-18, Highland Peak-33, Hot Creek-41, Jakes Wash-21, Lahontan-10, Lava Beds Burros-16, Little Fish Lake-39, Little Mountain-15, McGee Mountain-41, Miller Flat-15, Moriah-29, Paymaster-38, Red Rock-27 wild horses, 49 burros, Sand Springs West-49, Saulsbury-40, Seven Mile-50, Seven Troughs-46 burros, South Stillwater-16, StoneWall-8, Tobin Range-42, Warm Springs Canyon-24 burros, Wheeler Pass-35 burros, Whistler Mt-24, Hickson Summit-45 burros, North Monitor-8.

New Mexico: 2 out of 2 Herds - 100%

Bordo Atravesado-60, Carracas Mesa-23

Oregon: 6 out of 19 Herds – 31.5%

Hog Creek-50, Ligget Table-25, Pokegama-50, Riddle Mt.-56, Warm Springs-25 burros, Murders Creek-35

Utah: 12 out of 22 – 54.5%.

Bible Springs-60, Chloride Canyon-30, Choke Cherry-30, Four Mile-60, Frisco-60, Kingtop-40, Mt Elinor-25, Muddy Creek-50, North Hills-36, Robbers Roost-25, Sinbad-50, Tilly Creek-50.

Genetically Viable Herds.- AMLs at 150 or More

Herds that have an established AML of 150 or more are considered genetically viable with less danger of inbreeding or population crashes. Of the 192 wild horse and burro herds, 67 are still considered genetically viable or 34.5% of the total populations, which is comprised of 62 wild horse herds and 5 wild burros herds.

Genetically Stable Populations

**Table 19. Wild Horse & Burro Herd Populations
Allowable Management Levels (AML) 150 or More**

Herd Totals: 67 34.5% of Total Populations

Arizona: 6 out of 8 Herds – 75%

Alamo burros-160, Black Mountain burros –478, Cibola-Trigo burros-285, Cibola-Trigo horses-150, Havasu burros-166, Lake Pleasant burros-208.

California: 3 out of 20 Herds – 15%

Centennial-168, Fox Hog-220, Twin Peaks-758

Colorado: 3 out of 4 Herds – 75%

Little Books Cliff-150, Piceance-East Douglas Creek-235, Sand Wash Basin-362

Idaho: 1 out of 6 Herds – 16%

Challis-253

Nevada: 33 out of 94 Herds – 35%

Antelope-324, Antelope Valley-259, Augusta Mountains-308, Bald Mountain-215, Buck-Bald-423, Buffalo Hills-314, Calico Mountains-333, Callaghan-237, Clan Alpine-979, Desatoya-180, Diamond-151, Fish Creek-180, Fox-Lake Range-204, Granite Range-258, Jackson Mountains-217, Little Owyhee-298, Maverick-Medicine-276, Monte-Cristo-236, Nevada Wild Horse Range-500, New Pass-Ravenswood-566, North Stillwater-205, Owyhee-231, Pilot Mountain-415, Pine Nut Mountain-179, Roberts Mountain-150, Rock Creek-250, Sand Springs-East-257, Seaman-159, Seven Troughs-156, Stone Cabin-364, Warm Springs Canyon-175, Wassuk-165, Wilson Creek-160.

Oregon: 10 out of 19 Herds – 52.6%

Beatys Butte-250, Cold Springs-150, Coyote Lake-390, Jackies Butte-150, Paisley Desert-150, Sand Springs-200, Sheepshead/Heath Creek-302, South Steens-304, Three Fingers-150, Warm Springs-202.

Utah: 4 out of 22 Herds – 18%

Cedar Mountain-390, Hill Creek-195, Onaqui Mountain-210, Sulpher-250

Wyoming: 7 out of 16 Herds – 43.7%

Adobe Town-800, Divided Basin-600, Fifteen Mile-160, Green Mountain-300, Muskrat Basin-250, Salt Wells Creek-365, White Mountain-300.

Part II – Setting Appropriate Management Levels For Wild Horses & Burros

Setting the Appropriate Management Levels (AMLs) for wild horses and burros has revealed some rather questionable standards being applied in many instances, though every BLM office and proposal seems to contain variables.

Here are some issues that could use further examination with some examples provided in Appendix V to help illustrate these points.

Carrying Capacity

Carrying capacity and stocking rate is often absent in wild horse/burro evaluations and decisions, which use to be the standard for determining appropriate use levels on public lands. A sincere evaluation should include carrying capacity, stocking rates, forage production per acre, acres it takes to supply one animal unit month (AUM) for the area, a range of resource availability based on fluctuating environmental conditions such a dry, normal and good years, pounds of forage required per horse or burro, total available water sources, and water flow data.

What is often substituted for carrying capacity is Use Pattern Maps that provide little verifiable data about what the range can support or the actual utilization occurring. They will take a few “key” measurements and then multiply that use level over thousands of acres. This can also fail to distinguish other rangeland users impacts by attributing all utilization levels to wild horses and burros and offers the BLM opportunities to insert random numbers in formulas that may have no actual bearing on carrying capacity, available resources and/or who exactly is using those resources.

Furthermore, by using this method BLM is able to determine AMLs by going in to the proposal with a preset desired use level for wild horses and burros that may or may not have any bearing on the totality of resource availability and/or consumption potential for the proposal area.

Predetermined Formulas

Many examinations of wild horse and burro resource allocations reveal a consistent pattern of wild horses and burros being allocated 10% or less of the available resources (usually much less). This suggests that BLM managers are determining use levels based on administrative convenience and/or predetermined formulas that may or may not have any bearing on actual carrying capacity or utilization levels from the wild horses and burro themselves. It can't be just a coincidence that forage allocations for wild horse and burros so often fall within the same percentages of allowable use.

Further evidence that this is what has been done is the fact that almost little to no funding is issued for monitoring and hasn't been issued for years with the majority of funding being funneled in round ups or holding costs. With little funding provided to actually monitor rangeland resources that support those AMLs, often times the basis for determining excess populations, round ups and the now escalating holding costs have been based, at least in some known instances, through questionable methods and means.

No Alternatives

When BLM issues a proposal to establish AMLs, they usually fail to examine wild horses/burros in context with other rangeland users in a meaningful way by failing to present management alternatives to all affected rangeland users for the area, specifically livestock AUM authorizations – BLM just states what the AML is going to be and if the public has a problem with that, they can appeal it through Interior Board of Land Appeals (IBLA) or take them to court.

BLM has so far refused to examine forage allocations to wild horses and burros in grazing permits though they will include wildlife allocations, depending on the livestock proposal. When they do finally examine wild horses and burros for an allowable management level (AML) determination, there have been known instances where they censor other multiple-use applications from their evaluations and just drop a number in stating “this is what it is going to be” not “here are the resources available and we could manage the area this way” or “this way” with alternatives in relationship to the thriving ecological balance. IBLA even has a separate area to file appeals regarding wild horses/burros, wildlife and livestock decisions.

Often, BLM also reaffirms old AMLs as “valid”, sometimes over 20 years old, despite having no monitoring, no studies, or reports to justify them AS being valid. This allows them to circumvent reporting or analyzing significant changes that may have transpired since initiating the original AMLs such as fencing, roadways, increased visitor use, changes to water availability, increased or decreased wildlife populations and/or objectives, threatened, endangered, special status or priority species considerations, cumulative impacts to wild horses and burros and their available habitat both locally and nationally, changes in pastures, grazing rotations, livestock authorizations, seasons of use, or applying the latest available science and research to the proposals and thus making the critical adjustments necessary to truly implement a viable thriving ecological balance in context with all rangeland users and multiple use applications.

This also means that any proposal that has wild horses and burros in the area or establishes AMLs often fails to provide the “hard look” required by NEPA through the Environmental Assessment process. Even when BLM calls them EAs, there are no real alternatives in managing wild horses/burros in relationship to other rangeland users, everything is kept separate from each other. Those that do provide “alternatives” still have pre-determined AML numbers that often don’t consider or provide the option of re-arranging other rangeland user allocations in context of management alternatives and AMLs.

The only exception to this general rule is the Nevada process called the Multiple Use Decision (MUD) that examines livestock and wild horses/burros in the same document. Yet again, BLM usually just issues a number and states what the AML is going to be, rarely providing any supporting documentation that this number is backed up by verifiable rangeland conditions, forage production, water availability, etc. in relation to wild horses/burros. Even when they do present this information, rarely is sincere alternative management plans offered in context of wild horse and burros allocations. The little variations offered are for the livestock portions of the MUDs, not population numbers for wild horses/burros or even wildlife.

Multiple Use Decisions are often cloaked in proposals called Rangeland Health Assessments, leaving the public to believe that no decisions are being made regarding the area when in fact, they are. The time limit to address these documents, often hundreds of pages long, has ranged from 15-30 days including mail time, with absolutely no hope of acquiring additional information on the proposal area such as the Resource Management Plans these proposals are authorized from, prior assessments, or even more extensive information on the monitoring data these assessments will often present in only the most superficial fashion. Additionally, much of the little data that is offered is extremely dated.

It also appears that once BLM gets these AMLs rammed through, they are set for life because AMLs are rarely, if ever examined again, no matter how many years go by, unless BLM wants to reduce them or zero the HMA out. Even IBLA has had a change of policy regarding examining wild horse and burro proposals in context to the thriving ecological balance – they have legally affirmed that they will not examine or revisit an AML once it has been established.

Multiple AML Decisions

Another issue and concern is “wholesale” AML determinations where multiple Herd Management Areas and/or Wild Horse Territories (WHT) are all combined in one document that can span hundreds of thousands of acres. The ability to meaningfully address and evaluate these proposals becomes lost through just the sheer volume of information and/or span of the proposals.

BLM will create Herd Management Areas out of the original Herd Areas, issue proposals for management actions within the HMAs on an individual basis (such as livestock renewals, rangeland health evaluations, range improvement projects, etc.) and then re-combine multiple HMAs/WHT’s under the umbrella of a “Complex” to examine and determine AMLs, again all within a very limited time frame.

These Complex decisions are cited as appropriate due to known interchanges within the HMAs and the necessity to manage the areas as one functioning meta-population. Then why were they created as “separate units” to begin with?

The public has no hope of accessing pertinent documents to these wholesale AML proposals as all information must be requested individually per HMA, WHT and livestock allotment. The time it takes for BLM to provide requested documents is averaging about 60 days and the financial cost would be considerable (\$100s-\$1,000s of dollars) if the public requested multiple documents in this kind of volume. Even IF this information was received before the public comment period closed, how feasible is it that there will be time to review these documents in any sort of in depth analysis?

Meanwhile, BLM can take as long as they deem necessary to write the proposals, re-write the proposals, and issue decisions. It’s only the public that has to scramble to meet the excruciatingly short deadlines.

Outside the Scope

Gather Proposals

Protesting AMLs during gather EAs is deemed “outside the scope” of the proposal.

Livestock Renewals

Trying to address the issue of inequitable forage allocations in livestock grazing renewals in areas where wild horses/burros occur is deemed by BLM as “outside the scope” of the assessment, even if the AMLs established for wild horses/burros due to these inequitable resource allocations are causing the allowable population levels to be considered “at risk” in terms of genetic viability.

Wildlife

Wildlife proposals are not handled by BLM, they are only “partners” that have no say in management directions, therefore neither does the public, and so this too is “outside the scope” in relation to the thriving ecological balance on public lands.

Resource Management Plans

Many of the Resource Management Plans issue general plans for wild horses and burros, and while BLM often fails to examine them in relation to livestock or wildlife, they still establishes a “cap” on population levels to be managed throughout the life of the plan.

