

CERTIFICATE

The undersigned, Les Minthorn and N. Kathryn Brigham, hereby certify that they are the Chairman and Secretary, respectively, of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation, and at a regular meeting of said Board of Trustees at the Board Chambers of the Nixyáawii Governance Center, Mission, Oregon, on the 30th day of September, 2013, a quorum of said Board was present and the following Resolution was regularly moved, seconded, and adopted by a vote of 6 for, 1 against, and 0 abstaining.

RESOLUTION

- WHEREAS,** the Board of Trustees is the governing body of the Confederated Tribes of the Umatilla Indian Reservation (Confederated Tribes) by the authority of Article VI, Section 1 of the Constitution and Bylaws of the Confederated Tribes, adopted on November 4, 1949 and approved on December 7, 1949, as amended; **AND**
- WHEREAS,** pursuant to Article VI, Section 1(b) of the Constitution and Bylaws, the powers of the Board of Trustees include the authority “to manage all affairs of the Confederated Tribes, including the administration of tribal lands, funds, timber and other resources, under appropriate contracts, leases, permits and loan or sale agreements”; **AND**
- WHEREAS,** pursuant to Article VI, Section 1(e) of the Constitution and Bylaws, the powers of the Board of Trustees include the authority “to exercise any rights and powers heretofore vested in the Confederated Tribes, but not expressly referred to in this Constitution, or any powers that may in the future be delegated by an agency of local, state or Federal government”; **AND**
- WHEREAS,** due to the cultural, environmental, and economic significance of feral horses to the Confederated Tribes, the Board of Trustees approved a Feral Horse Policy for the Confederated Tribes of the Umatilla Indian Reservation in Resolution 11-010 (January 31, 2013); **AND**
- WHEREAS,** the primary goal of the Feral Horse Policy is to maintain a herd of un-owned horses on the Umatilla Indian Reservation that meets the tribal membership’s desire to maintain such horses on the landscape, while managing the herd to limit the negative impacts to range health and agricultural productivity; **AND**
- WHEREAS,** since the enactment of the Feral Horse Policy in 2011, horse populations have expanded dramatically on the Umatilla Indian Reservation (from approximately 307 in December 2009 to approximately 539 in August 2013); **AND**

WHEREAS, the Board of Trustees held a work session regarding feral horses on August 14, 2013, at which it directed staff to develop changes to the Feral Horse Policy necessary to reduce horse populations to an acceptable level; **AND**

WHEREAS, tribal staff has developed amendments to the Feral Horse Policy which would require the CTUIR to carry out emergency culling of feral horse herds on an expedited basis when the population exceeds the target range, **AND**

WHEREAS, staff presented the proposed Feral Horse Policy revision to the CTUIR Fish and Wildlife Commission on September 10, 2013, after which the Commission made the decision to take no formal position on the proposed changes; **AND**

WHEREAS, at a work session held September 25, 2013, the Board of Trustees reviewed Exhibit 1, consisting of the Feral Horse Policy with additions shown in underline and deletions in ~~striketrough~~. **NOW, THEREFORE, BE IT**

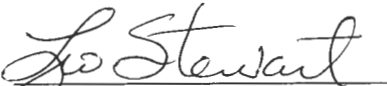
RESOLVED, that the Board of Trustees approves the revised Feral Horse Policy attached as Exhibit 2, which shall take effect immediately; **AND BE IT FURTHER**

RESOLVED, that the Board of Trustees appropriates \$50,000 from the contingency fund and directs staff of the Range, Agriculture and Forestry Program (RAF) to use such funding to carry out emergency culling of the feral horse herd; **AND BE IT FINALLY**


RESOLVED, that the Board of Trustees directs the RAF Program to report back to the Board of Trustees on its progress in reducing the feral horse population by the close of the 2013 calendar year.

AND, that said Resolution has not been modified amended or repealed and is still in full force and effect.

DATED this 30th day of September, 2013.


