

Overview of BLM Wild Horse and Burro Program Framework, HMA, AML and the HMAP



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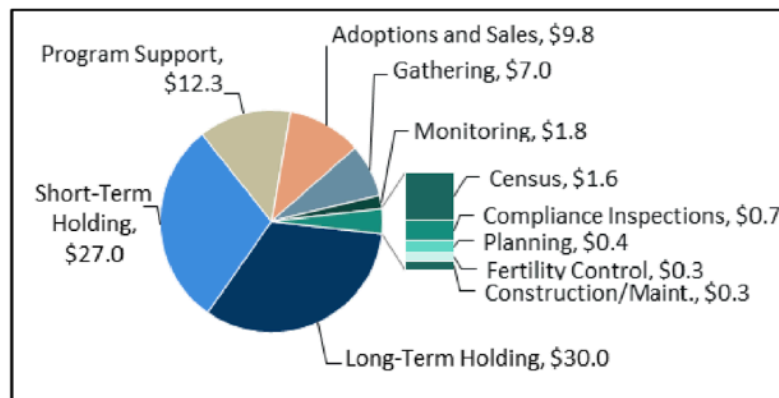
Introduction

Wild horses and burros are “living symbols of the historic and pioneer spirit of the west,”¹ and an integral part of American cultural heritage and the landscape of the American West.

Over the past 51 years wild horses and burros have been removed from western rangelands in a “crisis management” pattern based on claims of “excess,” conflicts with expanding industry and recreation, assertions of impacts to rangeland conditions, or “emergencies” linked to environmental circumstances (i.e., drought) or disasters (i.e., wildfire).

Over the past 51 years the BLM has consistently failed to address management planning, delayed implementing regulations that required processes based on monitoring data, failed to implement meaningful range improvements, etc.

For the past 51 years the agency has relied on politically-set population levels to drive a “remove and stockpile” system that has resulted in exponentially-increasing costs, failure to protect herds and their environments, and an increasing number of wild horses and burros landing at risk in the slaughter pipeline.



Expenditures for BLM Wild Horse and Burro Management, FY2020 (in millions of dollars).
(Source: Congressional Resource Service, CRS, 2021)

Historically, the agency spends the least amount of funding, time and attention to data collection and management planning beyond compiling information for gather (removal) plans. The neglect of the foundation has led the program onto a track toward eventual (inevitable) collapse.

This report has been created to address the flaws in the foundational structure of the BLM Wild Horse and Burro Program: the Herd Management Area (HMA), Appropriate Management Levels (AML) and the Herd Management Area Plan (HMAP).

¹ 1971 Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §1331.



Background (Framework)

In the mid-1800s, an estimated 2 million wild horses roamed America's rangelands. Populations decreased as development reduced habitat for wild horses and native grazers. Populations of horses and burros were being decimated through "mustanging" or poisoned to make room for livestock and farming operations. By the early 1900s, most wild horses had disappeared and those that remained were found primarily in the remote mountains and deserts of the West.

At the time of the passage of the Taylor Grazing Act of 1934 it was estimated that populations of wild horses had drastically declined to around 150,000.² A federal Grazing Service was established which "ended the nonmanagement of the public domain"; therefore, the federal government became involved in regulating livestock grazing on public lands. Grazing districts were formed which allocated rangeland allotments and permits to ranchers in order to monitor the grazing of domestic livestock on federal lands to attempt to stop rapidly deteriorating rangeland health. The long title of the Taylor Grazing Act: An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

Under authority of the Taylor Grazing Act the Federal Grazing Service began to remove horses from the land. An article authored by Tom McKnight, *Feral Livestock In Anglo-America*, purported actions taken after the Taylor Grazing Act was passed. McKnight alleges that certain areas were deemed unsuitable for domestic livestock grazing by the Grazing Service and "*approximately 1,000 trespass horses were shot...between 1935-42. There are reports of thousands of horses being removed from a single Montana county in the 1930s.*" McKnight further illustrates early federal participation in a policy of horse removal by quoting a letter penned by Grazing Service Director Richard Rutledge (1938-1944), "Within a period of four years we removed over 100,000 abandoned and unclaimed horses from Nevada ranges."³

President Harry S. Truman created the BLM in 1946 by combining two existing agencies: the General Land Office and the Grazing Service.

Public concerns about wild horse population declines and the intensive abuse being perpetuated on western rangelands that were sending wild horses off to be ground up for dog food, chicken feed and fertilizer amplified significantly in the 1950s. The bill known as the "Wild Horse Annie Act" of 1959 became Public Law 86-234 and outlawed these brutal practices. The law was not enforced and regularly broken by livestock permittees and mustangers.

² Heather Smith Thomas, *The Wild Horse Controversy*, (New York: A.S. Barnes, 1970), 72

³ Tom McKnight, *Feral Livestock in Anglo-America*, (University of California Press, 1964),



Squabbles over jurisdiction between states, counties and the federal government ensued. Counties in many western states had begun issuing permits to “mustang,” thumbing their noses at the intention of the law. No infrastructure had been created to enforce the law, including impounding of evidence. In one instance where a permittee had been found capturing unbranded horses (via the use of aircraft and shotgun) the horses were left in his possession because neither the local Sheriff or federal government had the means to impound. When officials returned they found the horses had been branded.⁴

When the 1971 Wild Horses and Burros Act was passed to protect rapidly disappearing horses and burros from the western landscape, it was estimated that about 25,300 horses and burros were left on western rangeland.⁵

The Federal Land Policy Management Act (FLPMA) of 1976 reauthorized the use of motorized vehicles for the capture of wild horses and burros, requiring an annual hearing to address public concerns. The “multiple use mandate” of the BLM was first stated in FLPMA.⁶

More importantly, FLPMA stated that federal land should remain under federal ownership and established a regulatory system for the U.S. Bureau of Land Management (BLM) to manage federal lands. The passage of FLPMA is generally seen as provoking the Sagebrush Rebellion. The Sagebrush Rebels sought state or local control of federal lands and also reductions in cattle grazing permit fees (often utilizing intimidation and violence).⁷ Many wild horse/burro and public rangeland ecology advocates see evidence that intimidation of the Sagebrush Rebellion influences BLM decision-making today including how Appropriate Management Level (AML) is set for wild horse and burro herds and when removal operations occur. Many oversight bodies, including the Government Accounting Office (GAO) and the National Academy of Sciences (NAS), have repeatedly stated that AML is *not* based on rigorous and consistent range data and analysis.

The Public Rangelands Improvement Act (PRIA) of 1978 amended the 1971 WFRH&B Act to direct the Secretaries of the Interior and Agriculture to determine appropriate management levels (AML), maintain a current inventory of wild horses and burros, and determine whether and where overpopulation exists in a thriving natural ecological balance (TNEB).⁸

⁴ Testimony of Velma B. Johnston to the Public Lands Subcommittee of the Interior and Insular Affairs Committee of the US House of Representatives April 19, 1971

⁵ “Shortly after the 1971 act, BLM conducted a wild horse and burro population census and estimated the number of wild horses to be about 17,300 and the number of wild burros to be about 8,000.” (GAO-09-77)

⁶ Pub. L no. 94-579 (1976)

⁷ Southern Poverty Law Center, SPLC, timeline of the Sagebrush Rebellion.