Resource Management Plans are often written by stating that site-specific decisions will be made on a case-by-case basis to allow BLM managers flexibility in management options for the area. Yet when the time comes to examine the “case-by-case” basis, BLM only allows the public to provide input about wild horses/burros in wild horse/burro documents, not livestock or wildlife proposals, even though the entire crux of the wild horse and burro program is based on multiple-use and the thriving ecological balance. Any attempt to address wild horses and burros outside the narrow avenues BLM herds the public down is always deemed “outside the scope of the proposal”.

Furthermore, despite the 2-4 year process of establishing a Resource Management Plan, the actual time available to the public to research and comment is extremely limited.

The first opportunity is the scoping period, where it is entirely up to the public to think of issues they would like identified in the plan without context or information on any of the proposals. The second opportunity and the only real one available is the Draft portion of the Plan. It is here that BLM will outline general directions of the Proposed Action and Alternatives. This 90-day period is the only shot the public has every 10-20 years.

If the public fails to provide input at this stage, they are barred from any further participation or standing, no matter how involved they may have been after the 90-day public comment period. The public must bring up a specific issue during one of these two times, if they fail to bring up an issue during one of these two periods, they are barred from addressing any new information, issues, concerns or considerations, no matter what may have transpired since the Plan was first released.

Yet in the Final Proposal, BLM has the leeway to introduce completely new proposals, alternatives, directions and management actions never before proposed and the public has absolutely no standing to comment, protest, or provide input about because these “new” introductions because they were never brought before the public during the Draft period.

If that isn’t enough, the Final Decision may also not be appealed or commented on, which may also go through radical changes during the Protest Period of the Final Plan before BLM issues the Final Decision. Only when BLM first initiates action does the public again have the right to participate in the management of our Nation’s resources and this could be years removed from when the Plans were first initiated during the scoping period.

So if the public has little to no standing in RMPs with opportunities usually only provided every 10-20 years, they have no standing in livestock grazing renewals, wildlife proposals, or gather EAs and AML documents are limited to issuing preset population objectives without alternatives in relationship to other rangeland users, where exactly does the public have any opportunity to address the management of wild horses and burros in context of the thriving ecological balance that allows for a full range of evaluations and alternatives?

Financial Information

Attempting to get BLM to list the costs of the proposals or alternatives is also deemed “outside the scope”. Not having to publicly disclose the costs of their proposals or alternatives allows them to circumvent fiscal accountability through viable alternatives. This also allows them to circumvent what groups or organizations may be contributing to the proposal that may be causing undue preference or conflicts of interest in resource allocations on public lands.

Insufficient Checks & Balances

The BLM has the power and authority to zero out entire historical populations of wild horses and burros. However, after there is no longer any population left, BLM still maintains their protected habitat is reserved throughout perpetuity, despite laws and mandates requiring them to manage renewable resources in such a manner as to preserve them for future generations.

While legally having no authority to completely eliminate HMAs through environmental assessments because a Resource Management Plans is the only lawful and appropriate document this decision can be made, BLM and USFS are able to circumvent this law by establishing an AML of 1 and removing the populations based on this new AML.

A single Field Manager has the authority to propose complete wild horse and burro elimination and only answers to the State Director for that decision. These two individuals have the sole discretionary power to reverse a Congressionally dedicated public land use that can span hundreds of thousands of acres with little oversight or challenge.

The only exception is a 30-day window to appeal the decision before the Interior Board of Land Appeals. A rule change in the 1990’s allowed decisions to be placed in Full Force and Effect and placed the “burden of proof” upon the appellant (aka the public), proof that BLM holds the keys too that many in the general public cannot access in a timely manner, cannot afford the legal services

necessary to challenge a bureaucratic institution of this magnitude, nor often times even afford to mail multiple copies to all interested parties cited on the back of the proposal just to file an appeal.

In order to appeal a decision with any hope of success, a general citizen must have in depth legal skills, vast amounts of documentation and data already available before the decision is issued, the financial means to proceed with the appeal without causing economic hardship and more information and data than BLM has on the proposal area. IBLA has already affirmed that all things being equal, the BLM or other agencies within the Department of the Interior will take precedence over the general public unless the evidence presented is overwhelming.

In other words, maybe one or two individuals in the general public can meet this overwhelming criteria or another state or federal agency and they are the only other ones that can attempt to demand accountability of the Field Managers proposals and decisions.

Since BLM is the lead agency mandated to preserve and manage wild horses and burros and it is common knowledge that livestock interests, big game departments and all other federal agencies have a vested interest in removing wild horses and burros to reduce resource competition, the ability to protect and preserve free-roaming populations and their habitat by the general public has been almost obliterated.

A constant stream of changes in laws, policies, mandates, political and financial pressures, and flat out abuse of power from those vested as our public stewards have left no meaningful place for the general public to oppose these decisions and no system in place to provide checks and balances, accountability, reviews of the proposals or any second opinion that can attest to the soundness of decisions issued by a handful of individuals, which have permanently and irrevocably effected the irreplaceable resources of America's historic herds.

The Thriving Ecological Balance

Livestock

Within the United States, a total of 96.7 million head of cattle were reported by the US Department of Agriculture, slightly below the 97.0 million on January 2007 as of January 1st, 2008.(21)

Livestock management is the dominant use on BLM managed public lands and the primary cause of much of what effects and impacts free-roaming herds and their ability to survive.

In September 2005, the Government Accountability Office (GAO) released a report titled, "Livestock Grazing Federal Expenditures and Receipts Vary, Depending on the Agency and the Purpose of the Fee" in order to assess grazing fees and impacts on all federally managed public lands.

Here are some of the issues identified in the GAO's report about livestock grazing on public lands.(22)

“The federal government manages more than 680 million acres of land in the United States, including lands in national forests, grasslands, parks, refuges, reservoirs, and military bases and installations. Of the total federal lands, BLM and the Forest Service manage almost 450 million acres for multiple uses, including timber harvest, recreation, grazing, minerals, water supply and quality, and wildlife habitat. BLM’s 12 state offices manage more than 260 million acres in 12 western states, including 82 million acres in Alaska, while the Forest Service’s 123 administrative offices manage more than 190 million acres across the nation.”

“...10 federal agencies manage more than 22.6 million AUMs (Animal Unit Months) on about 235 million acres of federal lands for grazing and land management in fiscal year 2004. Of this total, the Department of the Interior’s Bureau of Land Management (BLM) and the U.S. Department of Agriculture’s Forest Service managed more than 98 percent of the lands used for grazing.”

“In fiscal year 2004, BLM and the Forest Service approved a total of almost 21.9 million AUMs for grazing on more than 230.6 million acres—BLM approved almost 12.7 million AUMs on more than 137.7 million acres, and the Forest Service approved almost 9.2 million AUMs on more than 92.9 million acres. Ranchers were billed for and used fewer AUMs—a total of almost 13.7 million AUMs—primarily because of the continuing drought in the western and southwestern states, according to agency officials. While BLM maintains a list of historical AUMs—or grazing privileges that have been reduced from historical amounts and are not available to be used—these numbers do not affect the totals.”

“The number of livestock operations with BLM and Forest Service grazing permits and leases for cattle, sheep, and other livestock totaled more than 23,000.”

Table 20. Number of BLM Permits by Size, Fiscal Year 2004, Table 12

Table 12: Number of BLM Permits by Size, Fiscal Year 2004		
Size of permit or lease, AUMs^a	Number of permits and leases	Total approved AUMs
2 to 10	1,266	8,613
11 to 100	6,073	267,368
101 to 500	5,551	1,367,336
501 to 1,000	1,910	1,354,380
1,001 to 5,000	2,556	5,374,337
5,001 to 10,000	285	1,929,577
Over 10,000	143	2,364,322
Total	17,784	12,665,933

Source: BLM.

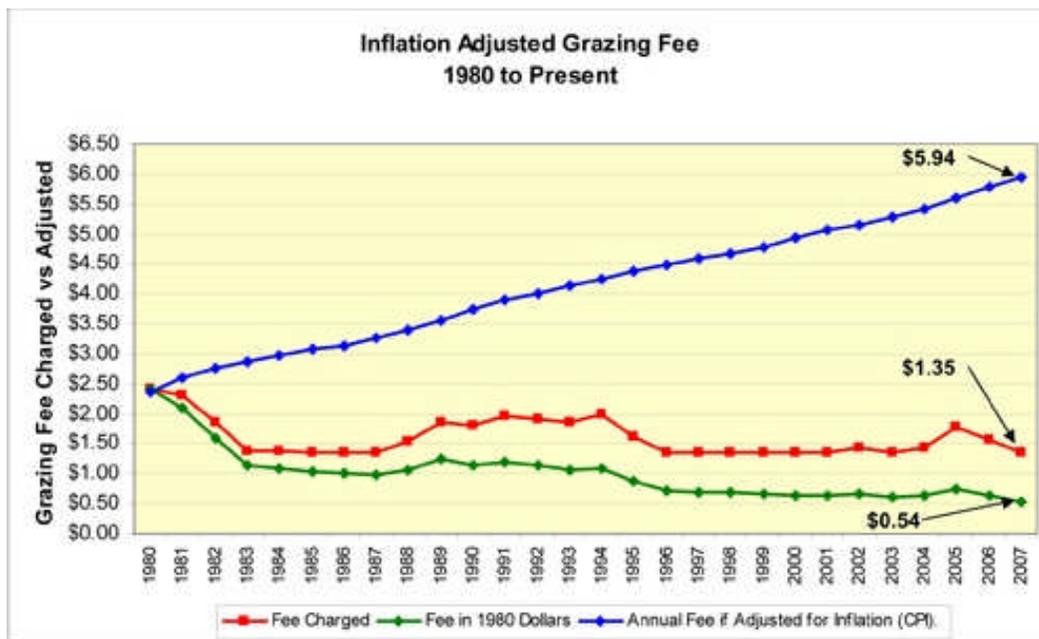
^aWe start with 2 AUMs because we recreated a table from a previous GAO report. In that report, officials were concerned about the accuracy of data for permits with 2 AUMs or less and considered all permits and leases with more than 2 AUMs.

“In fiscal year 2004, federal agencies spent a total of at least \$144 million. The 10 federal agencies spent at least \$135.9 million, with the Forest Service and BLM accounting for the majority. Other federal agencies have grazing related activities, such as pest control, and spent at least \$8.4 million in fiscal year 2004.”

“The 10 federal agencies’ grazing fees generated about \$21 million in fiscal year 2004—less than one-sixth of the expenditures to manage grazing. Of that amount, the agencies distributed about \$5.7 million to states and counties in which grazing occurred, returned about \$3.8 million to the Treasury, and deposited at least \$11.7 million in separate Treasury accounts to help pay for agency programs, among other things. The amounts each agency distributed varied, depending on the agencies’ differing authorities.”

“The formula used to calculate the BLM and Forest Service grazing fee incorporates ranchers’ ability to pay; therefore the current purpose of the fee is not primarily to recover the agencies’ expenditures or to capture the fair market value of forage. As a result, BLM’s and the Forest Service’s grazing receipts fell short of their expenditures on grazing in fiscal year 2004 by almost \$115 million. The BLM and Forest Service fee also decreased by 40 percent from 1980 to 2004, while grazing fees charged by private ranchers increased by 78 percent for the same period. If the purpose of the fee were to recover expenditures, BLM and the Forest Service would have had to charge \$7.64 and \$12.26 per AUM, respectively; alternately, if the purpose were to gain a fair market value, the agencies’ fees would vary depending on the market. Differences in resources and legal requirements can cause fees to vary; however, the approaches used by other agencies could close the gap in expenditures and receipts or more closely align BLM and Forest Service fees with market prices. The purpose of the grazing fee is, ultimately, for the Congress to determine.”

Table 21. Inflation Adjusted Grazing Fee: 1980-2004



Source: U.S. Bureau of Labor Statistics for Inflation values, Grazing fees from Government Accountability Office Report GAO-05-869, September 2005

“The fee decreased from \$2.36 per AUM (animal unit month) in 1980 to the current rate of \$1.35, or over 40% while grazing fees charged by private ranchers increased by 78 percent for the same period. To recover costs of administering the federal grazing program, BLM and the Forest Service would have had to charge \$7.64 and \$12.26 per AUM.”