Les Minthorn, Chairman
Board of Trustees

ATTEST:


N. Kathryn Brigham, Secretary
Board of Trustees

RESOLUTION NO. 13-036
TOPIC: Amended CTUIR Feral Horse Policy
Department: DNR RAF
Exhibits: 2
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Exhibit 1: Feral Horse Policy Showing Proposed Revisions
Exhibit 2: Final Version of Revised Feral Horse Policy

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Leave</u>
<u>Les Minthorn, BOT Chairman</u>				<u>Travel</u>
<u>Leo Stewart, BOT Vice Chairman</u>				
<u>Rosenda Shippentower, BOT Treasurer</u>	<u>X</u>			
<u>Kat Brigham, BOT Secretary</u>	<u>X</u>			
<u>Fred Hill, BOT Member</u>	<u>X</u>			
<u>Bob Shippentower, BOT Member</u>	<u>X</u>			
<u>Armand Minthorn, BOT Member</u>	<u>X</u>			
<u>Aaron Hines, General Council Chairman</u>		<u>X</u>		
<u>Woodrow Star, BOT Member</u>	<u>X</u>			

Feral Horse Policy
for the
Umatilla Indian Reservation

I. Executive Summary:

A. Policy Organization

Because of the cultural, environmental and economic significance of horses to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Board of Trustees has directed the development of a policy governing the management of current and future feral horse populations on the Umatilla Indian Reservation (UIR). Much of the important work that community members and staff are doing on the UIR is negated by negative impacts caused by excessive feral horses. Section II of this Feral Horse Policy ("Policy") describes the history of horses on the UIR and the context underlying their cultural importance to the CTUIR. Section III outlines the current conditions associated with feral horses on the UIR and demonstrates the concerns and impacts associated with overgrazing, trampling, and infrastructure damage on UIR agricultural, range, and forest lands. Section IV of the Policy sets forth the policy objectives the CTUIR seeks to achieve regarding feral horses on the UIR. Finally, Section V describes the management tools that CTUIR staff will implement to achieve these objectives. The broad goal of this Policy is to manage a sustainable feral horse herd in balance with the CTUIR's natural resource, cultural and economic goals and values.

B. Introduction

According to Cayuse tradition, sometime in the early 1700s, a war party of Cayuse and Umatillas were camped on the Malheur River, a tributary of the Snake River. Some scouts were on the bluffs that overlooked the river to watch for their enemy, the Snakes or Shoshone. They saw something that caused great bafflement. The Shoshone appeared to be riding either elk or large deer. The scouts hurried back to tell their war chief of this strange sight. The chief sent other warriors to find out the reason for what he thought must surely be a trick. They, too, saw what appeared to be their enemies riding either elk or large deer. Puzzled, the group crept in for a closer look. Much to their amazement, they discovered that the hoofprints were not split but solid and round. Thoroughly disturbed by this discovery, they deserted the war plan for peace instead. They arranged a truce with the Shoshone and asked to trade for some of these amazing creatures. The reply was a stern "no!" The Cayuse and Umatilla warriors laid down all they had to give. Finally, the Shoshone consented and gave a mare and a stallion. The party went back home with the pair of Spanish descent horses. The Indians treated these treasured gifts with great care, and the following year the mare gave birth to a colt. The acquisition of this natural but significant animal changed the culture and lifeways of the Cayuse, Umatilla, and Walla Walla people forever.

Livestock have been an integral part of the culture of the CTUIR since the early 18th century. The people's primary mode of transportation was by either foot or water prior to the introduction of the horse. From that time on, large herds of both cattle and horses were accumulated and maintained by members of the Tribes. As early as 1847, Tribal members were journeying to California to purchase cattle. By 1890, the Tribes possessed approximately 20,000 horses and 3,000 head of cattle (UIR Draft Range Management Plan 2008).

Non-Indian livestock have impacted the UIR since its establishment. The foothills of the Blue Mountains contain true grasslands, shrub-grasslands, and forest stringers. Prevalent grazing impacts began with the development of cattle and sheep ranching after 1870. The poor condition of the plant communities in many parts of the UIR is a result of prolonged heavy grazing and past introductions of aggressive annual grasses. This occurred mostly in the period extending from the 1880's to the 1920's when large numbers of sheep, cattle, and horses were grazed. Numbers of cattle and sheep peaked around 1900. The reservation and surrounding area was markedly changed as a result of improperly timed, continuous, and often excessive grazing. The preferred forage plants have diminished and been replaced by less preferred plants (UIR Draft Range Management Plan 2008).

Natural ecosystems have been further altered by the introduction of exotic plant species. These plant species became established and spread on private and Indian trust lands. Consequently, plant diversity, site stability, and the economic and social value of rangeland and forests have been reduced.

The UIR is located in the transition from the Palouse prairie and the Blue Mountain lava plateau. The major characteristics distinguishing the UIR grasslands from other North American grasslands is that the climax vegetation is dominated by bluebunch wheatgrass, or bluebunch wheatgrass is a co-dominant with either Idaho fescue or Sandberg's bluegrass. Culturally important root plants and medicinal plants occur in UIR plant communities that must be maintained and/or enhanced.

