



BRIAN SANDOVAL  
*Governor*

STATE OF NEVADA  
**DEPARTMENT OF WILDLIFE**

1100 Valley Road  
Reno, Nevada 89512  
(775) 688-1500 • Fax (775) 688-1595

KENNETH E. MAYER  
*Acting Director*

RICHARD L. HASKINS, II  
*Deputy Director*

PATRICK O. CATES  
*Deputy Director*

June 14, 2011

Rosemary Thomas  
District Manager  
Bureau of Land Management  
702 North Industrial Way  
HC 33 Box 33500  
Ely, NV 89301

Dear Ms. Thomas:

The Nevada Department of Wildlife (NDOW) is legislatively charged with managing the wildlife of the State of Nevada. While NDOW is not responsible for the management of wild horses, we frequently have to deal with the challenges of having wild horses and burros sharing the state's rangelands with wildlife. The health of our rangelands is essential for wildlife, maintenance of biodiversity and providing for multiple uses of the landscape. NDOW supports the policy of "multiple use" on federally administered land, as identified in the Federal Land Policy Management Act of 1976, and understands that wildlife interests may not always take precedence. We also recognize that rangelands must be actively managed so that future generations can enjoy the beauty and the resources they possess. Thus, if wild horses and burros are not managed properly, it affects "all users" of federal lands.

Scientific literature and our experience in Nevada tell us that wild horses and burros are not self-limiting. Left unchecked, wild horse and burro numbers can increase by 20% or more each year. They double in population every four to five years. In most of Nevada, they have expanded well above the high end of Appropriate Management Levels (AML) that are dictated by Bureau of Land Management's (BLM) Resource Management Plans. In fact, wild horses are now occupying range that they historically have never before occupied. Without active management, we also know that even if cattle were removed and wildlife eliminated, wild horses and burros would over-populate to the point where they would suffer massive die-offs from starvation and dehydration. We find that fact lacking in compassion and totally unacceptable.

Wildlife populations are kept in check through hunting, predation and other natural processes. Livestock use is controlled through limits outlined in the grazing permits issued to ranchers. Because modern wild horses and burros are introduced species, they have few natural enemies and are protected from hunting, illegal capture or harassment under federal law. In the absence of effective controls, wild horse and burro numbers will exceed the point where the land can support them. Before that occurs, significant negative impacts will occur on wildlife.

As much as possible, the BLM gathers and removes wild horses and burros from rangelands to protect land health. The excess animals are transported to BLM holding facilities, where they are prepared for adoption through the Adopt-A-Horse (or Burro) Program.

The majority of Nevada's wild horses and burros are captured using helicopters and motorized vehicles. NDOW has decades of experience in large game animal captures, transplants and augmentations with the use of helicopters. We have proven that the use of helicopters is safe for both the animal and the personnel involved. Additionally, it is more cost effective and lessens the need to handle the animals. This is particularly true when working with larger numbers of animals requiring capture over large acreages or in rugged terrain.

As observed by our personnel at captures, helicopters are able to move horses and burros at a pace that allows mares and foals to stay together. BLM personnel have been observed on-site throughout the gather operation to assure humane treatment of the captured animals.

BLM and NDOW monitor rangeland conditions to determine when signs of excess usage are evident and removals are necessary to restore the range to a thriving natural ecological balance and prevent a deterioration of the range or impacts to wildlife populations.

NDOW regularly reviews and comments on environmental assessments that address gathers and on new strategies developed by the BLM to address horse and burro management. We have been a strong supporter of the strategy to gather and remove excess animals and the new strategies that are working to control feral horse numbers through the use of chemical immuno-sterilization and adjustment of sex ratios.

Congress amended the *Wild Free Roaming Horses and Burros Act (WFRHBA)* in 1976 to provide BLM with the authority to use helicopters to inventory and assist in capturing animals and the use of motorized vehicles to transport captured animals. Section 3 (b) (2) of the 1971 WFRHBA provides BLM with that authority to remove wild horses and burros from the range. This statute requires BLM to remove excess animals from the range when overpopulation exists and removal is necessary to restore a thriving natural ecological balance and to protect the range from the deterioration associated with overpopulation of horses and burros.

The 1971 WFRHBA requires BLM to manage horses and burros as wildland species and not as livestock. In managing the animals, BLM uses the minimum feasible level of management necessary to achieve healthy populations of horses and burros in balance with other uses and the land's capability.

Prior to the passage of the 1971 WFRHBA, mustangers used fixed wing aircraft and motorized vehicles to roundup wild horses and burros with none of the controls we have today. Since the passage of the 1971 Act, all capture and handling activities are conducted in accordance with established *Standard Operating Procedures* (SOPs). BLM personnel are on site throughout the capture operation to assure humane treatment of the animals.

The use of helicopters and motorized vehicles has proven to be a humane, effective and practical means for the gather, removal and/or translocation of large animals including wild horses and burros. This is demonstrated by the BLM's capture of nearly 23,000 excess animals during 2004-2008 in Nevada with a mortality rate of one-half of one percent (.005%). NDOW has enjoyed similar success while trapping and translocating numerous big game species including elk, mule deer, pronghorn antelope and bighorn sheep. Generally speaking, wildlife managers involved in the handling of large, wild animals feel that a mortality rate of 5% or less is acceptable given the nature of the animals and the conditions present during the handling operations.

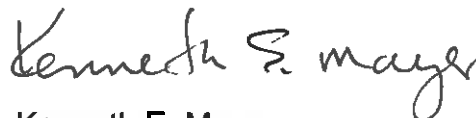
Prior to being awarded a BLM gather contract, potential contractors undergo a rigorous technical program review by a team of experts. Potential contractors must meet all the terms and conditions required in the Bureau's application process and tangibly demonstrate they have the knowledge, skill, ability, expertise, labor and equipment needed to humanely capture, handle and transport wild horses and burros.

BLM takes reports of misconduct by gather contractors very seriously. Such reports are investigated and the BLM takes the appropriate action, up to and including canceling the gather contract depending on the severity of the misconduct.

In the absence of an effective, long-term and affordable means of birth control, capturing and removing excess animals from the range is needed to protect rangeland condition and herd health. Thus, it is our considered opinion that the use of aircraft is the safest and most efficient method for gathering wild horses.

The Nevada Department of Wildlife appreciates the ability to comment on this important management tool, and advocates for the continued used of helicopters as an effective and efficient means of maintaining healthy herds and healthy rangelands.

Sincerely,



Kenneth E. Mayer  
Acting Director