In February 2008, BLM released the 2008 Grazing Fee Schedules – still holding steady at \$1.35 per AUM on public lands and despite other inflationary figures raging all around the American public, the livestock industry continues to be completely insulated from these impacts increasingly to the public's detriment.

Executive Director for Western Watersheds, Jon Marvel stated, “Adjusted for inflation since 1980, the new cost to graze a cow and her calf is worth about \$0.54 in constant 1980 dollars. It costs more than that to feed a hamster, and it's not fouling streams, ruining wildlife habitat, or accelerating erosion as livestock do. This is a huge hand out to public land ranchers.”

According to the *San Jose Mercury News*, which ran an in-depth piece in 1999 on livestock grazing on BLM lands, “The top 10 percent of grazing-permit holders control a striking 65 percent of all livestock on Bureau property.” The largest livestock operator on BLM lands is John Simplot, who is listed on the Forbes 400 list and supplies half the French fries to McDonald's restaurants in this country. Other permit holders include the Hilton Family Trust, which owns the Hilton hotel chain, brewery giant Anheuser-Busch, Inc. and the Agri Beef Company—hence the term “corporate cowboys.” The majority of taxpayer subsidies go directly into the pockets of large corporations and millionaires, not small family ranchers.⁽²³⁾

In 2002, the Center for Biological Diversity issued an economic analysis entitled, “Assessing the Full Cost of the Federal Grazing Program”. The report estimated that the true cost to taxpayers and the environment from public lands ranching was closer to \$500 million annually. ⁽²⁴⁾

Other notes of interest from the CBD's report included:

“In the early 1990s, the Clinton administration moved to reform the management of public rangelands through a wide-ranging revision of the fee formula as well as BLM administrative regulations, known as *Rangeland Reform '94* (USDI and USDA 1994). A new base rate for the years 1990-1992 of \$3.96/AUM was proposed with annual adjustments based solely on changes in a Forage Value Index and a cap of 25 percent change per year. This reform was predicted to greatly increase cost recovery for the U.S. Treasury. Revenues from the increase were projected to be \$76 million over five years, beginning with an increase of \$6 million in 1994, increasing to \$35 million in 1997. By comparison, actual receipts for 1992 were about \$10.7 million. Ultimately, the fee reform was never adopted, however.”

“Recently, federal auditors criticized the BLM and Forest Service along with many other federal agencies for the lack of adequate financial accounting that would permit an audit to be done. The USDA was described as the “worst managed” agency. The Forest Service was unable to figure out how much money was available and overspent by \$274 million in 2001 (Brinkley 2002).”

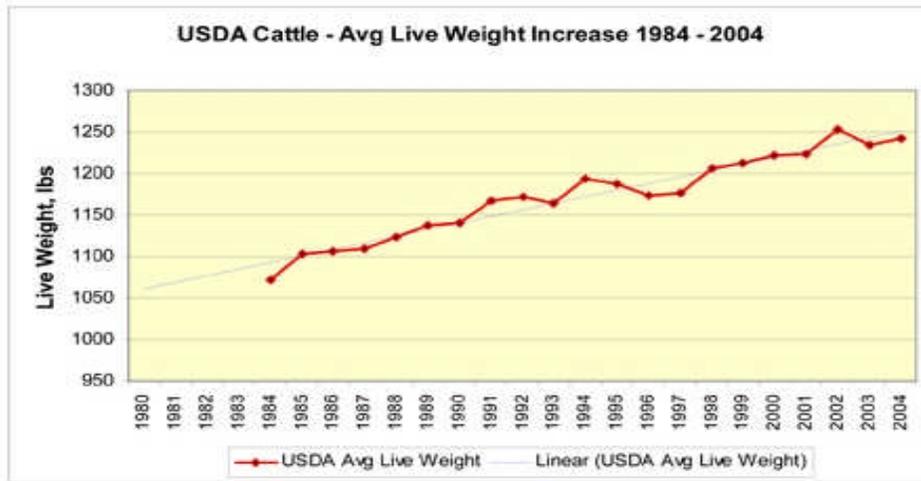
It was also estimated that BLM spent “\$34 million on soil, water, and air and much of this budget is necessitated by or benefits ranching while citing livestock are the principal cause of soil erosion and stream degradation” (Jones 2000, Belsky *et al.* 1999) And an “additional \$22.5 million was spent on protecting riparian areas where livestock were cited as the most pervasive cause of the riparian damage, as high as up to 80 percent of westerns streams.” (Belsky *et al.* 1999).

Despite all this, it is estimated that as of 2005, only 2% of the nation’s beef is produced from cattle on public lands.⁽²⁵⁾ and while BLM maintains the financial costs of the Wild Horse and Burro Program have become “unmanageable”, they share no similar concerns for the costs and losses resulting from livestock grazing or the considerable resource damage and financial shortfalls that have been repeatedly documented for decades.

An additional consideration is based on figures from the National Agricultural Statistics Service, and that is the average weight of cows increased from 1050 pounds in 1984 to 1242 pounds in 2004, or an increase of 23%, while the forage consumption of their calves is not counted. If the current weight and forage consumption of cows and their calves were counted, the actual forage consumed is over 40% greater than the agencies charge for, further devaluing the fee recovered. These “super-sized” cows are eating more forage than their smaller predecessors, raising the profits for the livestock industry and reducing the amount of vegetation available for wildlife, wild horses and wild burros. ⁽²⁶⁾

Table 22. USDA Cattle – Average Live Weight Increase 1984-2004

Source: U.S. Bureau of Labor Statistics for Inflation values, Grazing fees from Government Accountability Office Report GAO-05-869, September 2005



Source: National Agricultural Statistics Service <http://www.nass.usda.gov/>

According to the 2002 Center for Biological Diversity’s federal grazing program report, one final consideration is the impacts of livestock to the community at large as cattle-related accidents run to the thousands per year. These costs are paid by private individuals, insurance companies, and government agencies. Hundreds of vehicles are damaged or destroyed, dozens of people are injured,

and every year, people are killed in the western U.S. as a result of automotive collisions with livestock, some of which come from public lands. Accidents are also caused by wildlife. However, large game animals tend to be less common, smaller in size and faster moving than cattle, and thus the relative impact of cattle on vehicle accidents is likely to be greater than that of wild game.

There is no complete study of this phenomenon, but the few available reports suggest the likely extent of the costs:

The Arizona Department of Transportation estimates that in 2000 alone 1,671 accidents involved an animal, resulting in two deaths and 280 injured. There is no estimate of which portion is due to wild animals and which to livestock (ADOT 2000).

In 1997, the Portland *Oregonian* reviewed state accident records in Oregon, Idaho, Montana, Wyoming and Utah and found that more than 10,000 motorists had collided with livestock during the previous ten years. These accidents resulted in at least 35 deaths.

Current Statistics

As of June 2008, BLM administers 258 million acres of public lands, manages livestock grazing on about 160 million acres and administers nearly 18,000 permits and leases on more than 21,000 allotments.

Authorized (as distinguished from actual) grazing use on public lands has declined from about 22 million AUMs in 1941 to 12.6 million AUMs authorized in Fiscal Year 2007. In most years, the actual use of forage is less than the potential amount available for use because forage amounts and demands depend on several factors, such as drought, wildfire, and market conditions, as noted earlier regarding annual public land grazing levels.

In Fiscal Year 2007, the number of AUMs actually used on BLM-managed land was 6.8 million, as compared to the 12.6 million AUMs that were potentially available for use. This level of grazing represented a decline from Fiscal Year 2006, when actual usage was 7.8 million AUMs. (27)

While livestock grazing is authorized through BLM on approximately 160 million acres, only 34.5 million acres has been deemed suitable for wild horse and burro use and has retained their “protected habitat” status. This acreage has also not been adjusted to subtract the acreage of HMA’s that have been zeroed out containing no current populations but are still being applied towards BLMs HMA statistics.

In Fiscal Year 2007, BLM has continued to authorize forage allocations of over 11.1 million animal unit months (AUMs) for livestock grazing within the states wild horses and burros are managed (28) in while wild horses and burros have only been allocated 309k AUMs, less than 3% of the available forage resources. (29)

Yet, even despite significantly less habitat available to wild horses and burros, livestock still dominate resource allocations, so much so that the majority of the “approved” populations (AML) BLM has authorized within their protected habitat has put most of the Nations remaining herds at serious risk of inbreeding and non self-sustaining populations.

These non-self sustaining “allowable populations levels” are not because of the productive capacity of their habitat but merely because BLM will not authorize necessary and critical habitat requirements to wild horses or burros, preferring instead to issue non-comparable and grossly unequal resources allocations.

While BLM quotes the mandate of preserving self sustaining populations with the productive capacity of their environment, the forage allocations given to livestock indicate that the productive capacity is high, certainly high enough to issue AMLs that support self sustaining populations and genetically viable numbers, so it becomes clear that BLM just won't allow any more forage to be utilized by wild horses or burros, even in their own “protected habitat”, regardless of the threat to their long term preservation and survival.

In regards to wild burro populations, the BLM has “managed” them from their estimated 1974 population of 14,000 to 3,000 or less, almost 20 million acres of reserved critical habitat has been removed from wild horse and burro use (30), six states have completely eliminated all wild horses and burros (31), and BLM has removed approximately 75,000 wild horses and burros from public lands since October 2001, even while an estimated 70% of the remaining herds are being managed at non self-sustaining and genetically unviable populations. (32)

Wildlife

There is a wide range of approaches in how wildlife is handled in context of resource allocations. BLM has previously asserted they do not have to provide information about wildlife species in their proposals in terms of utilization levels, population numbers or objectives, plans to assure resource allocations to other significant rangeland users, addressing damage to habitat caused by big game species, or initiate management actions to reduce or remedy conflicts with wildlife populations.

Yet the “needs of wildlife”, which often translate into big game hunting species, are usually cited as a significant reason for establishing AMLs and/or removing equines from areas to protect the habitat for these species while simultaneously stating that providing information on these species and their impacts are “outside the scope” of the proposals or BLMs jurisdiction.

Economic Impact of Big Game Species

Several studies have shown that the economic value of game animals is many times higher than the value of livestock (Mathews *et al.* 2002). Dispersed recreation on the Central Winter Ecosystem Management Area of the Kaibab National Forest was found to bring in \$6.4 million, while hunting brought \$1.3 million to the local and regional economies of northern Arizona. In contrast livestock grazing and fuelwood brought only \$45,000, about 170 times less (Souder 1997). The increase in revenues to rural communities from hunting that results from grazing reductions can be as much as six times the lost income to ranchers (Donahue 1999). (33)

In a 1996 study and report titled, “The Economic Importance of Hunting-Economic Data on Hunting in the U.S. and California”, a wide range of figures is supplied as to the importance and significant contributions made directly and indirectly through hunting and related expenditures.

Some of the figures reported were:

- It creates more than 700,000 jobs nationwide. New studies now show that annual spending by America's 14 million hunters amounts to \$22.1 billion. By comparison, and if hypothetically ranked as a "corporation," that revenue figure would put hunting in thirty-fifth place on the Fortune 500 list of America's largest businesses, right between J.C. Penney and United Parcel Service.
- Created a nationwide economic impact of about \$61 billion and created household income (salaries and wages) totaling \$416.1 billion, which is roughly equivalent to 25 percent of America's entire military payroll.
- Added \$1.4 billion to state tax revenues, or nearly 1 percent of all annual state tax revenues combined.
- Contributed \$1.7 billion in federal income taxes, which equates to almost half of the entire federal budget for commerce.
- The 1996 Economic Impacts for All Hunting in CA:

Retail Sales: \$982,097,906 Multiplier Effect: \$2,100,374,184

Earnings: \$618,208,449 Jobs: 26,802 Sales Tax: \$59,844,553

State Income Tax: \$6,688,258 Federal Income Tax: \$66,398,026

Big Game Species

Here are some examples of often unreported wildlife impacts and population levels in relation to the remaining free-roaming wild horse and burro populations.

