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Center for Animals and Public Policy

July 24, 2011

Lance C. Porter
Field Manager
Rock Springs Field Office
Bureau of Land Management
280 Highway 191 North
Rock Springs, Wyoming 82901

re: Modified Decision Record, WY-040-EA11-124 (June 13, 2011/June 22, 2011)

Dear Mr. Porter:

I wish to put on record my strong objections to the decision of the Rock Springs Field Office to manage the wild horses on the White Mountain and Little Colorado HMA's as "non-reproducing" or "minimally reproducing" herds. If implemented, either plan would create a semi-free-roaming herd of domestic horses, where the Wild Free-Roaming Horses and Burros Act of 1971 (P.L. 92-195) requires that true wild horses belong.

I write as a Ph.D. zoologist with significant research experience in wild horse behavior and fertility control, and as a former member of the BLM's Wild Horse and Burro Advisory Board (1998-2000). As a member of the Advisory Board, I drafted the first set of BLM guidelines for the use of immunocontraception in wild horse herds (dated April 29, 1999).

The language of the Green River Resource Management Plan is very clear, and consistent with the stated goals of the BLM's Wild Horse and Burro Program. "The objectives for management of wild horses are to…protect, maintain, and control viable, healthy herds of wild horses while retaining their free-roaming nature." Neither the "non-reproducing herd" described in the June 13 Decision Record nor the "minimally-reproducing herd" described in the June 22 Modified Decision Record achieves those objectives.

The horse herds described in the decision records are not viable, and are not meant to be viable. Biologists speak of herd viability in two senses, demographic viability -- the ability to compensate for death or emigration of its members by reproduction and natural immigration – and genetic viability, the ability to maintain sufficient genetic diversity to keep animals healthy, fertile and capable of raising healthy offspring. By design, the proposed management plans do not achieve herd viability under either definition. By sharply reducing – or eliminating -- the reproductive capacity of the herd, it becomes unable to respond to environmental challenges or the loss of membership through attrition, and without intervention it will go extinct. Genetically, gelding (or spaying) removes the animal from the gene pool as effectively as if he (or she) had been removed from the range, thus further reducing the number of animals available to maintain

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genetic diversity and accelerating inbreeding. From a genetic viewpoint, the projected population of 274 horses spread over two HMA's becomes only 97 horses if 177 of them are geldings. Under the original Alternative D, of course, the effective population size is intended to be zero. Under either scheme, AML would be maintained artificially by importing horses from other HMA's. From a conservation and population ecology viewpoint, these are no longer wild horses.

They would also not be wild horses from a behavioral viewpoint. They will not retain their "free-roaming nature," except in the literal sense that they will be able to move around the HMA's without physical restraint. Wild horses typically live in reproductive bands consisting of adult mares, their dependent offspring, and one or more stallions whose lives revolve around trying to protect mares from harassment by other stallions and securing exclusive reproductive access to the mares for themselves; and bachelor bands of stallions whose lives revolve around displacing band stallions and acquiring or re-acquiring reproductive access to mares. Mares, meanwhile, simultaneously bond to one another and compete with each other for access to water, food, and other resources for themselves and their foals. Neither geldings nor spayed mares participate in these fundamental processes of wild horse behavior. Since nearly 2/3 of the horses remaining on the HMA's under modified alternative D would be geldings, the population as a whole will not reflect wild horse behavior.

In that context, I refer also to objective 3 under the Green River Herd Management Plan, which is to "provide opportunity for the public to view wild horses." Under either alternative D, members of the public who view horses at these HMA's will be completely misled and mis-educated about the nature of wild horses and their behavior.

Since the mid-1970's, the BLM has looked to various fertility control technologies to reduce the "excess" population of wild horses. I have been involved with that effort since 1992, both as a researcher contributing to the testing of PZP immunocontraception of wild horses, and as a formal and informal advisor to the BLM on fertility control policy. I can personally attest that, with respect to PZP, BLM has moved very cautiously, subjecting proposed research projects to intensive scrutiny, and discussing, revising, and adopting strict and specific guidelines for its use. Before approving PZP research projects, the BLM has required extensive testing in laboratory and captive settings, detailed documentation of minor side effects, and maintenance of detailed records on treated individuals – even for minor variants of vaccines whose safety and efficacy have been scrutinized for decades. For field use, guidelines adopted by BLM require the adoption of detailed use protocols, extensive NEPA compliance and public involvement, population modeling (to demonstrate long-term viability under the prescribed treatment regime), and other conditions. All this scrutiny, evaluation, and planning has been directed at a vaccine that is demonstrably reversible, has no serious adverse health effects, has no disruptive behavioral effects, preserves genetic viability better than management by gather and removal, and is cost effective.

To the individual wild horses, their bands, and their populations, the reproductive interventions described in Alternative D and Modified Alternative D are, by contrast with PZP, highly invasive, intrusive, and disruptive. Yet they have not been exposed to serious evaluation by either the agency or the public.

Given that PZP represents a better tested, better scrutinized, and far more benign management alternative for fertility control in wild horses; that the language of the Act dictates that, "All management activities **shall** be at the minimal feasible level"(§1333(a)); and that public input was limited to a 30-day comment period on a draft EA in which the proposed alternative was not chosen for implementation, I do not see a defensible justification for implementing the massive sterilization actions contained in the chosen alternatives.

I ask you to reconsider your decision.

Sincerely,

Allen T. Rutberg, Ph.D.
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Disclaimer: The opinions expressed here are my own, and do not in any way represent those of Tufts University or any of its divisions.