

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

National Wild Horse and Burro Advisory Board Meeting Minutes

Sheraton Hotel, Oklahoma City, OK

March 4 – 5, 2013



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

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Monday, March 4, 2013

Welcome/Call to Order

Dr. Boyd Spratling, Co-Chair of the Bureau of Land Management's (BLM) National Wild Horse and Burro Advisory Board (Board) opened the meeting at 8:00 AM in the 20th Century Room of the Sheraton Hotel, Oklahoma City by introducing himself and the Board's Co-Chair, Julie Gleason. Dr. Spratling asked each of the Board Members to introduce themselves and which position they represent.

| BOARD MEMBER | REPRESENTING |
|--------------------|-----------------------------|
| H. PAUL DURBIN | Wildlife Management |
| TIMOTHY J. HARVEY | Humane Advocacy |
| CALLIE HENDRICKSON | Public Interest |
| DR. BOYD SPRATLING | Veterinary Medicine |
| JULIE GLEASON | Public Interest |
| GARY ZAKOTNIK | Livestock Grazing |
| JUNE SEWING | Wild Horse & Burro Advocacy |
| JIM STEPHENSON | Natural Resource Management |

Kathie Libby, a BLM employee serving as the meeting's facilitator, introduced herself and then welcomed the Board; those attend the meeting in person, and those participating via online streaming technology. Ms. Libby reviewed the agenda and stressed the importance of being respectful of others as the Board works through diverse and complex topics.

Welcome to Oklahoma

On behalf of the BLM New Mexico Region, Steve Tryon, Oklahoma Office Field Manager, welcomed the Board to Oklahoma. He made a presentation to the Board outlining important programs that his office supports. The Long-Term Pastures in the mid-West are in the jurisdiction of the Oklahoma Office. There are 31,130 horses on 228,698 acres of pasture in Oklahoma and Kansas. This office has enjoyed a successful adoption program and performs compliance on 98 percent of all adopted animals, mandatory compliance on all complaints, and 100 percent compliance on reduced fee and incentive animals.

The office faces considerable challenges in the future with regard to drought causing low forage and high feeding costs, sequestration uncertainty, and endangered species issues.

Oklahoma Wild Horse and Burro (WH&B) Program Overview

Pat Williams, Acting Program Manager, offered his welcome to the Board and provided an update on the New Mexico Herd Management Areas (HMA) and Jicarilla Joint Management Area (the BLM and U.S. Forest Service); target numbers for adoption, compliance and animal feed days; the 2013 adoption schedule that includes events in 11 locations throughout Oklahoma, Kansas, Texas, and New Mexico; information on the logistics of conducting an adoption and the marketing efforts required to successfully promote an event.

The Pauls Valley short term corral averages 590 animals on site, serves as a resting/shipping point for animals destined for adoption events in the central, southern, and eastern United States (U.S.), and functions as a pick-up/return location for horses involved in Mustang Heritage Foundation (MHF) events and the Trainer Incentive Program (TIP). The Hutchinson Correctional Facility is a successful inmate training program that has 350 horses held on site, 72 trained horses adopted in 2012, and 48 horses adopted to the Border Patrol since 2011.

The Mustang Heritage Foundation has broadened the exposure of the WH&B program through competitive events, partnering with the Hutchinson Correctional Facility to offer trained horses through the TIP program, and developing youth programs to educate elementary and high school students about wild horses and burros. For each Mustang Heritage Foundation event and TIP adoption in the New Mexico Region, the WH&B staff is responsible for approving adoption applications, handling all adoption and compliance related issues, and providing support for marketing efforts.

In addition, the New Mexico WH&B program provides several youth education opportunities, outreach programs and partnerships, including the Mid-West Mustang & Burro Saddle Club, which has provided tremendous support by facilitating adoptions, conducting workshops, and providing support through media coverage.

Approval of Minutes

The minutes from the October 29 and 30, 2012 meeting were approved.

BLM Response to Advisory Board Recommendations

Joan Guilfoyle offered her welcome and indicated with the sequestration, it was fortunate that the meeting was able to be held which is an indication of how important this Board is to the BLM. Ms. Guilfoyle went on to introduce the BLM and U.S. Forest Service staff in attendance from Washington, DC and other areas.

Ms. Guilfoyle provided a summary of the BLM's responses to five recommendations¹ made by the Board during its October 2012 meeting.

Recommendation #1 requests the formation of a Board-formed Financial Working Group with a purpose of the Board to better understand how the Federal budget process works and where program costs are accounted for within budget documents.

The BLM accepted this recommendation in December and assigned Holle' Hooks to serve as the point of contact.

Recommendation # 2 requests the BLM add ovariectomy as one additional tool for Population Growth Suppression. The Working Group would continue to work with the BLM to advance implementation, setting protocols, priorities and ensuring flexibility in implementation.

The BLM appreciates the Board's recognition for the need of additional population growth tools and agrees this tool should begin with research to determine if this procedure is safe, effective, and humane for free-roaming animals. The WH&B Research Advisory Team will work with the BLM management at their next meeting to develop a multi-step plan.

Recommendation # 3 requests that eco-sanctuaries not be considered on public HMA lands where horses currently exist.

When new leadership is in place at the Department of the Interior, the BLM will include the Board's recommendation in discussions regarding future private/public land eco-sanctuaries. The BLM's response to this recommendation is deferred to a later time.

¹ Provided under Tab 3 of the Board's notebook

Recommendation #4 requests the formation of a Board-formed Working Group to consider public comment.

The BLM accepted this recommendation in December and assigned Debbie Collins to serve as the point of contact.

Recommendation #5 requests the formation of a Board-formed Working Group to nurture the Director's Challenge-type efforts in support of volunteer resources.

The BLM accepted this recommendation in December and assigned Debbie Collins to serve as the point of contact.

All of the BLM responses are posted online and the Board appreciates the BLM's quick response to the Recommendations.

WHB Program Update from BLM

Letter from Ed Roberson – Assistant Director, Renewable Resources and Planning

Ed Roberson was unable to attend the Board meeting, but sent the following letter that Ms. Guilfoyle read to the Board and attendees.

I am sorry that I had to miss this Advisory Board meeting in Oklahoma City. I am in Boise working on our National Greater Sage-Grouse planning effort. You all know from the discussion we had about the issue two meetings ago in Reno how important it is that we do all we can to ensure the sage-grouse does not need to be listed as a threatened or endangered species. As important, is that we continue to improve our wild horse and burro program. The challenges continue however. We have worked hard over the last several years to improve the transparency and animal welfare aspects our gathers, improve the screening and compliance aspects in our sales program, increase the use of population growth suppression tools in on the range, expand research and bring more sound science to our program, find ways to increase adoptions, find more cost-effective holding including exploring more opportunities for eco-sanctuaries on both public and private lands. You will hear about much of this in the next two days.

The NAS study is coming out this summer and look to it to illuminate the latest that science can bring to our program. Our research committee just met last week to discuss the state of our research to date and future studies to be implemented. Dean will be discussing the progress on a comprehensive animal welfare for the entire program. You will hear about the suite of guidance issued to bring about safer and more well run gathers, as well as guidance to improve the sales program. We have an eco-sanctuary operating on private land in Wyoming and are fully engaged in a planning effort for one to operate on public and private land in Nevada. These are opportunities to partner with individuals and groups to provide care of excess animals in the West in an environment they are accustomed to. The projects initiated with volunteers and stakeholders under the "Director's Challenge" are great successes of partnership on the land in the herd management areas.

