

4700 – WILD FREE-ROAMING HORSES AND BURROS MANAGEMENT (PUBLIC)

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.01 Purpose. This Manual Section describes the authorities, objectives and policies that guide the protection, management, control and disposition of wild free-roaming horses and burros.

.02 Objectives. The objectives of the BLM are:

A. To protect wild horses and burros from unauthorized capture, branding, harassment or death.

B. To consider wild horses and burros in the areas where they were found in 1971 (Herd Areas or HAs) as an integral part of the national system of public lands.

C. To manage wild horses and burros, within herd management areas (HMAs) designated for their long-term maintenance, in a manner designed to achieve and maintain a thriving natural ecological balance (TNEB) and multiple use relationships on the public lands.

D. To ensure management activities are carried out at the minimum feasible level necessary to attain the objectives identified in approved land use plans (LUPs) and Herd Management Area Plans (HMAPs) and that free-roaming behavior is maintained.

E. To control wild horse and burro population size within appropriate management level (AML) to assure they are in balance with other uses and the productive capacity of their habitat.

F. To ensure humane care, treatment and disposition of excess wild horses and burros.

G. To conduct research for the purposes of furthering knowledge of wild horse and burro population dynamics and the interrelationship with wildlife, forage and water resources.

H. To maintain a comprehensive computerized reporting system as a major component of the official records for the wild horse and burro program.

.03 Authority.

A. The Act of September 8, 1959 (18 U.S.C. § 47), commonly known as the Wild Horse Annie Act.

B. The Act of December 15, 1971 (16 U.S.C. §§ 1331-1340), as amended, commonly known as the Wild Free-Roaming Horses and Burros Act (WFRHBA).

C. The Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. § 1701 et seq.).

D. The Public Rangelands Improvement Act of 1978 (PRIA) (43 U.S.C. § 1901 et seq.).

E. The Act of June 28, 1934, as amended (43 U.S.C. § 315 et seq.), commonly known as the Taylor Grazing Act.

F. The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. § 4321 et seq.).

.04 Responsibility.

A. The Director, with regards to the wild horse and burro program, exercises the authority of the Secretary of the Interior, and is responsible for formulating wild horse and burro program policy. The Director also serves as a liaison with other Federal agencies and interest groups at the national level.

B. The Deputy Director exercises the Director's responsibilities in the Director's absence or at the Director's request.

C. The Assistant Director for Renewable Resources and Planning develops and implements policy for the wild horse and burro program.

D. The Wild Horses and Burros Division Chief oversees the wild horse and burro program by developing policies, guidance, procedures, and regulations, and long-range and current budget estimates, and by organizing periodic workshops for BLM-wide coordination of the program.

E. The National Operations Center (NOC) is responsible for providing technical support to the Headquarters, State, District or Field Offices by:

1. Responding to requests for training and technical assistance.
2. Developing, testing, evaluating, supervising, and maintaining the Wild Horse and Burro Program System (WHBPS).
3. Making recommendations to the Headquarters Office on procedures for the collection, storage and retrieval, analysis and interpretation, and application of wild horse and burro program data.

F. The National Program Office (NPO) is responsible for providing technical and professional assistance to the Headquarters, State, District or Field Offices by:

1. Assisting the Wild Horses and Burros Division Chief in developing and interpreting program policy and guidance.
2. Contracting and scheduling gathers to remove excess wild horses and burros.
3. Coordinating shipping and transportation of wild horses and burros.
4. Contracting and overseeing short- and long-term holding facilities, as necessary.
5. Coordinating research.
6. Making recommendations for the safe, effective and humane management, handling, transportation, and care of free-roaming and captured wild horses and burros.

G. The State Directors are responsible for achieving the BLM's wild horse and burro program objectives within their respective States by:

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1. Implementing BLM-wide wild horse and burro program policies, setting state wild horse and burro program priorities, and preparing supplemental program directives for statewide application.

2. Serving as a liaison with other Federal agencies, state agencies, user groups and interest groups, and other BLM state offices, as needed, to ensure a coordinated wild horse and burro program.

3. Approving resource management plans, plan amendments, and associated environmental documents through which decisions are made concerning wild horse and burro program management.

4. Evaluating statewide wild horse and burro program effectiveness through periodic analyses of related decisions and products (e.g., resource management plans, herd management area plans, gather plans, and data management).

5. Providing, or making available, training, workshops, and technical support to ensure that wild horse and burro program personnel are professionally equipped to implement program activities in accordance with established policies and guidelines.

6. Providing information requested by the Headquarters Office for developing policy and preparing reports and correspondence for a variety of audiences, including Congress, the Courts, other agencies, and the public.

H. District or field office managers are responsible for achieving wild horse and burro program objectives within their respective boundaries by:

1. Implementing BLM national and statewide wild horse and burro program policies, setting district wild horse and burro program priorities, and preparing supplemental program directives, guidelines, and necessary environmental analysis documents for district-wide application, including HMAPs for all HMAs in their offices.

2. Cooperating with other Federal, state, and local agencies and interest groups to ensure a coordinated wild horse and burro program.

3. Directing and reviewing preparation of resource management plans and plan amendments through which wild horse and burro management decisions are made.

4. Evaluating district-wide wild horse and burro program effectiveness by periodically reviewing and evaluating wild horse and burro program accomplishments for compliance with national, state and district policies.