⁸ Pub. L. No. 95-514, § 14, 92 Stat. 1803, 1808 (1978) (amending 16 U.S.C. §§ 1332–1333).



In 1978, in a hearing in the House Committee on Energy and Natural Resources the range condition report from BLM was reviewed. It was determined that the agency was understaffed and funding was not going into range monitoring, a tendency to “do nothing” until a crisis situation arose was found troubling. The lack of data led the committee to state that carrying capacity of the land was truly undetermined and livestock stocking rates seemed to be based on requests, not data. It was noted in the report that livestock organizations were all passing resolutions requesting that wild horse populations be reduced to 1971 levels. “Most states were not implementing basic range management principles. The Nevada report describes plans made on livestock response rather than vegetative response.”⁹

The 1990 GAO report concluded that BLM’s decisions on wild horse and burro removals “were made without adequate information about range carrying capacity or the impact of the animals on range conditions” and this statement has been reiterated by multiple oversight reports since then.

In 1986, the BLM published final rulemaking for the Wild Horse and Burro program clarifying and expanding regulations. Prior to the finalization of the regulations the program existed in a patchwork system where in some districts local ranching interests were performing removals. Some districts were setting (wh&b) boundary lines simply based on local pressures. Management planning that mirrored the scope of other environmental laws was lacking and necessary. The Herd Management Area Plan (HMAP) is the only planning document specifically noted for management of wild horses and burros listed in the Code of Federal Regulations.

In 1988, it was noted in the BLM Report to Congress that progress was underway setting AML and that Herd Management Area Planning (HMAP) was underway. However, very little hard data was available and most HMAPs set goals to address the directive to create an HMAP and then revise planning once data was collected.

In the late 1980s and 1990s there were multiple instances where federal employees were implicated in the sale to slaughter of protected wild horses. One case in Texas began with one roundup/adoption contractor, James D. Galloway, who obtained about 9,000 horses he intended to graze on a friend’s ranch until they gained weight for subsequent sale to slaughter and burgeoned to include both mid- and upper-level BLM employees and private citizens. Bureau employees appeared to have violated regulations by “promoting and organizing group adoptions for the intended purpose of selling the wild horses to slaughter plants or rodeo circuits for commercial gain.” The investigator, Steven Sederwall, was pulled from the case along with six others by the BLM and told not to provide information to the District Attorney prosecuting the case. They were threatened with dismissal.¹⁰

⁹ Bureau of Land Management grazing program: hearing before the Subcommittee, 1978, 225.

¹⁰ Doug McInnis, *Inquiry to See Whether Officials Helped Sell Protected Horses to Slaughter*, (NY Times) 1995



A similar situation was exposed in 2012. The BLM sold Tom Davis (a family friend of former Secretary of the Interior Ken Salazar) at least 1,700 wild horses and burros since 2009; 70 percent of the animals were purchased through the sale program. Additional information obtained in 2015 confirmed Davis sold the horses to slaughter.¹¹ The reporter, Dave Philipps, was later threatened with being “punched out” by Salazar at an election event.¹²

The corruptibility of the program, from on-range through removal and into the adoption program, was more than evident.



In 2020 the BLM presented a plan to Congress that was heavily influenced by a corporate lobby consortium. The plan was finalized in 2017¹³ and rammed up the food chain with help from mid- and high-level BLM officials. In 2018 the lobby document underwent slight revisions and a name change¹⁴ and was incorporated into the BLM 2018 Report to Congress. By 2020 the agency had formulated a plan to present to Congress to release additional funding. The “BLM 2020 Plan”¹⁵ has driven removals to historically high levels, allowed rapid approval on planning for expanding industry and increased reports of wild horses landing in “kill auctions.”

¹¹ Dave Phillips, *All the Missing Horses: What Happened to the Wild Horses Tom Davis Bought From the Gov't?*, (ProPublica) 2012

¹² Devin Dwyer, *Interior Secretary Ken Salazar Apologizes for Threatening to 'Punch Out' Reporter*, (ABC) 2012

¹³ “Ten Years to AML,” (can be accessed here: <https://wildhorsesite.com/10-years-to-aml-for-blm-wild-horse-by-humane-society-aspca-rtf-american-mustang-fdn.pdf>)

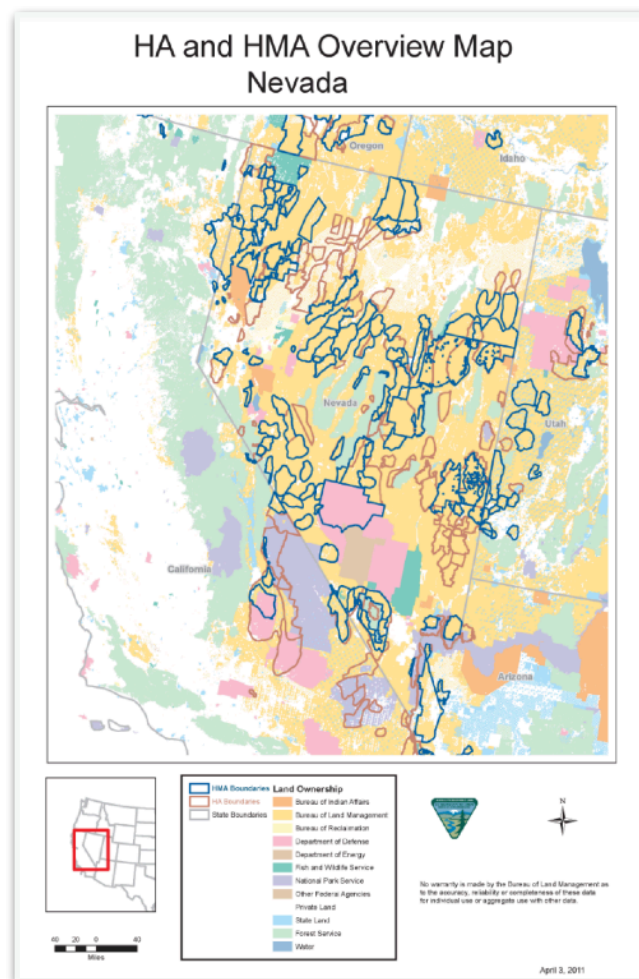
¹⁴ “Path Forward” (can be accessed here: <https://www.energy.senate.gov/services/files/0869B02B-E9C5-4F0B-9AE8-9A8A1C85293E>)

¹⁵ “Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program” (can be accessed here: <https://www.blm.gov/sites/blm.gov/files/WHB-Report-2020-NewCover-051920-508.pdf>)



In 2022 population levels of wild horses and burros, that the agency claims the land can sustain, have remained largely unchanged since the numbers set after the mandate was finalized in the 1980s. Somehow, these same ranges that were set aside to preserve wild horse and burro herds seem to be able to accommodate more and more industrial encroachment, yet no evaluation ever raised the number of wild horses or burros higher than the number Congress found in 1971 to be “fast disappearing from the landscape.”

