

June 7, 2023

National Wild Horse and Burro Advisory Board (all members)

For meeting of June 28 to 30, 2023, at Whitney Peak Hotel

255 N. Virginia St., Reno, Nevada

whbadvisoryboard@blm.gov

Dear Sir/Mame:

As a wildlife ecologist representing the Wild Horse and Burro Fund out of Minden, Nevada, I have the following points to offer for improving our great nation's cherished wild horse and burro program on BLM-USDI and USFS-USDA lands:

1. Somehow the policies that have evolved in the administration of this program that should be based on the sound intent of the Wild Free-Roaming Horses and Burros Act and other related laws have gotten way off track. Basically, these have extremely deviated from the core mandate, intent, and purpose of the Act and to such an extent that they are in very urgent need of reform. This reform must bring about the restoration of America's wild horse and wild burro herds in their originally legal habitats to the extent possible, because what has happened during the 51 years since the Act was passed constitutes a shameless subversion of its true spirit and intent.
2. Last year about 22,000 wild horses and burros were rounded up from in and around their legal habitats and this coming year over 7,000 additional wild equids are to be gathered. The legal habitats, both BLM and USFS, are being left underpopulated by those animals who possess the very legal right to live there at thriving population levels and in a way that allows them to naturally integrate into the public lands' ecosystems – and as the “principal” presences! All the while, these legal habitats where the wild equids possess chief right to live are being taken over and monopolized by the very over-assertive public lands exploiters that the Act was designed to defend these horses and burros against! These exploiters are chiefly the public lands ranchers, both of cattle and of sheep, but other interests too like mining and energy companies, hunting establishments, and off-highway-vehicle users, agricultural and land developers, etc., enter into the picture. If all that the BLM-USDI and USFS-USDA does is cave into these overbearing and unreasonable interests, then the wild horses and burros and the General Public who greatly appreciate them will only continue to lose out, as year after year, the dreadfully low so called “Appropriate Management Levels” for the herds are unnaturally achieved through violent and physiologically invasive means!
3. There have arisen in recent years several very well-proven and substantiated exposes concerning how the Act, aka WFHBA, has been grievously violated and on a variety of fronts, including disinformation campaigns about the wild equids themselves, their true North American native origin and long-standing evolution, their substantial positive

contributions to the ecosystems they inhabit -- or should inhabit at viable, niche-filling levels and in areas of sufficient size and composition to support truly long-term-viable and resilient population levels. The latter concerns their genetic richness, which, when it declines, leaves them vulnerable to disease, environmental changes brought on by Global Warming and habitat alteration, stress including from human harassment, etc. Also, there has been a deplorable lack of transparency when it comes to the degree to which the wild equids' legal habitats have been taken over by public lands ranchers, miners and energy companies, hunter interests, off-highway-vehicle interests, and land developers whether for agricultural, residential, commercial, or industrial purposes. Many of these end up squandering the water sources -- even poisoning the waters through chemical contamination or domestic animal waste pollution. There is also the enormous problem with out-of-season trespass livestock that is being very little monitored as the regulations to which the ranchers agreed are frequently blatantly ignored while the BLM and USFS officials do little to rein in these serious transgressions on our public lands. This results in an even more excessive portion of public land forage being stripped by ranchers' cattle and sheep -- especially when it is realized that their allowed grazing generally occur during seasons such as late Spring and early summer when the most nutritious and well-watered forage is available! So, the "Great Rest of Life" including many wildlife species (which also include the wild horses and burros) are left with what's left of the forage to have to try to survive on. This is extremely unfair! To add insult to injury, the wild horses and burros are falsely accused of "overgrazing" when in fact it is the livestock who have, through no fault of their own, been foisted on the public lands at supernumerary levels to squander the forage resource and cheat the wild horses and burros and other wildlife of their rightful share and very much contrary to the true intent of the WFHBA and a number of other acts of Congress!