Rangelands on the UIR are used in multiple ways by Tribal members. Some areas are extremely productive in cultural foods. Other areas are excellent habitat for big game, therefore providing subsistence hunting opportunities to Tribal members.

The CTUIR Department of Natural Resources (DNR) has adopted a mission based on the "First Foods" ritualistically served in a tribal meal. The mission seeks to utilize the First Foods to bring attention and understanding to ecological processes that may be devalued or undermined outside of Tribal culture.

The CTUIR DNR realizes the poor condition of the UIR rangelands. To better serve the tribe in a manner consistent with the First Foods management strategy the DNR strives to set plant community composition trends in a direction back to a native, productive and resilient plant community.

II. Historical and Cultural Context of Feral Horses on the UIR:

A. Pre-Treaty Era

It is believed that Spanish mustangs that inhabited the Plains came from horses lost by Cortez, and that the Indian horses were selected from wild Spanish horses.

Regardless, the first Indian horses came to North America via Spanish Conquistadors in the sixteenth century. The first horses from Spain were relatively unselected. The Spanish horses carried the blood of Spanish Barbs, Arabians, Lipizzaners, along with other European breeds.

Comanche people later emerged as the early entrepreneurs in the horse trade between Indian tribes and French settlements east of the Mississippi. Horses spread out of the southwest in primarily two directions: north to the Shoshone and Cayuse and from them to the Nez Perce, and Flatheads and east to other tribes.

There are few theories of how the Cayuse breed may have descended from the French-Norman horses introduced to North America in the 1600s. Most French horses were Percherons, which the natives used to improve their breeds.

Later, the French Canadians brought the horses to the American territory. It was reported that they traded horses in St. Louis with the Pawnee Indians, who then bartered them further west. Eventually, the natives crossed the sturdy French horses with the smaller Spanish horses to produce a horse which had not only speed, but endurance.

By the 1800s, the Cayuse horse had become a breed of its own. The Cayuse Indians, known throughout the Northwest for their expert horsemanship, continued to develop this French-Spanish Barb strain through selective breeding. The French horse had the ability to pass on the tendency for spots or a profusion of white markings, the Cayuse Indians produced some of the most colorful horses. The Appaloosa, Paint and Pinto breeds demonstrate the influences of the Cayuse horse.

Horses were adapted to the Indian lifestyle. Horses created a dramatic change in the Indian Culture, but the Indian's hunter-gather lifestyle did not materially change. Indians still did the same things in the same ways except they used horses.

The horse culture of the Umatilla, Cayuse and Walla Walla Tribes is of significant cultural and traditional value to Tribal members and deserves our attention to protect and preserve.

1. Travel and Trade Network

The acquisition of the horse added power and wealth to their mobility which allowed the Cayuse to break out of their homelands, driving northward to the Columbia River, southward to California, eastward to the Plains and westward to the Willamette Valley. The horse insulated the CTUIR from abandoning their traditional practice of seasonal resource gathering that encompassed the Columbia River and stretched to the tops of the Blue Mountains, for an economy based on trapping fur bearing animals.

The horse really began to change the travel and trade network amongst the Tribes because they were able to travel further distances in shorter periods of time. Horses were often times traded in exchange for salmon, skins, buffalo robes mats, silk and bear grass, roots.

For example, at the Grande Ronde Valley, Cayuses exchanged salmon and horses for Shoshone roots, tipis, and elk and buffalo meat. Much they retained for themselves, trading a part once more, along with their own products. In traffic with such Plains tribes as the Crow they exchanged roots, horses and horn bows for Plains clothing, tipis, parfleches, woman's saddles and other possessions.



The travel and trade network changed further with the introduction of the non-Indian and their trade items. The fur trade began in the late 1700s with Oregon coastal tribes and quickly spread inland. With the non-Indian came the military in the early 1800s in Oregon territory.

With the introduction of non-Indian trade goods began the trade of horses for such items as blankets, beads, cloth, food provisions, kettles, spoons, and later the introduction of cattle and oxen to the area in the 1830s. The Cayuse had been the first Indians in the vicinity of Fort Nez Perce to trade beaver and horses for guns and ammunition. However, they showed more interest in caring for and trading horses than furs. Occasionally, horses were given to aid white men in their expedition to cross mountains.

2. Wealth and Status

Cayuse trade continued to be chiefly in horses, which never ceased to be an important measure of their wealth. Prestige and wealth were partially reflected by the number of horses that a person owned. Horses were a reflection of status, not only wealth of horses but also evidence by those in high status, headsman, sometime being buried with their favorite horse.

