



U.S. Department of the Interior  
Bureau of Land Management

NATIONAL WILD  
HORSE & BURRO  
ADVISORY BOARD

Hilton Garden Inn  
Downtown Boise  
348 S. 13th St., Boise, ID  
83702

July 10-11, 2019

Volume 2

Day 2 Meeting Minutes

U. S. Department of the Interior  
Bureau of Land Management

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DRAFT

## **Thursday, July 11, 2019**

### **Welcome**

#### ***Mr. Fred T. Woehl, Jr., Chair, Wild Horse and Burro Advisory Board***

Mr. Woehl called the meeting to order at 8:00 a.m. and asked any Veterans to first stand and then asked all to stand and join in the Pledge of Allegiance. [Pledge of Allegiance]. Mr. Woehl turned the time over to Bryant Kuechle.

### **Rules of the Room**

#### ***Bryant Kuechle, Facilitator, The Langdon Group***

Mr. Kuechle reviewed the rules of the room:

1. Seating is available for attendees. Anyone needing or wishing to stand will stand in the designated area behind the seats. All attendees are to stay in the seating or standing area at all times, unless addressing the Board during the public comment period.
2. Speakers and other attendees will not approach the dais at any time without prior consent from the Chair of the meeting.
3. Media will check in at the door and will be guided to the space designated for cameras.
4. No attendees will be allowed to place microphones, cameras or other equipment in the space set aside for the Board meeting.
5. All attendees will show mutual respect for each other and for speakers and Board members. This includes refraining from using cell phones or talking while the meeting is in session.
6. If anyone disrupts the meeting they will be asked to leave or be escorted out.
7. Those wishing to address the Board will sign in at the door. Speakers will address their comments to the Board, while seated at the designated speaker table. Generally, speakers have about 3 minutes each and are asked to finish in the designated time to allow for the maximum number of individuals to express their viewpoints.
8. Attendees wishing to provide handouts to the Board will leave handouts with the BLM representative at the door. Handouts will not be brought to the speaker's table and no one will be allowed to approach the Board with handouts.
9. Within the meeting room, attendees may not display signs, placards, or other items that are likely to obscure the view of participants or disrupt the meeting.
10. The Board will not respond to comments made during the public participation period. This should not be interpreted to mean the members of the board agree or disagree with anything said.
11. The Chair reserves the right to comment on any factual inaccuracies that may be shared during the public comment period.
12. The BLM commits to maintaining these rules for the benefit of all involved and appreciates everyone's cooperation with these rules.

Table 1 - National Wild Horse and Burro Advisory Board Members

<b>NATIONAL WILD HORSE &amp; BURRO ADVISORY BOARD MEMBERS</b>	
<b>Board Member</b>	<b>Representing</b>
<b>Mr. Fred T. Woehl, Jr.</b>	Public Interest (Equine Behavior)
<b>Dr. Tom Lenz</b>	Veterinary Medicine
<b>Ms. Celeste Carlisle</b>	Wild Horse & Burro Advocacy
<b>Dr. Barry Perryman</b>	Public Interest (NRM/Special Knowledge)
<b>Mr. James French</b>	Natural Resource Management
<b>Dr. Sue M. McDonnell</b>	Wild Horse & Burro Research

Mr. Woehl introduced Ms. Leah Baker, and turned the time over to her.

### **Opening Remarks**

***Leah Baker, Acting Assistant Director, Resources and Planning, BLM***

I'm the Acting Assistant Director of Resources and Planning at the Bureau of Land Management. I am also the designated official for this Advisory Board. I want to thank you all for coming today, especially for the board members, for the time you invest, your interest, your expertise, and the energy doing the important work related to how we manage wild horses and burros on public lands.

I'm very grateful also to the members of the public who are joining us today to observe the meeting or to participate in the meeting with your comments and ideas. Thank you all for coming. And I also want to thank our Idaho host, Mr. John Ruhs and his team who have been the hosts for us this week and to the BLM Wild Horse and Burro Program team, my colleagues who work in Washington with me where I work and various locations and our national training center colleagues who have been making this available via live stream. Thank you.

Mr. Rittenhouse also introduced the Wild Horse and Burro Program team. Mr. Woehl introduced the BLM Acting Director, Mr. Casey Hammond and turned the time over to him.