Intense political pressure, personal relationships, internal pressure from corrupted mid- and high-level agency personnel, and removals of wild horses purely to accommodate expanding private industry are still factors driving today’s BLM.



Map above showing the changes in wild horse and burro territory in the State of Nevada from 1976 to 2011. The red areas are “no longer managed.” BLM has not updated publicly-available HA/HMA maps since 2011.



HMA Creation and the HMAP

Originally there were 303 herd areas representing some 47 million acres of public land.¹⁶

In 1987, BLM determined (asserted) that they “erred” in counting the areas and there were only 270. Of the 270, the agency determined 199 of these areas would be managed for long-term use for wild horses and burros and they would eliminate wild horses and burros from 68 areas citing conflicts with existing land uses, etc. The agency also seemed to demonstrate confusion over the wording to provide protections “on the land they now stand” of the 1971 law. “An intensive review of pertinent resource management plans and other records of historical wild horse and burro distribution was made in order to clarify these data. Deriving a list of herd areas that were or should have been reported in 1971 or at any other specific time is difficult, due mainly to the fact that names of areas were not included in reports until 1985.”¹⁷

The 1988 Report to Congress states that appropriate management levels for wild horses and burros were (currently) in the process of being determined and BLM was making progress. This delineation was occurring 17 years after the WFRH&B Act was passed allowing heavy influence on boundary lines and population levels from local political pressure driven by the explosive (literally) actions of the Sagebrush Rebellion and the Wise Use movement.¹⁸

Chart from 2008 GAO report, GAO-09-77, showing the dates AML for wild horses and burros was set for the 199 HMAs that existed at that time. The dates clearly demonstrate ample time from the passage of the 1971 Act for political influence (to satisfy industry) on both boundaries of HMAs and AML.

Table 3: Years in Which Current AMLs Were Set for BLM's 199 HMAs

Years in which current AMLs were set	Number of HMAs
1975–1979 ^a	2
1980–1984	13
1985–1989	13
1990–1994	45
1995–1999	32
2000–2004	68
2005–2008	24
Not yet set	2
Total	199

Source: GAO analysis of BLM data.

The 1988 report outlines how management goals and levels would be determined: “*The objectives for each herd management area or territory must be documented in a herd management area plan (HMAP) or territory plan. The BLM completed 5 HMAPs in*

¹⁶ BLM 1975 Report to Congress, Wild Horse and Burro Census of 74-75.

¹⁷ Administration of the Wild Free-Roaming Horse and Burro Act, Report to Congress 1988, 2

¹⁸ Southern Poverty Law Center (SPLC) timeline on the Sagebrush rebellion.



FY 1986 and 8 more in FY 1987, bringing the total to 84. (Higher totals reported in previous years may have resulted from inclusion of plan revisions and amendments in HMAP accomplishments recorded by some states.) The Forest Service completed 5 management plans in 1986 and 1987, making a total of 31.”¹⁹

In 2010 the BLM Wild Horse and Burro Program Handbook was (finally) approved. The handbook continued to assert management goals, including AML methodology, were supposed to be determined in the HMAP. “Habitat or population management and monitoring objectives regarding the management of a specific HMA or complex of HMAs are normally identified in a Herd Management Area Plan (HMAP) rather than a LUP.”²⁰

Today, a total of 177 areas are managed by BLM for wild horse and burro use on approximately 27 million acres nationwide. The total dropped from the 199 noted for long-term management of the 270 existing in the 1988 Report. (note: 4 HMAs have an AML of “0” and an additional HMA in AZ was added to the “no longer managed” list, making the total of HMAs 176 today.)

Nevada Specific (half the nation’s wild horses and burros)

The state of Nevada contains more than half the population of wild horses and burros today. In 2022, BLM manages 83 areas for wild horse and burro use in the state of Nevada; 77 of the original areas have been “zeroed out” (or simply eliminated through the asserted error outlined in the 1988 Report to Congress²¹).

The last time BLM released statistics on HMAP planning was in a line item of their “Herd Area Statistics Report” of September 1996. (Appendix 1: HMAP Nevada, 1996)

At the time of the 1996 Report to Congress, BLM managed 116 areas for wild horses and burros in the state of Nevada alone.

Of the 26 HMAPs listed in the state of Nevada in the 1996 Report to Congress: 3 of the areas no longer exist, 14 are “Gather-EAs” (that use the word “management” in some form in the title but do not follow HMAP form or analysis) and 9 simply reiterate the directives of the 1971 law that wild horses need to be managed, mention that range improvements, habitat preservation, genetics, will be determined when more data is available and state the HMAP will be revised. 90 HMAs in the state never had an HMAP (33 of the HMAs no longer exist) and none of the existing HMAPs were ever revised to address the directives in the handbook. (This may sound like it doesn’t make sense, but we are actually using agency numbers presented to Congress.)

¹⁹ Administration of the Wild Free-Roaming Horse and Burro Act, Report to Congress, 1988, 10.

²⁰ H-4700-1, Wild Horses and Burros Management Handbook, 10.

²¹ Administration of the Wild Free-Roaming Horse and Burro Act, Report to Congress 1988, 2



Since the last sporadic and inconsistent HMAP was drafted in Nevada at South Stillwater in 1995 (where BLM set the population level at 8-16 horses on 9,773 acres), the BLM has completed one HMAP in the state. In 2017, BLM completed the HMAP for the Pine Nut Mountain HMA. None of the previously-existing HMAPs have been revised to address the non-transparent AML, data deficits, drought, climate change, range improvement to mitigate damage to wild horse habitat from livestock, recreation and mining, etc.

Of the 83 HMAs that exist today on BLM land in NV, 58 have never had an HMAP.

HMAP Today

As requested by Congress in the Consolidated Appropriations Act of 2019 (Appendix A), the BLM provided Congress with a report to release additional funding designated for the Wild Horse and Burro Program. The report continues to state the importance of the HMAP as a foundational management planning document for wild horses and burros: “Every major management activity that occurs on HMAs starts with the NEPA process. Herd Management Area Plans (HMAPs) summarize the management goals for an HMA and the anticipated actions required to achieve those goals.” And “HMAP development is a key component in the decision making process for BLM’s wild horse and burro management activities on the ground.”²²

The BLM 2020 plan recognizes the deficits in both updating the limited number of existing HMAPs and the need to create ones for areas they never existed. As the agency is pushing large-scale removals to record-shattering numbers, the agency recognizes those numbers are not scientifically rigorous or based in NEPA planning setting objectives for management goals (HMAP) stating simply, “In addition, these plans need to consider new research results and the potential for changes to AML.”

