



Policy Resolution 2021-05

Wild Horse and Burro Management

A. **BACKGROUND**

1. Wild horses and burros are managed by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) according to the Wild Free-Roaming Horses and Burros Act of 1971 (Act), as amended by the Federal Land Policy and Management Act of 1976, the Public Rangeland Improvement Act of 1978, the Omnibus Parks and Public Lands Management Act of 1996, and the Fiscal Year 2005 Omnibus Appropriations Act. The Act has not been modified by Congress since 2005. Most wild horses and burros are managed by the BLM.
2. The Act protects wild horses and burros from harassment or death and states that these animals are to be protected and managed as components of public lands.
3. The BLM's goal is to manage healthy wild horse and burro populations on healthy rangelands (Wild Horses and Burros Management Handbook, 2010). The BLM manages wild horses and burros on designated Herd Management Areas (HMAs) and attempts to assure populations are "in balance with other uses of the public lands and that a thriving natural ecological balance is achieved and maintained." As part of achieving this objective, the BLM establishes an Appropriate Management Level (AML) for each HMA.
4. Increasingly, federal agencies have been unable to adequately manage wild horse and burro populations, both on-range and in holding facilities. This is due to difficulties in adopting or selling wild horses and burros, increases in the number of wild horses and burros on the range, lack of effective fertility control measures, insufficient availability of short- and long-term holding facilities, and increasing management costs.
5. The Interior Board of Land Appeals (IBLA) has defined AML as "the 'optimum' number of wild horses or burros which results in a thriving natural ecological balance and avoids a deterioration of the range" (109 IBLA 119). As of March 1, 2020, the BLM estimated that 95,114 wild horses and burros roamed BLM-managed rangelands in 10 western states, which exceeds the west-wide AML of 26,715 by more than 45,900. In the absence of effective management efforts, wild horse and burro populations have an ability to double their numbers in about four years and triple in about six years.¹
6. The U.S. Fish and Wildlife Service has recognized that wild horse and burro populations in excess of AMLs can degrade habitat, and in the context of the Endangered Species Act, has identified this situation as a localized threat in some areas to the viability of the greater sage-grouse in sagebrush ecosystems. Wild horse and burro populations above AML thresholds can also have harmful impacts on other flora and fauna, habitat and riparian areas, rangeland ecosystem function as well as negative consequences for permitted

¹ National Research Council. 2013. *Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward*. Washington, DC: The National Academies Press (<https://www.nap.edu/download/13511>).

domestic livestock grazing and local governments and states that experience federal regulatory decisions influenced by habitat impacts of wild horses and burros.

7. While the 1971 Act requires the agencies, upon request, to remove wild horses and burros that stray onto private lands, private landowners have often been forced to engage in costly litigation to seek compliance with this mandate.
8. The “Path Forward for Management of BLM's Wild Horses and Burros” was released by a diverse coalition of state and local governments and non-governmental organizations. The proposal contains solutions for the short- and long-term health of wild horses and burros, as well as western rangelands.
9. The Consolidated Appropriations Act of 2019 (Public Law 116-6) directed BLM to provide a report to Congress identifying the factors for success, total funding requirements, and expected results to improve management of wild horses and burros. This report, “An Analysis of Achieving a Sustainable Wild Horse and Burro Program,” was released in 2020.
10. Both the 2020 BLM plan and “Path Forward” proposal highlight the need for immediate implementation of multiple management actions and the development of new population control methods to avoid significant harm to rangelands and other habitats, flora and fauna and to the wild horses and burros themselves.

B. GOVERNORS' POLICY STATEMENT

1. Current wild horse and burro population levels, the continued exponential growth of these populations, and the federal agencies’ inability to commit adequate resources for attaining AMLs presents an urgent concern for management policy and practice.
2. We support thoughtful, appropriate and science-based management decisions for wild horse and burro management. In particular, we support management decisions that ensure populations are managed within AMLs in order to promote horse and burro herd health, species conservation and recovery, and habitat as well as forage vitality for wild and domestic species.
3. Monitoring data on herd populations and HMA habitat conditions should be collected and used by BLM and USFS to inform herd management plans, AMLs and wild horse management. In states that do their own monitoring, BLM and USFS should coordinate with those states to obtain and use the states’ data.
4. We agree with the finding in the National Research Council’s *Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward* report that the process to establish, monitor and adjust AMLs should be made transparent to stakeholders, be supported by scientific information (including state data), and be amenable to adaptation with new information and environmental conditions and social change.
5. Various types of fertility control have proven effective on domestic animals, including horses and burros, and should be utilized for wild horse and burro population management. Some HMAs currently have effective fertility control programs in place and those programs should continue and be expanded to other areas. Research and other efforts to improve fertility control should also be expedited.

6. Collaboration with local governments, state governments, tribes, other federal agencies, livestock producers, private landowners, wildlife and sportsmen groups, conservation groups, and others is necessary to develop a plan to educate the public on wild horse and burro issues and management and to implement management solutions.
7. HMA plans should use adaptive management to allow for responsive and timely adjustments in management if AML herd thresholds are exceeded. This approach requires monitoring and development of triggers to adjust management.
8. Alternative food sources for horses and burros in short- and long-term facilities should be considered. For example, hay harvested from highway rights-of-way could be used to feed wild horses and burros.
9. Many groups adopt wild horses and burros for use in training, therapy, recreation and education programs. Gathering and adoption or other appropriate herd reduction approaches should continue and be expanded by BLM including, where partnership opportunities exist, with local governments, state governments, tribes, other federal agencies, livestock producers, private landowners, wildlife and sportsmen groups, conservation groups, and others.
10. Data related to wild horse and burro management and populations is not easily accessible and generally not published in a timely manner. Federal agencies should remedy this problem so data can be used in management decisions and in educational materials.
11. Western Governors recognize the “Path Forward for Management of BLM’s Wild Horses and Burros” and BLM’s “Analysis of Achieving a Sustainable Wild Horse and Burro Program” as examples of sensible alternatives to current wild horse and burro management practices. We encourage Congress to support the BLM’s use of the recommendations contained in these proposals and to implement the provisions most likely to lead to attainment and maintenance of AMLs.

C. GOVERNORS’ MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in December 2023. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.