

# At a Crossroads: Bureau of Land Management's Wild Horse and Burro Program

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Currently, the Bureau of Land Management's (BLM) Wild Horse and Burro Program is at a crossroads as populations on the range are overpopulated, causing poor animal health and degradation of public rangelands. High holding costs for excess animals that have been removed from the range limit effective on-range management. The BLM has recently submitted a report to Congress that outlined four options and other administrative/legislative actions to improve the management of wild horses and burros on public lands and meet agency goals. Author's address: Acting Division Chief, Bureau of Land Management, 20 M Street, Southeast, Washington DC, 20003; e-mail: brittenh@blm.gov. © 2018 AAEP.

## 1. Introduction

The BLM manages approximately 245 million acres of public lands occurring primarily in the 10 western states with a mission to sustain the health, diversity, and productivity of these public lands for present and future generations. With the passage of the 1971 Wild Free-Roaming Horses and Burros Act (WFRHBA), Congress declared that wild horses and burros were "living symbols of the historic and pioneer spirit of the west" and they "contribute to the diversity of life forms within the Nation and enrich the lives of the American People" (Public Law 92-195, 1971, as amended). The WFRHBA charged the Bureau of Land Management (BLM) with the management responsibility of the majority of wild free-roaming horses and burros on public lands. The Act directs the BLM with the "protection, management, and control of wild free-roaming horses and burros on the public lands." This direction states that all management activities for wild horses and burros shall be at the "minimum feasible level,"

that will "preserve and maintain a thriving natural ecological balance" on the lands they reside.

The BLM is a land and resource management agency within the Department of the Interior, managed under the concept of multiple use and conservation. BLM manages wild horses and burros as a resource, and they are the only animal species for which the agency has direct management responsibilities. The goal of the Wild Horse and Burro program is to ensure healthy wild horses and burros on productive public rangelands to maintain a "thriving natural ecological balance" with other resources and land use values. The purpose of this paper is to provide a summary of the Wild Horse and Burro Program management responsibilities and describe actions outlined in a recent report the BLM submitted to Congress to meet the wild horse and burro challenge.

Overview of BLM's Wild Horse and Burro Program

Today the BLM manages and protects our nation's wild horses and burros on 26.9 million acres of pub-