### **BLM Acting Director Comments**

***Casey Hammond, Acting Director, BLM***

Mr. Hammond introduced himself and addressed the Board. I appreciate all of you taking time out of your schedules. As you know, this is one of the biggest challenges we face at the BLM. It's been out there for many years. Prior to this life, I worked for the house of representatives and it's a topic that came up constantly, in the context of the appropriations bills. There was a lot of discussion, a lot of disagreement. But along that way, I came to appreciate the passion this issue brings. That's for good reason. Congress gave us this responsibility to manage the wild horses. It's one that Congress takes seriously and works on diligently every single day.

I hope we have the same goal. We know what the responsibility is. We all want to see healthy wild horse and burro herds. As we've been directed. But we also want to see a healthy range out there. That's the balancing act, right? We have to have a healthy herd and healthy range. Most of us will agree we're not there. We're not at that point. We're at about 88,000 wild horses and burros on the range. That is three times more than what we should have out on the range. That's not sustainable. We all know that. It's not sustainable. We see the impacts it's having out there. It's not just the impacts on the range, it's impacts on the herds.

Bruce will correct me, but last year I believe we gathered about 5,000 horses and burros for emergency situations. Most of the emergencies had to do with lack of water. Imagine that. Last year alone, we had 5,000 just because of an emergency situation, because it was too dry or too many horses in one spot. That's not a sustainable situation as I mentioned before. And that's why we need, as a community, as advocates, as the bureau, we need to continue this discussion of finding solutions. Thus far, it's not an easy task but we understand why. People are passionate about horses and burros. And for

that reason, we've hopefully all had that experience to be out and see these out in the range. And it's easy to see why people become so attached to them. It's something that's exciting to see.

Advocates across the country, they can name many of the horses by name. They've named them, they take pictures of them. They defend them. And many times, that's a good thing. We're happy that people are passionate about these horses. But at the same time, we have to balance that with the health of the range. And, in the context that Congress asked us to manage these, we're not there. 88,000 is far away from healthy herds. Add on top of that about 50,000 off range that we're taking care of. We often forget about that number. That's what's eating up a significant portion of the budget that Congress has given us. The challenges are significant. The landscape is changing out there. The BLM has a multiple use mission, but that's not possible when you have a single use. That's not attainable if you have a single use on the range.

So we're running into not only challenges on the ground but how to accomplish our mission. It's not possible. It's just a matter of coming to common understandings, working together with Congress, with advocates, and finding those solutions. And you're all here for that purpose, right? You're all experts that decided to step up and lend your time and your passion and your experience to this cause. And I appreciate that on behalf of the BLM and department, your willingness to serve and lend your accumulated experience to this program and to the health of the wild horse and burro herds.

We've been looking at all of the tools that we have. What are the tools that we have to manage this program and how can we reach the goals that we set out? And many times that involves being very creative and I hope we've done that in many cases. We were excited about the adoption incentive program. We looked at calculations and predictions and the economics of it to see where it would get us and it led us to the point where we knew it was worth trying, an effort worth taking. And so far, we've been happy we've been supported in that. Already in a few months we've seen over 1,000 horses adopted through this program. \$800,000 alone will be saved this year just from the horses have been adopted in this first few months of the program. That's significant money in this program. And if we continue on that course, we're going to have other options to deal with these funds if they're not all going directly for the long-term care.

That's a significant payback, for each horse we adopt, I think we reach the pay-for point in a matter of five or six months. That's an easy case to make for people, for each one we adopt paying \$1,000, we start coming out ahead of that in five or six months. We think that's something that Congress is going to be willing to continue to support us on. We hope it continues to excite people to take these animals and care for them in good homes. We've seen success in our online adoptions as well.

We need to work with the board to expand our adoption numbers. Where can we do better at advertising these possibilities, at encouraging people to adopt. And as importantly, what are our long-term solutions to the horses and burros we have in the long term pastures. What are we going to do about that. And what are the Board's recommendations for that particular issue? We'll welcome all of the suggestions that we get and we're happy to work with you on those things as well.