BLM included the HMAP process within the request for additional funding, “In the initial year, the BLM will see increased activity in this area and planning costs will be about \$1 million annually.”²³

Since 2020, and each subsequent year Congress has approved additional funding of the “BLM 2020 plan,” not a single Scoping process has begun to create an HMAP where none exists. Instead, the agency has repeatedly hit these same HMAs with large-scale removals to reach the lowest level of AML.

The driving force remains the same today as it was in the late ’70s and ’80s, intense pressure to reduce wild horse and burro populations to the levels found before 1971.²⁴

²² Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program, 2020, 21.

²³ Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program, 2020, 22.

²⁴ Bureau of Land Management grazing program: hearing before the Subcommittee, 1978, 225.



The same levels Congress found “fast disappearing” from the landscape when they drafted the 1971 Act. Many of these same entities can be found as preferred partners in the “Path Forward”²⁵ document incorporated into both the 2018 and 2020 BLM Reports to Congress.



To quote a BLM employee at a recent roundup in Nevada, “You will get an HMAP after we get to low AML.” On the same range BLM just approved a pipeline for livestock, a new gold mine and is in the process of permitting a second mine — all of this without a plan to protect the herd and habitat.

The HMA and AML

The “BLM 2020 plan” is an AML-driven “remove and stockpile” agenda that has utilized funding to accelerate the status quo, not reform. The agenda to reduce wild horses and burros to the levels found at the time of the passage of the Act is evident today.

Rough estimates by BLM state there were 25,300 wild horses on BLM land in 1971 when Congress passed the Wild Free-Roaming Horses and Burros Act. When a census was finally performed in 1974, it was estimated there were 42,000 wild horses and 15,000 burros. Instead of seeing that number as a recovery of the animals due to protections, intense pressure came from the livestock industry to reduce those numbers back to the ’71 estimates. BLM was more than happy to oblige as they were facing increasing pushback from the proposals to create a “multiple use mission” to provide for rangeland preservation in the newly-proposed Federal Land Policy and Management Act (FLPMA) that became law in 1976 setting off the Sagebrush Rebellion.²⁶

According to the BLM 2020 Report to Congress, the national total wild horse and burro AML is 26,715 animals. The agency states that ten western states can only sustain 2,900 wild burros and about 23,800 wild horses. These same ranges support millions

²⁵ “Path Forward” (can be accessed here: <https://www.energy.senate.gov/services/files/0869B02B-E9C5-4F0B-9AE8-9A8A1C85293E>)

²⁶ Southern Poverty Law Center (SPLC) timeline of the Sagebrush Rebellion.



of privately-owned livestock and rapidly-expanding, water-dependent extractive industry.

AMLs today reflect a “1 horse to acreage” ratio range from 1:600 to 1:5200 utilizing the FY 2022 BLM Herd Area and Herd Management Area Statistics report as source material.

These numbers clearly reflect political pressure and not rangeland science nor any assertion of protection and management planning.

A lack of HMAP planning has clearly allowed the BLM to drive removals of wild horses and burros (and stockpiling in holding facilities) based on flawed and nontransparent AMLs set in land use plans and carried over in gather planning.

AML alone is not a determination of excess. The triggers for removal would be outlined within an HMAP and involve a process of defining management goals and approval of any population growth suppression timing and methods, including removals. A data-driven HMAP should be able to address site-specific population growth rates and analyze any population growth suppression triggers that would not compound problems in management and address the concept of excess as more than a (political) number.

The AML methodology used to set population levels driving the removal policy is not transparent nor scientifically rigorous. In 2008 the GAO reported “BLM has set AML for 197 out of 199 HMAs” and that AML had been set inconsistently from district-to-district as “BLM has not provided specific formal guidance to the field offices on how to set AML.” In 2013 the National Academy of Sciences (NAS) came to the same conclusion in 1980, 1982 and 2013.²⁷

In response to the 2013 NAS report the BLM began to change methodology for population counts. In partnership with USGS, the agency began employing visual counting followed by inputting the information through a new modeling program to increase the estimate based on terrain and visibility. These new methods accounted for what appeared to the public to be an unexplained population explosion in the numbers being reported by the agency after adopting the new methodology.

The agency changed counting methods but did not account for the old methods used to set AMLs. The new numbers compared to the AML set under old survey methods illustrated a faulty illustration of assertions of overpopulation (over AML).

BLM continues to rely adamantly on a broad assertion that population increases in wild horse herds each year by 20% (growth rate) when determining capture plans based primarily on AML. In 2013, the National Academy of Sciences (NAS) concluded that “most free-ranging horse populations managed by BLM are *probably* growing at 15-20

²⁷ NAS, *Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward* (2013) 12.



percent a year.” In yearly reviews of on-range data, growth can be as low as 7% (ex. Massacre Lakes) and as high as 24% following a large removal (over 25% of the existing population). A key finding of the 2013 NAS report: “Management practices are facilitating high horse population growth rates.” Furthermore, “Thus, population growth rate could be increased by removals through compensatory population growth from decreased competition for forage. As a result, the number of animals processed through holding facilities is probably increased by management.”²⁸

2020 Plan Goals (AML)

BLM will state that they officially manage 177 Herd Management Areas (HMA) on 26,917,766 acres.

A Herd Area (HA) is now a term used to describe an area once managed for horse and burro populations, but is no longer managed for their use. Although it is within the current authority of the Secretary of Interior to repatriate HA acreage, no HA has ever been repatriated for horse and burro use. HA acreage in the U.S.: 42,304,802. More acreage has been removed from wild horse and burro use than is managed for their use.

The number of actively-managed HMAs in the US (that have an AML over 1 horse or burro) is now 173. There are 4 HMAs that have not been reverted to HA status (no longer managed) through the NEPA process that currently have an AML of “0.”

The BLM 2020 plan asserts that the main objective is reaching AML for 177 HMAs. The goal is to achieve low AML where the agency has set a range for AML.

Chart compiled from the FY 2022 BLM Herd Area and Herd Management Area Statistics report to illustrate the 2020 plan AML goal distribution westside.

AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH	4	9	22	28	37	19	15	7	2	2
WB		3	5	1	5	4	2		1	
WH&B		1		2	3	3			1	1
Totals	4	13	27	31	45	26	17	7	4	3

²⁸ NAS, *Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward* (2013) 20.



Important points to note about the FY 2022 Statistics Report:

Some of the population survey data used to compile BLM FY2022 estimates includes HMAs where the last population count was done as early as 2005 and 2010. Several of these areas have experienced removal operations since the last population count.

4 HMAs have an AML of “0.”

44 HMAs have an AML of 25 animals or less.
146 HMAs have AML set lower than 150.

Only 30 HMAs have an AML set at over 150 wild horses, burros, or a combination of the two.

Only 3 HMAs allow for a large population of over 500; the largest being 612.

Calculations being used by the BLM to continue the increase of funding to facilitate the continuing escalation of removals cite a percentage measure representing a nationwide overpopulation. These assertions are severely skewed by inclusion of HMAs that have an existing horse population, yet have an AML of zero (0).