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## NOTES

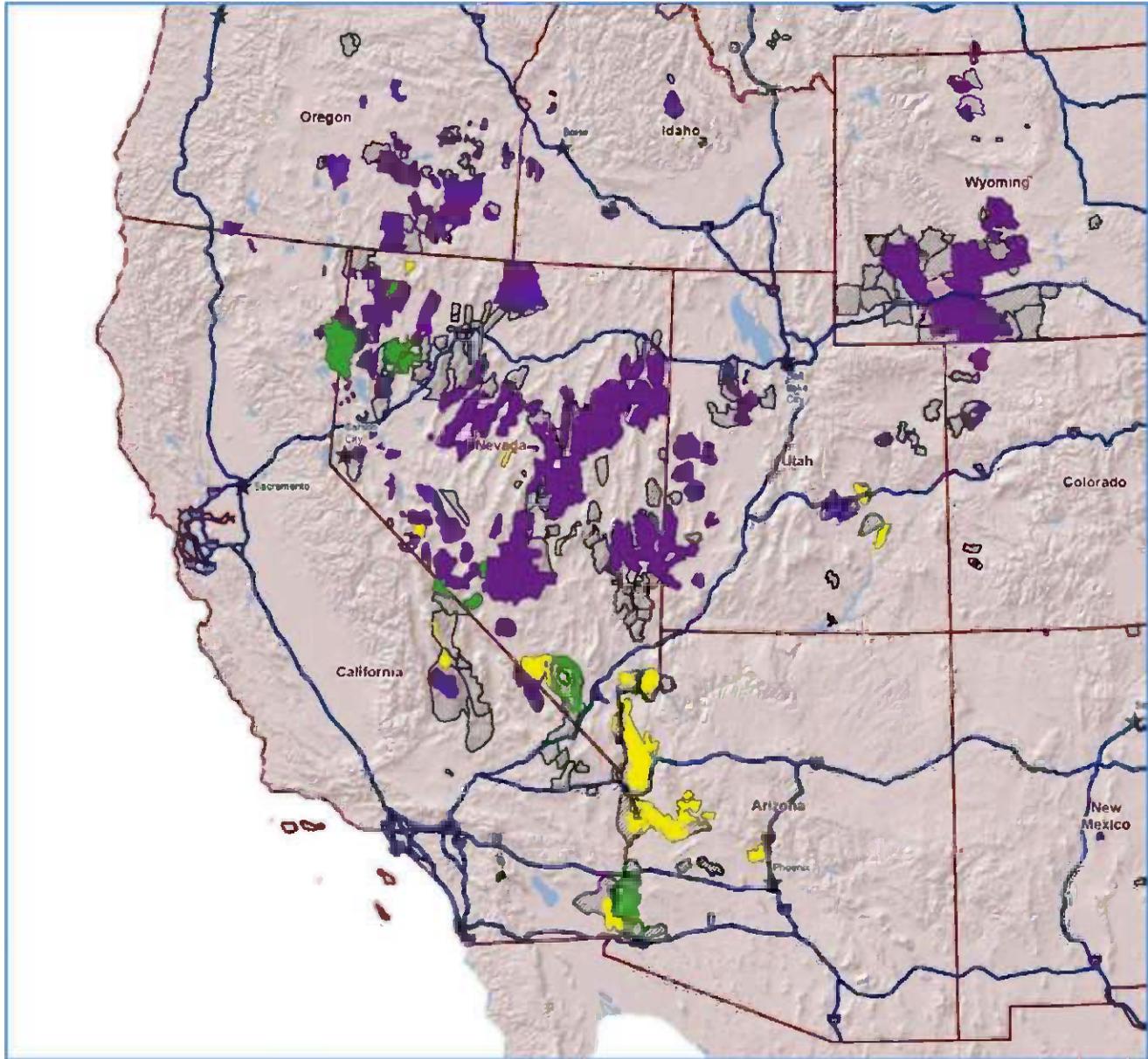


Fig. 1. Map showing locations of wild horse and burro herd management areas (HMAs). Purple HMAs are those with horses; yellow are those with burros; green are those with both horses and burros. Grayed out areas are those where horses are no longer managed.

lic lands on 177 herd management areas (HMA) in the west (Fig. 1). The goal of the Wild Horse and Burro Program is to ensure the health of wild horses and burros on healthy public rangelands. The WFRHBA, as amended, contains a variety of tools for managing herd numbers. However, current congressional appropriation riders prohibit the BLM from using all the authorities available in the WFRHBA. Specifically, Congress blocks the sale of wild horses and burros without limitation and has limited the use of euthanasia.

The BLM retains the ability to gather animals from the range but then, if not adopted, sold, or transferred, must care for them the rest of their

lives. The cost of holding wild horses and burros in off-range corrals and pastures has increased substantially in recent years and remains the largest component of the program's budget. In fiscal year 2017, the BLM spent nearly 60% of its budget on the care of animals removed from the range. It costs nearly \$48,000 for the care of one unadopted horse that remains in BLM facilities over its lifetime. The cost of caring for 46,000 unadopted and unsold animals currently in holding will cost \$1.0 billion over their lifetimes.

In establishing the "Appropriate Management Level" (AML) for wild horse and burros on the public lands, the BLM uses principles of range-



Fig. 2. Overpopulation results in animal's poor health. BLM photo.

land management to determine the population of wild horses and burros that the habitat can sustain. The BLM seeks to protect rangeland resources, such as soils, water, and vegetation resources, in balance with other uses, including ranching, hunting, recreation, and wildlife habitat. The national AML for wild horses and burros is 26,690 animals across 10 western states. The BLM currently estimates the public lands are home to nearly 83,000 wild horses and burros, more than three times the national AML.

Wild horses and burros have no natural predators that can effectively control populations, and without management, herds can have a mean annual growth rate approaching 20%, doubling every 4–5 years. As herd sizes increase, the forage and water resources from the land become depleted, resulting in loss of body condition (Fig. 2), leading to starvation, dehydration, and death. In their search for food and water, the animals often move onto other public or private lands, or along highways, resulting in safety issues for both horses and burros and humans alike.

The current overpopulation of wild horses and burros also threatens the overall health of western rangelands, degrading ecosystem functions and limiting the forage for domestic and wildlife species. Overgrazing by wild horses and burros has impacted habitat and displaced several wildlife species across the west.

If wild horse and burro populations continue to increase and expand, the impacts to other resources will grow more severe across wide portions of the western public rangelands. Left unabated, the environmental impacts may soon become irreversible and die-offs of wild horses and burros could occur. The groundwork for these unacceptable outcomes has been developing over several years, which is beginning to be observed in certain areas, such as in Nevada. As the 2013 National Science Council<sup>1</sup> report stated in its preface, “it is clear that the status quo of continually removing free-ranging horses then maintaining them in long-term holding facilities, with no foreseeable end in sight, is both economically unsustainable and discordant with public

expectations ... and the consequences of simply letting horse populations ... expand to a level of “self-limitation” – bringing suffering and death due to disease, dehydration, and starvation accompanied by degradation of the land – are also unacceptable.” Because of this, the BLM has recently submitted a report to Congress outlining options and strategies to improve the management of wild horses and burros and meet the goals of the program.