5. Maintaining sufficient professional expertise, within budgetary limits, in the district and field office organizations to ensure that wild horse and burro program activities are carried out in accordance with established policies and guidelines.

6. Maintaining accurate records on wild horse and burro program activities to support the management of wild horses and burros, and provide information requested by the State Office for statewide reports, or respond to Headquarters Office information requests.

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.05 References.

- A. Code of Federal Regulations Chapter 9 Part 71.3.
- B. Code of Federal Regulations Chapter 43 Part 4700.
- C. Code of Federal Regulations Chapter 43 Part 4.4.
- D. BLM Manual Section 1203 – Delegation of Authority.
- E. BLM Manual Section 1601 – Land Use Planning.
- F. BLM Manual Section 1734 – Inventory and Monitoring Coordination.
- G. BLM Manual Section 1740 – Renewable Resource Improvements and Treatments.
- H. BLM Manual Section 1790 – National Environmental Policy Act.
- I. BLM Manual Section 9400 – Aviation Management.
- J. BLM Handbook 1601-1 – Land Use Planning Handbook.
- K. BLM Handbook 1740-1 – Renewable Resource Improvement and Treatment Guidelines and Procedures.
- L. BLM Handbook 1741-1 – Fencing.
- M. BLM Handbook 1790-1 – National Environmental Policy Act.
- N. BLM Handbook 4700-1 – Wild Horses and Burros Management.
- O. BLM Wild Horse and Burro Program System Users Guide.

.06 Policy. It is the policy of the BLM, in accordance with the Wild Free-Roaming Horses and Burros Act (Public Law 92-195, as amended) and other laws governing the administration of public land, to:

A. Protect wild horses and burros from unauthorized capture, branding, harassment or death.

B. Consider wild horses and burros in the areas where they were found in 1971 (Herd Areas or HAs) as an integral part of the national system of public lands. Maintain a permanent record of the HAs that existed in 1971.

C. Consider wild horses and burros comparably with other resource values for each HA in the formulation of land use plans. Herd Management Areas shall be established in those HAs within which wild horses and burros can be managed for the long term. An HMA may be considered for designation as a wild horse or burro range to be managed principally, but not necessarily exclusively, for wild horses and burros when significant public value is present.

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D. Manage wild horses and burros in a manner designed to achieve and maintain a TNEB and multiple-use relationships on the public lands. Management activities should be carried out at the minimum feasible level necessary to attain the objectives identified in approved LUPs and HMAPs and should also ensure the animals' free-roaming behavior is maintained.

E. Establish or adjust AMLs for wild horses and burros through a site-specific environmental analysis and decision process (pursuant to the 1969 National Environmental Policy Act) which shall include an in-depth evaluation of resource monitoring data. Wild horse and burro herds shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat. Management actions to slow population growth and extend the gather cycle should be considered during gather and herd management area planning for wild horse herds and may include, but are not limited to, fertility control, adjusting sex ratios in favor of males, a combination of fertility control and sex ratio adjustment, and management of selected HMAs for non-reproducing wild horses. Current data about wild horse and burro populations and their habitat shall be maintained.

F. Control wild horse and burro population size within AML. Remove excess wild horses and burros from public lands when needed to preserve and maintain a TNEB and multiple-use relationship on the public lands in that area.

G. Ensure the humane care, treatment and disposition of excess wild horses and burros.

1. Aircraft and motorized vehicles used to administer the WFRHBA shall meet appropriate safety standards and are to be operated in a safe and humane manner. A public hearing shall be held before using motorized vehicles or aircraft in the management of wild horses and burros. See BLM Manual Section 4740.3.

2. Healthy excess wild horses and burros shall be placed through adoption or sale to qualified individuals. Individuals adopting a wild horse or burro shall pay a fee established by regulation. The Director may reduce the adoption fee for excess wild horses or burros not adopted at the standard fee when the Director determines it is in the public interest to do so. The BLM shall convey title to eligible adopters at the end of 1 year of humane private maintenance. Compliance activities shall be carried out as necessary to ensure humane treatment of adopted, untitled wild horses and burros. Ownership of sale-eligible animals shall be transferred from BLM to the purchaser through a Bill of Sale.

3. Humanely destroy old, sick or lame wild horses and burros using methods described as acceptable for the euthanasia of large animals by the American Veterinary Medical Association Guidelines on Euthanasia.

H. Conduct research for the purposes of furthering knowledge of wild horse and burro population dynamics and the interrelationship with wildlife, forage and water resources.

I. Maintain a comprehensive computerized reporting system as a major component of the official records for the wild horse and burro program.

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.1 Wild Horse and Burro Program System (WHBPS).

.11 WHBPS. A comprehensive computerized program system is a major component of the official records for the wild horse and burro program. The WHBPS is comprised of a series of relational databases. These databases are designed to function as the primary records for use by program personnel in the operation of the wild horse and burro program. In addition to the WHBPS, additional data needed to manage the program will be included in geographic (land) information system (GIS) databases. Full utility of WHBPS is dependent on timely and accurate entry of data into the databases. Mandatory timeframes for data entry and other instruction for use of the data are contained in the BLM Wild Horse and Burro Program System Users Guide 4700 Series.

.12 Acronyms and Glossary of Terms. See BLM Handbook: H-4700-1 – Wild Horses and Burros Management for a list of Acronyms and a Glossary of Terms applicable to the wild horse and burro program.