

FERAL HORSE LITIGATION OVERVIEW

SOUTHWESTERN WYOMING

1981--ROCK SPRINGS GRAZING ASSOCIATION v DEPARTMENT OF THE INTERIOR

Federal District Court ordered BLM to remove all horses from RSGA lands within one year except those agreed to by RSGA; further ordered removal of all excess horses within two years. RSGA, BLM and Horse groups subsequently agreed to 500 horses within RSGA lands and not more than 1500-1600 total within the Rock Springs District.

1984—10TH CIRCUIT COURT

2003—STATE OF WYOMING v DEPARTMENT OF THE INTERIOR (WSGA Amicus Brief)

The State challenged the BLM's failure to meet their statutory duty to maintain horse populations within AML levels across the 16 HMAs in Wyoming. The state estimated 7,000 horses, more than double the BLM AML. The State and BLM entered into a Consent Decree under which BLM agreed to reduce the numbers to AML within two years; to undertake a census at least every 3 years; to allow the State to petition the Court to compel action if BLM fails to meet the terms of this Decree. The Decree would expire in ten years unless the parties mutually agreed to an extension. This Consent Decree expired in 2013 and was not extended.

2011—HORSE GROUPS v DEPARTMENT OF THE INTERIOR

Challenged BLM's decision to remove horses in the White Mountain and Little Colorado HMAs to the lower AML and to make the White Mountain Herd a non-reproducing herd not to exceed 205 horses.

2013—ROCK SPRINGS GRAZING ASSOCIATION v DEPARTMENT OF THE INTERIOR

Resulted in a Consent Decree, valid for 10 years, under which BLM would permanently remove all horses from the checkerboard lands by eliminating two HMAs and reconstituting a third HMA to remove checkerboard lands while retaining the White Mountain HMA which would be managed for "up to 205-300 horses in a non-reproducing herd.

The 2023 Record of Decision partially complies with the terms of the Consent Decree, but fails to make the White Mountain a non-reproducing herd.

2014—HORSE GROUPS v DEPARTMENT OF THE INTERIOR

Plaintiffs challenged BLM agreement to remove horses from the public portion of the checkerboard. The District Court upheld the BLM position. The 10th Circuit reversed this decision as applied to public lands. BLM then cancelled its planned 2016 gather.

2017-- HORSE GROUPS v DEPARTMENT OF THE INTERIOR

Petitioners challenged BLM's method of counting whereby foals would not be counted as excess horses in meeting gathering targets. The State of Wyoming and RSGA intervened.

2023-- ROCK SPRINGS GRAZING ASSOCIATION v DEPARTMENT OF THE INTERIOR

RSGA challenged the BLM's failure to comply with the Consent Decree.

2023—BLM ISSUED ITS FINAL RECORD OF DECISION

2023—HORSE & ENVIRONMENTAL GROUPS v DEPARTMENT OF THE INTERIOR

Challenges the just-released BLM Record of Decision that would remove all wild horses from the checkerboard except for the White Mountain Herd that would remain a reproducing herd. Requests the Court enjoin the BLM from amending the Green River and Rawlins RMP's and from removing horses from the impacted HMAs.