We have made improvements, but we have struggles: Our adoption program is struggling because of the high costs of food and fuel, and because there are so many domestic horses available to those who want a horse. The Mustang Heritage Foundation makeovers are still popular, as is our other training programs, but we need more caring adopters to open up their hearts and homes to our excess animals. There are challenges with the fertility control drugs we have been using and are researching for future

use. Our long term and short term corrals are nearly at capacity. We need more long term facilities to move excess animals out of more expensive short term corrals and small pastures, into much less expensive and larger pastures like we have in areas in the mid-West. Drought, invasive species and fire are expanding in the West putting more pressure on the native ecosystem and cause us to shift gathers planned for areas often considerably over their appropriate management levels to areas where the horses and the resources are more at risk.

Add to these factors the fact that we are starting the budget sequester which will reduce our capacity in some aspects of our program. Plus the continuing resolution will soon run out and we do not have a budget for the full year. With what funds we are ultimately left with for 2013, we must care for the animals in holding facilities and pastures, and gather animals in areas where animal health and where the land and resources are at significant risk due to drought or fire. We must continue to research and implement more effective fertility control. We will continue to implement our animal welfare program. Beyond these things, we cannot be sure of what funding we will have for other aspects of the program.

So you meet in Oklahoma City this week to work on these and other challenges, hopefully to celebrate some successes as well. You are an outstanding Advisory Board and we have benefited greatly from your thoughtful deliberations and interaction with the public, and your recommendations for ways we can improve the program. We are near the end of the terms for three of you and the process for determining who will replace you or, if you reapplied, whether you will continue to serve on the Board. Either way, I want to thank Gary Zakotnik, Paul Durbin and Tim Harvey for their outstanding work to date on this critically important Advisory Board. Your contributions have been significant and I know as a result of your engagement with the other members of the Board this will be a very productive meeting.

Joan Guilfoyle is serving as the Designated Federal Official and will work in partnership with your outstanding co-chairs to see the meeting to a successful conclusion. Thank you all, and thanks to the staff and members of the public for their role in the Federal Advisory Committee process as well.

Adding to Mr. Roberson's letter, Ms. Guilfoyle added that this is a time of transition for the BLM with the appointment of a new Secretary of the Interior and a new BLM Director soon to be appointed.

Board Meeting book

Before moving into more updates, Ms. Guilfoyle reviewed a few of the tabs available in the Board's book.

Tab 4 – WH&B Advisory Board Charter/SOPs remain unchanged.

Tab 10 –U.S. Forest Service Report.

- Dr. Spratling asked Barry Imler to summarize the litigation on the Murderer's Creek Territory in Oregon to show the potential conflict between endangered species, wild horses, wildlife, and grazing.

Tab 13 – Guidance will be discussed later.

Tab 14 – BLM-issued news releases since December 7, 2012.

Tab 15 – Public Comments received in writing.

Follow up on Board requests/questions from October 2012 Meeting

1. Public Questions

Ms. Guilfoyle provided some information on a fairly new feature on the BLM website called "From the Public" which provides a more efficient and public way to respond to public questions. If there are comments that are clearly wrong, the responses get posted on this website. There are two comments in particular that Ms. Guilfoyle brought to the attention of the Board that are both addressed on the website:

- Sun J and their qualification to be a helicopter gather contractor
- Accusations related to the Piceance-East Douglas HMA in CO

The website link for "From the Public" is:

http://www.blm.gov/wo/st/en/prog/whbprogram/history_and_facts/from_the_public.html

2. 2012 Director's Challenge

Sally Spencer reported that the Director's Challenge for 2012 was an initiative to expand volunteer work on HMAs. There were twelve projects funded: one in California, four in Colorado, and seven in Nevada. Overall, all of the projects were a great success with many programs being able to complete their work and the remaining programs able to obligate the money in Fiscal Year (FY) 2012 to complete the work in FY 2013.

The following is an overview of the projects by state:

California – there was one project accepted, from the Surprise and Eagle Lake Field Offices, for a quantitative evaluation of aquatic and riparian resources within the HMAs. This is a very rugged area and the offices had difficulty finding volunteers able to help. The field offices decided to set up public land day type of events where the volunteers could do some hands-on work.

There were some additional problems due to two fires in the HMAs. The Lost Fire burned 9 percent of the Buckhorn HMA and the Rush Fire burned 39 percent of the Twin Peaks HMA. The offices were able to allocate the resources for materials and they will complete their quantitative evaluation in FY 2013.

Colorado – there were four Director's Challenge projects accepted, one for each of the HMAs in Colorado; all were a success. The Friend's Groups were expanded or new Friend's Groups were developed; all of which help with the HMA. The Friend's Groups did a variety of projects including spraying for weeds, repairing fences, range improvements, inventory, and purchased fertility supplies so the volunteers could be trained to apply fertility control. Other activities included repairing springs and developing new water projects, developing signs, monitoring herds, and creating a herd photo gallery that is now on the Colorado BLM website.

Nevada – there were seven projects accepted. Activities included restoring and/or developing new water sources, replacing fences, monitoring water sources, public outreach, and the development of signs to keep the animals healthy.

The volunteers were extremely pleased to have worked on these projects. An overview of all the projects will be posted on the BLM website.

Ms. Guilfoyle commented that these are the kinds of programs the general public can volunteer to do, especially for those who like to get dirt under their fingernails. She commended Ms. Spencer for her work on this program and credits her for making the Director's Challenge a great success.

3. Sage Grouse on HMAs

Ms. Guilfoyle noted that Dr. Jeff Manning will discuss sage grouse on HMAs later this afternoon.

4. Board Access to information from the BLM

Debbie Collins has been sending BLM information to the Board.

5. Footage made available to the public

The Board requested that stock footage be made available to the public on the BLM website. This stock footage will be made available on the website. The media can receive higher resolution if needed by contacting BLM.

New Items (led by Joan Guilfoyle)

1. Instruction Memoranda

Ms. Guilfoyle directed the Board's attention to Tab #13 for Guidance and mentioned the Instruction Memoranda which are policies that the national program office created for gathers:

- Incident Command System – how the BLM operates – who is in charge and who reports to whom?
- Public and Media Management – how we manage public and media interest from gather operations; internal and external reporting.
- Internal and External Communicating and Reporting – establishes protocols for internally communicating and reporting gather information.
- Comprehensive Animal Welfare Policy (CAWP) – this was written for the gather operations and will be discussed later in the day. This particular policy is very important to the BLM.

There will be CAWP guidance developed for every aspect of the WH&B Program. This will include Instruction Memoranda (IM) for short term and long-term holding, adoptions, on-the-range management, and transportation of animals. The BLM is very serious about enforcing these IMs. A news crew that attended a recent gather was cited for not following the BLM policy, specifically for reckless negligence for vehicle operations and interference with BLM personnel and operations.

2. Interim Sales Policy

The Interim Sales Policy was issued in December 2012 in response to allegations that purchasers of BLM wild horses and burros sold those animals to slaughter. The main points of the Interim Sales Policy are that no more than four wild horses or burros can be purchased by anyone within a six month period of time without approval of the Assistant Director. The BLM will not sell more than four wild horses and/or burros destined for a single location, regardless of who the purchaser might be, without the Assistant Director's approval. In addition, the purchasers must provide transportation that meets the BLM standards.

It is absolutely not acceptable to mistreat any wild horse or burro. On the BLM website, there is information on how to report suspected inhumane treatment of federally-protected wild horses and burros.

Last fall the Office of the Inspector General (OIG) took over an investigation concerning allegations that a purchaser intentionally sold wild horses to slaughter. Since this case is now with the OIG, the BLM is not privy to the status of the investigation. The BLM cares deeply about the welfare of the animals and absolutely condemns the sale of any wild horses or burros to anyone who may cause them harm. The Interim Sale Policy will be in place until the long-term sales policy is complete. In addition, when the Board decided last October to meet in the Midwest, it had nothing to do with the Oklahoma State Legislature's recent legislation regarding slaughter plans.