Elk

Elk are the third largest species of free-roaming wildlife populations in the United States. Primarily grazers, they compete for similar forage species, specifically grasses, as do both cattle and wild horses.

The Animal Unit Month (AUM) ratio for elk compared to wild horses is .7:1 or approximately three elk consume the same amount of forage in two months as one wild horse does. (34)

According to a recently published document on current free-roaming elk populations for just five states titled, "Elk Management in 5 Western States", in 2007 approximately 675-700k elk were estimated as occurring in Colorado, Idaho, Utah, Montana and Wyoming.

While elk populations continue to expand nationally, wild horses and burros continue to decline, removed partially due to their "competition" with the native wildlife species such as big game trophy animals such as elk. Here is some of the most recent facts and statistics on free-roaming elk populations.

- In 2007, the combined estimated elk populations were 675-700 elk in just these five western states alone: Colorado, Idaho, Utah, Montana and Wyoming. The gap between elk population estimates is almost as large as BLMs entire allowable management level of both free-roaming wild horse and burro populations across the West.
- Elk forage consumption for these five western states equates to almost 2.8 million AUMs while wild horse and burros combined continue to be allocated just 309k AUMs, just 11% of what elk alone are consuming.
- The State of Montana has an estimated elk population of up to 160k. If wild horses and burros were substituted for elk, the entire national “appropriate management level” of 27k wild horses and burros plus every animal being held in long-term containment, now reported at over 33k, could be placed just in Montana **at least two and half times**. Montana Fish & Game estimate that 60% of their Elk Management Units are above population objectives.
- The White River-Flat Tops region is home to the largest migratory elk herd on earth – 40,000 elk, which just also happens to be about 13,000 more than the entire “approved” population throughout the West of both wild horses and burros – that’s just one herd of elk.
- Colorado recently saw BLM declare the West Douglas Herd in Colorado, which spans 128k acres with an estimated 120 wild horses, as “unfit” for wild horse use. In Colorado, only 4 herds remain out of the originally protect 8 with a state “appropriate management level” of merely 812 wild horses. Meanwhile, Colorado’s 2007 estimated elk population is 250,000 to 260,000 and has reported elk herds have been 10-15% above population management objectives for over 20 years.

Table 23. 2007 Free-Roaming Elk Populations vs. Wild Horse Populations

*AML is used to show what BLM believes is “appropriate” since wild horse numbers that exceed AML are removed.

<u>State</u>	<u>Elk Population</u>	<u>Wild Horse AMLs</u>
Colorado	250,000-260,000	812 Wild Horses
Idaho	125,000	617 Wild Horses
Montana	130,000-160,000	105 Wild Horses
Wyoming	90,000	3,725 Wild Horses
Utah	63,000	1,981 Wild Horses
		170 Wild Burros
Totals	698,000	7,410 (approximately 1%)

Bighorn Sheep

Bighorn sheep are the most coveted of all big game species with the most recent population estimate now topping 70,000, ⁽³⁵⁾ almost three times higher than the allowable management level for wild horses and twenty-four times greater than BLMs allowable populations for wild burros.

Bighorn sheep populations continue to climb across the country as federal and state agencies and bighorn special interest groups pour millions of dollars into increasing bighorn habitat with re-introduction after re-introduction, artificial habitat enhancements such as water developments, soil enrichments such as selenium, and severe predator controls. The constant maintenance and human involvement in their cultivation and expansion causes the bighorn sheep populations of today to resemble more of domestic sheep herds being allowed to graze on public lands versus actual wildlife surviving in their native ecosystems in self sustaining ways on naturally occurring resources.

Bighorn enthusiasts, and the tall dollars that back them, target wild burro habitat for bighorn introductions and a significant amount of both wild burro habitat and populations have been lost due to various land use decisions and aggressive involvement in these decisions by bighorn special interest groups and state Fish and Game Departments who earn revenue from their hunting tags.

While wild burro populations and habitat have been steadily declining, bighorn habitat and populations are at an all-time high and is it any wonder. Examinations of the revenue generating potential for hunting interests in bighorn sheep is sizable.

Because of their historical relative scarcity, the opportunity for the “average” hunter to draw a bighorn hunting tag throughout the course of their lifetime is almost zero. However, those that have the economic means to “purchase” a bighorn hunting tag through annual tag auctions are guaranteed these rare hunting opportunities through their purchasing power.

The following figures were cited for auctions of bighorn sheep hunting tags in March 2005, reported on Oregon’s Department of Fish and Wildlife website⁽³⁶⁾ :

“SALEM – Oregon’s bighorn sheep hunting tag was among the big winners at the Foundation for North American Wild Sheep’s (FNAWS) annual convention in San Antonio, TX, last weekend, where it auctioned for \$130,000.”

“Hunters paid more than \$2 million for 20 auction bighorn tags. A number of tags set records for the price received this year. Oregon’s previous high was \$110,000, in 1994. Arizona’s bighorn tag brought the highest price of \$199,000, and New Mexico’s tag earned \$177,800 for the tag to hunt Desert or Rocky Mountain bighorn sheep.”

Table 24 illustrates the kind of revenue generated from these auctions. While the figures cited are exclusively for bighorn sheep tags, tags are auctioned off for a variety of species, including Elk, Pronghorn Antelope, and Deer, as well as “hunting combination tags”.

Table 24. 2005 Revenue Generated for Auctioning Bighorn Sheep Hunting Tags

National FNAWS Convention, San Antonio, Texas, 2005		
No.	Auction Tag	Bid Price
1.	Baja Sur, Mexico Vizcaino Biosphere—(Desert BHS)	\$52,000
2.	Oregon—(California/Rocky Mountain BHS)	\$130,000
3.	Utah—(Desert BHS)	\$56,000
4.	Washington—(California BHS)	\$45,000
5.	Texas—(Desert, Elephant Mountain BHS)	\$72,000
6.	B.C.—(California/Rocky Mountain/Dallas/Stones)	\$150,000
7.	Mexico, Tiburon—(Desert BHS)	\$85,000
8.	Montana—(Rocky Mountain BHS)	\$160,000
9.	Baja Sur, Mexico Vizcaino Biosphere (Desert BHS)	\$66,000
10.	Utah—(Rocky Mountain BHS)	\$70,000
11.	Navaho—(Desert BHS)	\$36,000
12.	Texas—(Desert BHS)	\$87,500
13.	California—(Desert BHS)	\$75,000
14.	Nevada—(Desert BHS)	\$72,500
15.	New Mexico—(Desert/Rocky Mountain BHS)	\$177,500
16.	Colorado—(Rocky Mountain BHS)	\$65,000
17.	Arizona—(Rocky Mountain/Desert BHS)	\$199,000
18.	Idaho—(California/Rocky Mountain BHS)	\$180,000
19.	Wyoming—(Rocky Mountain BHS)	\$37,500
20.	Alberta—(Rocky Mountain BHS)	\$180,000
21.	Tiburon—(Desert BHS)	\$100,000
22.	Carmen Island, Mexico—(Desert BHS)	\$90,000
23.	2 nd Carmen Island, Mexico—(Desert BHS)	\$100,000
		\$2,286,000.00

In Southern California, some of the oldest and most genetically distinct wild horse and burro herds in the West were zeroed out to favor exclusive use of habitat for bighorn sheep; the Coyote Canyon wild horses, which genetic tests revealed were a very pure strain of Spanish mustangs, and the Clark Mountain wild burros, cited as having “rare variants” and the most unique of all wild burro herds that BLM tested.

In Nevada’s Lake Mead National Recreation Area, once home to the third largest wild burro population in the West, two of its three Herd Management Areas have been zeroed in the last ten years. The Muddy Mountains, which zeroed out the area for wild burro use using highly questionable standards, is now the second largest bighorn hunt unit in Nevada. Also, despite Lake Mead burros being “protected”, Nevada Division of Wildlife’s Game Division Chief, Russ Mason, has recently stated National Park Service merely shoots the burros to dispose of them.

III. Population Modeling

The use of the Population Modeling software programs by BLM in the National Wild Horse & Burro Program has become a standard tool in attempting to measure outcomes of wild horse populations, gather results and management actions to project effects on wild herds.

Relatively new and still evolving in presentation and parameters, over the last few years wide variations have been presented in wild horse and burro gather proposals that have made it difficult to determine if the outcomes and management alternatives considered in the proposals are yielding consistent results when BLM Wild Horse & Burro Specialist conduct trial runs for the proposals.

The original premise for a preliminary examination into the programs consistency and effectiveness was to compile data from existing trial runs published in BLM environmental assessments (EAs) and group similar proposals together based on shared removal numbers to determine if similar results were achieved during the trial runs.

However, this proved to be impossible at this time, due in part to a lack of similar gather proposals removing similar amounts of wild horses, but mostly due to inconsistencies being applied by BLM personnel themselves for the projected time frames of the trial runs. Proposals ran models anywhere from 4 to 20 year projections and often there were gaps in data in the proposals as well as the trial runs themselves.

Eighteen EAs were examined but only a few showed population levels similar enough to be used for comparison purposes. Of those few, none had applied the same time frames for projecting management impacts to the Proposed Actions and Alternatives. However, three case studies have been provided in Appendix VI. for more detailed information and review.

One example, the New Pass/Ravenswood and Augusta Mountains HMAs in Nevada was a joint gather proposal between the Battle Mountain and Winnemucca Field Office. The Battle Mountain Field Office choose to run a 5-year model on the New Pass/Ravenswood HMA while the Winnemucca Field Office choose to run a 10-year model, all within the same proposal. ⁽³⁷⁾

Additionally, it was noted that many of the proposals had been issued under a “Complex” gather plan that included more than one Herd Management Area (HMA). By grouping population levels together, additional questions and obstacles were raised in attempting to match proposals together for comparison.

For example, the BLM Ely Field Office Dry Lake Complex EA used the combined total of three HMA populations as the baseline figures for determining if the individual population levels would/would not crash ⁽³⁸⁾ as well as the BLM Tonopah Field Station’s Monte Cristo Complex, which also included a Wild Horse Territory (WHT) to combine baseline total populations ⁽³⁹⁾.

In fact, a large portion of the gather proposals were not written for a single HMA or single population but used total populations of the combined HMAs in the Complexes for their projected trial runs to determine the effectiveness of management actions.

This also raises questions as to the actual reliability of projecting outcomes for wild populations as individual management areas of self-sustaining populations and whether their populations will truly be stable and not “crash” as a result of removals, fertility control applications, sterilization and established AMLs within the HMAs.

Also, the data used to develop the software, such as foaling and mortality rates, was taken from the Garfield Flat HMA in Nevada over the course of a three-year period (1993-1996). It is unknown if that data is reflective of all HMAs, herds, reproduction rates and local habitat. For example, the Augusta Mountains HMA was reported by the BLM Winnemucca Field Office as having historically higher actual growth rates than the trial runs projected through the Population Modeling trial runs. (40)

Other concerns include BLM not publishing the actual or complete results of the trial runs but creating their own summaries and graphs that may not accurately reflect the total spectrum of data and resulting outcomes. (See Case Study #3)

Additionally, it has been noted that BLM may choose to “select” only limited information on the results through omissions and selective reporting that leave the results of the trials in question as to whether data is being manipulated to support a biased agenda versus objective analysis.