3. The Use of Cayuse Horses

While Indian people to the east of the Cayuse were trading animal pelts to non-Indians for goods, the Cayuse could obtain these same goods by trading horses.

The Cayuse adopted the Great Plains philosophy of war as their own power grew and as others learned to respect it. Cold, taciturn, and high-tempered, they fought less for territory than for booty and glory. Young Cayuse males soon learned that by bringing home captured women, children and horses they could raise their status in the eyes of their people. Among the Cayuses, as among peoples of the coast and unlike those of the Great Plains, status and possession were rooted in individuals and family groups rather than bands or tribes.

In preparation for war, the Cayuses decorated themselves and their horses with paint, feathers, and other trappings. Young men who wished to prove themselves on their first raid trailed off to steal horses.



The Indians preferred white horses, with mottled black and white their second choice. The animals' necks were dappled with streams of red and yellow; tails were black and red, clubbed in a knot, and tied short. Head and tail were ornamented, the former with a feather cluster some twenty inches above the ears and the latter with two feather streamers and, as the trade increased, ribbons. In sum, the Indians augmented nature's coloration by painting and otherwise decorating their mounts as they did themselves, creating an illusion of physical unity between man and beast to match what they considered the mystical union between them. At no time was this more apparent than when chiefs and warriors maneuvered their mounts before a battle.

In their migrations they depended upon their mounts, which were also excellent pack horses, carrying up to three hundred pounds of gear and supplies, such as lodge mats and robes. Children were tied on gentle animals. And when the Cayuses made camp, the pack horses were turned loose to graze nearby as their owners set up housekeeping.

4. Grazing

Many of the Umatilla, Walla Walla, and Cayuse people became excellent horse breeders, maintaining large herds. The traditional homelands were rich with abundant grass covered hills for grazing.

In 1805 Lewis and Clark wrote about observing the large horse herds on their journey down the Columbia River. In 1811, the Astor party was astonished by “the sight of some four thousand horses grazing nearby” along the Columbia River. In 1812, the Hunt party arrived to the Umatilla River Basin near present day Pendleton stating they were especially grateful for the horse herds, as they had struggled down the Snake, across the Powder, Grand Ronde and the Blue with barely a living horse left.

The Cayuse, Umatilla and Walla Walla had thousands and thousands of horses that they needed areas for them to graze. There wasn't enough grazing area so they had to spread the horses out. The Cayuse used to graze horses all through the Umatilla Basin, across the Columbia River on the Horse Heaven Hills, all the way to Hanford to the north, on the east side of the Blue Mountains from the Grande Ronde country all the way to Huntington, to the John Day River country in the south and all the way to Cascades in the west.

5. Horse Herds

Traditional lifeways gradually evolved to include horse culture, which can be seen in trade practices from pre-Treaty to Treaty and post-Treaty times. When the Tribes entered into the Treaty, the event of the Oregon Trail had already made Native people interested in securing enough land for their horse and cattle herds (which were part of this new economy as well). Young Chief's desire for the Grande Ronde Valley at the Treaty was a testament to this fact. In the post-Treaty era, allotment acts, divided and diminished lands, limited access to seasonal migration routes, and struggles to secure hunting and fishing rights define the historical context.



6. Excerpts of Treaty Council Meeting Minutes:



"God named the roots that he should feed the Indians on: the water speaks the same way: God says feed the Indians upon the earth: the grass says the same thing: feed the horses and cattle."

- the Young Chief, Cayuse

"We have been tiring one another for a long time. We did not know our hearts, we did not understand each other on both sides, about this country. We have so many horses and cattle in this country is the reason we were troubled. Your marking out this country is the reason it troubles me so."

- the Young Chief, Cayuse

"The horse carries you whither you wish to go, yourself, your wife, your children; and your packs; he works in your fields."

- Gov. Isaac Stevens

"The line of the Cayuse Reservation will be where the trail crosses the Walla Walla, thence in a straight line to the Umatilla below Wm McKay's house, from thence north of the butte, straight to John Day's River. The reason why that shall be the line is that they want more room for their horses and cattle."

- Looking Glass

This wealth in horses helped support the gradually evolving Indian economy at the time of the settlement of the Oregon Country and the later establishment of the reservation.

B. Post-Treaty Era

1. Negotiations of Land Use and Access

Trade in horses and/or grazing rights often figured into "friendly" early negotiations of land use and access to traditional resources. It is evident that horses were more than simple trade objects. They were embedded socially within the culture, creating friendly negotiating tools in contact times over which to establish good relationships and perhaps create a reciprocal relationship into the future.

