



DEPARTMENT OF AGRICULTURE

Forest Service

Information Collection; Management of Wild Free-Roaming Horses and Burros

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service (Agency) is requesting public comment on the new information collection request (ICR), 0596-NEW, *Management of Wild Free-Roaming Horses and Burros*.

DATES: Comments on the new ICR must be received in writing by [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Comments are encouraged to be submitted by email, if possible. You may submit comments by any of the following methods:

- *Email:* SM.FS.RngMgmtWO@usda.gov.
- *Mail:* USDA Forest Service, Director, Natural Resources, Attention: Gilbert Jackson, 1400 Independence Ave. SW, Mailstop Code: 1103, Washington, DC 20250-1103.
- *Hand Delivery/Courier:* Forest Service, USDA, 1400 Independence Avenue SW, Washington, DC 20250.

Comments submitted in response to this notice may be made available to the public through relevant websites and upon request. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available for public viewing. Please note that comments containing any routine notice about the confidentiality of the

communication will be treated as public comments that may be made available to the public, notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: Teresa Drotar, Rangeland Management Staff, teresa.k.drotar@usda.gov or 970-217-7081. Individuals who are deaf, hard of hearing, or have a speech disability may call 711 to reach the Telecommunications Relay Service, then provide the phone number of the person named as a point of contact for further information.

SUPPLEMENTARY INFORMATION:

Title of Collection: Management of Wild Free-Roaming Horses and Burros

OMB Control Number: 0596-NEW.

Type of Review: A new information collection.

Abstract:

This ICR is necessary to manage wild free-roaming horses and burros as required by 36 CFR 222.60-.76, a final rule published in the Federal Register on January 24, 2003. This regulation requires the Forest Service to determine if overpopulation of wild horses and burros exists and to take immediate action to remove excess animals from that territory. Excess animals are to be placed into private custody. Such action shall be taken to restore a thriving natural ecological balance to the range and protect the range from deterioration associated with overpopulation. The Wild Horses and Burros Protection Act of 1971, as amended by the Federal Land Policy and Management Act of 1976 and the Public Rangelands Improvement Act of 1978, establishes wild free-roaming horses and burros as a part of the natural system where they occur on National Forest System lands. The acts require management, protection, and control of these horses and burros. Four laws important in the protection and control of wild free-roaming horses and burros are the Multiple Use-Sustained Yield Act of 1960, the National Environmental Policy Act of 1969, the Forest and Rangeland Renewable Resources Planning Act of 1974, and the Forest and Rangeland Renewable Resources Research Act of 1978 .

The primary method of data collection is through five newly developed forms intended to support the adoption or purchase of wild horses and burros from the Forest Service. These forms will gather essential information from the public to ensure compliance with applicable laws, track animal selection and placement, assess purchaser qualifications, and document the transfer of ownership. The five forms are:

FS-2200-0032, Request to Purchase Wild Horses with Limitations

The purpose of this form is to collect information from members of the public who are interested in purchasing wild horses and/or wild burros from the Forest Service. The information is used to determine purchaser eligibility, assess the purchaser's ability to provide humane care and adequate facilities, evaluate animal preferences and placement needs, confirm transportation readiness, and document the purchaser's certification and agreement to program requirements.

Information Collected From the Public

- How the applicant heard about the program
- Date of application
- Applicant's full name
- Street address
- City, state, and ZIP Code
- Primary phone number
- Alternate phone number
- Email address
- Whether the applicant has ever been convicted of abuse or inhumane treatment of animals
- Whether the applicant has previously adopted or purchased a wild horse or wild burro from the Forest Service or Bureau of Land Management

Animal and Care Information

- Number of animals the applicant is interested in purchasing
- Preferred number of males and females
- Total number of animals requested
- Preferred height of the animal(s)
- Preferred color of the animal(s)
- Number of acres available for the animals
- Type of facility available, such as corral or pasture
- Description of the facility, including fencing if pasture is used
- Whether the applicant has experience with wild horses, wild burros, or livestock
- Description of relevant animal-handling experience
- Types of feed available, such as hay or grass
- Amount of feed available
- Description of feed resources
- Source of water, such as a tank, a lake, a stream, or a pond
- Description of the water source
- Whether the applicant has a regular veterinarian available to provide care