We're talking about our research efforts. We know that has to be part of the solution, the research that's going on. There have been some options available for some time with varying degrees of success and impacts. But we have to do better finding more long-lasting vaccines and other forms of population control.

One of the things we've been looking at, as you know, are spay projects. It's been frustrating at times for the bureau to move forward with projects that we think will make a positive impact on herds and controlling the population. But we're stymied time and time again by folks who I'm sure are well meaning, but from what I've seen, doesn't necessarily have a healthy impact on the herds. We know the spay projects can be a positive tool that we have moving forward. I can't imagine there will be a more effective tool than that, we can talk about vaccines and delivery methods until there's a magic pill. The most effective way to deal with this is some sort of spay program. But, we have to do research and cooperate to have the opportunities to do research. We're looking hard at that. Attempting to get those things rolling. And I think most people agree that we can do that safely.

I'd be interested in the Board's recommendation on that particular aspect of our program. And what your thoughts are on how that can be done safely and if you see that as a positive tool we have moving forward. And any feedback you have to

make that more effective.

One of the tools that we're not asking for is the use of euthanasia to reach AML. It's not an option that's being discussed at BLM or in the department. I don't think it's something that the secretary will be supportive of or the President would be supportive of. There may be appropriate situations for sick or dying animals, but as far as reaching AML, that's not where we're at. It's not what we're planning for. I wanted to make that clear to the Board. At this point, that's where our planning We'd encourage your support and to not look at that as an option right now. As Acting Director, that's not something that is on our list options right now.

I just wanted to close out by thanking you again and thank the public for this program. There are many experts that stepped up over the years to provide us with information and their experience and, of course, that includes all of you on the Board. I think the only way we accomplish our goals is by working together and by continuing to cultivate ideas, working with Congress, working with the department to finally reach a place where we know that the program will be healthy moving forward.

Mr. Woehl asked about "acting" directors, commented that he has been on the Board for five years and had five BLM chiefs, and asked Mr. Hammond to comment on that. It is hard to be consistent on everything when there is no consistency. Mr. Hammond responded, I understand that. In my previous life on the hill, we came across the same issue, who are we dealing with in the department, who are we dealing with at whichever bureau, Park Service, BLM, others. That's one of the constants that you have to deal with, a relative amount of change. And more than anyone, I appreciate some good consistency and predictability and assurance going forward of who you're dealing with. I appreciate that. I have every confidence in our secretary that he has a plan moving forward for the bureau. And he understands how important it is to have a steady presence, if you will. At the bureau, I'm not ready to tell you anything definitively, except to tell you to please be patient and continue working with the bureau. I'm sure we'll have something in place that everyone is happy to work on, to work with here in the future. For now, I'm going to do the job that the secretary asked me to do. As long as I'm here, I'm going to do the job as well as I can and work with everyone that I can. I am going to try to provide that leadership that the bureau needs. I have every confidence in the secretary and in his plans moving forward, and I understand where you're coming from.

Dr. Perryman pointed out that there are half a dozen vacancies or acting positions within the Wild Horse & Burro Program. It would do us well to try and get those positions filled or solidified as soon as practicable.

Mr. French commented on Mr. Hammond's mention that euthanasia is not on the table as a means to meet the objectives and goals for the future of this resource. Assuming we are going to go through nonlethal additional gathers to meet AML, including emergency gathers, additional facilities for short-term holdings, adoption incentives, and more, there have been a number of very specific recommendations to try and reach and alleviate some of the catastrophes in the west. One thing we recognize is that it requires additional funding. From where you sit, is there support and a financial commitment to do that? Mr. Hammond responded that it is a conversation we have every year with the OMB to determine a number where the program needs to be. We're also having that long-term discussion with congress and trying to help them see what the different options are going to cost and what kind of commitment it's going to take. This isn't a short-term problem. It's going to be a long-term solution that folks are going to be willing to step up to.

Ms. Carlisle asked about funding on an annual basis. Everybody understands that the funding will be promised for a longer period of time to achieve even a partial amount of success. How are you able to talk to Congress about long-term funding that would be guaranteed? Mr. Hammond responded that what we can do is lay out the entirety of the plan. Those determinations are ultimately going to be made by Congress. We can only lay it out and show them what the long-term plan will be.