One such example of this can be found in the BLM Nevada Ely Field Offices recent gather proposal for the Antelope and Antelope Valley HMAs. Only sparse and selected data was offered without matching reports that helped the reader determine the basis for those results and definitely leaves the impression that BLM is only providing information that they want the public to see, not the actual results or how they were obtained. (41)

While the original premise for this research could not be accomplished, what it did reveal were questions about BLMs input parameters, if they were using correct data in relation to the Proposed Actions and Alternatives, if these inputs were truly reflective of actual conditions and of course, the resulting conclusions that were based on these inputs, which was the basis of BLMs determinations that wild populations would not “crash” as a result of their management proposals.

Specifically, BLM states that the inputs should reflect the estimated populations, whether that be from post-gather population projections or the No Action/No Removal analysis, but many times the numbers used in the trial runs didn’t match the estimated and projected populations for the proposals.

Furthermore, BLM states that they use the median averages to interpret the data but often times, the median data is not reflective of actual conditions. Some of these issues have been outlined and examined in the following three case studies taken from prior BLM wild horse removal proposals.

In Case Study #3, the closest approximation to the post-gather populations indicated that wild populations would begin to decline under BLMs Proposed Actions and Alternatives yet BLM stated they did not use these but used the median numbers to project reasonable outcomes.

Besides the obvious concerns this issue raises in and of itself, the ramifications spread even further as actions that authorize fertility control treatments, the newest management option being considered of sterilization of studs via castration, or just the allowable population levels BLM authorizes through the AML process, all of these issues raises the concern that the inaccurate use of the program could have irreparable and unavoidable adverse impacts to viable, self-sustaining herds.

One of these irreparable impacts is BLMs use of the WinnEquus software to project outcomes of populations that may include up to 25% of the wild herds being stacked with geldings after removal operations. The draft research and trial runs were conducted by BLM in July 2006 in a paper titled, "Options for Managing a Non-Breeding Component within Self-Sustaining Herds of Wild Horses". This proposal would permanently effect almost 1,700 of the remaining free-roaming populations throughout the West in 49 HMAs and 4 Wild Horse Territories managed by U.S. Forest Service. Improper application of the trial runs and projections could have deadly consequences to the remaining populations and herds.

This most basic examination of BLMs use of the Population Modeling software is by no means complete. In fact, they raise more questions than they answer and it is not the intent to use this report as proven evidence that BLMs application of the software is in error.

However, it is intended to provide evidence that there are still questions about its effectiveness, uses, reliability, clarity and a need for consistent application throughout the WH&B Program before it can be deemed absolutely effective, accurate, safe and free from further scrutiny or analysis.

Currently, many of the trial runs examined revealed the populations most in alignment with BLMs actual proposals for remaining post round up populations were only yielding small reproduction rates, relatively little actual herd growth and in some instances, actually noted declines.

V. Fertility Control

PZP (porcine zona pellucida)

For over ten years, BLM has been administering an experimental fertility control drug called PZP on wild mares returned to the range after the round ups. A population management reduction strategy coordinated through the Humane Society of the United States (HSUS), the use of PZP was originally hailed as an upcoming and effective method to slow down reproduction rates, reduce the frequency of round ups, reduce holding and adoption costs while also decreasing stress on both wild horses and their impacts to public lands.

Though extensive information is available on PZPs use through 18 years of research and an estimated 3,000 treatments as of 2006, as well as the intensively managed National Park Service herds of the Assateague Island wild horse populations for over eleven years, BLM or HSUS has failed to publish much in terms of what the actual impacts have been to BLM managed herds, how many have actually been treated, for how long and if PZP has been delivering all it promised too. (42)

Additionally, due to the number of wild horse and burro populations BLM appears to be arbitrarily inflating, inconsistencies with the Winn Equus Population Modeling trial runs, including those conducted to examine the impacts of PZP, the likelihood of accurate information about its current and cumulative impacts is relatively minimal.

However, one thing can be said for certain – BLM has not reduced round ups as a result of its use.

It would also appear that BLM is reporting, whether accurately or not, that PZPs use has been insufficient to stem the reproductive tide of the herds it has been administered too. As a result, they have begun exploring other reproductive options.

Castration/Geldings

This idea originally started at the National Wild Horse and Burros Advisory Board Meeting on November 8, 2004, as Board members requested BLM research the possibility of using lands such as vacant allotments for long-term holding of some of the geldings being held at facilities to try and reduce holding costs.

On April 10, 2006 BLM finally got back to the Board regarding this discussion and option with their answer limited to, “A number of issues preclude using vacant grazing allotments for excess wild horses.”

However, BLM immediately offered the option of castrating stallions after the round ups and by July 2006, BLM submitted a draft paper proposing stallion castration to the Advisory Board titled, “Options for Managing a Non-Breeding Component within Self-Sustaining Herds of Wild Horses.” (See Appendix VII)

According to BLMs draft plan, approximately 1,700 stallions are being considered for castrations after round ups in 49 Herd Management Areas and 4 Wild Horse Territories (WHT), approximately 25% of the total Herd Management Areas still remaining.

Despite many of the individual populations failing to qualify for serious population controls due to relatively small AMLs, BLM was able to circumvent this concern by lumping individual herds together under a “Complex Umbrella” or “Meta-Population” and applied their combined populations to justify considerations for permanent sterilization.

BLM has just launched the first of these through the Las Vegas Field Offices recent decision dated June 23, 2008, for the Nevada Wild Horse Range, the first and oldest of America’s protected wild horse herds.

Though BLM initially proposes to start with a study population of 30-35 geldings on a military base they often have trouble accessing, they have also approved of other options as well including increasing gelding numbers up to 100 or completely eliminating the Nevada Wild Horse Range wild horse herds and replacing them with a 100% gelding population. ⁽⁴³⁾

HMA's Considered for Gelding Management as of July 2006 ~ 52 Herds

California: Twin Peaks

Nevada: Antelope, Antelope Valley, Spruce-Pequop, Goshute, Blue Mountains, Kamma Mountains, Lava Beds, Seven Troughs, Nightengale Mountains, Shawave Mountains, Buffalo Hills, Granite Range, Fox-Lake Range, Black Rock East, Black Rock West, Calico Mountains, Warm Springs Canyon, Buck and Bald, Maverick-Medicine, Callaghan, Clan Alpine, Diamond, Diamond Hills North, Diamond Hills South, Fish Creek, Seven Mile, Little Fish Lake, Little Owyhee, Snowstorm Mountains, Monte Cristo, Sand Springs East, Sand Springs West, Nevada Wild Horse Range, New-Pass Ravenswood, Owyhee, Little Humboldt, Rock Creek, North Stillwater, Pilot Mountain, Stone Cabin, Saulsbury, Hot Creek, and four U.S. Forest Service Wild Horse Territories (WHT).

Utah: Sulpher Springs

Wyoming: Adobe Town, Salt Wells Creek, Divided Basin, White Mountain.

Additional concerns include:

- What kind of effect will adding geldings have to the already controversial issue of genetically viable herds? If geldings will now be included in the maximum populations allowed, won't this create the illusion that wild herds are more genetically viable than they really are?
- Once BLM begins gelding them, will they have to tell the public every time they geld more or only the first time? Will they start with a proposal that gelds 20 stallions but will more be gelded every time they do a round up? Will they be required to tell the public "We plan on gelding 5 more? 10 more? 20 more? Or will they just do it based on their own best judgment?"
- Since statistical analysis has revealed wild horse and burro populations are actually 50% less than what BLM is reporting, what kind of impact will this gelding program really make on the sustainability of the remaining herds?
- In the Nevada Wild Horse Range gelding plan, BLM has approved a variety of surgical techniques, many of them rather vague but include options such as castrating stallions directly in the field and releasing them within 24-48 hours after surgery while simultaneously stating that geldings will be monitored for at least 7-10 days after surgery. If stallions are released back on to the range within 24-48 hours, how will BLM monitor them for 7-10 days to know if complications develop, if they begin bleeding or bleed to death?
- How does BLM intend to study gelding behavior in a highly restrictive environment such as the Nevada Test and Training Range/Nellis Air Force Base? Why did BLM choose such a remote location to implement this "gelding only" proposal?
- Is it BLMs intent to have authority to transport geldings into a military base where there is no public access for discreet "disposal"?

Americas Mustangs & Burros

What's Left,
The High Costs of Miscalculating
And Will They Survive?
By C.R. MacDonald



PART III

Will They Survive?

I. The Road To Here

Since the passage of the Wild Free-Roaming Horse and Burro Act in 1971, federal protections have consistently been eroded, habitat and critical resources have been withdrawn, whole historical herds have disappeared, with many of the remaining populations being slashed to the bone and managed in conjunction with fertility control administered to mares and now wild castrated stallions are about to join the ranks.

The road America's wild horses and burros have traveled since they were declared a "protected species" has been a long and turbulent one with many abuses, both proven and alleged, along the way.

The following is a brief accounting of some of their history in order to understand how they have arrived at where they stand today, poised on the brink of managed extinction by political influences, special interest pressures, finances and funding and in some instances, down right corruption and abuse of the very power that was given to protect them.

Selling America's Heritage Species

In an interview conducted with BLMs Nevada Wild Horse & Burro Lead, Susie Stokke by George Knapp, Chief Investigative Reporter for KLAS-8 in Las Vegas, Nevada in the fall of 2007, Mr. Knapp asked hard questions about what BLM was doing to help the now captured wild horses and burros find good homes through adoptions.

In that interview, Ms. Stokke stated, "If you look at what Nevada is accomplishing compared to other states, we are doing everything we can."

So is this true? Not according to the Nevada Commission for the Preservation of Wild Horses April 7, 2005 Meeting Minutes. (44)

In discussing the Prison Wild Horse Training/Adoption Program, Ms. Cathy Barcomb, long-time administrator for the Commission reported that, "The last prison adoption had been extremely successful with all horses adopted averaging \$1,500. She reported that the new indoor arena had been dedicated for opening and that almost all of the Commissioners had been present for the ceremony. Ms. Barcomb noted that the Bureau of Land Management had recently met with prison officials and stated that they could no longer afford the prison program or adoptions in Nevada as their focus was primarily to place all funding towards removals of wild horses from public lands in an attempt to reach AML." (*emphasis added*)

She also added, "BLM was reducing the number of BLM supported adoptions to 3 per year instead of 4. She added that she felt BLM has not generally been very cost effective in their approaches to wild horse adoptions. She stated that there were usually 5-6 BLM personnel at each prison adoption, being paid overtime, and that it was unnecessary to have so many people there, which drives up the costs."

Commissioner Gleason stated that she felt BLM was spending more with no accountability.

Ms. Barcomb reported that, "In 2004, that the Expo and Department of Agriculture transported all the prison horses to the Expo adoption, not BLM, the volunteers and Dept. of Agriculture had also transported and set up all the panels for holding the horses, not the BLM. She stated in general, that BLM really didn't have to put any effort into the marketing, transport, promotions, care, feeding, or adoption of the prison trained horses that they just had to show up and collect the funds. But for 2005, the BLM has declined to allow any BLM horses, prison trained or not, to be adopted at the Expo."

Ms. Barcomb also stated, "The BLM Nevada would not be actively participating in the Western States Wild Horse and Burro Expo either. They would not have prison-trained horses on site, nor would they be doing an open house at the Palomino Valley Corrals."

Commissioner Evans stated that, "He was disheartened by the fact that BLM has approximately 28,000 horses in holding facilities, that its costing taxpayers a fortune, that the solution to the problem IS adoption, and cutting back on the adoption program shows a serious lack of judgment as to what is needed for a comprehensive working program."

Commissioner Brehm stated, "Adoptions hosted around the National Final Rodeo in Las Vegas were a good event and that almost all the horses were adopted in the previous years when BLM hosted adoptions there, but that it has been over 10 years since they did the NFR adoptions."

During the public comment period, Frank Cassas, Chairman of the National Wild Horse and Burro Foundation stated, "The 'National Marketing Plan for the Bureau of Land Management's Wild Horse and Burro Program' submitted by Fleishman-Hillard, Inc. on January 12, 2001....includes numerous constructive recommendations for invigorating and centralizing the BLM's Wild Horse and Burro Program's marketing and adoption activities."

