

U.S. Forest Service Wild Horse and Burro Program

Authorities to Manage Wild Horses and Burros

The U.S. Forest Service manages wild horses and burros pursuant to the Wild Free-Roaming Horses and Burros Act (Public Law 92-195, "the Act"), as amended, and per direction provided in 36 CFR 222.60 and FSM 2260. In accordance with the Act, as amended, "all management activities shall be at the minimal feasible level." Wild horse and burros are recognized as an integral part of the natural system of National Forest lands. They are to be managed, protected, and controlled, and populations should be maintained "in a thriving ecological balance in the areas they inhabit on National Forests."

Current Status of Territories, Number of Animals, and Management Plans

The Forest Service manages approximately 7,100 wild horses and 900 wild burros on 53 wild horse and burro territories. These territories cover approximately 2.5 million acres of National Forest System lands in 5 Forest Service regions, 19 national forests, and 9 States. A territory is National Forest land identified by the Chief as the territorial habitat of wild free-roaming horses and/or burros when the Wild Horses and Burros Protection Act was passed. Of these 53 territories managed by the agency, 34 are active (have a viable wild horse or burro population present on them) and 19 are inactive (currently have no wild horse and burros present, many having died out from a lack of suitable habitat since being first mapped in the early 1970's). Of the 34 active territories, approximately 24 are jointly managed in cooperation with the Bureau of Land Management (BLM) wild horse and burro program. Most of these jointly managed territories are in Nevada.

The agency is required to set appropriate management levels (AML) for all territories. This level is the numeric population range for a herd which the agency has determined can be maintained in healthy condition without adversely affecting the thriving natural ecological balance and preserving the land for multiple uses, such as mining, recreation, hunting, livestock grazing, and habitat for all wildlife species that inhabit such lands. For the Forest Service, the maximum range of AML for all active territories (combined system-wide) totals approximately 2,000 horses and 296 burros. Based on surveys and extrapolation of annual population growth of 10-20 percent, the Forest Service total wild horse and burro population is estimated to be approximately three times over the AML total for the active territories. In this total there are a few individual territories with populations below or at AML, and two territories where populations are almost eight times AML. Consistent with the Act, current inventories of wild horse and burro populations are required for the purpose of making "determinations as to whether and where an over-population exists and whether action should be taken to remove excess animals; determine appropriate management levels of wild free-roaming horses and burros on these areas of the public lands; and determine whether appropriate management levels should be achieved by the removal or destruction of excess animals, or other options (such as sterilization, or natural controls on population levels)."

In order to set the appropriate management levels and conduct management activities on wild horse and burro territories, forests must first complete National Environmental Policy Act (NEPA) analysis for territory management plans. Of the 34 active wild horse and burro

territories, six territory management plans have completed NEPA analysis and have decisions in place based on the analysis. Two of those territories have an on-range fertility control program, manage an off-range short-term holding corral, and are removing excess horses through bait-trapping and offering them for adoption and sale. Another territory conducted a wild horse gather, has contracted with BLM for adoption services, is establishing a forest-based gentling and adoption program, and is exploring options for on-range fertility control. Of the other 28 active territories, six are currently working on territory management plans. Of the 19 inactive territories, three have completed NEPA analyses for territory management plans. The analyses showed that these 3 territories could not support a viable horse or burro population, so their AML was set to zero. In addition, one inactive territory was abolished through the signing of a 1986 forest plan Record of Decision. Analyses remain to be conducted on whether the remaining 15 inactive territories have sufficient suitable habitat to sustain a viable population. If a territory is determined to be vacant and without sufficient suitable habitat to sustain a viable population, then a decision may be made through an analysis, management plan and NEPA decision to set AML at zero (or abolish the territory during forest plan revision). Forest Service regulations allow for the relocation of animals to other federally-owned lands which were identified in 1971 as wild horse or burro occupied lands, providing suitable habitat exists, the relocation of animals will not jeopardize vegetation condition, and animals are requested by the appropriate land manager having jurisdiction. Should analyses determine that the currently vacant territories have sufficient suitable habitat to sustain a viable population, the appropriate land manager could decide to relocate animals there from other territories (including short-term placement of non-reproducing wild horses and/or burros from overpopulated territories and/or long-term holding facilities as a solution to reducing the agency's holding costs) and to invest in forest and/or partnership capacity and infrastructure to manage those animals.

Our Cooperative Work with BLM and Number of Animals in Long- and Short-Term Care

The BLM and Forest Service recently signed a Memorandum of Understanding to facilitate management of the wild horses and burros that reside on areas jointly managed by both agencies (Jointly Managed Areas, or JMAs). The agencies also work under an interagency agreement whereby the Forest Service Washington Office reimburses the BLM Washington Office for care and adoption services for horses and burros removed from Forest Service territories by BLM 2004-2014. These horses were removed based on management plan decisions, or in response to emergency conditions threatening the animals (lack of water and/or forage), and/or public safety.

In fiscal year (FY) 2015, the Forest Service and BLM modified their interagency agreement to limit BLM services to the care of animals already removed from Forest Service land, with the intention of limiting additional horses being placed in BLM care facilities. This change was implemented to ensure BLM's compliance with restrictions regarding selling horses, as outlined in the FY 2005 budget appropriations bill (that amended the 1971 Act). The Forest Service, on the other hand, has no restriction on sales.