It is also very important to note that the BLM prosecutes people who try to sell wild horses to slaughter. On February 13, 2013, in Utah, an individual who purchased 64 horses and tried to ship 47 of them to Mexico for slaughter was sentenced to 12-month probation and almost \$9,000 in fines. The BLM policy is that selling wild horses or burros for slaughter is absolutely unacceptable.

Timothy Harvey raised a question about the possible protocol to make adoption and sale requests a public process. Ms. Guilfoyle was not in a position to answer the question on behalf of the BLM, but suspected there would be privacy issues. It is important to note that most of the people who have adopted and purchased wild horses and burros over the years have given them good homes.

3. Guidance - Euthanasia

The old euthanasia policy has now expired and a new one is under review. The updated policy will be in place in the next month or so.

4. Wyoming Eco-sanctuary

The first private eco-sanctuary opened in southeastern Wyoming at the Deerwood Ranch. The eco-sanctuary has a capacity for 250 horses. To date, 231 horses have been shipped. A public tour is scheduled for September 7, 2013. It is possible that sequestration will prohibit this tour; however, the Bureau will keep the public and the Board updated as plans progress.

5. Junior Explorer

Sally Spencer gave a report on the new Junior Explorer WH&B Activity Book that is currently in draft form. This book will educate children on the WH&B program. The BLM is very excited about this book and when completed it will also be available on the website for downloading and printing.

6. Director's Challenge 2013

Money from the sale of wild horses and burros was protected from sequestration and will be used for volunteer projects that focus on adoption and sales. Debbie Collins will coordinate this program.

7. Carson City, NV

Eleven horses that are part of the Pine Nut Mountains HMA in Nevada had moved outside of the HMA, adjacent to Deer Run Road on the outskirts of Carson City. On January 23, 2013, the BLM's Carson City District Office began bait trapping and removing these horses and concluded the gather on February 27. These horses were routinely crossing the Carson River into River View City Park, and the BLM received several complaints of people feeling threatened by the horses. After initially gathering 5 of the 11 horses, the BLM took a break from bait trapping because of some community concerns and met with

constituents to hear their position and potential solutions. The community group submitted ideas that the BLM considered, but, unfortunately, these proposals did not address and resolve all of the public safety issues. The BLM-Nevada Office has posted the community's proposals, as well as its information regarding the viability of these solutions, on its Website. The BLM recognizes that these horses have been part of the community for many years; however, we have a responsibility to keep wild horses from creating a safety hazard or threatening the well-being of the community and its animals. For instance, over the past two years, four horses have been struck and killed by vehicles. Community complaints submitted to the BLM have ranged from concern for the safety of residents' children to concern over stallions fighting with domestic horses through fences. In all of the complaints, concerns over safety and property damage were expressed. The captured horses will be offered for adoption on Saturday, March 23, 2013, in Carson City. The BLM is hopeful that anyone with the capacity to adopt these horses and give them a good home will step forward and do so.

8. Rendering Plant Number Discrepancy

There have been questions raised as to why the number of animals at the rendering plant in Reno, Nevada, is different than the Palomino Valley short-term corral death report. These questions have led to accusations that the BLM is purposely hiding a number of animals that died at the facility. This question from interested parties led the BLM to take a look at the policy of reporting animal deaths.

The discrepancy is due to the accounting methods BLM currently employs. We are, however, re-considering our processes and procedures to improve transparency. The BLM remains committed to the health and well-being for the wild horses we are charged with protecting. It's a responsibility we do not take lightly.

9. Mustang Heritage Foundation

Stormy Mullins of the MHF offered an update of the 2013 events in partnership with the BLM. Mr. Mullins is in charge of the facilities, helps with animal pick up. He commented that he has always received a very friendly welcome by the BLM.

Year 2012 was a fantastic year with 10 Extreme Mustang Makeover (EMM) events held in California, Oregon, Colorado, South Carolina, Wisconsin, and New Jersey. At these events, the trainers show the horses they have worked with and the horse get adopted and go to a good home. The MHF is very proud of the 800 adoptions through the EMM events and the TIP program in 2012, and have plans to adopt 2,000 horses through the TIP program, EMM and Mustang Million events in 2013.

10. Advisory Board Book Tabs

On Range Management (Tab 5)

Tab 5 of the Board book is a summation of the Fall/Winter 2013 Gathers. The gather plan for the rest of 2013 is in question partly because of sequestration, and partly because the BLM holding facilities are almost full. There are no summer gathers scheduled at this time.

Off Range Space Report (Tab 6)

Tab 6 is a summation of the capacity and the number of animals in short-term corrals, long-term pastures, and eco-sanctuaries.

Program Budget (Tab 7)

The WH&B program is funded through a Continuing Resolution of \$36,628M through March 28, 2013. The Board-formed Financial Working Group will discuss the program expenditures as of February 14, 2013.

Other Tabs

Tab 8 contains information regarding the Adoptions and Sales report.

Tab 9 is the litigation report.

The Board asked how the website can be used as a more effective form of communication. Ms. Guilfoyle noted that the website can be used for posting results of projects and responding to questions from the public.

BLM – Formed Working Groups

Increasing Adoptions – BLM Lead, Sally Spencer

The Working Group felt the program would be more effective if the focus was on a few ideas instead of trying to do everything at once. Key topics are:

- The BLM should focus on getting more horses to adopters in the North East. The closest short-term corral is in Elm Creek, Nebraska. Also there are very few adoption events scheduled in the North East each year. One idea is for a Request for Proposal for small haulers to ship smaller groups of horses to adopters and trainers.
- Work with the BLM Eastern States office in VA to determine if a selection of the horses could be kept at the BLM Meadowood property in Lorton, Virginia. This location has been used for pickup for some of the makeover events in New Jersey, and is much closer to the North East than the short-term corral in Nebraska.
- Trained wild horses at Riverton, Wyoming, are not being adopted. Recommend putting together a load of trained horses and hauling them to an adoption event in the East. This would be coordinated with the Northeastern States Field Office in Wisconsin.
- The New Mexico region has come up with some incentives for adopters. Someone who adopts a four year old horse (or older) can receive \$500 once the animal is titled. This incentive could be used by other states.
- The working group wonders if there is a way to offer tax incentives through tax credits for adopting a horse from the BLM. The team is working on an analysis of the cost effectiveness of a tax incentive.
- The BLM continues to get calls from individuals from other countries who want to adopt a wild horse. Since there have been successful overseas adoptions, the team discussed matching the adopter and the trainer who will work out their own fee schedule. The trainer will work with the horse for a year. Communication would go out on Facebook, the website and other social media outlets to match adopters to trainers.
- There is a need to increase our grassroots communications and public awareness. The BLM needs to increase the use of local electronic updates as an opportunity to get adopters together. There are a couple of states that do a very nice job of this by using newsletters with updates on

events and information. This includes activities to help with adoptions, assistance needed on HMAs, and a variety of opportunities to help.

- Encourage BLM facilities to promote all other facilities' available horses. If a potential adopter calls one facility with an inquiry on a certain type of horse and that facility does not have that type of horse, they can refer the potential adopter to another facility.
- Encourage BLM Facebook friends to promote the adoption events. The best advertisement for adoption is to see an adopter riding a gentled wild horse.

Some good conversation and ideas came from the Board following Ms. Spencer's presentation. One idea was to promote quality-trained horses to adopters in Central America countries, particularly the Dominican Republic, since horses are valued and used as part of the economy. The thought was to utilize the TIP program to train horses, and then partner with a non-profit to assist with shipping the horses overseas. Another thought was to partner with someone like Heifer International where individuals can donate an amount to a particular horse until funds are available to ship the horse. There are also very successful western competitions going on in Europe and obtaining an American mustang is considered a status symbol at these events. Maybe there could be an international TIP Program. There is a strong concern of how to monitor the horses after they are shipped. This is something that needs careful consideration.