Mr. Cassas expressed his frustration in that "nothing has been done since the report and recommendations have come out."

Commissioner Evans stated, "We've been talking about this with BLM for over 5 years.....now it's 5 years later and nothing. You can spend millions of dollars on study after study, and nothing ever happens."

Meanwhile, when George asks Ms. Stokke, "You would say the BLM has done its best to market to Nevadans in adopting wild horses?" Stokke replies, "I think that we are continuing to explore new opportunities and new avenues..."

The Commissioners statements in April 2005 can only leave the public wondering....

Why would BLM cut adoption events or refuse to supply wild horses and burros to events where "all they had to do was collect the money" when holding pens were bursting at the seams? In 2001, when BLM launched one of the most aggressive wild horse and burro removal campaigns they had ever undertaken, didn't they know what would happen?

Didn't BLM have a plan on how to deal with tens of thousands of wild horses and burros now crammed in government pens at taxpayer's expense?

The Plan

"The plan developed by BLM was to escalate removals to balance public lands and achieve AML (Allowable Management Level). At the same time the Fleishman-Hillard study had introduced some very innovative changes to the adoption program."

"The whole concept was introduced to Congress to bring public lands down to AML. BLM asked Congress for an additional 36 million dollars over 4 years to implement their new plan because they knew they would be taking approximately 12 thousand wild horses off of public lands per year, BLM knew they could average 7,000 horses per year in the adoption program, they knew there would be approximately 5,000 horses in excess each year."

"They knew it and planned for it. They knew that by the fourth and fifth years that they would have 20,000 horses in holding, that's what the extra funds were for. The concept was that after BLM got to AML that only 3,500 to 4,000 horses per year would be removed from public lands and with a demand of over 7,000, the BLM would then start removing them from the sanctuaries and place them in the adoption program."

"The whole plan was to balance itself and greatly reduced the costs because you would then be lowering the costs of holding horses in sanctuaries, you would only be removing 1/3 the number of horses on public lands and reducing that cost drastically, and you wouldn't be holding or processing as many horses because they would be adopted. The whole plan was a good one, Congress endorsed it, and now, we are there, we are within one year, they got all the horses in the sanctuaries, as planned, and then voted into slaughter all of them."

"I feel it was somewhat of a setup, we were betrayed. We all bought into the plan and supported it, only to be turned on once the horses came off the lands."

Cathy Barcomb, Administrator
Nevada Commission for the Preservation of Wild Horses
April 7, 2005

Year of the Horse

The year 1998 was a big one for wild horses and burros as two major events happened laying the groundwork for the most stunning change in wild horse and burro policy since the passage of the Wild Free-Roaming Horse and Burro Act itself. Of course, this change would be the Unconditional Sale of our herds commonly known as the Burns Amendment and now carried out by BLM under the term "Sale Authority".

However, as is commonly believed, there was nothing "stealth" about it – selling our wild heritage was well planned and coordinated effort long before it was "slipped in" the day before the Congressional Thanksgiving break.

In August of 1998, Nevada Ecological Consulting, Inc. presented the Draft Nevada Wild Horse Management Plan for Federal Lands to the Nevada Department of Conservation and Natural Resources/Commission for the Preservation of Wild Horses in response to Bill 211, enacted by the Nevada Legislature in 1997 requiring the Commission to develop a plan for managing wild horses in Nevada.

There were sixty-five participants that provided input for this plan as well as nine public meetings held throughout the state.

The Plan discussed a large array of issues on wild horse and burro management but almost none of the solutions presented to maintain wild horses and burros as integral components of public lands have gone any further than the drawing board. The emphasis seemed to be on what to do with the wild horses and burros once they had been removed from the range, not providing the critical habitat requirements necessary to keep them from being removed. Here are exact quotes from this Draft Management Plan:

Nevada Draft Wild Horse Management Plan for Federal Lands

Section 5.82 - Strategy

By the year 2005, reach AML on all delineated HMAs by removal of unadoptable wild horses (as a last resort), either by euthanasia methods preferably on home range, or by sales authority granted to BLM with all sale receipts earmarked to defray program costs.

Section 5.83 - Actions

-BLM and Congress should abide by the provisions of the ACT allowing euthanasia as a humane method of removal of excess numbers of unadoptable wild horses, and that the euthanasia prohibition in the annual Congressional Appropriations Act for funding of the wild horse program be rescinded.

-Congress should consider amending the ACT to allow sales authority to BLM for placement of unadoptable wild horses where a reasonable number of adoption attempts have failed to place the animals. All sale receipts from such placement to be earmarked to the state of origin to defray costs of program.

-BLM should consider initiating studies on time delay "Sunset"* euthanasia drugs which would allow humane death of known unadoptable wild horses on home range to spare the animals the stress of shipping and corral storage and to eliminate these program handling costs. (*A Sunset Drug is a drug that would be administered allowing the wild horses and burros to be killed slowly.)

Appendix B

1) Amendment to the Wild Horse & Burro Act of 1971 is needed to include a sales authority clause to remove excessive numbers of unadoptable animals with sale proceeds earmarked to defray program costs.

Appendix C, Synopsis of Public Forum

-3 strikes and you're out by either sale or euthanasia.

Here is the law that was enacted six years later, initially reported as having been co-sponsored by Nevada Senator Harry Reid, which Congress has still failed to repeal.

Fiscal Year 2005 Omnibus Appropriations Act Public Law 108-447, Division E, Section 142

SEC. 142. SALE OF WILD FREE-ROAMING HORSES AND BURROS.

(a) IN GENERAL Section 3 of Public Law 92-195 (16 U.S.C. 1333) is amended—

(1) in subsection (d)(5), by striking 'this section' and all that follows through the period at the end and inserting 'this section.'; and

(2) by adding at the end the following:

‘(e) SALE OF EXCESS ANIMALS-

‘(1) IN GENERAL- Any excess animal or the remains of an excess animal shall be sold if--

‘(A) the excess animal is more than 10 years of age; or

‘(B) the excess animal has been offered unsuccessfully for adoption at least 3 times.

‘(2) METHOD OF SALE- An excess animal that meets either of the criteria in paragraph (1) shall be made available for sale without limitation, including through auction to the highest bidder, at local sale yards or other convenient livestock selling facilities, until such time as--

‘(A) all excess animals offered for sale are sold; or

‘(B) the appropriate management level, as determined by the Secretary, is attained in all areas occupied by wild free-roaming horses and burros.

‘(3) DISPOSITION OF FUNDS- Funds generated from the sale of excess animals under this subsection shall be—

‘(A) credited as an offsetting collection to the Management of Lands and Resources appropriation for the Bureau of Land Management; and

‘(B) used for the costs relating to the adoption of wild free-roaming horses and burros, including the costs of marketing such adoption.

‘(4) EFFECT OF SALE- Any excess animal sold under this provision shall no longer be considered to be a wild free-roaming horse or burro for purposes of this Act.’.

It should also be noted that a few years ago, BLM also began warehousing wild horses as young as five years of age in long-term holding facilities, declaring they were “unadoptable” as well. These young horses now face a very uncertain destiny due to BLMs discreet application of what they determined were the qualifications for their placement in long-term containment centers.

1998 Congressional Subcommittee Hearing of National Parks and Public Lands

The second big event that happened in 1998 was a Congressional Subcommittee Hearing of National Parks and Public Lands held in Reno, Nevada on July 13th titled, “Field Hearing on Range Issues and Problems with the Wild Horse and Burro Act and Its Implementation.” (45)

It was here that a handful of men began laying the groundwork to amend the Wild Free-Roaming Horse & Burro Act to include a “Sales Authority” clause to allow them to be slaughtered as well as exploring all possibilities for disposing of America's “excess” wild horses and burros.

The need to grant BLM the authority to slaughter America’s wild horses and burros was openly discussed by many with testimony citing them as merely feral “like alley cats” and that BLM needs to be able to manage them as livestock, a position supported by then BLM Nevada Director, Pat Shea.

Nevada rancher, Demar Dahl, offered this practical insight by stating, “We eat them. The horse is a resource....I love good horses, but there are a lot of horses that are just to be eaten and that is their best use.....And I can tell you right now, there are a lot of wild horses, BLM—horses with a BLM freeze iron under the brand, that go through the sales to the killer plants today. And any horse sales that you want to go to where they put killer horses through, you will find a number of wild horses....So it is happening already, we just need to recognize it.”

John Balliette, Contractual Natural Resource Manager from Eureka County, Nevada stated, “Some real double standards exist when it comes to sale authority. Each year our country sells thousands of privately owned horses for slaughter. But the mere mention of sale authority of "wild" horses with the possibility of slaughter is offensive to some. Horses are the only large ungulate on Federal lands that are not harvested for consumptive purposes. If harvesting one large ungulate is acceptable, why is harvesting horses unacceptable? Horses must be viewed as are other large ungulates on Federal lands, a renewable resource that can be effectively managed by harvesting excess numbers.”

Senator Dean Rhoads, Chairman of the Senate Natural Resources Committee for the Nevada Legislature and a rancher himself led the charge to implement a Sales Authority with such statements as, “I usually do not go to the sales yard so I have no idea who buys them, but I assume that some of them are bought by people that take them home and break them. Others are probably bought that ends up in the slaughterhouse. But that is just the thing that we have been doing for centuries.”

Nevada Lincoln County Commissioner Rey Flake reminded everyone that “Ranching on public lands is also a legacy of the west” and presented this vision to Congressional representatives for his model of what the Wild Horse & Burro Program should look like, “We need to consider the idea of having one or two herds of horses in each state.”

Senator Rhoads supported Commissioner Flakes statement by affirming the idea for a few public viewing centers citing “...we would probably put up some vistas and interpretive centers and so forth” then also added, “Then you could remove all the other horses from the west on much of **our grazing lands.**”

The following individuals all testified and supported a need to introduce legislation to allow BLM to sell “excess and unadoptable” wild horses and burros or explore all means to dispose of or destroy them:

Utah Congressional Representative James Hansen, Nevada Congressional Representative Jim Gibbons (now Nevada Governor), NV Legislative Senator Dean Rhoads, NV Assemblyman John Carpenter, NV Elko County Commissioner Anthony Lesperance, Ph.D, NV Lincoln County Commissioner Rey Flake, NV Eureka County Natural Resources Manager John Balliette, National Wild Horse Association Field Director David C.J. Tattam, Arizona Game & Fish Department Director Duane L. Shroufe, and NV Rancher Demar Dahl.

Current Nevada Senator John Ensign, who introduced S. 1915, a bill to amend the Horse Protection Act to prohibit shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes, was also present as a Congressional Representative at this 1998 Field Hearing.

Representative Ensign made no comment throughout the proceedings regarding the selling of America’s wild horses and burros for slaughter. His statements were limited to, “How much of the policy is actually being directed based on pure emotionalism? How much of the policy is being directed on what is truly best for the environment, best for the animals in the long-run for the overall part of the population, and truly how are we getting to where we are going....?”

As politicians and cattlemen lined up to testify against the wild horses with arguments that ranged from how their “excessive numbers” destroy the range and riparian areas, stripping the forage for their livestock, and threaten true wildlife species such as bighorn sheep, they never failed to grind the ever popular axe of wild horse and burro management costing the taxpayer a fortune by being nothing more than a “Federal welfare case” (Representative Jim Gibbons). Utah Representative James Hansen stated, “If any public land program could be called a subsidy, this would be it.”

While these cattlemen were arguing against the costs of the Wild Horse & Burro program and how public land is really their land, USDA Records shows in 1998, almost \$2.7 million dollars was handed out in federal subsidies in Nevada and exceeded \$62 million dollars between 1995 and 2005 for Nevada ranchers and farmers alone.⁽⁴⁶⁾ This does not take into account that a rancher is currently paying \$1.35 per month per cow to graze them on public lands -1/10th the cost of private grazing fees or that cows are now 23% larger than their predecessors twenty years ago.