2. Decline of the Horses

By 1890, the Umatilla Indian Reservation was the leading livestock producing reservation in the United States. In a few short years, however, the rapidly changing landscape saw the demise of our once great horse herds.

Maintaining our horse herds was difficult because the range lands were all allotted and closed. Our dependence upon the horse was reduced once the railroad was constructed in 1881. In essence, we were forced to give up one of our most precious resources. Our annual expeditions, round ups, and horse races, and horse breeding were all but a memory in the few Cayuses and Appaloosas that remained.

3. Selling the Horses

The loss of the horses was devastating. Our life as a free and mobile people had now succumbed to the inevitable changes that were taking place. At the turn of the century, it seemed as if our great horse herds were disappearing before our eyes. Even though a few herds remained, many were later rounded up, sold, and used as dog food, glue, and fertilizer.

4. Wild Horse Round Ups

In the 1940s, wild horse round ups on the Umatilla Indian Reservation took place at Thornhollow, Telephone Ridge, Cayuse, Gibbon, above St. Andrews Mission, Meacham, Boiling Point, Big Johnson, north side of McKay Creek, mouth of Rail Creek, Red Spring, Coyote Canyon, Starkey, and Kamela. Horse corrals were located throughout the Umatilla Indian Reservation.

In the spring, the Indian people would go into the mountains and round up the herds. Once they were rounded up into a corral the horses would mill and mill until they mothered up, like cows, the colts would go with their mothers and then the people could see their brand. The herd was communal, all run together as tribal horses. Tribal members who found and caught a slick, an unbranded colt two years or older, could keep it as their own. (Oral history from Douglas Minthorn, 2003)



To participate in the wild horse round ups you had to be male, at least fifteen years old, and know how to rope and handle horses. There were usually 20-25 horse wranglers rounding up 200-300 head of horses.

Wild horse caught were either claimed and branded or sold. The claimed and branded horses were usually turned loose until the next round up. The ones they wanted to sell were sold to non-Indians for \$25 - 30. Demost Birdsmen used to buy a lot of horses for the Army.

In the 1950s, a Hollywood company filmed the *Great Sioux Uprising* movie on the Umatilla Indian Reservation. Some of the wild horses were used in this movie. However, after filming was completed, the tribal superintendent at the time rounded up all the wild horses and had them shipped off to a cannery in Portland. The non-Indian ranchers had been complaining about the wild horses getting into their wheat crops. Tribal elders say this was one of the last wild horse round ups held on the Umatilla Indian Reservation.

Wild horse round ups came to an end in the 1950s.

5. Pendleton Round Up

Since 1911 tribal members have been participating in the Pendleton Round Up and since 1916 the Happy Canyon Night Show. Tribal members participate in the week-long event camping in teepees, traditional dancing, horse races, parades, beauty pageants, and other round up events. Happy Canyon is known as the world's most unique Indian Pageant because of tribal member and horse participation.



6. Adaption

“Ritual is an order informed by thousands of years of experience with the landscape.” (Eric Quaempts quote). Even though the horse was introduced into the culture, the animal was “adopted” in and adapted to, becoming part of the traditional, cultural and physical landscape as if it had always been

there. The methods and tools may change over time but the values remain. Methods will continue to change but the goals and the purpose of the Tribes remains consistent.



7. Feral Horses on the UIR

The feral horses currently present on the UIR bear little resemblance to the Cayuse breed. Most horses on the UIR demonstrate characteristics of ranch horses bred by locals and turned out. Some horses escaped adjacent pastures and become established on UIR rangelands. Many of the colors bred into the Cayuse horse have been replaced by sorrow, black and dun colors and the horses are taller than the Cayuse breed. The horses inhabiting UIR range and forest lands genetically do not represent the historic horses.

III. Current Feral Horse Conditions / Management Challenges:

The current populations of feral horses on the UIR create various management challenges. These horses are removing substantial forage necessary to support wildlife and livestock. Excessive removal of native forage plants leads to invasion of non-native annual grasses that may eventually begin out-completing culturally significant plants. Additionally, as forage resources become scarce horses will eventually turn to grazing many of the native forbs including culturally significant plants. Additionally, due to their year-round unmanaged use of Tribal range units, feral horses are nullifying positive impacts of proper livestock management.