Mr. Woehl commented, one of the things I understand a lot better now is that Congress flies at 30,000 feet. They're making these decisions but it is individual states at ground level that implements them. Management of horses in Idaho is different than managing horses in Nevada.

Dr. Lenz commented on Mr. Hammond's point that euthanasia is not an option. Everybody on this Board, I'm confident, would prefer they do anything other than euthanize a lot of horses. But as we move forward, we have 50,000 horses in



long term holding at this time. If these horses are put in the holding at 6, 7, 8, 9 years of age, they'll live another 20 to 25 years. So it's not inconceivable to see that we could at some point in time have 70,000, 80,000, 100,000 horses in holding. Does the bureau and Congress expect that would be acceptable? Mr. Hammond responded, you laid out the key challenge of the program. But we also have to deal with: a) where the public is; and b) where Congress is, and where the President may be on this. We've determined it's not getting us further down the field, to have the discussion of euthanasia. It is a non-starter. I'll be honest with you, but the smart political thing in this program is to do nothing. We have to take on this and we're going to have to take some lumps, but we also have to be realistic. If that's an option that pushes the program further away from success, that's not worth discussing and maybe worth discussing in some hypothetical conversations, but as far as planning for the future and planning for this program, I just don't see where it gets us, it's not an option that's on the table. Maybe 40 years down the road someone will want to do that, but it's not part of our calculation. I don't see it as a viable option. It's not where the secretary is at and I don't foresee any change of that in this administration.

Dr. Perryman commented, I know the Board well enough that a nonlethal way out of this is the only way out of it. This is not a new problem we are facing, it has been going on for decades. Some changes are incremental. We have HMAs that are in really good shape. We saw a great one the other day. It was fantastic. That's what I wish for all HMAs, ecologically, economically, anyway you want to describe it. Now we turn our attention to Nevada and Wyoming, to ground zero on this thing. The board understands that we have an ecological crisis on our hands. If it's not fixed, there's going to be permanent degradation. Mr. Hammond commented that this problem takes us away from being a multiple use agency. That's the primary responsibility when you have a single use out there. It's destroying the range. It's not just destroying habitat for the horses themselves, it's also destroying the habitat for big game with serious economic impacts. It impacts endangered species.

Ms. Carlisle pointed out that our window for nonlethal action is closing. We have more groups working together from opposite sides of the aisle and really desperate groups coming together to try to figure out where there is our common ground and then what resources do we have to proceed. I just want to echo that the time is now and we have some good, positive momentum including from some of the advocacy groups and we better grab hold. Mr. Hammond agreed, this is less about the warfare over the program than how to move the program forward. We've sat around big tables and had a discussion about the program. We have the unique opportunity as you pointed out.

### **Work Session** **Advisory Board**

The Board asked BLM to provide a list all recommendations that the Board has made since 2011, and continued to discuss them, including the following:

- BLM should assess horses to predict adoption potential by qualified horse trainers who may or may not be volunteers with the aim of moving horses expeditiously to long-term situations. The BLM's response was that they didn't have enough trained staff and volunteers. The BLM intends to improve, between gathering an animal and the animal going to short-term holding to determine whether the animal would go to long-term holding. The Board discussed the quality and health of a horse, inheritable conditions, and other factors of "adoptability." Staff can be trained on common issues that horses face, such as angular limb deformity that results in a shortened life expectancy, etc. BLM does have a policy regarding criteria for animal selection for events. The Board asked that BLM standardize the application of the policies and regulations and make sure that staff, even those with collateral responsibilities, are trained.
- Encourage and recommend that BLM develop and promote a standardized training program for all persons interested in volunteering in the wild horse and burro program. Ms. Waddell mentioned the pilot program in Eastern States.
- The Board and BLM discussed the categories (reasons) that BLM gathers wild horses and burros, including the difference between planned and emergency gathers. The Board asked about elevating gathers based on specific criteria, such as impacts to priority habitat, for example. Most emergency gathers have to do with animal health. BLM reviewed briefly the process for requesting a gather, starting with State leads, moving all the way through to the National level where they look at available space to accommodate the gather and available budget.