#### 2018 Report to Congress

In April 2018, the BLM provided a report to Congress titled “Management Options for a Sustainable Wild Horse and Burro Program,”<sup>2</sup> as directed in the Consolidated Appropriations Act of 2017 (Public Law 115–31). This report details four options for addressing the reality of the situation and management of wild horses and burros on public lands.

#### Option I

This option focuses on achieving national AML in 8 years (2026) while reducing off-range holding costs dramatically over the first 4 years. In addition, during the first 4 years, the BLM would achieve AML in HMAs that overlap priority habitat for multiple species. This would require making use of all legal authorities included in the WFRHBA as amended (including sale without limitation and euthanasia of healthy unadopted or unsold animals) without the appropriations restrictions Congress has placed on BLM's management options since the 1980s. This option would also include the use of contraceptives and limited sterilization (spay/neuter) techniques.

#### Option II

This option focuses on achieving national AML in 10 years (2028) primarily using contraceptive fertility control treatments such as Porcine Zona Pellucida (PZP) and other short-term fertility control and minimal spay/neuter of mares or stallions. Current operations to dart mares with PZP would continue where this treatment is effective (i.e., horses/burros easily approached, smaller populations, and good access). Under this option, off-range costs to care

for animals would significantly increase over current levels because of the increased reliance on off-range care (requiring additional off-range holding space, primarily in form of increasing off-range pastures).

#### *Option III*

This option focuses on achieving national AML in 6 years (2024) by using an aggressive removal operation in conjunction with the permanent sterilization of 3,000 mares and stallions gathered annually and later returned to the range. Short-term fertility control would continue in those HMAs where it is effective. Animals that are gathered and not returned to the range would be moved to off-range pastures, thus requiring the continued need to acquire additional low-cost contracted pasture space. Off-range corrals would only be used to prepare animals before shipping to off-range pastures. In an effort to increase adoptions, the BLM under this option would provide a monetary incentive to the adopter of \$1,000 to help defray costs for care of the animal and/or training.

#### *Option IV*

This option would achieve national AML by 2030 by using an aggressive effort to gather, sterilize, and return animals to the range while also developing the same adoption incentives described in Option III. The goal under this option would be to gather and sterilize up to 18,000 animals per year for the first 5 years and 8,000 in year 6. All these animals would be eventually returned to the range. Because most animals would be returned to the range as a nonreproducing population, off-range holding costs would begin to decrease through natural mortality and expanded efforts to place animals into private care through adoptions, sales, and transfers.

This report also listed other considerations for Congress and tools the BLM could use to meet the intent of the WFRHBA. These include proposing amendments to the WFRHBA such as the following:

- Sale-eligible animals are no longer afforded protection under the WFRHBA.
- Allow for nonreproducing herds, in whole or part, through the use of permanent sterilization methods in areas identified for long-term management.
- Lower the sale-eligibility age of animals from 10 years to 5 years old.
- Eliminate the provision that limits an adopter to acquire title to only four animals per year.
- Reduce the time for an adopter to receive title from 1 year to 6 months.
- Provide the authority to transfer wild horses and burros to nonprofit organizations or other countries for humanitarian purposes or to promote economic development and that such transfers causes animals to lose their status under the WFRHBA.

- Enable the BLM to redirect receipts from sales of horses and apply to on range activities (such as gathers) instead of using those funds for the adoption program.
- Provide permanent authority to transfer wild horses and burros that have been removed from the range to other federal (Fig. 3), state, and local government agencies for use as work animals.

The BLM is pursuing efforts to simplify our environmental compliance by proposing to categorically exclude specific on-range activities such as methods the BLM uses to gather and remove wild horses and burros, short-term fertility control, and permanent sterilization of animals from the National Environmental Policy Act (NEPA) compliance process. When the BLM proposes on-range activities, such as gathers, or the application of short- or long-term population growth suppressants, it requires a lengthy environmental review to comply with NEPA. The BLM has been preparing these NEPA documents for many years, all with a determination of no significant impact on the quality of the human environment (individually or cumulatively). By using categorical exclusions, the BLM will be able to streamline our NEPA compliance and thus saving staff time and funding.

#### *Next Steps and Moving Forward*

With the Report to Congress having been submitted, the BLM Wild Horse and Burro Program is moving forward on several fronts for both the on-range and off-range programs. Again, the goals of the on-range management of wild horses and burros are to maintain healthy herds on healthy ecosystems (“thriving natural ecological balance”) while the off-range goal is to place excess wild horses and burros into private care through adoptions, sales, and transfers while reducing holding costs.