The Board emphasized that a trained horse is far more marketable than untrained, and dramatically reduces prisoner recidivism in inmate training programs. A suggestion of having some system of doing "trainability" assessments before adoption might be a good idea.

Eco-Sanctuary

Zach Reichold reported that the second round of private eco-sanctuary proposals are taking a bit longer to evaluate than planned. The proposals need to be evaluated on paper first and then have physical site visits. Sequestration has hampered the site visits thus delaying the process.

There was a question from the Board regarding the public/private eco-sanctuary proposals. The contractors just met with the Elko district to discuss alternative actions, determine a plan, and to start drafting proposed actions. This is quite a lengthy process for the federal government that involves new programs on federal land, agriculture concerns, water concerns, as well as endangered species. The Nevada Office is continuing to review the proposal under the National Environmental Policy Act and there will be a chance for public comment in the future. There was a question from the Board concerning the number of long term holding pasture solicitations. Carolyn Chad, WH&B Acting Deputy Division Chief, responded that the quality of the applications were more of a concern than the quantity. The Spanish Q Ranch in Ennis, Montana was selected as a long-term pasture even though there were originally five appeals to the decision: one appeal was denied and four other appeals are still waiting to be heard. After the completion of the 45 day decision period, the BLM made the decision to ship horses to the new facility. Six loads of horses were shipped to the new facility with the understanding the appeals may result in the horses being returned to BLM holding facilities. There are 15,000 acres in Spanish Q with a capacity of 750 horses. The primary concern was inadequate fencing, which has been fortified. The local community has an interest in the horses being there and all seems to be going well.

WHB Gathers: Comprehensive Animal Welfare Program

Dean Bolstad reported that it is the goal of the BLM to develop a Comprehensive Animal Welfare Program that establishes Standard Operating Procedures (SOP) for the humane care of wild horses and

burros in every aspect of our program. This includes gathers, short-term and long-term holding, adoptions, on-the-range-management, and transportation of animals.

There are three basic components of the Comprehensive Animal Welfare Program:

1. Standard operating procedures
2. Education and training for those handling the animals
3. Internal and external auditing that will assess adherence to the SOPs.

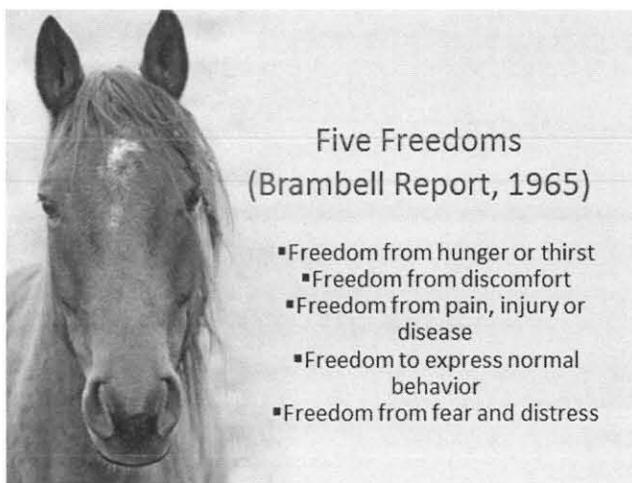
The BLM reported at the last meeting that 30 pages of draft SOPs had been developed for the gather component of our program. Dr. Kathryn Holcomb and Dr. Carolyn Stull, University of California, Davis, are under contract to assist the BLM to refine the gather SOPs. The 30 pages have been condensed into about 20 pages that have been reviewed by the BLM's CAWP gather working group.

Questions have risen as to why the BLM hasn't implemented these procedures yet. The BLM has implemented a portion of the SOPs through one of the Instruction Memoranda reported by Ms. Guilfoyle (copies are in the Board book). There are 27 points of manager's expectations during gather operations, and a few that deal with transportation. The BLM has implemented as much as possible under the current gather contracts, and any further changes would be "cardinal changes" that are not possible to implement under the existing helicopter gather contracts. The final and more comprehensive SOPs will be implemented into new contracts starting in July or August 2013.

The gather schedule is subject to change due to emergency situations. There was a fire on one of the HMAs that burned 90 percent of the area and in another HMA, all water dried up. The horses in those HMAs were not scheduled to be gathered but ultimately were removed.

Standard Operating Procedures

As a continuation of the CAWP presentation, Dr. Kathryn Holcomb, animal welfare expert from University of California, Davis who is under contract to BLM, presented information regarding her work with the BLM and animal welfare assessment programs.



Dr. Holcomb noted that during the last century there has been a great deal of concern for the rules about how animals were being treated; in particular in the realm of science and animal testing. The Brambell report came out in 1965 identifying a framework for animal welfare where the animals should be able to get up, lie down, turn around, groom themselves, and stretch their limbs. From this report came the framework now known as the "Five Freedoms." While these are not laws or absolutes, and there is some disagreement as to meaning and application, it provides a sound framework for animal welfare.

What is animal welfare? In the simplest terms, it is how an animal copes in its environment. We recognize there are three aspects to animal health:

- Body – the physical health of the animal
- Nature – the animal’s nature and how the species interacts in the wild
- Mind – the mental state of the animal such as fear, distress, motivation, enjoyment.

One of the first livestock issues that came under scrutiny by the public was the issue of slaughter and transport to slaughter. The result was pressure from the public on big market companies (such as McDonalds, Wendy’s, and Burger King) to be accountable for the practices of its suppliers and to know what was in their food. Welfare assessment programs and audit systems were developed to certify that farm animals were well cared for.

The goal of the welfare assessment programs is for the public to receive assurance that the best practices of humane animal care are being used. When a producer has met the animal welfare standards, they receive a certification and a label that can be put on a product thus giving them a market advantage.

While there are many organizations doing such certification, it is up to the consumer to research each certification so they know what the label stands for. What the organizations do have in common are the standards. The standards are generally categorized into two groups:

- Engineering based standards - include facilities and measurements such as fencing, maintenance and safety of transportation, feed and water
- Outcome based standards – animals directly observed and management practices such as body conditions, sores, lacerations, and falls.

The BLM’s CAWP is based on the farm animal assessment program for the humane treatment of animals. The purpose of CAWP is to regularly assess the welfare of the animals, document and report to the public, train employees, and provide data for the ongoing evaluation of the program.

The development of the components to the CAWP is a collaborative process by University California Davis, the BLM, and external welfare experts. The CAWP is comprised of three basic components:

1. Standards – the basic rules of what will and will not be allowed. The Standards cover six areas including Facility Design, Handling, Capture Technique, Animal Care, Transportation, and Euthanasia. There are written designations for major and minor deficiencies that are based on both Engineering and Outcome categories. Required documentations is caused by any type of roping, use of electric prod, any WH&B death, and occurrence of any prohibited action or event.
2. Education – a one-hour training module that everyone must take to insure the same level of knowledge resulting in responsible and appropriate handling of animals. Once the course is completed, a certificate of completion is generated with periodic recertification being required.
3. Assessment – the assessment tool is the basis for internal and external reviews to determine adherence to the SOPs. Assessment provides ongoing program evaluation with results recorded in an electronic database that is valuable for benchmarking, feedback to personnel, identification of training needs, and providing information to the public. The Standards have been drafted, and are being reviewed. Once approved, they will be implemented with the new contracts.

Comments from the Board indicate their approval of the work being done on the SOPs and an acknowledgement of how difficult yet thorough they are. The remaining components of the new

SOPs will be developed by October 2013.

Research Advisory Team

Dr. Jeff Manning led the Research Advisory Team discussion and provided updates on fertility control, genetics, and population estimation.