Example: GOLDFIELD NV is listed with an AML of 0, and 246 horses estimated to exist in the area creating a 24600% over AML stat that is included in the national estimate denoting a percentage of wild horses and burros “over AML.”

The manner in which AML was set, the number of times oversight reports have determined the severely flawed methodology for determining AML, and the lack of actual management planning (HMAP), should exclude AML from being the impetus for increases in funding to drive toward that figure.



BLM 2020 Plan Goals: State-By-State

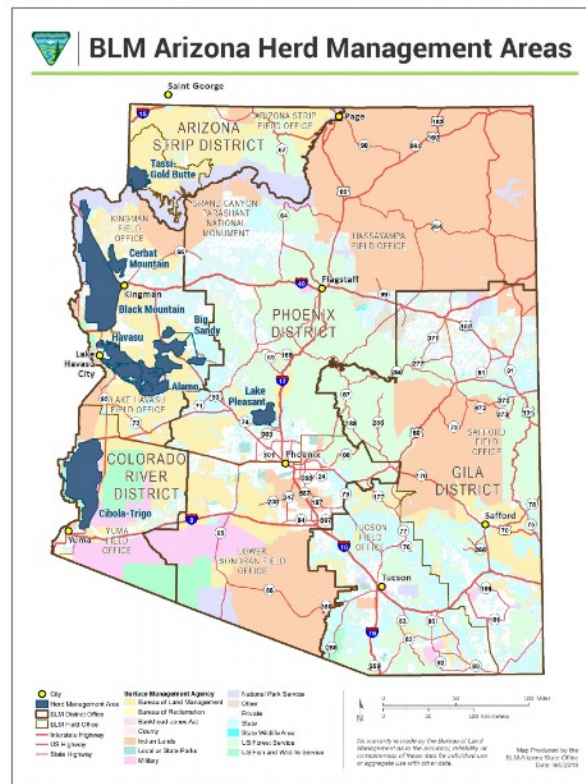
These maps and charts are presented to demonstrate the BLM 2020 Plan AML goal (low AML) in relation to HMA distribution. HA acreage totals are calculated based on designations made in the early 1970s.

Arizona

Arizona lists 8 HMAs on the website: ALAMO, BIG SAND, BLACK MOUNTAIN, CERBAT MOUNTAINS, CIBOLA-TRIGO, HAVASU, LAKE PLEASANT, TASSI-GOLD BUTTE HMA. Only 7 are included in the FY 2022 Statistics report as Tassit-Gold Butte has been removed from HMA status.

BLM HA acreage in AZ: 2,019,027 HMA acreage: 2,296,269

The AML goal for AZ is 192 wild horses and 1,148 wild burros on approximately 2.3 million acres.



AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH					1					
WB						3	1		1	
WH&B									1	
Totals					1	3	1		2	



California

California lists 21 HMAs on the FY 2022 report, including 2 managed jointly with USFS. The HMAs in the NE of CA exist physically in the state of NV.

BLM HA acreage in CA: 5,170,931 HMA acreage: 2,533,722

The AML goal for the state of California is 1,081 wild horses and 365 wild burros on approximately 2.5 million acres.



AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH		3	6	3	1	2				
WB		1	1		1	1				
WH&B					1					1
Totals		4	7	3	3	3				1

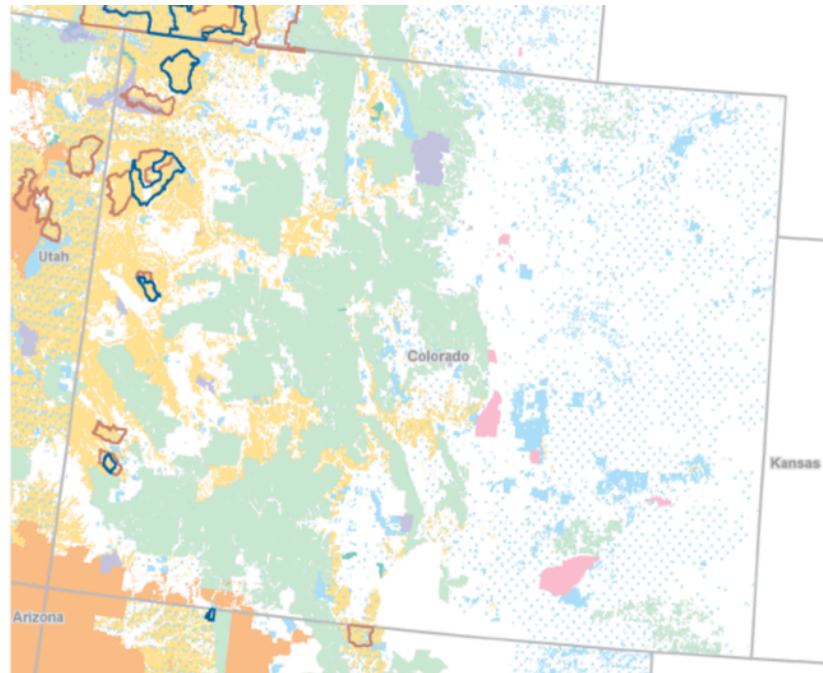


Colorado

Colorado manages only 4 HMAs.

BLM HA acreage: 723,095 Total HMA acreage: 404,013

The (low) AML goal expressed in the BLM 2020 plan for Colorado is 438 wild horses and 0 burros on approximately 400,000 acres of designated HMA land.



AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH				1	1	1	1			
WB										
WH&B										
Totals				1	1	1	1			

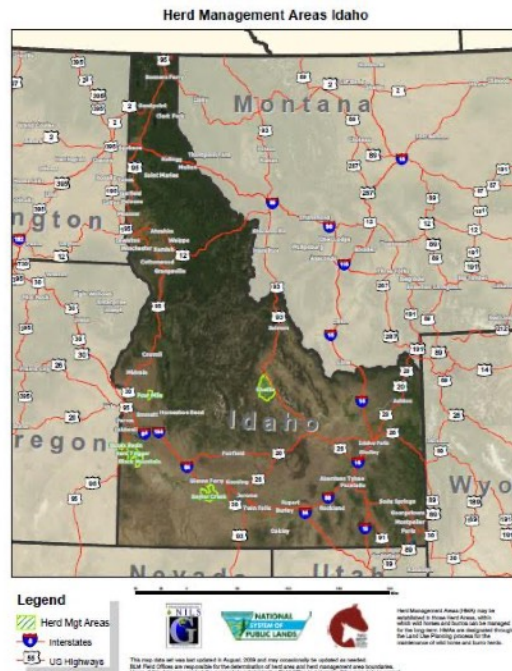


Idaho

BLM Idaho manages 6 wild horse HMAs.

BLM HA acreage: 420,783 Total HMA acreage: 418,268

The AML goal is 401 wild horses and 0 burros on approximately 418,000 acres.



AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH				4	1		1			
WB										
WH&B										
Totals				4	1		1			

Montana

The entire State of Montana only manages 1 wild horse range, the Pryor Mountains on about 36,000 acres. **The low AML goal is 90 wild horses.** The joint management plan is currently under review.

BLM HA acreage: 103,844 removed for horse use.

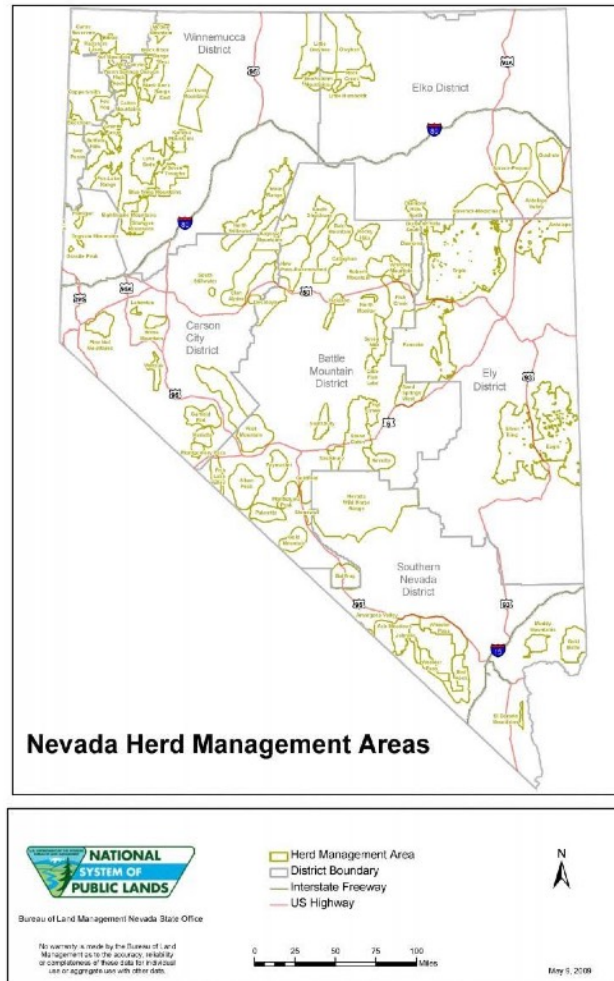


Nevada

BLM Nevada manages 83 wild horse and burro HMAs, 4 of them with an AML set at 0. More than half of the remaining wild horse populations exist in the state. Over 80% of the land base of NV is public lands.

BLM HA acreage: 19,642,941 Total HMA acreage: 15,666,201

The AML goal for the state is 7,134 wild horses and 463 burros on approximately 15.6 million acres.

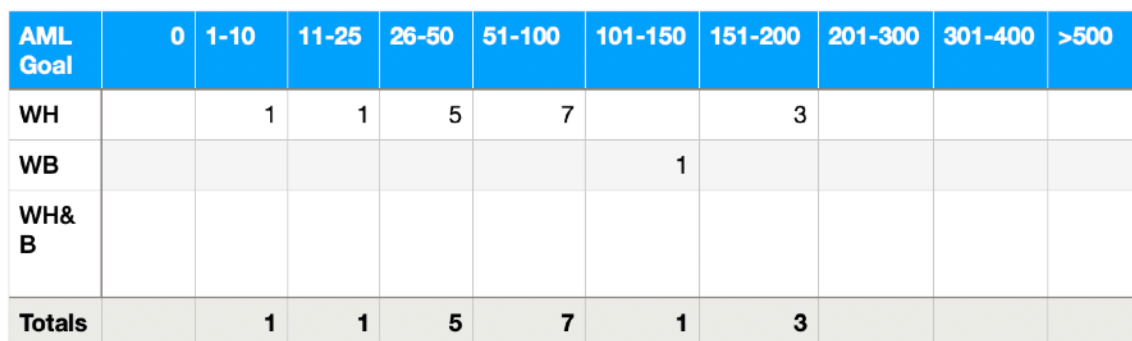


AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH	4	5	8	8	14	14	6	5	1	1
WB		2	4	1	3					
WH&B		1		2	2	2				
Totals	4	8	12	11	19	16	6	5	1	1

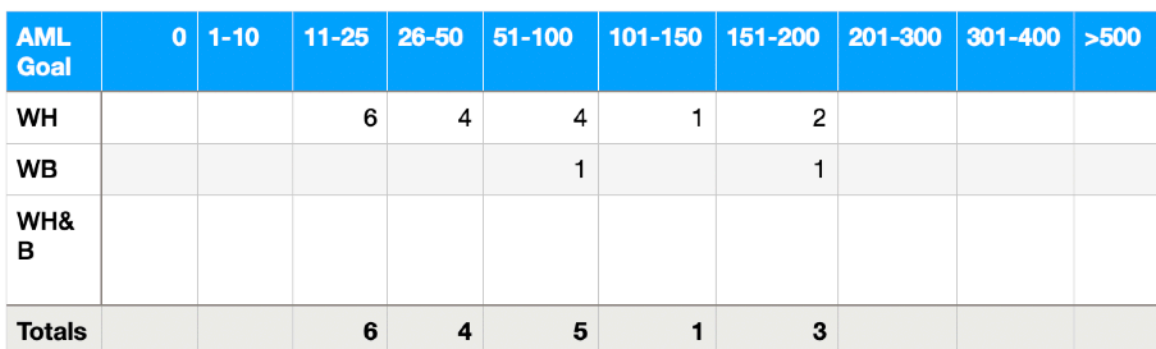


BLM only manages 2 HMAs in New Mexico. Bordo Atravesado has a low AML of 40 wild horses and Carracas Mesa (that adjoins Jicarilla Apache Reservation and additional USFS WHT) has a set AML for BLM land of 23 horses.
BLM HA acreage: 88,655 Total HMA acreage: 28,613.
The AML goal is 58 wild horses and 0 burros on nearly 29,000 acres.

BLM Oregon manages 17 Herd Management Areas (HMA) in southeast Oregon and co-manages one Wild Horse Territory (Murders Creek) for a total of 18.
BLM HA acreage: 3,608,660 Total HMA acreage: 2,978,751
The AML goal is 1,341 wild horses and 15 burros on over 2.9 million acres.



BLM Utah manages 19 wild horse and burro HMAs.
BLM HA acreage: 3,224,891 Total HMA acreage: 2,451,227
The AML goal is 1,004 wild horses and 110 burros on nearly 2.5 million acres.



Wyoming

BLM Wyoming manages 16 wild horse HMAs.

BLM HA acreage: 7,301,975 Total HMA acreage: 4,779,373

The AML goal for the state is 2,520 wild horses and 0 burros on nearly 5 million acres.