Feral horses have numerous effects on the cultural and natural resource environments of the UIR including, but not limited to:

- Impacts on springs, water developments, and riparian areas

- Impacts on wildlife habitat
- Impacts on livestock distribution and use of water facilities
- Interference with management efforts to increase forage availability for livestock and wildlife
- Create direct competition for forage
- Damage resources through year-round grazing
- Negate benefits of planned range management using livestock

In order to effectively implement any other grazing management improvements, feral horse numbers must be controlled. Until feral horse numbers are controlled, changes in livestock management will have little positive impact (Alexander J. 2010). Horses are a domesticated large herbivore with few natural population controls and are well adapted to thrive yearlong on the rangelands of UIR. They will concentrate on an area until it is utilized well beyond a sustainable level (Alexander J. 2010). The appropriate population level for feral horses on the UIR is ultimately a political decision. There is no biological answer regarding the appropriate stocking rate for feral horses.

A. Key Management Issues:

Cultural Significance: The horse culture of the Umatilla, Cayuse and Walla Walla Tribes is of significant cultural and traditional value to Tribal members and deserves our attention to protect and preserve. However, the combination of past and present livestock management with the current unmanaged populations of feral horses threatens other significant cultural and traditional resources of the UIR. The loss of traditional food and medicinal plants, the direct impact to cultural sites from erosion and trampling, and the loss or degradation of fish and wildlife habitats are all examples of the cultural impacts caused by feral horse populations.

Overstocking: With the increasing feral horse numbers, CTUIR range units are overstocked, and livestock grazing capacity is reduced. For instance, at a population of 250 horses, which is much lower than the highest count, an additional 375 Animal Units (AUs) must be added to the stocking rate of Range Unit 6. While the entire feral horse population is not necessarily in the range unit at any one time, RAF estimates the current horse population uses 1500 Animal Unit Months (AUMs) of the available grazing capacity in Range Unit 6 during a four month grazing season.

Overgrazing: Wilson & MacLeod (1991) state "Overgrazing is defined as occurring where there is a concomitant vegetation change and loss of animal productivity arising from the grazing of land by herbivores." Range Unit 6 is currently permitted for 1111 total AUMs (843 trust AUMs and 268 Tribal Fee AUMs). The stocking rates were designed to achieve 50% utilization of forage in the upland plant communities to provide high quality forage for wintering elk and deer. Water developments, mineral placement, and pasture rotations are designed to achieve maximum distribution of cattle grazing to minimize the negative and maximize the positive impacts of grazing. With the addition of 825 AUMs harvested by unmanaged feral horses and the poor condition of plant community composition, overgrazing is an issue.

Economic Loss: Income to individual Indian landowners and the CTUIR from the affected range units will be reduced due to the reduction in permitted cattle required because of overgrazing by feral horses.

Infrastructure Damage: Horses tend to be territorial animals. Bachelor studs attempt to pick up mares from other groups. As a result studs often fight for breeding rights mares. Additionally, horses compete for water and forage. During these processes structural developments, such as fences and spring developments are often damaged, resulting in additional costs and personnel time to repair infrastructure.

Native Plant Communities: Continual damage to native plant species allows for colonization by competitive invasives such as cheat grass and medusahead rye. Overgrazing decreases the productivity of native grasslands and changes floristic composition, with losses in plant diversity and desirable species. Colonization by invasives impedes the ability of native forbs, including roots and medicines, to compete for valuable soil moisture and nutrients to the point of removal from most UIR plant communities. Tribal gatherers have seen food gathering areas lost from invasion of annual grasses.

Rangeland Health: Rangeland health is defined as the degree to which the integrity of the soil, vegetation, water and air as well as the ecological processes of the rangeland ecosystem are balanced and sustained (USDA NRCS 1997). The native bunchgrasses are highly susceptible to over-grazing. Uncontrolled grazing by feral horses increases pressure on the grassland plant communities and degrades rangeland health.

Forage Competition: Dietary overlap occurs between elk, cattle and horses, putting them in direct competition for grass. Competition for grass becomes evident as grass species dry down during the summer. McGinnis (1987) reported dietary overlap of 70% when he compared diets of horses, cattle and pronghorn, and grasses made up 94% of the overlap. Native bunchgrasses, such as bluebunch wheatgrass and Idaho fescue, provide more palatable and nutritious forage to elk and deer than the introduced grass species. The native bunchgrasses are highly susceptible to over-grazing and therefore forage competition and overgrazing together enhances the ability for non-native grasses to invade and out compete native vegetation.

Trampling of Spring Sites: Small, isolated springs sites provide green forage in late summer and early fall, after vegetation in the uplands are cured. The green forage is sought after by numerous wildlife species, including big game, rabbits, grouse, and songbirds. Horse impacts on these small springs are often heavy to severe in late summer and fall. It is not uncommon for vegetation immediately around such springs to be totally removed. Continual trampling of these sites can and has sealed off water flow that is vitally important to terrestrial wildlife on the UIR.