- In 2015, the Board asked to meet with the Secretaries of Interior and Agriculture to review the program. Mr. Hammond agreed that it would be beneficial and would be happy to work with the office of the Secretary to arrange something like this, perhaps in coordination with the next Advisory Board meetings.
- Streamlining the land use, resource management, or appropriate NEPA documentation for specific activities pertaining to BLM carrying out its mission to manage the wild horses and burros. Emergency gathers, for example, are exempt. The Board encourages the BLM to evaluate appropriate actions of the BLM that could be included in a programmatic EIS, for example, and to go through the process, ensure extensive outreach and consultation is instituted, expand and intensify relationships with cooperating agencies, all while moving the effort forward to reach AML

[BREAK]

### **BLM Wild Horse & Burro Budget**

*Michael Reiland, Program Analyst, Wild Horse & Burro Program, BLM*

Thank you for having me here. I appreciate the opportunity to talk a little bit about the budget. The two biggest pieces of the budget are the short-term holding and the long-term holding: corrals and pastures. Mr. Reiland provided a breakdown of the expenditures for fiscal year 2019. As we increased gathers, that increased how much holding space we needed. I would anticipate that would increase next year again by the same percentage.

Another big piece of the budget is the placement into private care: sales and adoptions. For population growth suppression in the future, we will include all of the costs related to treating those animals. Right now, the number only shows the cost of the vaccine itself and the cost of darting. That's one of the reasons why that is such a small percentage of the overall pie, even though we have been increasing the amount every year for the last few years.

Another piece of the budget that may be of interest to the Board is on range support, such as water sources, bringing water to the animals on the range. We do spend a fair amount on getting water to the animals.

The unit cost is about \$1.91 a day per animal. And corrals are about \$5.25 per day per animal. One of the reasons the cost of gather and remove is a little lower than it has been in the past is that last year we did big gathers and reduced unit costs. In a way, it's artificially low because of that.

We spend about \$1.3 million on census surveys every year. And then we spend about \$1.9 million on monitoring every year. And the units for that are a little deceptive simply because they could be monitoring a big huge amount of acreage or they could be doing a small one, same thing with the surveys, you do a survey for a small HMA. We talk about here in Idaho, they do some on the ground stuff, versus flying a flight for those. Those are all still one unit. So, those can be a little deceptive in terms of unit costs. But overall, it averages out.

Private care placement, gather and remove, and compliance checks trends are shown. One of the reasons I wanted to show compliance checks is that there is a downtrend, reducing our costs. One of the things we have done over the past couple of years, because of limited budget, and trying to focus our costs on range, is that we've reduced the number of compliance checks we do. We still have mandated ones based on certain criteria, but we've reduced how many they do overall. Because of the reduced budget that we allocate to that area, they've become more efficient at that too.

Holding unit costs, both in corrals and pastures are increasing. We anticipate that as demand goes up, the costs of these will continue to increase. Although there may be some competition to keep costs low, it is likely that demand will outgrow the supply.

Mr. Woehl asked if short-term and long-term pasture solicitations would come in at about the same cost as was shown. Mr. Reiland responded, I don't know, at this point, it's probably just because the way the trends are going right now, I would anticipate it's probably not much higher. However, both of those solicitations were going out for spaces that we already have. So contractors that were already with us as well as brand new spaces.

Mr. Woehl asked about continuing resolutions (CRs). Mr. Reiland responded, when congress hasn't been able to put



together a full-year budget for either the agency as a whole or government-wide. The programs can spend a percentage of the yearly amount they're given in that CR. For example, if the continuing resolution is through December 31, we get three months of funding, October, November, December, available to us. Even though Congress has instituted a budget of 80 million for the full year, we only have access to three months of those funds. So that is part of when the program manages and decides upon gather or holding, a lot of our pasture spaces that the yearly task orders that are redone are in December. We often have to go in and only do a part of a year because of the limited funding available to us.

It does cause the program a little bit of extra work, because then when we do get a full-year budget, we have to come back then and do the rest of the year. Last year, we actually did it three times. The bigger issue is with the gather schedule and being able to come out and put together a full-year gather when we don't know what our full-year budget is. So that fall gather season sometimes is limited because we don't know what we have money for the gathers for the full year. It is a planning process for us to work with CRs and funding as it happens.