Fertility Control

- SpayVac Pasture Trials (Oklahoma) - This five-year captive breeding trial was initiated with treatments applied in 2011; blood was drawn from and ultrasound and palpation were applied to mares in January 2013. The vaccine performed well in the first year, but suboptimally in the second year. Researchers are trying to identify the causes or mechanisms for this poor performance.
- The PZP Pen Trial (Nevada) - This unique study was initiated in 2011 to investigate efficacy of a three to four year pelleted vaccine. There are four components to the study:
 - 1-month and 3-month pellets injected into the mares, which performed very well in fertility control.
 - 12-month and 24-month pellets: the 12-month pellets are referred to as PZP-22 and have been reported by the researcher conducting this study to have been ineffective at reducing fertility. The 24 month pellets are anticipated to time release in the mares this winter, and the effects of this time-delayed release are anticipated to occur in the third year (this spring/summer); the BLM awaits those results after they are collected.

The results so far indicate that PZP works well for the first year. The researcher is investigating reasons for suboptimal performance of PZP-22 in the second year. There was a question from the Board about the possibility of the injection site causing swelling thus prohibiting the pellet from working. Dr. Manning noted that there are actually two injections: the primer and the pellet in some cases. There might be an additional problem with the way the pellets release and the polymers that are used.

- PZP Field Study (Humane Society of US) is wrapping up after four years and the BLM awaits the final report.

Genetics

The genetics program is proceeding as planned with the field offices continuing to collect genetic information at each gather. Dr. Gus Cothran provided the 12 new reports to the BLM in 2012.

Survey Design (Photo mark-recapture)

Objective: Unbiased estimates of abundance

| Sources of bias | Solutions |
|-----------------|---|
| Double counting | <ul style="list-style-type: none">• GPS locations and photographs• Brief survey occasions• Standardized routes |
| Detection bias | <ul style="list-style-type: none">• Collect relevant covariates• Build mark-recapture models that estimate and correct for observer biases |

Population Estimation

Dr. Manning is very excited about the methods and opportunities to apply new research and protocols in population surveys. There are four surveys have been completed using the new protocols: two in Nevada, one in California, and one in Utah. And five others are being designed: one in Nevada, one in California, and three in Utah.

It takes time to develop each survey since every survey's protocol is unique due to differences in the topography and herd size. The goal population estimation is to parlay unbiased estimates of

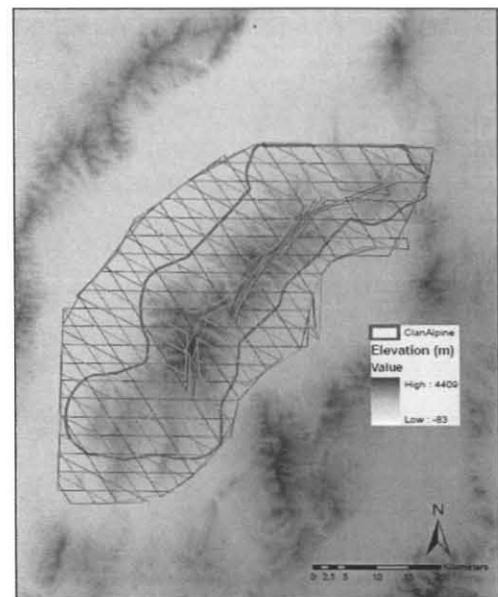
abundance. There are two sources of bias that can compromise counting:

- Double counting: count an animal two or more times resulting in bias estimates too high.
- Detection : observer doesn't see all the animals during the survey resulting in bias estimates too low

Solutions to double counting are GPS locations and photographs, brief survey, and standardized routes. Solutions for detection bias are to collect relevant covariates and build mark-recapture models that estimate and correct for observer biases.

The Board asked whether or not microchips would be appropriate due to the extremely low cost of the chip and the power of technology to store information. Dr. Manning noted that you have to be within a foot of the animal to read the chip.

A sample of a survey design was provided to the Board (see right). There are six separate survey routes that provide a clean comprehensive accounting. The helicopter flies in six routes overlapping the HMA to ensure all animals are accounted for. This seems to be the most effective way to estimate the population, but a cost analysis is being done as a comparison to the old system. The field offices work in conjunction with the Research Advisory Team to determine where the horses are located. In one sample, there were an estimated 2,594 horses in the HMA and the survey showed 2,520 animals were counted – or 97.1 percent directly observed during the survey.



Additional Thoughts

There are 179 HMAs across the U.S. with each having different demographics rates. There are different circumstances in which you would need open population rates and times you would need closed population rates. As such, demographic rates differ among populations at any point in time and within populations through time. These are very important things to think about when you're trying to develop field studies in one or several HMAs and then apply these findings to all the HMAs.

Sage Grouse Habitat

The BLM and U.S. Forest Service are partnered to amend or revise resource management plans to address sage grouse conservation. One of the concerns is if we are leaving the HMAs overpopulated, then the vegetation is not being protected and the Sage Grouse loses its habitat. One-third of the HMAs are overlapped by the Sage Grouse habitat.



Advisory Board-Formed Working Groups

Population Growth Suppression

The recommendation to consider ovariectomies as one of the population growth suppression tools was made at the October meeting (refer to Attachment 1).

Eco-tourism

This Working Group discussed the need to identify HMAs (not eco-sanctuaries) that would be used as recreation sites for eco-tourism. Partners in the community could obtain a special use licenses for tours that would give the public a chance to see wild horses in person, and also learn about wild horses, the BLM, and range ecology. Once a successful model has been set up, it can be replicated on other HMAs. It will be important to carefully watch the social impact humans will have on the horses if there are daily tours. Refer to Recommendation #1.

Herd Area Repopulation

This Working Group discussed the challenge of locating an HMA that is appropriate for herd repopulation and finding a non-profit to help with implementation. The National Mustang Association has a successful sanctuary for non-reproducing horses and would be an excellent example of what works. Having a non-reproducing herd would eliminate considerable management efforts since the horses do not need to be gathered. Refer to Recommendation #2.

Adoption Director's Challenge

The Working Group will continue to be a resource as needed for the adoption focused Director's Challenge.

Public Comment Period

The Board Chairs expanded the public comment period over the allotted one hour to allow 24 speakers the opportunity to address the Board. Each speaker was asked to limit their presentation to three minutes to ensure all speakers had an opportunity within the timeframe identified for public comment. Speakers were encouraged to submit their comments in a written format; therefore, no minutes were recorded during this session of the meeting. Following the conclusion of the public comments, Ms. Guilfoyle addressed the audience. She noted that the "From the Public" page is a place on the BLM website where the public can get correct information on issues. Ms. Guilfoyle addressed some of the comments.

Tom Davis

The Office of the Inspector General is investigating the allegations.

Slaughter

The BLM condemns the sale of wild horses and burro to anyone who intends to cause harm and we will prosecute those found guilty. Any allegations that the BLM has a connection to horse slaughter are absolutely incorrect.

Composition of the Advisory Board Membership

The Advisory Board membership is designed to represent the diverse interests in the protection and management of wild horses and burros. Different opinions are important in forming the Board's recommendations BLM.

Exclusive use of public lands

No animal can or should have exclusive use of the public lands.

Fertility control

In most instances, wild horses must be gathered to apply fertility control.

Helicopters

Helicopters are the most efficient way to gather wild horses. Protocols have been put into place to insure that gathers are safe.

The Board noted that the demographics of this Board reflect the demographics of the public. A discussion does not mean that it is the course of action that will be taken – only that the Board is looking at options.

Meeting Adjournment

The meeting adjourned at 4:49 PM.

Tuesday, March 5, 2013

The Board meeting convened at 8:07 AM.

All of the Board members introduced themselves to those in the room.

Advisory Board Formed Working Groups

Financial – Callie Hendrickson and Paul Durbin

This Working Group is learning about the BLM budget process. Holle' Hooks, WH&B Specialist (Budget), noted that operating under a continuing resolution, not having a budget, and then being sequestered, and not being able to develop the 2014 budget, has left a lot of unanswered questions for the program. It is not known yet how the sequestration will affect the program other than the BLM will continue to care for the animals in holding; manage population growth; and have limited herd management activities such as hauling water, fence maintenance, and monitoring for animal and land health conditions.