Damage to Agricultural Lands: Use of cropland by feral horses, primarily on the North side of the Umatilla River, causes significant reduction in the yield of such lands, causing economic harm to the CTUIR and its members, as well as non-Indian farmers.¹ While crop insurance often reimburses for such losses, the potential exists that insurers could decide in the future not to cover damage caused by

¹ RAF estimates that on an average 80 acre wheat field that potentially produces 60 bushels per acre, crop damage caused by feral horses could result in nearly a \$30,000 loss of wheat production revenue between the farmer and landowner, at current market prices (2013).

feral/wild horses. Additionally, horses grazing on fields enrolled in the USDA Conservation Reserve Program may lose eligibility and farmers could be responsible for paying back past program payments.

B. Current UIR Horse Population Estimates and Trends:

1. Aerial Survey Data:

The DNR Wildlife Program has conducted aerial and ground counts of feral horses beginning in November 2005. Total numbers counted have ranged from 125 to 539, with the highest count in August 2013. These numbers should be considered conservative estimates as all animals are never counted during a survey. Feral horse surveys indicate that the feral horse population is on the rise.

Table 1. Feral Horse Aerial Survey Population Data.

Survey	Sampling Area		Total
	North of the Umatilla River	South of the Umatilla River	
December 2005	80	109	189
September 2006	69	56	125
March 2007	115	129	244
March 2008	70	100	170
December 2009	124	183	307
August 2013	247	292	539

2. Population Trends / Recruitment Rates

Feral horse recruitment rates vary from 5% to over 20% (Eberhardt et al. 1982, Turner 1988). Populations in southeast Oregon typically have recruitment rates of 15 to 20% (Eberhardt et al. 1982, USFWS) and rates on the UIR have averaged 15% since 2005. Wolfe (1980) found 72% survival over a 4-year period. At this rate horse populations can double every 5 to 10 years.

A total of 307 horses were counted during an aerial survey of the UIR conducted in December 2009. Using that figure as a starting point, in 2010, RAF projected the future size of the UIR feral horse population using various recruitment rates. 15% recruitment was used as the primary rate for the estimate because it is consistent with CTUIR data regarding past population growth. For comparison, projections based upon 5% and 20% recruitment rates are shown in parentheses. Fifteen percent should be considered a conservative estimate of the recruitment rate based on the literature.

2009 population estimate: 307

Population estimate projections at **15%** recruitment (5%, 20%) using 2009 count as a baseline:

Year 3: **467** (355, 530)

Year 5: **617** (392, 764)

Year 10: **1241** (500, 1901)

RAF conducted a 2013 (Year 3) aerial survey which resulted in a count of 539. This indicates an actual recruitment rate of slightly greater than 20% since the 2009 count.

The natural recruitment rate is exacerbated due to abandonment of horses on the UIR. The current market conditions for horses, as well as and the cost of care, contribute to this problem. Although conclusive proof of horse abandonment on the UIR does not exist, RAF estimates that at least 17 horses have been dumped at various locations on the UIR. Evidence of such abandonment exists in the temperament of the horses discovered through trespass reports and the presence of horses in new locations.

IV. Feral Horse Management Objectives:

A. Manage a sustainable population of wild/feral horses:

As outlined above, excessive feral horse populations on the UIR create a host of problems including resource and infrastructure damage and economic loss. However, the horse is also a significant part of the CTUIR's history and culture and there is a desire to maintain a wild/feral horse population. As such, it is a goal of this Policy to maintain a sustainable feral horse population on the UIR. Based on the 2009 Rangeland Inventory of the UIR, the maximum number of feral horses that can be maintained in balance with competing goals is 100. The desirable population range is between 50 and 100 animals. Due to the natural recruitment rate and horse abandonment issues, the population will need to be reduced periodically to stay within this range. Selective culling should be implemented to maintain the quantity and improve the quality of the horses on the UIR. Culling should be executed to select for traits that resemble the Cayuse horse to move towards replacing this traditionally significant horse.

B. Provide a source of horses for Tribal Members:

It is also an objective of this Policy to provide horses to Tribal Members. This goal can be effectuated both through the culling process and by allowing Tribal Members to capture horses. Future roundups would improve population dynamics and proper culling would help provide horses of traditional significance.

C. Maintain a zero population of feral horses on the north side of the Umatilla River:

Due to primary use as cropland, it is an objective of this Policy to remove existing herds from areas north of the Umatilla River and thereafter to maintain a zero population of feral horses in this area.