USDA federal subsidies records also shows NV Senator Dean Rhoads of Rhoads Trust Dean & Sharon have personally received \$500,875 dollars between 1995 and 2005. ⁽⁴⁷⁾

This Field Hearing was conducted one month before the Nevada Draft Management Plan for Wild Horses was introduced. During this hearing, Cathy Barcomb, Administrator for the Nevada Commission for the Preservation of Wild Horses reported to these Congressional Committee members that the Draft Management Plan for Wild Horses for Nevada was due out in August adding, “...a lot of people that are in this room helped us write the plan and I think it is a good compilation from Nevada.”

The American Scene

So how long have a handful of individuals been trying to eliminate wild horses and burros from the American scene? As far back as their American history goes.....

In fact, there is so much available evidence clearly showing inappropriate and often illegal activities levied against wild horses and burros, only the illiterate could be convinced otherwise.

In his book, *Wild Horses: Living Symbols of Freedom* (8) wildlife ecologist and author, Craig C. Downer states how it began, "It was the White life style which caused the mustang's demise, along with that of the buffalo....The horse allowed the Indian to withstand the White settlers and, so, the horse came to be regarded as part of the whole Indian "problem". A prejudice against wild horses has remained as a part of the tradition to this very day among ranchers and farmers as well as others in the West."

Mr. Downer asserts the 18th century saw the pinnacle of wild horse populations, estimated then at nearly 10 million strong but by the turn of the 19th century, their numbers had been reduced to 2 million and in the late 1950s, when Wild Horse Annie began creating public awareness for the plight of the wild horse, it was estimated their numbers had been gutted to a paltry 25,000 throughout the West.

When public love and outcry sparked Congress to pass the Wild Free-Roaming Horse and Burro Act in 1971, those still prejudice against the wild ones have been seeking to overturn their federally protected status ever since.

In 1973, legal proceedings were initiated by a New Mexico cattleman who unsuccessfully tried to overturn their federal protection in *Kleppe vs New Mexico* (1976). (48)

Betsy A. Cody, Specialist in Natural Resources produced a report for the Congressional Research Service on *Wild Horse and Burro Management* (49) which stated, "In 1984, BLM started to allow individuals to adopt large numbers of animals for free. Approximately 20,000 horses were adopted while this fee-waiver program was in effect and several thousand of these animals reportedly ended up in glue or pet-food factories. The program was stopped in 1988 due to public outcry."

Karen Sussman, President of the International Society for the Preservation of Mustangs and Burros (ISPMB) submitted a report to the Subcommittee on National Parks and Public Lands June 5, 1998, that stated, "Regulation changes proposed in 1984... allowed BLM to gather an unprecedented number of wild horses during the two year period that the rule changes were pending." (50)

"Another 1984 regulation was implemented known as fee-waivers/mass adoptions which allowed 100 or plus horses to be given to adopters. Ranchers adopted them and turned around and sold many to slaughter after title passed."

"During these years, with BLMs approval, several attempts were made to allow BLM to sell "unadoptable" horses for slaughter by initiating language, which never got out of committee in Congress. The Range Omnibus bill, which included the slaughter provision made it to the floor of Congress but was defeated."

The Government Accounting Office (GAO) released their audit and report in August 1990 of the BLMs Wild Horse and Burro Program titled, Rangeland Management, Improvements Needed in the Federal Wild Horse Program, which included scathing indictments of wild horses being regularly sent to slaughter and unfair treatment by BLM. (51)

A 1997 report released by the Public Employees for Environmental Responsibility (PEER), Horse Slaughter -Anatomy of a Cover-Up, explicitly details BLM abuses, wild horses and burros going to slaughter and a complete lack of accountability in the wild horse and burro program that many believe still continues today. (52)

The PEER Horse Slaughter Report states: “BLM has tolerated and in some instances facilitated the routine and illegal trafficking of wild horses to slaughter. The agency has obstructed efforts by its own law enforcement officers to expose commercial theft of wild horses, fraudulent adoption schemes and fictitious "sanctuary" herds not only to avoid embarrassment but also to maintain the flow of horses off the range.”

“The BLM began a crackdown on wild horse-to-slaughter operations in 1993 under former Director Jim Baca. BLM investigators began compiling evidence documenting:”

- Theft of wild horses during BLM sponsored "gathers" or captures;
- "Black booking" or phony double branding of horses so that duplicate branded horses could disappear without a paper trail;
- Manipulation of wild horse adoptions where one person holds the proxies for a group of supposedly separate adopters and the horses all end up at slaughter;
- Use of satellite ranches to hold horses for days or weeks as stopping points on the way to slaughter;
- Fraudulent use of wild horse sanctuaries--ranches subsidized by the federal government to care for unadoptable wild horses deemed excess and removed from the range--as fronts for commercial exploitation.

“Lawyers from the Department of Justice also urged that the case be dropped because the tolerance within BLM for the horse to slaughter trade was so widespread that it would be unfair to single out any one person for prosecution.”

Associated Press reporter, Martha Mendoza also did a series of articles on the travesty occurring, such as “Wild Horse Criminal Case Shut Down” (53), which involved additional investigative reporting that found a long-standing history of cover ups, abuses and wild horses and burros being sold for slaughter.

Bill Sharp, who worked for the BLM before retiring in 1994 was quoted as saying, "If I really was worried about intent then I probably wouldn't have adopted out any horses, because I believe 90 percent of these horses go to slaughter."

While evidence piled up that indeed, America's wild horses and burros were routinely being sent to slaughter with many BLM employees actively participating, looking the other way or being too afraid to speak out, the Grand Jury Investigation was successfully slammed shut in 1996 without any of the hard won evidence ever being heard.

Congress responded by turning a blind eye – to this day, they have failed to demand any investigation or accountability of these allegations and have failed to require BLM to submit biannual reports on the Wild Horse and Burro Program, as required by law, since 1997.

In July 1998 Congressional Subcommittee Hearing in Reno, Nevada, the Honorable Delegate from the Territory of American Samoa, Eni Faleomavaega, continued to press for answers; "...there are allegations that thousands of horses are being slaughtered and there are further allegations that BLM could not even account for some 32,000 adopted animals, and that even BLM employees may have been participants and may even have profited in the slaughter of thousands of wild horses."

His questions, and ours, have never significantly been addressed.

The prosecuting attorney for the derailed Grand Jury investigation, Alia Ludlum, stated, "I believe that my investigation was obstructed all along by persons within the BLM....I think there is a terrible problem with the program and with government agents placing themselves above the law."

And so with alleged improprieties, abuses, and illegal activities against wild horses and burros being sanctioned and covered up at the highest levels, Larry Johnson, Director of Nevada Bighorns Unlimited and currently serving on the 2008 Wild Horse and Burro Advisory Board, stepped up to the plate.

In April 2001, Mr. Johnson submitted statements in concert with BLM under a Wild Horse Attachment ⁽⁵⁴⁾ to a Senate Subcommittee on Energy and Natural Resources to urge their support for "The Restoration of Threatened Watersheds", citing wild horses and burros, not livestock, were one of the major threats to both watershed health and wildlife and as such, funding was needed to drastically reduce their populations across the West.

In October 2001, armed with Congressional approval and funding, BLM proceeded to launch the second most aggressive removal campaign of the programs history, rounding up over 70,000 wild horses and burros over the last seven years.

With the Sales Authority waiting in the wings, BLM officials successfully escaping federal indictments, prosecution or any accountability at all, years of frustrated efforts to strip federal protection of America's wild horses and burros was finally rewarded – and the enemies of America's wild horses and burros just sat back to wait as BLM began removing and warehousing thousands of America's mustangs and burros.

New Mexico & Non-Slaughter Geldings

It was New Mexico law enforcement agents that began investigating the selling of wild horses to slaughter in 1992. This investigation centered around the direct participation of BLM employees and contractors selling wild horses for slaughter with both the knowledge and approval of BLM managers. Their scheme involved the use of satellite ranches and horse sanctuaries to hide the horses for profit operation. ⁽⁵⁵⁾

The Grand Jury investigation into illegal wild horse slaughter began with two BLM employees: Mr. Galloway and Mr. Sharp, both working under the direction of Steve Henke, currently still employed by BLM as a District Manager in Farmington, New Mexico.

In 1995, the Grand Jury issued subpoenas intending to inventory more than 1,200 horses at a BLM sanctuary in Bartlesville, OK but a Department of the Interior lawyer in New Mexico, Grant Vaughn, wrote a letter telling the prosecutor that his agency could not comply with the subpoenas and efforts to access any information about these facilities was successfully thwarted. ⁽⁵⁶⁾

Over ten years later, a different investigative report was released in November 2007 by Valerie James Patton, which includes some serious questions surrounding BLM sanctuaries in Bartlesville, OK and the more than 8,000 geldings these sanctuaries now hold.

Ms. Patton's Investigative Report ⁽⁵⁷⁾ centers around an anomaly of exclusive gelding exports from the Santa Teresa Livestock Port of Entry between New Mexico to Mexico, where USDA export records indicate record breaking levels of geldings have been sent to Mexico under a "non-slaughter status".

Her report on the possible illegal shipment of these horses compares the Texas export numbers of non-slaughter geldings with the Santa Teresa Port's export numbers, notes that Santa Teresa does not send any other kind of horse through their port under a non-slaughter status and asks hard questions about what Mexico is doing with these geldings that are now numbering into the thousands, as they are obviously not for breeding purposes.

Furthermore, her report states that the only currently known source for such a continuous supply of geldings is BLM sanctuaries. The report gives significant treatment to statistics, numbers, locations, interviews, newspaper articles, government connections between U.S. and Mexican officials, and as the evidence mounts, a powerful case is presented which demands an official investigation into the both the source and the destination of these non-slaughter geldings.

Except it looks like that is going to be very difficult.....

Her report also includes the results of a recent on-site investigation by Animals' Angels investigators who were denied access to Santa Teresa's facilities and what little information New Mexico officials offered turned out to be false - these officials included USDA employees. Yes, this is the same USDA that flipped Congress the finger when they voted to withdraw funding for horsemeat inspections in efforts to shut down the American horse slaughter trade in 2006. ⁽⁵⁸⁾

In another Associated Press news article by Martha Mendoza published in 1997, "Trail's End for Horses Slaughter", over 200 BLM employees were cited as adopting wild horses and burros with most unaccounted for and some employees acknowledging they were sent to slaughter while Pascal Derde, the proprietor of Cavel West Slaughterhouse in Redmond, OR, reportedly "displayed a sheaf of BLM certificates for horses he recently butchered". (59)

Gabriel Paone, a Department of the Interior ethics official was quoted as saying there was nothing wrong with BLM employees adopting wild horses and then selling them for profit. "They're not doing this as public officials." Paone said. "They're doing this as private citizens."

In an article by American Wild Horse Preservation Campaign, "The Story Behind The Burns Amendment", a plan is outlined showing which way American wild horses were headed. "A few years ago, a Montana rancher proposed to send 10,000 wild horses to Mexico, the second largest horse meat supplier in the world, for his private enterprise craftily dubbed the "Sonora Wild Horse Repatriation Project." (60)

Apparently, the boldness of this proposal created so much opposition it was ultimately defeated - perhaps an even craftier enterprise was needed to move our horses into Mexico.

The political consequences of openly killing wild horses and burros was foreseen during the July 1998 Field Hearing held in Reno, NV as John Balliette, Contractual Natural Resource Manager, Eureka County, NV stated, "I also urge you to be cautious with euthanasia, especially for large reductions. Personally, I would view putting thousands of horses down as a terrible waste of a resource. I also believe the first time several hundred horses are euthanized in one spot, a political firestorm will follow".