Public Comments – Paul Durbin, June Sewing, and Tim Harvey

There were lively comments from yesterday's Public Comments session. One of the things this Working Group wants to do is to be able to address the "can you hear me" comments, because the Board is listening.

This Board is advisory and it is not a conflict to have people with different points of view serving on the Board. The wild horse and burro issue is not one sided and there were some very good points made yesterday. It's important to find the common ground where positive change can begin to take effect.

The Working Group addressed several comments from yesterday's Public Comments session with their individual opinions.

- Single species management doesn't work. This is an entire eco system with not only horses but wildlife.

- The Act says horses can be managed where they were found when the Act passed. If an area is designated as an HA and there are resources available to manage the horses, then they should be allowed to go back into an HA. The Comprehensive Animal Welfare Program was addressed in the Monday morning session that much of the public missed. The program is starting with the gather policy and will have a CAWP for all aspects of the program.
- Salt Lake City Holding Facility was a situation where the BLM listened and took positive steps.

Yakama Nation Horse Reservation

Jim Stephenson reported on the Yakama Nation Horse Reservation and the problems that exist with the land management. Mr. Stephenson remarked that today there are 12,000 to 15,000 horses on the reservation, up from 500 in 1957. The condition of the horses is that they are underweight and on a scale of one to ten, the horses are a three. The herd increases in size by 20-30 percent a year. The overabundance of horse population has been hard on the land with the entire eco-system being damaged. The tribe is trying to capture the over population of horses and manage the lands.



There has been extreme habitat deterioration due to the horses. The habitat is what's important for the entire eco-system. The horses are over the AUM by 10 times. The body weight of the horses indicates a significant deficit. This is a good example that horses will expand to the land mass that is available to them and the result is they will destroy it. This adds credence to having proactive range and horse management a main priority.

Mr. Stephenson noted that as a society, it is incumbent upon us to manage the wild horses in a sustainable manner so they are not abused by Mother Nature who will manage them in a cruel way.

Board Members' Concerns and Issues

Trained horses to the east

The Board has serious concerns about the adoption program and the need to find more adoptive homes. The marketing firm, Fleishman-Hillard, indicated that the BLM needed to create an adoption brand in order to market the horses. The Mustang Heritage Foundation was formed to address this need, but there is more of the market that is being missed.

Volunteers

The Board would like to be a resource for volunteers through their various contacts. It was suggested that a Letter of Recognition be issued to those who have volunteered with the program, or even a Letter of Appreciation from the Board.

Money

Whenever there is a project that needs funding, individuals can contribute to a non-profit who can then directly pay for project needs or individuals can purchase and donate items to the BLM. The Board recommends donations be made to the Mustang Heritage Foundation or the National Mustang Association.

Travel

There were questions from the Board about the cost of airfare and how the individual Board members can make their own reservations on cheaper flights. The government contracts with air carriers to purchase tickets which allows for a complete refund if needed. This may not be as cheap as individuals can get online, but the benefits should offset the additional cost.

Board Recommendations to the BLM

After considerable discussion, the Board prepared the following recommendations to the BLM.

Recommendation 1: The National Wild Horse and Burro Advisory Board recommends the BLM become involved in eco-tourism and consider the following:

1. Identify 2 existing HMAs that would be good recreation sites to develop a model to be replicated
 - a. Solicit recommendations from local offices by 6/2013
 - b. One may be near a metropolitan area and the other in a more rural setting
 - c. Work closely with local groups already positively engaged with BLM in the HMA
2. Selection of good partners is critical
 - a. Promotes a positive image for/of BLM
 - b. Provides balanced multiple information
 - c. Annual review of compliance and established protocols
3. Education
 - a. Delineate challenges BLM faces in managing the rangelands in the arid climate and balancing multiples uses
 - b. Include a strong component of rangeland, ecosystem, and animal health as well as financial constraints
 - c. Utilize the fact sheets from BLM web site
4. Appropriate observation of horses/ burros
 - a. Safety- focus on the safety of people and horses including but not limited to not feeding or touching the horses
 - b. Social impact on horses- too much people-traffic desensitizes the horses.

Recommendation 2: The National Wild Horse and Burro Advisory Board recommends the BLM establish non-reproducing herds in existing HAs and HMAs and consider the following:

1. Identify HAs and/or HMA's for establishing non-reproducing herds.
2. Engage advisory board members in the process of exploring and recommending further action.
 - a) Form a working group (herein after referred to as the Group) of National Wild Horse and Burro Advisory Board members to develop recommendations. Said group shall be comprised of at least three but not more than five Board members.

- b) Group will establish criteria for evaluations of the HA/HMA for suitability of herd reintroduction. Said criteria shall be developed by July 1, 2013. Collaboration with BLM and any interested parties may occur during this process.
- c) Using the criteria established, the Group will confer with BLM personnel and examine all HA/HMA's to attempt to identify at least three locations where the reintroduction of non-reproducing herds is feasible. Explore the possibility of developing a program that will assist private sector in establishing non-profit sanctuaries for non-reproducing herds on private lands and/or leased BLM lands.
- d) The Group will formulate their findings and report their recommendation(s) to the National Wild Horse and Burro Advisory Board by October 1, 2013.

Recommendation 3: The National Wild Horse and Burro Advisory Board recommends that the BLM increase focus and success in adoptions in the East and consider:

1. Increase/ establish storefronts on eastern market engaging MHF, using tip-trainers
2. Use skill set and business models of MHF to help Eastern States adopt more horses
3. Specific locations reviewed/ considered—e.g.; Meadowood; Piney Woods; Ewing
4. Consider additional private haulers who would assist TIP trainers
5. Establish a virtual adoption program to support horses while they await adoption
6. Request For Proposals for private partners for small holding centers

Recommendation 4: The National Wild Horse and Burro Advisory Board recommends the formation of Advisory Board-formed Resources Working Group and that Dr. Boyd Spratling, Gary Zakotnik, Paul Durbin, Jim Stephenson, and Callie Hendrickson serve as members. The purpose of the working group is to look at the resource itself, the interaction of the horses and burros and the habitat and make pertinent recommendations.

Recommendation 5: The National Wild Horse and Burro Advisory Board recommends a quick initiation of the review process for ovariectomy as a population growth suppression tool based on their recommendation from the previous Board meeting.

Recommendation 6: The National Wild Horse and Burro Advisory Board resubmits a previous recommendation that eco-sanctuaries should not be considered on public HMA lands where horses currently exist.

Miscellaneous – closing comments

Report to Congress

There was a question from the Board asking about the status of the Report to Congress. Since there will be a new Secretary of the Interior as well as a new BLM Director, the document is now waiting for new management to be installed. The Report to Congress remains a draft.

Possibility of long term holding facility selling horses for slaughter - Spur livestock

The BLM drafted a public response to this issue and it will be posted on the BLM site called "From the Public".

Future Meetings

While there was a recommendation to set up a regular schedule for the meetings, it was decided not to schedule the next meeting due to budget and sequestration concerns. Discussion also focused on selecting a city that is the most cost effective and close to an HMA.

Meeting Adjournment

The meeting was formally adjourned at 12:02 PM.

Population Growth Suppression Alternative

Sept 10, 2012

BLM Advisory Board Recommendation on Population Growth Suppression

The Crisis: The numbers of horses in holding has ballooned to the point it consumed 59% of the FY 2012 WHB budget and threatens the viability of the health and welfare of the horses and the entire program. This is economically unsustainable. The GAO Study highlighted the need for changes to reduce the number of horses in holding. An alternative to removing horses from the range is to reduce the population growth potential therefore stabilizing populations on the range. There is an immediate need for additional and effective tools for population control.