#### *On-Range Actions*

This fiscal year (October to September), the BLM Director approved a 2018 gather plan to gather and remove up to 10,500 animals. If successful, this will be the most animals removed in the last 5 years (Table 1). Priorities for these gathers are (1) public safety, (2) animals that have moved off their HMAs and are impacting public and private lands (Fig. 4), (3) to achieve and maintain AML, and (4) emergency gathers to respond to deteriorating body condition of wild horses and burros and lack of key horse and burro habitat conditions (lack of water and/or forage) due to severe drought. Whether this gather level is sustainable in future years will be determined by the adequacy of future funding, reductions in off-range holding costs, and an increase in the number of animals placed into private care through adoptions, sales, or transfers.

The second piece to achieving and maintaining AML on the range is the use and expansion of fer-



Fig. 3. BLM mustangs transferred to U.S. Border Patrol marching in the 2017 inauguration parade. Photo courtesy of Ruben Garcia, U.S. Border Patrol.

tility control (Table 2), both short- and long-term (sterilization). Short-term fertility control has been somewhat effective in those HMAs where there is adequate access, the horses or burros are approachable for darting, the HMAs are small, and the population level is close to or within AML. All of these factors combined are relatively rare in a majority of HMAs. So far no “silver bullet” to widely expand fertility control application has been found.

The permanent sterilization of wild horses and burros is very controversial with a segment of the public and vigorously opposed by wild horse advocacy groups.

**Table 1. Number of Wild Horses and Burros Removed from Public Rangelands from 2012 to 2017**

Fiscal Year	Horses	Burros	Total
2017	3,735	474	4,209
2016	2,899	421	3,320
2015	3,093	726	3,819
2014	1,689	168	1,857
2013	4,064	112	4,176
2012	7,242	1,013	8,255

From [www.blm.gov/programs/wildhorse-and-burro/about-the-program/program-data](http://www.blm.gov/programs/wildhorse-and-burro/about-the-program/program-data).

Permanent sterilization of wild horses and burros has only been done in a few instances and has been focused on returning geldings back to the range. At this time, only one study assessing the efficacy and survival rates of spayed/neutered animals and following the social structure of herds has occurred on the Sheldon National Wildlife Refuge.<sup>3</sup> The BLM has attempted in the past to propose the spaying of mares but has met strong resistance from wild horse groups. In these proposals, the BLM has either withdrawn the proposal to spay mares or the research university conducting the work has backed out of the project. As of July 2018, the BLM is making another attempt to conduct a spay project in Oregon. If this project successfully navigates the environmental review process and expected litigation, this project will be implemented in the fall of 2018.

#### *Off-Range Actions*

One of the actions identified in the Report to Congress was to develop an Adoption Incentive Program to provide adopters up to \$1,000 to help defray part of their expenses for care and training. Under this program, which only applies to adopting untrained wild horses and burros, the BLM is proposing to reduce the adoption fee from \$125 to \$25. At the time when the



Fig. 4. Wild horses occurring on private lands in Nevada. Photo courtesy of BLM.

animal is adopted, the adopter will receive a \$500 incentive payment shortly after the animal is adopted and an additional \$500 at the time when title is transferred to the adopter. A member of the public can adopt up to four horses and/or burros per year because a person is limited to receiving four titles in one year. It is hoped that this incentive program increases adoptions to help reduce BLM’s holding costs.

Other programs the BLM is pursuing is to streamline transfers of animals to other federal agencies and state and local governments as work animals. Several federal agencies, such as the National Park Service, Border Patrol, and military utilize horses as work animals. Local law enforcement are beginning to use wild horses for their activities as well.

Besides the transfer program, the BLM is exploring the opportunity to move horses outside the United States as work animals for humanitarian purposes or to promote economic development.

The BLM is committed to finding solutions to achieve and maintain a long-term sustainable wild horse and burro program that meets the agency’s mission to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. BLM will need the help from all stakeholders to solve the overpopulation of wild horses and burros on the range while reducing off-range holding costs. This issue has been developing over several years and it will take a sustained multiyear effort to solve the problem at hand, with the assistance from all stakeholders to ensure that these “living symbols” remain part of our national landscape for generations to come.

Table 2. Number of Population Growth Suppression Applications to Wild Horses and Burros from 2012 to 2017

Fiscal Year	PZP	PZP-22	Gonacon	Total
2017	422	355		777
2016	334	118	15	467
2015	286	183		469
2014	319	65		384
2013	199	310		509
2012	162	883		1,045

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*Declaration of Ethics*

The Author has adhered to the Principles of Veterinary Medical Ethics of the AVMA.

*Conflict of Interest*

The Author has no conflict of interest, because he is an employee of the U.S. Department of the Interior, Bureau of Land Management.

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