The Board discussed the cost of darting. It is about \$100,000 in product cost in that year. Dr. Perryman asked what percentage of the total product produced in the United States that is? I don't know how many -- I know you would know that, it just brought this to mind. An maybe Alan may know. How much product is there?

Dr. Paul Griffin, Research Coordinator for the program was not present, but Mr. Rittenhouse provided information on how many doses of the vaccine are available currently, and how quickly doses of the vaccines can be produced (approximately 1000 doses in 7 days). We have an IDIQ, an indefinite delivery, indefinite quantity contract with them that says we need 5,000 doses over the next three years. They produce them as we need them/request them. They have quality control measures detailed in the contract, as well as how to manage expiration of the vaccines that are currently available. As for the percentage of the total product, we are the primary purchaser, so it is not 100% of the market, but it is presumably close, somewhere around 95%.

Dr. Perryman discussed how a company might recuperate their research costs when we're the only purchaser of the vaccine, there just isn't enough demand right now to improve or increase market supply from the private sector. Mr. Reiland responded that BLM does have to spend money on research, it is approximately 12% of the budget, or \$7 million on program support overhead, that includes research dollars.

The \$512 unit cost for PZP includes all of the costs related to darting as well. We can break down costs in the future to better understand the true cost of fertility control treatments.

BLM does take advantage, to some extent, of funds from other programs to help out the program. Mr. Reiland stressed that we ensure that whatever we're using that money for is benefitting the sub-activity (where the funds came from).

Mr. French asked where money for emergency gathers comes from if it is not planned or anticipated. Mr. Reiland responded that they have on range funds to cover gathers. For funds from other programs, like for sage grouse, for example, we can use funds from other sources for emergency gathers when it benefits the source as well.

### **Work Session**

The Board used this time to discuss draft recommendations.

[BREAK]

### **Public Comment**

A public comment period was conducted from 1:15 p.m. to 3:30 p.m. on Thursday, July 11, 2019 allowing individuals and individual representatives of groups the opportunity to address the Board.

### **National Wild Horse & Burro Advisory Board Recommendations**

Present: Sue McDonnell, Barry Perryman, Celeste Carlisle, Fred Woehl, Jr., Tom Lenz, Jim French

1. Strongly encourage and recommend that the USDA Forest Service Chief and the BLM Director along with key USDA Forest Service and BLM staff meet within 90 days to discuss and resolve relevant issues and work together to jointly manage wild horses and burros on all designated lands.  
Approved. Vote was unanimous.
2. Encourage and recommend that BLM develop and promote standardized training (e.g. Eastern States State Office pilot program) for all persons interested in volunteering to assist the Wild Horse and Burro Program.  
Approved. Vote was unanimous.
3. Recommend that BLM/USDA Forest Service develop a programmatic NEPA document for the application of all safe and humane methods of fertility control.  
Approved. Vote was unanimous.
4. Recommend that BLM/USDA Forest Service research and develop the appropriate programmatic NEPA document that covers management actions for wild horse and burro management that fall within the statutes and authorities of the Wild Horse and Burro Program.  
Approved. Five in favor, one opposed, Ms. Carlisle.
5. In order to improve the health and adoptability of wild horses and burros the Advisory Board strongly encourages the BLM/USDA Forest Service to provide desirable equine conformation education and training by experts to all field personnel.  
Approved. Vote was unanimous.
6. Encourage and recommend that BLM/USDA Forest Service remove, sterilize prior to returning to the range, or euthanize animals with serious acquired, congenital or heritable physical defects.  
Approved. Five in favor, one opposed, Ms. Carlisle.
7. The Advisory Board is forming a working group to include key BLM staff to analyze modern, state-of-the-art, low stress, stock-handling approaches to gathering and handling of wild horses and burros with a report to be presented at the October meeting. We recommend BLM appoint this staff and fund any meetings necessary.  
Approved. Vote was unanimous.
8. We strongly encourage and recommend that BLM/USDA Forest Service review 43 CFR Subpart 4700 (Protection, Management, and Control of Wild and Free-Roaming Horses and Burros) and 36 CFR Subpart D (Management of Wild Free-Roaming Horses and Burros) and update where needed.  
Approved. Vote was unanimous.

The meeting was adjourned at 3:30PM.