AML Goal	0	1-10	11-25	26-50	51-100	101-150	151-200	201-300	301-400	>500
WH				2	7	1	2	2	1	1
WB										
WH&B										
Totals				2	7	1	2	2	1	1



Appendix 1

1996 HMAP Report, Nevada



Excess Herd Management Name Burros	Herd Area Code	BLM Acres	Other Acres	Total Acres	Management Status	Year HMAP Signed	Horse AML	Est. Horse Pop.
NEVADA								
AMARGOSA VALLEY	NV511	10000	13000	23000	HM AREA		0	0
ANTELOPE	NV401	390553	9782	400335	HM AREA	93	311	348
ANTELOPE RANGE	NV211	83009	48751	131760	REMOVE ALL		0	105
ANTELOPE VALLEY	NV107	462040	1500	463540	HM AREA	93	240	411
APPLEWHITE	NV518	27814	0	27814	HM AREA		20	28
ASH MEADOWS	NV509	200000	20000	220000	REMOVE ALL		0	0
AUGUSTA MTNS	NV311	210000	6000	216000	HM AREA		269	436
BALD MTN	NV603	120000	0	120000	HM AREA		362	276
BLACK ROCK RANGE EAST	NV209	91300	3804	95104	HM AREA		93	400
BLACK ROCK RANGE WEST	NV227	92543	8047	100590	HM AREA		93	420
BLOODY RUNS	NV204	43991	31856	75847	REMOVE ALL		0	0
BLUE NOSE PEAK	NV514	86695	0	86695	HM AREA		20	20
BLUE WING MTNS	NV217	17913	0	17913	HM AREA	87	29	30
BUCK-BALD	NV403	613950	13080	627030	HM AREA		426	798
BUFFALO HILLS	NV220	123141	9269	132410	HM AREA		314	305
BULLFROG	NV629	126900	700	127600	HM AREA		12	0
BUTTE	NV407	430770	5730	436500	HM AREA	93	116	127
CALICO MTN	NV222	155594	1572	157166	HM AREA		333	785
CALLAGHAN	NV604	153000	0	153000	HM AREA		245	1817
CHERRY CREEK	NV406	44269	0	44269	HM AREA		11	0
CLAN ALPINES	NV310	320000	2800	322800	HM AREA	93	979	1016
CLOVER CREEK	NV517	33653	0	33653	HM AREA		40	50
CLOVER MTNS	NV516	175717	0	175717	HM AREA		60	60
DEER LODGE CANYON	NV521	106607	0	106607	HM AREA		50	130
DELAMAR MOUNTAINS	NV515	190234	1336	191570	HM AREA	82	100	150
DESATOYA	NV606	124000	0	124000	HM AREA		217	182
DIAMOND	NV609	122000	0	122000	HM AREA		205	614
DIAMOND HILLS NORTH	NV104	70000	0	70000	HM AREA		95	202
DIAMOND HILLS SOUTH	NV412	10500	0	10500	HM AREA		22	375
DOGSKIN MTN	NV302	7600	0	7600	HM AREA	94	12	46
DRY LAKE	NV410	494335	0	494335	HM AREA		94	64
EAST RANGE	NV225	310605	120790	431395	REMOVE ALL		0	0
ELDORADO MTNS	NV501	22734	81210	103944	REMOVE ALL		0	0
EUGENE MTNS	NV207	39540	37989	77529	REMOVE ALL		0	0
FISH CREEK	NV612	275000	0	275000	HM AREA		246	315
FISH LAKE VALLEY	NV622	10000	10	10010	HM AREA		50	10
FLANIGAN	NV301	16260	1000	17260	HM AREA	91	104	105
FOX-LAKE RANGE	NV228	171956	5307	177263	HM AREA		204	295
GARFIELD FLAT	NV313	146800	3200	150000	HM AREA		125	290
GOLD BUTTE	NV502	176878	96890	273768	HM AREA		0	0
GOLD MTN	NV628	92000	50	92050	HM AREA		50	0
GOLDFIELD	NV626	62000	0	62000	HM AREA		103	0
GOSHUTE	NV108	250800	0	250800	HM AREA		160	363
GRANITE PEAK	NV303	4800	0	4800	HM AREA	93	15	28
GRANITE RANGE	NV221	88436	13214	101650	HM AREA		258	375
HIGHLAND PEAK	NV522	137776	1849	139625	HM AREA	87	50	40
HORSE MTN	NV307	53000	160	53160	HM AREA	92	75	61
HORSE SPRING	NV308	18000	12000	30000	REMOVE ALL		0	0
HOT CREEK	NV616	40476	35584	76060	HM AREA		41	50
HOT SPRING MTNS	NV203	49324	21139	70463	REMOVE ALL		0	0
HUMBOLDT	NV224	243046	198886	441932	REMOVE ALL		0	0
JACKSON MTNS	NV208	274510	8490	283000	HM AREA		230	360
JAKES WASH	NV408	67045	0	67045	HM AREA		35	58
KAMMA MTNS	NV214	54573	2872	57445	HM AREA	87	64	53
KRUM HILLS	NV206	30780	23220	54000	REMOVE ALL		0	0
LAHONTAN	NV306	10500	1000	11500	HM AREA	92	9	40
LAST CHANCE	NV510	78895	3342	82237	HM AREA		0	0
LAVA BEDS	NV215	231744	0	231744	HM AREA	87	119	333
LITTLE FISH LAKE	NV614	26420	83488	109908	HM AREA		54	60
LITTLE HUMBOLDT	NV102	64075	8406	72481	HM AREA		107	227
LITTLE MTN	NV519	54148	410	54558	HM AREA	84	50	40
LITTLE OWYHEE	NV200	398160	16560	414720	HM AREA	87	296	740
MARIETTA	NV316	66500	1550	68050	HM AREA	87	0	0
MAVERICK-MEDICINE	NV105	285960	500	286460	HM AREA		332	435