D. Allocate forage and habitat between feral horses, livestock, and big game in CTUIR range units:

It is an objective of this Policy to allocate forage resources on the Umatilla Indian Reservation in a manner that allows for the maintenance of a sustainable feral horse herd, while ensuring sufficient forage is available for permitted livestock, as well as resident and wintering big game.

E. Reduce negative impacts to native root, medicine and berry plant communities:

Through implementation of this Policy, the CTUIR intends to limit impacts to native root, medicine, and berry plant communities, to protect the frequency and size of traditional gathering sites, and to implement grazing systems that enhance the quantity and quality of forage resources. Native plant communities require protection for Tribal Members to continue to use rangeland for hunting and gathering

F. Obtain adequate funding for feral horse management:

It is an objective of this Policy for CTUIR programs to seek all available funding to manage feral horse herds and to remove excess horses from the UIR. This includes demanding that the Bureau of Indian Affairs implement its trust responsibility and fund feral horse management on the UIR

V. Management Tools / Procedures:

A. Rangeland/forage planning and monitoring:

Rangeland planning will be used to ensure appropriate allocation of forage necessary to maintain desired feral horse populations in balance with permitted livestock and wildlife needs, while preventing overgrazing and resulting damage to rangeland resources. The DNR Wildlife program estimates 2000 resident mule and white-tail deer residing on the UIR year-round. Depending on severity of winter an additional 500 deer may spend several months on the UIR. Table 2 below demonstrates the forage resources necessary to support the estimated population of non-horse grazing animals inhabiting the UIR throughout the year.

Table 2. Forage resources supporting estimated population of wildlife and permitted livestock.

Grazer	No. of animals	Period of Use	Estimated forage
Resident deer	2000	Jan 1 to Dec 31	3600 AUMs
Wintering deer	500	Nov 1 to Mar 1	300 AUMs
Wintering Elk	1800	Nov 1 to Apr 1	6300 AUMs
Permitted Cattle	200	June 1 to Oct 1	800 AUMs
Total			11,000 AUMs

The desired feral horse population of between 50-100 animals requires an estimated 1080 – 2160 AUMs of additional forage to that listed in Table 2.

The CTUIR will conduct periodic forage inventories to guide RAF in determining appropriate permitted livestock management and to determine necessary enhancement actions to ensure desirable species composition on UIR Rangelands.

1. Permitted Cattle AUM reductions.

To the extent necessary to accommodate the forage needs of the desired feral horse populations, the CTUIR will reduce permitted cattle AUMs in appropriate range units.

B. Feral horse population monitoring:

The RAF will periodically conduct aerial counts of feral horse populations on the UIR to maintain the data necessary to determine whether herd culling is necessary. Such flights will be conducted annually.

C. Culling / Gathers:

The CTUIR will engage in periodic culling/gathers of feral horse herds to maintain horses at acceptable levels based upon the following standards:

1. Routine. Routine culling will be used to maintain UIR horse herds in an acceptable range (between 50 and 100 horses). When engaging in routine culling, surplus horses will be rounded up and made available to tribal members and the non-tribal public as follows:

- a. Horses will first be made available to tribal members through auction;
- b. Horses not purchased by tribal members at auction will be made available at auction to the general public;
- c. Horses left remaining after auction will be made available for adoption free of charge first to tribal members, then the general public;
- d. If horses remain after the auction and free adoption processes, the remaining horses will be transported to regional livestock sales houses for public auction.

2. Emergency. When feral horse herds on the UIR are determined to exceed 125 total animals, the CTUIR shall engage in emergency culling. Emergency culling may be used to reduce the herd into the acceptable range. When engaging in emergency culling, surplus horses must be made available to tribal members for free adoption during the gather only, after which remaining horses will either be transported to a regional livestock sales house for public auction or sold or otherwise transferred by the Tribe. Public notice to tribal members of the time and place of the gather, as well as the adoption procedures, will be given at least 10 days prior to the gather.

D. Tribal Member horse capture.

The CTUIR does not prohibit Tribal Members from gathering feral horses on the UIR. Tribal members are responsible for ensuring that they have obtained any necessary permission to access the lands from which they gather horses.

E. Removal of feral horses north of Umatilla River.

The CTUIR will immediately act to remove all feral horses currently located north of the Umatilla River. These horses will be removed pursuant to the emergency culling procedures outlined above. Subsequent to this initial action, the CTUIR will continually monitor and remove feral horse populations from the north side of the Umatilla River to maintain a zero population in that area.

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