Transportation Information

- Date the applicant will be ready to pick up the animal(s)
- Type of transportation the applicant will provide, such as stock or horse trailer or other transport
- Description of the transportation arrangement

Certification and Agreement

- Applicant's acknowledgment that purchased wild horses and/or burros cannot be returned to public lands without Forest Service authorization
- Applicant's certification that humane care will be provided

- Applicant's certification that animals will not be sold or transferred to any person or organization intending to resell, trade, give away, or process the animals into commercial products
- Purchaser's signature
- Signature date

Types of Respondents: Households and Individuals

Estimated Annual Burden Per Response: 0.5 hours

Estimated Annual Number of Respondents: 500

Estimated Annual Number of Responses Per Respondent: 1

Estimated Total Annual Burden on Respondents: 250 hours

FS-2200-0033, Bill of Sale with Limitations for Wild Horses and Burros

The purpose of this form is to document the completed sale of wild horses and/or burros by the Forest Service, identify the purchaser, provide proof of ownership, and obtain the purchaser's signed acknowledgment and certification that they understand and agree to the sale limitations and animal care requirements. The form also records the identifying information for the animals sold.

The following items are not collected from the public, but instead are to be completed by the Forest Service as part of the official sales record:

- Last name
- First name
- Middle initial
- Street address
- City
- State
- ZIP Code
- Home phone number
- Alternate phone number
- Email address
- Purchaser signature
- Date signed by purchaser
- Purchaser's acknowledgment and certification that:
 - The purchaser has read and understands the terms of sale
 - The purchaser agrees to provide humane care
 - The purchaser agrees not to maliciously or negligently injure the animals
 - The purchaser agrees not to process the animals or their remains into commercial products

- The purchaser agrees not to knowingly sell or transfer the animals to any person or organization intending to process them, or to resell, trade, or give them away for processing into commercial products
- The purchaser understands that the animals cannot be returned to public land unless authorized by the Forest Service
- The purchaser understands the animals are wild and may not become accustomed to human contact
- The purchaser understands the financial responsibility for care and the need for adequate facilities
- The purchaser understands that the sale is final upon pick-up
- Date of sale
- Office or facility name
- Address of Forest Service office or facility
- Quantity sold
- Authorized officer signature and date
- Certification of payment and date
- Animal identification details, including sequence number, microchip identification number, signalment key, National Forest, territory, and remarks

Types of Respondents: Households and Individuals

Estimated Annual Burden Per Response: 0 hours

Estimated Annual Number of Respondents: 0

Estimated Annual Number of Responses Per Respondent: 0

Estimated Total Annual Burden on Respondents: 0 hours

FS-2200-0034, Wild Horse and/or Burro Selection

The purpose of this form is to allow a member of the public to identify and request specific wild horse(s) and/or burro(s) for adoption or purchase, provide pickup and

transportation information, and communicate handling requests needed for the release of the animal(s). The information is used by the Forest Service to coordinate selection, verify availability, prepare the animal(s) for pickup, and complete adoption or purchase processing.

Information collected from the public

- How the individual heard about the program
- Date of form submission
- Last name
- First name
- Middle initial
- Name(s) of person(s) transporting the animal(s)
- Trailer description
- Loading requests
- Requested pick-up date
- Whether the individual requests the animal to be haltered
- Whether the individual requests the Forest Service to remove the animal's neck tag
- Whether the individual requests a health certificate
- Selected animal number(s)
- Selected neck tag number(s)
- Selected animal gender
- Selected animal color
- Selected animal markings
- Selected animal age
- Whether each selected animal is for adoption or purchase

Section C on the form is labeled “**Forest Service Only**” to capture internal agency processing information rather than information collected from the public. This includes availability confirmation, adoption completion, purchase completion, comments, verification of sorting and loading, and approving official information and signature.

Types of Respondents: Households and Individuals

Estimated Annual Burden Per Response: 0.2 hours

Estimated Annual Number of Respondents: 400

Estimated Annual Number of Responses Per Respondent: 1

Estimated Total Annual Burden on Respondents: 80 hours

FS-2200-0035, Agreement for Maintenance and Care of Wild Horses and Burros

The purpose of this form is to document a maintenance and care agreement between the Forest Service and a private cooperator for wild horses and burros declared excess and made available for private maintenance. The form is used to identify the cooperator, link the cooperator to the animals covered by the agreement, document acceptance of the terms and conditions for humane care and custody, and establish ongoing reporting and compliance responsibilities.