4. I could go on and on about all that has gone so terribly wrong with America's wild horse and burro program. Basically, our great nation needs to come clean if it is to realize true greatness. We need to greatly curb the other greedy and overbearing as well as insensitive interests that have so unjustly and dishonestly targeted the wild equids for discrediting and elimination or near elimination as well as for unnatural alteration both as concerns their habitats, as through fencing and reduction of water and forage availability, and as concerns the fertility control drugs and other means that are terribly detrimental to their survival fitness and supplant natural selection with artificial selection leading to dysfunctional societies and the setback of their natural adaptability to each unique ecosystem that these various horse and burros inhabit. This is really outrageous and goes against the true spirit and intent of the Act when it states that "wild horses and burros are 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" and "wild free-roaming horses and burros shall be protected from capture, branding, harassment or death" and "they are to be considered in the

area where presently found [1971 as year-round habitat area] as an integral part of the natural system of public lands.” Also, the Act states in its Section 3 a that BLM and USFS must manage wild horses and burros so as “to achieve and maintain a thriving natural ecological balance on the public lands” and “at the minimum feasible level”. Furthermore in its Section 2 c, the Act defines a wild horse or burro “range” as “the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros .. and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple use management concept for the public lands”. Several other acts have modified the Act, such as FLPMA of 1976 and PRIA of 1978, but none of these have cancelled out the basic tenets of the Act. But there has been a lot of sly and underhanded undermining of the Act and one of the primary means has been through the imposing of regulation labels or terms as concerns the original honoring of the wild equids’ “range”. Basically there had occurred a devious obfuscation of the original intent, a sly maneuver involving renaming and relabeling that has created constructs such as Herd Management Areas as opposed to Herd Areas and Ranges with a capital R by which BLM has evaded an honest implementation of the true intent of the Act and made it look legal while actually cheating the wild horses and burros out of their rightful land, resources, and natural freedom while giving these over predominantly to public lands ranchers but also other exploitive and disruptive interests!

5. As a professional ecologist specialized in the Perissodactyls including the wild horses and burros, I strongly recommend that you work to restore the true intent of the Act and adopt a Reserve Design and Rewilding policy that will do the following:
6. Carefully study the ecosystem in question, including both natural and human components, to determine where Reserve Design can best work and how it can best be implemented.
7. Incorporate natural barriers such as high mountains, deep canyons, or broad or raging rivers wherever possible to act as limits to wild equid expansion into areas where they could be targeted for persecution and elimination.
8. Where deemed necessary, construct semipermeable, artificial barriers such as buck-rail, log-&-pole fences. These are very effective in keeping wild horses out of areas where they would come to harm through harassment, capture and removal, or even killing.
9. Establish buffer zones around each equid reserve with the cooperation of local landowners and government agencies at all levels. This would protect a core area within the reserve that would be left alone and be highly safe for the wild horses and burros and their families. The buffer zone would have the effect of tapering off, or attenuating, wild horse/burro presence as well as that of humans, but in opposite directions. This

could be sustained by positive reinforcement and mild forms of adverse conditioning – techniques frequently used by wildlife and citizen conservationists alike. Remember: Horses and burros are intelligent creatures who can learn where they are most safe, and conversely can learn where serious danger threatens their well-being. To accomplish this, professional conservationists, zoologists, and ecologists should be given authority to determine the exact dimensions and conditions of any given reserve. This would replace BLM and USFS herd “management” areas and territories, where wild equids’ rights are largely or totally ignored in considerations of habitat resource allocations (AUMs) and population number assignments (AMLs) – often setting these metrics at absolutely zero! Inadequate habitat provision, including lack of forage, water, shelter, and other components essential for mustang and burro survival and reproduction are “squeeze plays” that are leading to the decline and likely eventual demise of the last of America’s once great wild horse and burro herds. Add to this unnatural, brutal, and invasive means of altering the wild equids’ physiologies, reproductive interventions, such as GonaCon, PZP, and surgical sterilizations of both female and males as well as unnatural sex ratios skewing toward more males.