Needless to say, Mr. Balliette was correct but it didn't take several hundred to do it.

In November 2004, the Burns Amendment was "slipped in" and became a reality for our wild horses and burros in 2005. Forty-one wild horses were slaughtered in an Illinois slaughter plant, some of the first sold under this new For Sale Authority and public outrage caused BLM to temporarily suspend sales between April 25 thru May 19, 2005. (61)

BLM also rewrote and strengthened the adoption contracts before resuming sales but considering past historical violations, even by the agency itself, as well as no true legal consequences to those who violate these contracts due to Congress continuing to give BLM the authority to sell them "unconditionally", there is little hope that violators will actually be prosecuted if our horses and burros end up hanging from a hook.

On top of that, in March 2005 then BLM Director Kathleen Clark testified before Congress regarding questions about the Burns Amendment and stated, "Once the bill of sale has been effectuated, then we have no control over what the buyer does." (62)

According to Ms. Patton's investigative report, the shipment of unusually high numbers of non-slaughter geldings sent through Santa Teresa, New Mexico to Mexico began on August 16th, 2005, just three months after BLM resumed selling our wild heritage to sealed bidders.

Advocate and watch dog groups have been requesting details about the For Sale Program but meaningful answers have not been forthcoming and the BLM only publicly provides a running total of the wild horses and burros "sold".

So here we sit.....

Unprecedented numbers of wild horses and burros have been swept off public lands authorized by completely absurd assessments, BLM cut adoption events over the last few years during a time when they needed this outlet most, the cost of capturing and holding America's wild horses and burros in these mysterious sanctuaries continues to skyrocket and then New Mexico found itself in the center of the news - again!

Some speculate these geldings were being shipped to Mexico as unwilling participants in a popular form of Mexican entertainment called Horse Tripping. Even so, most horses used for these events end up in Mexican slaughterhouses once the ropes have cut their flesh too deeply or their legs finally brutally break.

In late April 2008, Santa Teresa's livestock exports reports began to change and now reports shipping all classes of horses, geldings, stallions and mares through their port of entry. Does this mean the flow of exclusive geldings have stopped? Has the non-slaughter trade found room to expand to other classes of horses? (See Appendix VIII)

If gelded wild horses were indeed the ones being shipped through Santa Teresa, as evidence was suggesting, perhaps a decision was made that this outlet would no longer be needed.

During the February 2008 National Wild Horse & Burro Advisory Board, wild horse advocates reported BLM was seriously discussing issuing Congress an ultimatum – either give BLM more money to manage the program properly or allow them to begin to issue Instant Titles on all wild horses and burros - no compliance checks, no holding facilities, no limitations.

During the June 2008 Advisory Board meeting, BLM went a step further, now recommending they be allowed to take their last leash off, wanting the authority to "euthanize" all wild horses and burros directly at the round ups sites - BLMs current method of euthanasia is through the use of firearms and gunshots to the head.

The week before the National Wild Horse and Burro's Advisory Board stunning announcement of wanting full scale euthanasia authority, Santa Teresa only reported 25 wild horses were sent into Mexico under a non-slaughter status, none of them geldings, one of the only times this has happened in the almost three years since the shipment of non-slaughter geldings began.

Betraying the Public Trust

Can the American public trust BLM with their tarnished track record filled with substantial amounts of allegations and verified abuses?

BLM already has limited authority to euthanize wild horses and burros under specific conditions such as unacceptable and unhealthy body conditions, being too old or physical deformities and/or injuries causing them suffering, pain and possibly death anyway.

In November 2007, BLM conducted round ups in the Augusta Mountain HMA, where thirteen wild horses were reported as having been euthanized; eleven of them reported as being 20-30 years old or older. Despite vast amounts of public lands at BLMs disposal, BLM reported the Augusta Mountain wild horses were buried on private property instead of public lands, making it necessary to obtain a search warrant to verify their deaths if the property owner was found to be uncooperative.(See Appendix IX)

In February 2007, the current Director of the Wild Horse and Burro Program, Don Glenn submitted a rebuttal to an article printed in the Quarter Horse news, titled, “185 Wild Horses Dead” by Linda Hussa, which examined the reasons and causes why 185 wild horses rounded up from the Jackson Mountain HMA in late August of 2007 eventually died at BLMs Palomino Valley holding facilities. (63)

The article reported BLM knew the Jackson Mountain wild horses were suffering for at least two months before the round ups, that the BLM agent who authorized the helicopters driving them to the pens had personally witnessed them standing in dried up water troughs in June, and that BLM had determined hauling water to the wild horses then, or prior to the round ups, was “unnecessary”.

In BLMs rebuttal to “185 Wild Horses Dead”, Mr. Glenn publicly stated wild horses didn’t live much past 12 years old in the wild and recounted how their demise through the harsh conditions of the free-roaming natural lifestyle exacted a heavy toll of suffering, pain and death once this age threshold was crossed. But that’s not what the Augusta Mountain euthanasia report revealed. What happened to BLMs long-standing claim that wild horses and burros are a “long-lived species with few natural predators”?

Mr. Glenn also recounted the difficulties of BLM obtaining accurate population counts of free-roaming wild horse populations, that it wasn’t an exact science and BLM was working on new techniques to help them count America’s wild horses and burro better.

Yet, the studies being performed over the last three years in Wyoming’s Adobe Town and Salt Wells Creek HMAs, a partnership project with U.S. Geological Survey/Biological Research Division (USGS/BRD), revealed BLMs publicly reported wild horse census counts didn’t match USGS’s counts one time. Furthermore, in 2003 BLM reported a total of 1,947 wild horses were removed from the Adobe Town and Salt Wells areas during three separate round ups while USGS reported 2,350 wild horses were removed in just one August round up alone. (64)

In all these instances, as well as dozens more, BLM has failed to accurately report the truth to the public about their activities and the program itself.

Selling Wild Horses and Burros

While BLM maintains sales of wild horses and burros under their For Sale Authority have been rather limited, with current information limited to “more than 2,700 wild horses and burros” have been sold, in past meetings of the National Wild Horse and Burro Advisory Board Minutes, contradictory information was also found about just what and who BLM was actually selling wild horses too.

In the Advisory Boards April 10, 2006 Meeting Minutes, BLM stated that, “In February 2006, letters were sent to over 15,000 public lands ranchers asking for their assistance by purchasing older horses. The BLM received good media coverage. The BLM has had about 30 contacts from ranchers interested in the program. A few sales have been made to ranchers and several more to individuals who read about the letters.”

Yet just three months later, in the Advisory Boards July 16, 2006 Meeting Minutes, BLM reported, “Public land ranchers have not purchased any horses.”

Unconfirmed reports from those who monitor horse slaughter have reported freeze branded wild horses showing up in horse slaughter feed lots. It is not known to what extent, how many, from where, from who, or their history.



Above: One freeze branded wild horse was captured on film during its slaughter road journey from Animals' Angels newest investigative report, Investigation Into The Slaughter Horse Industry in Washington State, May 2008.

To be fair, wild horses have always shown up at feedlots and slaughterhouses. Once an adopter is granted title to them, there's nothing more BLM can do – they can't watch the wild horses and burros forever.

Where Do We Stand?

Currently, at the request of Congress, the Government Accountability Office has been conducting an investigation of BLMs Wild Horse & Burro Program for the last several months. However, their report is not due out until at least September, which might explain why the normally slow moving bureaucratic BLM has suddenly found an urgent need to push for Instant Titling and euthanizing wild horses both on and off the range.

With 1,000 wild horses being gathered at this very moment from the Nevada Wild Horse Range and another 1,000 being pushed through under “emergency status”, Karen Mayfield, a wild horse advocate who attended the National Wild Horse and Burro’s Advisory Meeting in Reno on June 30, 2008, has reported the Advisory Board has delegated a subcommittee of three members to have a conference call within the next 10 days to discuss euthanasia, whatever this exactly means is anybody’s guess. (65)

Does BLM or the Advisory Board have the authority to throw off the long-standing shackles Congress placed on them so long ago and issue their own decision to begin euthanasia’s in the field immediately of healthy wild horses? This is a legal option according to the laws established in the Wild Free-Roaming Horse and Burro Act, but to what extent is BLM or the Secretary of the Interior willing to defy Congress?

Today, this is where we stand.

BLMs numbers fail to add up as does often times their execution of both policy and law. Statistical analysis has clearly showed, the remaining wild horses and burros still left on public lands MUST be significantly less than BLM is reporting and the evidence greatly weighs in favor that this has been occurring for a very long time.

Compound BLMs own inflated populations, twenty-four herds found just between 2007-2008, with no one examining the validity of BLMs claims that 33,000 wild horses are indeed still out on the range, round ups continuing unabated based on these inflated population reports, establishing allowable management levels that too often fail to stand up under independent scrutiny that authorize these removals, reducing wild horse and burro populations to genetically unstable levels, introducing castration of stallions to the herds that *are* still genetically stable, PZP being injected in wild mares, no matter how small the herd, authorizing bringing in other wild horses to shore up these impossible population levels to prevent inbreeding, using misleading numbers in computer model population projections ranging from census counts to population models designed to determine if a population will “crash”, selling wild horses to anyone and sometimes just giving them away while livestock grazing fees continue to stay at rock bottom prices, the size of the cattle themselves increasing over the last 20 years by 23%, fencing and habitat fragmentation causing increasing pressure to their free-roaming ability to forage through entrapment and reduced access, wildlife populations continuing to expand despite the wildfires and drought conditions plaguing the West, a refusal of those in charge to recognize their historical or cultural significance to the public, despite this being explicitly stated as such in the 1971 Act itself, and finally, the authority for BLM to sell them under cloak and secrecy has been deemed by the agency as still not enough – because of all these things, only one thing stands crystal clear....

America's mustangs and burros are making their last stand against those who have been searching to destroy them since times long before they became protected, protections that continues to stripped to the bone.

Where Do We Go From Here?

The public lands system has been inherently set up for conflict; conflict between agriculture, livestock grazing, mining, timber and gas, conflict with wildlife expansion and habitat preservation, wild horses and burros only being of value if they are removed, whether through slaughter houses, appropriations for round ups or just holding facilities, conflicts between mandates and funding demanding agencies perform miracles on a shoestring, but the biggest conflict of all is from Congress itself, passing multiple laws over the years to protect and safeguard America's irreplaceable resources while simultaneously authorizing the national banking system to use public lands and their resources, such as livestock grazing allocations, for collateral on national loans.

The BLM is currently telling the public they are between the rock and the hard place with only three options left, these being,

1. Grant BLM the authority to issue Instant Title of wild horses and burros, which would most certainly guarantee a slaughterhouse end,
2. Cut costs by shooting the now warehoused wild horses and burros or directly on the range.
3. Give BLM more money.

However, a fourth option is available, though it is hardly one BLM will recommend,

4. Investigate the accuracy, validity and credibility of their claims and actions.

If the public and Congress exercises Option 4 by demanding proof and accountability of BLMs far-fetched claims in relation to their own statistics, they will find a very simple solution waiting in the wings.

Research and analysis based on BLMs own statistics has shown their current population reports or population goals cannot be valid. As a result, the simplest solution to the current "crisis" is to return the wild horses and burros back to the range, as statistics reveal they should have never been captured and warehoused in the first place.

Additionally, independent oversight of BLMs activities in the wild horse and burro program must be implemented to prevent them from running so far amuck again, as well as instituting a sincere system of checks and balances, which would at least slow down their ability to operate without challenge or consequence.

However, the long-term solution to saving America's wild horses and burros must be found in making them of monetary value roaming free on the range. Anything less will continue to pit one special interest group against another, cause enterprising individuals and/or agencies to find ways to increase revenues through the demise of Americas heritage species, as well as causing those that pull the financial strings behind Americas curtain to via for ways to increase productivity – with or without our free-roaming wild horses and burros.

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