Information collected from the public

- Last name
- First name
- Middle initial
- Street address
- City
- State
- ZIP Code
- Home phone number
- Alternate phone number

- Email address
- Cooperator's signature
- Date signed by cooperator
- Notice of address change within 30 days, if applicable
- Notice of death or serious health problems involving the animal(s) within seven days, if applicable
- Written statement from a licensed veterinarian attesting to the present condition and treatment of the animal, unless waived in writing, as part of an application for title

The animal identification fields in Section C are primarily completed by the Forest Service to identify the animals covered by the agreement rather than being collected from the public. These fields include:

- Sequence number
- Microchip identification number
- Signalment key
- National Forest
- Territory
- Remarks

Section E is also completed by the Forest Service, including approval information such as the authorized officer's signature, title, and date.

Types of Respondents: Households and Individuals

Estimated Annual Burden Per Response: 0.25 hours

Estimated Annual Number of Respondents: 300

Estimated Annual Number of Responses Per Respondent: 1

Estimated Total Annual Burden on Respondents: 75 hours

The purpose of this form is to collect information needed to evaluate whether a wild horse or burro is eligible for title transfer and whether the adopter/cooperator is providing proper care and an adequate environment. The form is used to verify the animal's identity, document its physical condition, assess the adequacy of feed, water, shelter, fencing, and overall care, and obtain the certifications and signatures needed to support the title application review.

Information collected from the public

- Cooperator's/adopter's last name
- Cooperator's/adopter's first name
- Middle initial
- Street address
- City
- State
- ZIP Code
- Home phone number
- Alternate phone number
- Email address

Animal identification information submitted with the form

- Microchip number
- Species
- Sex
- Color
- Markings
- Brands
- Age
- Notes

Animal physical condition information submitted with the form

- General attitude and demeanor
- Appetite
- Body condition score
- Skin and coat condition
- Mane and tail condition
- Comments on visible wounds or scars
- Movement condition for each limb
- Head, face, and throat appearance
- Left eye condition
- Right eye condition
- Mucous membrane condition
- Limb appearance
- Hoof appearance
- Body, neck, and back appearance
- Underbelly appearance
- Tail and under-tail appearance
- Sheath

Care environment information submitted with the form

- Type of shelter
- Whether shelter size is adequate or inadequate
- Fencing adequacy and description of type, condition, and safety hazards
- Enclosure size
- Number of horses
- Number and species of other animals
- Manure accumulation

- Ammonia odor level
- Fly presence
- Water availability and quality
- Hay availability, quality, and quantity
- Other feed availability, quality, and quantity

Supporting documentation and certifications

- Illustration or notation of wounds, scars, brands, and other notable items
- Photographs from the day of inspection
- Adopter's signature
- Adopter's date
- Inspecting the officer's signature, credentials, title, and date
- Licensed veterinarian's signature, state/license number, title, and date

Types of Respondents: Households and Individuals

Estimated Annual Burden Per Response: 0.5 hours

Estimated Annual Number of Respondents: 350

Estimated Annual Number of Responses Per Respondent: 1

Estimated Total Annual Burden on Respondents: 175 hours

The collected data will help verify that individuals or entities acquiring animals have the necessary facilities and resources to provide humane care, as required by the program. This information is critical to advancing the Forest Service's goal of achieving Appropriate Management Levels on National Forest System rangelands while ensuring the welfare of excess animals. These forms are being submitted to the Office of Management and Budget for approval as a new information collection request under the Paperwork Reduction Act. The report below includes the total of five forms.

Estimated Annual Burden Per Response: Between 12 and 30 minutes to complete, depending on complexity and required detail.

Types of Respondents: Households and Individuals.

Estimated Annual Number of Respondents: 1550.

Estimated Annual Number of Responses Per Respondent: 1.

Estimated Total Annual Burden on Respondents: 580 hours.

Comment is requested on (1) whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the package submitted to the Office of Management and Budget for approval of the new ICR.

Lisa Northrop,

Associate Deputy Chief State, Private, and Tribal Forestry; National Forest System.

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