Background: The BLM has been tasked with managing wild horses and burros on public lands in approximately 178 designated Herd Management Areas throughout 11 western states. The overwhelming challenge facing the BLM in regard to managing the wild horse and burro populations on public land has been and will continue to be population growth suppression of the herds. This population growth control is necessary due to the delicate ecological balance required on many of the rangelands where these wild horses and burros roam. This has been done in the past by gathering wild equids using mostly helicopter gathers and removing the horses and burros from the rangelands. This is expensive and very stressful on the animals. It attracts a lot of criticism by horse advocates and is a very expensive technique. Herein lays the challenge. How to keep populations at a healthy genetic and social level for the horses and burros as well as healthy levels for the rangelands and still allow the horses and burros to live as natural and undisturbed as possible? This challenge is compounded by several factors.

- The high costs associated with techniques used currently. Specifically;

- Helicopter gathers to address AML
- Administration of PZP and PZP-22 fertility control drugs
- Housing and care of excess horses in STH facilities (35%)
- Housing and care of horses in LTH facilities (24%)
- Cost studying future fertility control products
- Products now under consideration are expensive and not readily available for widespread use due to slow approval processes by the regulatory agencies charged with oversight.
 - Widespread use of SpayVac could be delayed years into the future.
- Currently used products such as PZP22 do not fulfill the needs of the WHB program. With expected duration of effectiveness to be about two years, re-administration and related gather of horses would be expensive and result in additional stress to the horses.
- The need to repeatedly and regularly gather horses to administer fertility control drugs.
- The recurrent costs (planning, re-gather, & administration of Immunocontraception) in monetary terms as well as the resulting stress on the animals.
- Bands of horses are intermingled.
- The costs of removal of animals from their home rangelands in excess of AML.
- The resulting costs of housing the animals removed from HMA's
- The costs of staff, maintenance and operations associated with the planning documents, management of the overpopulated HMAs, and the costs of operating various holding facilities for the excess horses and burros.
- The negative press associated with gather activity from horse and burro advocates and the legal fees resultant from law suits filed to stop gather activity by the BLM.
- Conflicting multiple use of public land i.e. wildlife, mining, ranching, recreation, hunting, watershed values with the needs of the horses and burros.

With the above considerations, a long lasting, immediately available alternative would be of value. Therefore, this proposal will focus on a surgical procedure as a

proposed population growth suppression method and explore the possible benefits it offers as well as the potential drawbacks. The procedure is called an Ovariectomy

Ovariectomy of Mares as a method of Population Growth Suppression in Wild horse and Burro herds

An Ovariectomy is a relatively simple surgical procedure that removes the ovaries from a mare. Ovaries produce eggs for reproduction. They also produce the hormonal process that causes estrous and the subsequent stallion breeding stimulation that results from the stimulus of the estrous cycle. The ovariectomy procedure has been performed for many years and there are accepted protocols for its utilization and implementation. It has a proven track record with several potential beneficial results toward achieving AML and could work to alleviate over population as well as herd structure disruption in HMAs.

The procedure is simple and is safe to perform in the field. Its costs are comparable to a single dose of PZP with NO need to handle the mare again in her natural lifetime. Ovariectomy is a one-time procedure and unlike fertility control drugs, does NOT have to be repeated. It eliminates the need to repeatedly gather horses simply to implement fertility control measures to individual animals.

One criticism of a permanent procedure such as ovariectomy is the potential loss of genetic viability within the genetic pool of any given population. Allowing a mare to have 2, 3 even more foals before the Ovariectomy procedure is administered would address that issue. The use of Ovariectomy would be restricted to use in older mares that have had an opportunity to contribute their genetic uniqueness to the herd structure. The optimum age to apply this measure would have to be determined and may vary from HMA to HMA or from band to band. Priority candidates could be identified by a scientific panel which would include geneticists, surgeons and others.

Benefits of Ovariectomy versus growth suppression drugs

An Ovariectomy would stop estrous so that mares would no longer be fertile. They would also no longer come into an estrous cycle and attract breeding activity. This will dramatically reduce injury potential to the mare as well as the resultant injury risks to stallions. Stallions are commonly injured by mares while breeding as well as in battles with other stallions over mares in estrous. A major drawback of PZP is that while it disrupts fertility in mares, it does not stop the estrous cycle. The resultant constant breeding cycle creates havoc within the herd band and subjects the mare to repeated breeding and a higher risk of injury.

Allowing the younger mares to have foals will help keep herd structure intact and NOT disrupt the bands. The older mares would remain in the herd as valuable members of the herd. Their acquired knowledge base would stay intact with the herd health benefiting from their continued presence and guidance in day to day activities as well as knowledge of resources such as forage and water.

The herds would all still have a reproducing element but the overall reproduction rate of the herd band would be much lower and the need to have gathers would be greatly reduced.

The removal of a mare from the breeding cycle would also allow for the older mares to live a less stressful life. As mares age, they are increasingly drawn down physically by the repeated process of gestation and nursing. Taking them out of that process as they age will allow for a better quality of life for these mares.

Gather Changes

In selected HMA's, water and or bait traps should be utilized to gather horses and burros. This method is much less stressful on horses and the gather activity can be done by in house staff rather than outside contractors. This gives a better level of quality control as well as lower costs to BLM. There are other benefits as well.

- Horses could be trapped in their individual bands
 - This would allow band structure to be noted by staff and decisions on band size adjustment more easily made.
 - Staff becomes familiar with individual and band dynamics. Understanding these aspects will make for better staff decisions in regard to herd management practices.

- Bands would not be mingled with other bands. Avoiding the resultant confusion and disruption of band continuity that result with gather techniques currently used.
- Band and individual records could be developed. This info could prove invaluable over time to develop Herd Management Plans that will benefit the range, the herds and individual animals.
- Much lower costs for management of populations than current methods.
 - Eventual elimination or downsizing of most holding facilities. Excess horse removal numbers would be much easier to match to adoption demand requiring far fewer resources.
 - Freeze brand on mares with ovariectomy would eliminate the need to handle them in the field.
 - Herds would only have to be handled by a few individuals rather than a large crew during management operations.
 - As the younger mares age, an occasional hands on operation to perform ovariectomies or remove a few horses would be done by in house staff at the trap site rather than by mass gather and transport to remote facility. This would be a much less expensive process and less stressful and disruptive to the animals.
 - Individual animals selected for specific study in the wild could be easily microchipped at these in house gathers for positive ID in future field studies.
- Other potential benefits of this proposed program
 - Water and bait traps can be built with assistance of concerned citizens and advocate volunteer corps
 - This volunteer process would allow these folks to participate in making a positive change for the horses and burros. Enhancing the image of BLM
 - Observation points at trap areas could also be utilized by these same people or university groups for individual or group study of horses, burros and band dynamics.
 - Using volunteers who are concerned about the health and welfare of wild equids, the BLM can create an opportunity to embrace the groups

and people who have traditionally been at odds with the BLM and their policies.

Concerns

There will always be concerns and drawbacks to any procedure that interferes with natural selection. Just by interfering with the natural selection process will be objectionable to some. But the mandate of the BLM requires the agency to maintain healthy rangelands for all users of public lands. Horses, burros, wildlife, ranching, recreational use, mining, etc., all have to be considered.

With any surgical procedure there is always some risk. Whether it is from sedation or complication from the surgical procedure itself, surgery is never 100% safe. However, the ovariectomy procedure has a long standing history of being an effective and relatively safe procedure that absolutely controls fertility and could be a valuable tool in population growth suppression in the management of wild horse and burro herds on public land. It has long been used in the race horse industry to control erratic estrous issues in athlete horses. The overall costs could be considerably less than with the administration of PZP and PZP 22 in both monetary terms and dramatically reduce stress and disruption of herd bands.