The Forest Service has entered into local interagency agreements with BLM for the removal and care of wild horses in BLM short-term off-range facilities. For example, in FY 2017 the Modoc National Forest, under a time-limited Forest Service-funded agreement, requested that the BLM remove wild horses from private and tribal lands and place them into BLM short-term off-range corrals as part of an adoption program (Table 2). Similarly, the BLM assisted in removing nuisance horses from private land near the BLM-Forest Service Murderer's Creek JMA, and placed them into BLM's short-term off-range facilities. This cost-sharing shows the BLM and

the Forest Service are working cooperatively through local agreements under the broader interagency MOU described earlier.

Program Expenditures at the National Level for Fiscal Years 2015-2016 and Estimated 2017 Amounts

This section outlines past and projected program expenditures of funds managed at the Forest Service national office specifically tied to our agreement with BLM for long-term care and adoption. The agency does not track wild horse and burro program expenditures system-wide.

The program expenses/budget at the Washington Office for the wild horse and burro program has been driven by costs for the BLM care of Forest Service animals in long-term holding (approximately \$1.5 million annually). As BLM long-term care and adoption costs have decreased (due to reduced costs associated with moving animals from corrals to pastures, adoptions and sales, and animals dying of natural causes; see Table 1), the Forest Service has applied those unused funds to needed work at the local units (Table 2). The BLM has expressed interest in the Forest Service covering the costs of future emergency gathers and off-range holding costs associated with emergency removal of Forest Service horses and burros into BLM facilities.

FY 2017 estimated costs for care of Forest Service animals are \$717,000 for care of 851 wild horses and burros in BLM off-range pastures (which hold 761 of the 851 wild horses and burros) and BLM corrals (which hold 90 wild horses and burros) and adoption services for 20 animals.

The decrease in costs from FY 2016 stems from:

- Fewer animals in BLM care due to the FY 2016 adoptions.
- An estimated 20 adoptions in FY 2017 at an estimated cost of \$47,337, compared to 109 animals were adopted out at a total cost of \$257,987 in FY 2016.
- Removal by the Forest Service of 73 wild horses from BLM holding facilities and successful placement with new owners. The savings from placement of these horses reduced agency long-term holding costs.

Table 1. Program expenditures for fiscal years 2014-2016 and planned 2017 amounts*

Total Cost	FY 2014	FY 2015	FY 2016	Est FY 2017
Adoption (Placement into Private Care)	Not available	\$115,085	\$257,987	\$47,337
Off-Range Pastures (Long-term Holding)	Not available	456,952	512,552	505,532
Off-Range Corrals (Short-term Holding)	Not available	622,582	339,749	163,922
	\$1,386,048	1,194,619	1,110,288	716,791

* This table is specific to funds managed at the Forest Service national office specifically tied to our agreement with BLM for long-term care and adoption. We do not track wild horse and burro program expenditures system-wide. Figures for FY2017 are estimated pending final figures from BLM.

Program Expenditures for Local Unit Work for Fiscal Years 2016 and 2017

The costs to administer the Forest Service wild horse and burro program are not fully reflected in the national office funding described in Table 1 above. Local unit program work is primarily funded through decisions made at the regional and forest level from the allocation the region receives. Unique to FY 2016 and FY 2017, the agency did use funds not needed to cover long-

term care of animals by the BLM in FY 2016 and FY 2017. The funding was directed to regional requests for wild horse and rangeland improvement work on local national forest units. For example, on the Devil's Garden Wild Horse Territory on the Modoc National Forest in Region 5, the work to remove approximately 200 wild horses off private and tribal lands, and for training and adoption efforts, was achieved primarily through funding provided at the regional level, supplemented with Washington Office funds in FY 2016 and FY 2017. Other projects funded by the Washington Office include: Region 3 wild horse management planning and infrastructure, and for fencing out feral horses; assistance to Region 4 for bait-trapping removal of wild horses outside the territory boundaries; and for various rangeland restoration and native plant work nationwide (Table 2).

Table 2. Projects funded from funds not needed to long-term care of animals in BLM care in FY 2016

Projects funded	FY 2016
Kaibab National Forest Boundary Fence (to keep feral horses off of NF system lands and wild horse territories.)	\$78,000
Carson National Forest Wild Horse Handling Facility Updates	67,000
Modoc National Forest Private/Tribal Lands Wild Horse Gather	304,000
Total FY 2016 \$ amount funded	449,000

Table 3. Projects funded from funds not needed to long-term care of animals in BLM care in FY 2017

Projects funded	FY 2017
Carson National Forest Wild Horse Handling Facility Updates	\$95,000
Apache-Sitgreaves National Forest Wild Horse Territory Planning	100,000
Plant Conservation Alliance funding for native plants work	56,000
Dixie National Forest Wild Horse Bait-Trapping	65,000
Modoc National Forest Wild Horse Adoption / Training	100,000
Amend Modoc National Forest/ Bureau of Land Management Wild Horse Agreement	80,000
Total FY 2017 \$ amount funded	496,000

Management Strategies and Long-Term Outlook

The Forest Service will continue to focus on completing wild horse and burro management plans through the NEPA process, and to implement the actions developed in those plans. As funding becomes available and forests prioritize management activities, individual units will work to: increase capacity to complete training and certification for fertility control work; develop partnerships for adoption and on-range fertility control; monitor populations; do survey work to generate baseline genetic profiles of individual herds; and improve range monitoring and reporting. In conjunction with management planning, resources need to be directed to building community support for wild horse and burro management activities, and educating the public on wild horses and burros.