10. Wherever possible, restore the natural predators of the wild horses and burros, such as pumas, bears, and wolves. Recognize that there are many different mortality factors that affect wild equid survival, including diseases, poisonous rattlesnake bites, harsh weather, drought, blizzards, etc., and that when the wild equids pass on in the wild, they contribute their mortal remains to the very ecosystems where they were born, lived out their lives, and died. It is only right and natural that their remains should be used by all the other species, from plants to animals to decomposers who go together to form each unique and interconnected ecosystem. When the bodies of the wild equids are removed from such an ecosystem, either alive or dead, the ecosystem can be seriously diminished. (The WFHBA clearly states that wild horses and burros “are to be considered in the areas where presently found [1971 as year-round habitats] as an integral part of the natural system of public lands”.) When BLM or USFS drastically reduces the equid herds, they upset the natural social structures that limit reproduction. This is a critical function of older stallions and mares, jacks and jennies.
11. Allow the horses and burros to fill their respective ecological niches and naturally self-stabilize within their habitats. This is precisely what is not being allowed to happen by the BLM-USDI and US Forest Service-USDA, and is contrary to the intent of the WFHBA. Additionally, Section 10 of the WFHBA should be activated to establish, by order of either the Secretary of Interior or the Secretary of Agriculture, long-term field studies of wild horse and burro herds and their habitats so that we can learn in greater detail just how these creatures relate and contribute to their ecosystems. The Heber wild horse herd of the Apache-Sitgreaves National Forests in the Mogollon Rim area of Arizona would be an ideal herd for study, as would several other herds including the

Montgomery Pass herd on the California-Nevada border: Both herds have a high degree of natural self-stabilization. Concerning the sagacious wild burros, I would recommend as Section 10 study herds, BLM's Marietta Wild Burro Range in western Nevada near the California border as well as Arizona's Black Mountain wild burro herd on BLM lands in and around the old western town of Oatman. I have visited all of these herds and their habitats and am impressed by their vast-wide-open spaces and rich species biodiversity. I would be glad to offer BLM and/or USFS professional collaboration on these studies.

12. Develop programs to educate the public about the positive aspects of wild horses and wild burros. These should include information about herds' naturally restoring degraded ecosystems by: (a) building healthy soils that absorb more moisture, elevate water tables and recharge vital aquifers, (b) dispersing a wide variety of intact seeds of diverse plant species, including many natives with which these equids have coevolved for millions of years, (c) helping other animals and plants by opening up water and food sources during winter and summer extremes, (d) sequestering carbon from the atmosphere, and (e) mitigating and often even preventing catastrophic wildfires.
13. Develop win-win relationships between wild horse/burro herds and local human communities by providing supervised volunteer opportunities or even pay in exchange for monitoring and protecting these herds. Also, in order to establish complete and viable habitats for long-term-viable herds, establish cooperative agreements to utilize private or other government agency land and resources, as is permitted under Sections 4 and 6 of the WFHBA. Finally, promote moderate ecotourism enterprises. These would guide people from our country and abroad in non-disruptively observing these wonderful creatures in their natural homes together with their symbiotic companion species.
14. Foment field biology classes at all educational levels to observe and investigate wild horses and burros and their respective habitats in a respectful and non-invasive way. These would be spread out over many areas where wild horses and burros live so as not to overly affect any particular herd. The ecotours would be similarly spread out.
15. Incorporate similar and interrelated steps that would loosen the present stranglehold on public lands by the arrogant and insufferable wild horse and burro enemies, including closure to livestock.

In conclusion, we must topple the monopolization of our public lands, on which there are about 100 times more livestock than there are wild horses and burros. Even within the wild horses' and burros' legal areas, these national heritage species find themselves at the bottom of the totem pole, receiving only about 10 to 15 percent of the forage, while the rest goes to cattle and sheep ranchers, usually during the most nutritionally preferential seasons like late Spring and

early Summer. This outrage is entirely contrary to the WFHBA, which clearly states that legal herds areas (BLM) and territories (USFS) -- both being the original “ranges” -- shall be devoted principally to the wild horses and burros themselves!

Adopting Reserve Design would restore America’s herds to truly long-term-viable levels in the thousands in commensurately viable habitats, including migration routes to and from summering and wintering habitats. Reserve Design would rescue these wonderful native species from their present existential crisis that is being brought on by human persecution, while at the same time doing a world of good for involved people. We must overcome our own – and Nature’s! – worst enemy: our short-sighted, narcissistic self-absorption, and the tendency to human *speciesm*, or exclusivity at the cost of others.

(Portions of the above submittal, some modified for more thoroughness, are from my article “The path forward for the restoration of wild horses and burros and their natural habitats” published October 11, 2022 by *The Nevada Independent*.)

Sincere and best wishes for your success in honorably and honestly advising and effecting the urgently needed changes for restoring America’s wonderful wild horses and burros at truly thriving, viable levels and truly natural and free conditions in their simultaneously restored rightful home ecosystems,

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