

**BLM/USFS Responses to Wild Horse and Burro Advisory
Boise, ID Board Meeting July 10-11, 2019 Recommendations**

Present: Sue McDonnell, Barry Perryman, Celeste Carlisle, Fred Woehl, Jr., Tom Lenz, Jim French

1. **Strongly encourage and recommend that the USDA Forest Service Chief and the BLM Director along with key USDA Forest Service and BLM staff meet within 90 days to discuss and resolve relevant issues and work together to jointly manage wild horses and burros on all designated lands. *Approved. Vote was unanimous.***

Deputy Director – Policy and Programs, Exercising Authority of the Director Perry Pendley and Chief of the Forest Service Vicki Christiansen met on Wednesday October 23. Outcomes of this meeting will be presented at the October 2019 Board meeting in Washington D.C.

2. **Encourage and recommend that BLM develop and promote standardized training (e.g. Eastern States State Office pilot program) for all persons interested in volunteering to assist the Wild Horse and Burro Program. *Approved. Vote was unanimous.***

The BLM recognizes that volunteers are vital to managing public lands. Without volunteers, many critical agency functions would not meet public expectations. It is imperative that the BLM recruits, places, and retains a pool of highly qualified volunteers to assist with the Wild Horse and Burro Program. On October 1, the Wild Horse and Burro Program, in collaboration with the Eastern States State Office launched a one-year pilot Volunteer Services Program. The project has developed standardized operating procedures to maximize outreach to increase the pool of volunteer candidates across this 31-state area. Further, a consistent set of volunteer job descriptions have been developed identifying the roles and responsibilities of volunteers. After the one-year period, the BLM will conduct an assessment and make a determination whether to expand the program to additional states.

3. **Recommend that BLM/USDA Forest Service develop a programmatic NEPA document for the application of all safe and humane methods of fertility control. *Approved. Vote was unanimous.***

BLM – While, programmatic approaches to completing NEPA are an effective tool to streamline the agency NEPA processes. at this time, the BLM does not intend to start a Programmatic NEPA document for applying fertility control, since in some cases (e.g gather operations) site-specific NEPA would still be required.

Forest Service - At this time, the Forest Service does not intend to start a Programmatic NEPA document for applying fertility control.

4. **Recommend that BLM/USDA Forest Service research and develop the appropriate programmatic NEPA document that covers management actions for wild horse and burro management that fall within the statutes and authorities of the Wild Horse and Burro Program. *Approved. Five in favor, one opposed, Ms. Carlisle.***

BLM – While programmatic approaches to completing NEPA are an effective tool to streamline the agency NEPA processes at this time, the BLM does not intend to start a Programmatic NEPA document that covers management actions for the Wild Horse and Burro Program, since site-specific NEPA would still be required.

Forest Service - At this time, the Forest Service does not intend to start a Programmatic NEPA document that covers management actions for the wild horse and burro program.

5. **In order to improve the health and adoptability of wild horses and burros the Advisory Board strongly encourages the BLM/USDA Forest Service to provide desirable equine conformation education and training by experts to all field personnel. *Approved. Vote was unanimous.***

BLM – Since the July 2019 board meeting, the BLM has had discussions with Board Member Lenz, Wild Horse and Burro Program staff, and APHIS Veterinarian Dr. Al Kane about designing a web-based training for BLM employees on horse conformation. When a training is finalized it will be offered to Forest Service staff.

Forest Service - This recommendation is inconsistent with paragraph 2 at FSM 2263.11(1): “Selective removal of excess animals or relocation of superior animals from other territories to improve gene pool is prohibited. The intent of the Wild Horses and Burros Protection Act is to manage these animals as part of the natural ecosystem.”

Forest Service staff could benefit from taking training related to equine conformation as part of staff development within the wild horse and burro management program.

6. **Encourage and recommend that BLM/USDA Forest Service remove, sterilize prior to returning to the range, or euthanize animals with serious acquired, congenital or heritable physical defects. *Approved. Five in favor, one opposed, Ms. Carlisle.***

BLM – The BLM’s current policy (IM-2015-070) outlines six reasons to euthanize excess wild horses and burros related to acts of mercy, health and safety. (1. A chronic or incurable disease, injury, lameness, or serious physical defect; 2. A Henneke body condition score of less than three with a poor or hopeless prognosis for improvement; 3. An acute or chronic illness, injury, physical condition, or lameness that cannot be treated or has a poor or hopeless prognosis for recovery; 4. An order from a state or federal animal health official authorizing the humane destruction of the animal(s) as a disease control measure; 5. The animal exhibits dangerous characteristics beyond those inherently associated with the wild characteristics of wild horses and burros; or 6. The animal poses a public safety hazard and an alternative remedy (capture or return to a HMA) is not immediately available. The BLM has no plans to sterilize and return animals to the range having conditions described in the recommendation.

Forest Service – While humane destruction of those animals included in this recommendation who meet the regulatory definition of “old, sick, or lame” (36 CFR 222.60) is consistent with FS policy, this recommendation is inconsistent with paragraph 2 at FSM 2263.11(1): “Selective removal of excess animals or relocation of superior animals from other territories to improve gene pool is prohibited”, for those animals described in this recommendation who do not meet the threshold of the “old, sick, or lame” definitions. Forest Service interpretation of the intent of the Wild Horses and Burros Protection Act is to manage these animals as part of the natural ecosystem.

7. **The Advisory Board is forming a working group to include key BLM staff to analyze modern, state-of-the-art, low stress, stock-handling approaches to gathering and handling of wild horses and burros with a report to be presented at the October meeting. We recommend BLM appoint this staff and fund any meetings necessary. *Approved. Vote was unanimous.***

The working group consisting of Board Members (Dr. Sue McDonnell, Dr. Barry Perryman, Celeste Carlisle, and Dr. Tom Lenz), BLM staff (Alan Shepherd, Holle Waddell, Scott Fluor, and John Neill) and USDA APHIS Veterinarian Dr. Al Kane had conference calls discussing BLM’s low stress, stock-handling approaches. A report of their findings is expected at this Board meeting.

8. **We strongly encourage and recommend that BLM/USDA Forest Service review 43 CFR Subpart 4700 (Protection, Management, and Control of Wild and Free-Roaming Horses and Burros) and 36 CFR Subpart D (Management of Wild Free-Roaming Horses and Burros) and update where needed.**
Approved. Vote was unanimous.

BLM – The BLM is in the initial phases of revising the 1986 Wild Horse and Burro regulations. These regulations have become outdated to reflect current management of wild horses and burros and at times impede management strategies and priorities. This rule making process is expected to take between 12-24 months to complete and will include a public comment period when proposed rules are published in the Federal Register.

Forest Service – The Forest Service is currently in the process to improve its NEPA policies through Environmental Analysis and Decision Making (EADM). EADM is a change effort that intends to reduce the time and cost of our environmental analysis and decision making processes to produce efficient, effective, and high quality land management decisions to accomplish more work on the ground and be more responsive to the public we serve. The reforms will identify ways to improve or eliminate inefficient or redundant processes, while maintaining a commitment to high-quality environmental analysis based on the best available science. Once completed, the Forest Service intends to review its regulations and directives for inclusion of the new process and update where needed those regulations and directives that are out of date.