MUGEE MTN	NV210	50000	0	50000	HM AREA		0	0
MEADOW VALLEY MTNS	NV513	94966	0	94966	HM AREA		0	10
MILLER FLAT	NV520	90901	280	91181	HM AREA	82	50	40
MONTE CRISTO	NV402	155330	73610	228940	HM AREA	77	236	232
MONTEZUMA PEAK	NV625	57000	30	57030	HM AREA		118	106
MORIAH	NV413	83673	0	83673	HM AREA		61	152
MORMON MTNS	NV512	175423	0	175423	HM AREA		0	15
MT STIRLING	NV508	30855	27634	58489	HM AREA		50	50
MUDDY MTNS	NV503	61226	79590	140816	HM AREA		0	14
NEVADA WILD HORSE RANGE	NV524	394500	0	394500	HM AREA	95	1000	1350
NEW PASS-RAVENSWOOD	NV602	225000	0	225000	HM AREA		476	416
NIGHTENGAL MTNS	NV219	72218	3801	76019	HM AREA	87	52	235
NORTH STILLWATER	NV229	131104	1325	132429	HM AREA		82	256
OSGOOD MTNS	NV202	68273	53643	121916	REMOVE ALL		0	0
OWYHEE	NV101	371000	3234	374234	HM AREA		150	261
PAH RAH	NV304	8000	18000	26000	REMOVE ALL		0	0
PALMETTO	NV624	71000	200	71200	HM AREA		76	1
PAYMASTER-LONE MTN	NV621	85000	0	85000	HM AREA		48	75
PILOT MTN	NV314	495000	800	495800	HM AREA		346	692
PINE NUT	NV305	216000	72000	288000	HM AREA		179	357
RATTLESNAKE	NV523	75461	0	75461	HM AREA		20	10
REVEILLE	NV619	125400	920	126320	HM AREA		165	165
ROBERTS MTN	NV607	132000	0	132000	HM AREA		150	127
ROCK CREEK	NV103	115500	38500	154000	HM AREA		200	562
ROCKY HILLS	NV605	124000	0	124000	HM AREA		135	442
SAND SPRINGS EAST	NV405	386776	0	386776	HM AREA		257	309
SAND SPRINGS WEST	NV630	203868	35	203903	HM AREA		49	241
SEAMAN	NV411	361318	0	361318	HM AREA		159	120
SELENITE RANGE	NV212	126186	3903	130089	REMOVE ALL		0	53
SEVEN MILE	NV613	80936	7492	88428	HM AREA		105	122
SEVEN TROUGHS	NV216	130161	17749	147910	HM AREA	87	124	324
SHAWAVE MTNS	NV218	88927	18214	107141	HM AREA	87	60	325
SILVER PEAK	NV623	186000	12000	198000	HM AREA		200	50
SLUMBERING HILLS	NV205	64962	14585	79547	REMOVE ALL		0	0
SNOWSTORM MTNS	NV201	133138	12400	145538	HM AREA	87	140	200
SONOMA RANGE	NV223	148799	60779	209578	REMOVE ALL		0	0
SOUTH SHOSHONE	NV601	180000	0	180000	HM AREA		85	232
SOUTH SLUMBERING HILLS	NV230	15181	14585	29766	REMOVE ALL		0	0
SOUTH STILLWATER	NV309	7600	0	7600	HM AREA	95	25	16
SPRING MTN	NV504	297653	278232	575885	HM AREA		97	115
SPRUCE-PEQUOP	NV109	138000	0	138000	HM AREA		81	82
STONE CABIN	NV618	392176	12205	404381	HM AREA	82	364	297
STONEWALL	NV627	21800	0	21800	HM AREA		43	0
TOANO	NV110	57500	57500	115000	REMOVE ALL		0	14
TOBIN RANGE	NV231	185322	9754	195076	HM AREA		19	18
TRINITY RANGE	NV232	89712	46215	135927	REMOVE ALL		0	15
TRUCKEE RANGE	NV213	91664	78084	169748	REMOVE ALL		0	0
WARM SPRINGS CANYON	NV226	82305	831	83136	HM AREA		175	590
WASSUK	NV312	60000	20000	80000	HM AREA		123	141
WHISTLER MTN	NV608	60000	0	60000	HM AREA		28	47
WHITE RIVER	NV409	98534	0	98534	HM AREA		90	77
WILSON CREEK	NV404	689185	0	689185	HM AREA		171	77
----OUTSIDE HERD AREAS	NV000	0	0	0			0	290

NEVADA TOTALS		16877402	1994473	18871875			13534	22796



Glossary

AML

Appropriate Management Level

Appropriate Management Level is the wild horse/burro population number allowed to live on public lands, usually with a low to a high range, as determined by governmental agencies BLM/USFS.

BLM

Bureau of Land Management

The Bureau of Land Management is an agency within the United States Department of the Interior responsible for administering federal lands with oversight of over 247.3 million acres, it governs one eighth of the country's landmass. An agency legally-charged by WFH&BA with protecting WH&B preservation through adequate resources and habitat capable of sustaining healthy, viable, well-integrated numbers in their legally-designated areas through minimally feasible interference.

CFR

Code of Federal Regulations

The CFR is the codification of the federal government's rules and regulations published in the Federal Register. Specifically, Part 4700—protection, management, and control of wild free-roaming horses and burros.

DOI

Department of the Interior

The United States Department of the Interior is one of the executive departments of the U.S. federal government. The Department of the Interior manages public lands and minerals, national parks, and wildlife refuges and upholds Federal trust responsibilities to Indian tribes and Native Alaskans. Additionally, Interior is responsible for endangered species conservation and other environmental conservation efforts.

FLPMA

Federal Land Policy and Management Act

Passed in 1976 is referenced as the primary management responsibilities of the BLM: “multiple use” mandate. FLPMA also charges that federal lands remain a public domain.

FY

Fiscal Year



GAO

Government Accounting Office

The U.S. Government Accountability Office is a legislative branch government agency that provides auditing, evaluation, and investigative services for the United States Congress.

HA

Herd Area

Areas designated after 1971 for horses and burros on BLM land. Those lands were then decreased into HMAs for various reasons and the term HA now means an area that had horses on it in 1971 but have been “zeroed out.” The original boundaries were arbitrary and did not take seasonal herd movement into account and set up one of the basic flaws that still exist in the system.

HMA

Herd Management Area

Herd management areas shall be established for the maintenance of wild horse and burro herds. In delineating each herd management area, the authorized officer shall consider the appropriate management level for the herd, the habitat requirements of the animals, the relationships with other uses of the public and adjacent private lands, and the constraints contained in § 4710.4 (CFR). The only NEPA document for wild horses and burros specifically noted in the CFR.

HMAP

Herd Management Area Plan

The authorized officer shall prepare a herd management area plan, which may cover one or more herd management areas. Legal Source: 43 CFR § 4710.4.

NAS

National Academy of Sciences

Four organizations make up the Academies: the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine and the National Research Council. Considered one of the most credible science institutes in the world.

NEPA

National Environmental Policy Act

NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions.

PRIA

Public Rangelands Improvement Act

The Public Rangelands Improvement Act of 1978 defines the current grazing fee formula and establishes rangeland monitoring and inventory procedures for Bureau of Land Management and United States Forest Service rangelands. The Public Rangelands Improvement Act (PRIA) of 1978 amended the 1971 WFRH&B Act to direct



the Secretaries of the Interior and Agriculture to determine appropriate management levels (AML), maintain a current inventory of wild horses and burros, and determine whether and where overpopulation exists in a thriving natural ecological balance (TNEB).

TNEB

Thriving Natural Environmental Balance

A state of dynamic equilibrium within a community of organisms in which genetic, species and ecosystem diversity remain relatively stable, subject to gradual changes through natural succession.

USFS

United States Forest Service

A Federal land management agency under the United States Department of Agriculture (USDA). An agency legally-charged by WFH&BA with protecting WH&B preservation through adequate resources and habitat capable of sustaining healthy, viable, well-integrated numbers in their legally-designated areas through minimally feasible interference.

WFRH&B Act

Wild Free-Roaming Horses and Burros Act

"Congress finds and declares that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West; that they contribute to the diversity of life forms within the Nation and enrich the lives of the American people; and that these horses and burros are fast disappearing from the American scene. It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands."

WH&B

Wild Horse & Burro