In evaluating the ovariectomy procedure as an alternative in population growth suppression, the possibility and feasibility of developing a laparoscopic ovariectomy procedure is currently being explored. The potential laparoscopic procedure has been discussed with a veterinary university program. They have expressed an interest in exploring the development of this approach. The possible benefits of simplifying the ovariectomy procedure would be reduction in recovery time and complications, easy implementation in the field by contract veterinarians, improvement in safety for the animals and staff as well as lower monetary costs associated with the field application of this procedure. No specific procedure or approach would be identified as the standard.

Another potential issue would be aftercare and observation of mares after the procedure has been performed. In a water or bait trap gather, the animals could be easily monitored for an amount of time required to ensure a better recovery rate before release back to the rangelands.

Some will have objections to the permanence of a surgical procedure. One advantage of a permanent procedure would be to eliminate or greatly reduce the frequency and/or the necessity to gather and handle the horses and burros that have received the surgery. At the very least, using water and bait trapping, animals that have had the procedure would be clearly marked by freeze brand so handling at the trap site could be kept to a minimum. Genetic viability would be addressed through scientific prioritization of age class to be spayed.

Summary

The potential to reduce the reproductive rate of the herds while allowing every mare to contribute her unique genetic material to the herds is a dynamic element in this proposal. Using ovariectomy as a population suppressant is a departure from the protocols currently in place. We believe that this change of direction is a viable alternative to practices currently in use with great potential to benefit the horses, BLM and the rangelands.

- It reduces costs.
- It is a one-time procedure.
- It reduces stress on individual animals, bands and HMAs.
- It allows for the preservation of a natural band structure with little interference by humans.
- When interaction with humans is required, due to the lower frequency needed, it will be considerably less invasive and disruptive to the herd bands. If gather is by water or bait trapping, this would be markedly less!
- It will allow easier study access so the protocols can be tweaked to suit individual band and range needs.
- It embraces horse advocates and concerned citizens who wish to participate in a positive process of change for the horses and burros under BLM jurisdiction.
- It may reduce gather injuries and deaths that occur in current gather activities.

Co-chairs

Boyd M. Spratling DVM

Julie Gleason

BLM Response to Wild Horse and Burro Advisory Board Recommendations from March 4-5, 2013, Meeting in Oklahoma City, Oklahoma

Sent April 29, 2013

Recommendation 1: The National Wild Horse and Burro Advisory Board recommends the BLM become involved in eco-tourism and consider the following:

1. Identify 2 existing HMAs that would be good recreation sites to develop a model to be replicated
 - a. Solicit recommendations from local offices by 6/2013
 - b. One may be near a metropolitan area and the other in a more rural setting
 - c. Work closely with local groups already positively engaged with BLM in the HMA
2. Selection of good partners is critical
 - a. Promotes a positive image for/of BLM
 - b. Provides balanced multiple information
 - c. Annual review of compliance and established protocols
3. Education
 - a. Delineate challenges BLM faces in managing the rangelands in the arid climate and balancing multiples uses
 - b. Include a strong component of rangeland, ecosystem, and animal health as well as financial constraints
 - c. Utilize the fact sheets from BLM web site
4. Appropriate observation of horses/ burros
 - a. Safety- focus on the safety of people and horses including but not limited to not feeding or touching the horses
 - b. Social impact on horses- too much people-traffic desensitizes the horses.

BLM Response: The BLM accepts this recommendation. To ensure a safe and educational experience occurs, the BLM will research potential HMA's that can fulfill the criteria. The BLM would also like to incorporate any lessons learned from the first eco-sanctuary tours before making a final determination of which HMA's would work best for this recommendation, so if the next Advisory Board meeting takes place before the Wyoming eco-sanctuary has completed their first public tour season in 2013, the BLM's report will be made at a later Advisory Board meeting.

Recommendation 2: The National Wild Horse and Burro Advisory Board recommends the BLM establish non-reproducing herds in existing HAs and HMAs and consider the following:

1. Identify HAs and/or HMA's for establishing non-reproducing herds.

2. Engage advisory board members in the process of exploring and recommending further action.
 - a) Form a working group (herein after referred to as the Group) of National Wild Horse and Burro Advisory Board members to develop recommendations. Said group shall be comprised of at least three but not more than five Board members.
 - b) Group will establish criteria for evaluations of the HA/HMA for suitability of herd reintroduction. Said criteria shall be developed by July 1, 2013. Collaboration with BLM and any interested parties may occur during this process.
 - c) Using the criteria established, the Group will confer with BLM personnel and examine all HA/HMA's to attempt to identify at least three locations where the reintroduction of non-reproducing herds is feasible. Explore the possibility of developing a program that will assist private sector in establishing non-profit sanctuaries for non-reproducing herds on private lands and/or leased BLM lands.
 - d) The Group will formulate their findings and report their recommendation(s) to the National Wild Horse and Burro Advisory Board by October 1, 2013.

BLM Response: The BLM accepts this recommendation. The BLM would like an Advisory Board-formed Working Group to create criteria for non-reproducing herds that will be used for reconsidering management of horses in HMAs and HAs. Once the criteria is in place, the BLM will work with the Field Offices to determine which HMAs and HAs may fit. The proposed HMAs and HAs will be reviewed by the BLM and Advisory Board.

Recommendation 3: The National Wild Horse and Burro Advisory Board recommends that the BLM increase focus and success in adoptions in the East and consider:

1. Increase/ establish storefronts on eastern market engaging MHF, using tip-trainers
2. Use skill set and business models of MHF to help Eastern States adopt more horses
3. Specific locations reviewed/ considered—e.g.; Meadowwood; Piney Woods; Ewing
4. Consider additional private haulers who would assist TIP trainers
5. Establish a virtual adoption program to support horses while they await adoption
6. Request For Proposals for private partners for small holding centers

BLM Response: The BLM accepts the intent of this recommendation. The program is considering all suggestions listed in the recommendation as well as other ideas to increase the number of successful adoptions in the East. The program is reviewing specific locations for holding, training and adoption centers in the east, and the most cost-effective delivery methods to get the animals to convenient locations for pick-up by trainers and adopters.

Recommendation 4: The National Wild Horse and Burro Advisory Board recommends the formation of Advisory Board-formed Resources Working Group and that Dr. Boyd Spratling, Gary Zakotnik, Paul Durbin, Jim Stephenson, and Callie Hendrickson serve as members. The

purpose of the working group is to look at the resource itself, the interaction of the horses and burros and the habitat and make pertinent recommendations.

BLM Response: The BLM accepts this recommendation. The BLM point of contact for this Working Group will be determined after the first discussion of the new Working Group.

Recommendation 5: The National Wild Horse and Burro Advisory Board recommends a quick initiation of the review process for ovariectomy as a population growth suppression tool based on their recommendation from the previous Board meeting.

BLM Response: The Wild Horse and Burro Research Advisory Team is proceeding as quickly as possible to review the ovariectomy proposal. It will then make a recommendation to the Division Chief regarding next steps for evaluating this as an additional tool for safe, humane and efficacious population growth suppression for wild horses on the range.

Recommendation 6: The National Wild Horse and Burro Advisory Board resubmits a previous recommendation that eco-sanctuaries should not be considered on public HMA lands where horses currently exist.

BLM Response: Working in partnership with others to create eco-sanctuaries for wild horses and burros is an initiative of Department of Interior. When new leadership is in place, the BLM will include Recommendation 6 in discussions with them. The BLM's response to this recommendation is therefore deferred to a later time. The BLM will continue the National Environmental Policy Act process currently underway for a proposed public-private lands eco-sanctuary in northeastern Nevada, which includes an Environmental Impact Statement that will inform the final decision, expected in 2014.

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
AND
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

NATIONAL WILD HORSE AND BURRO ADVISORY BOARD

CHARTER

1. **COMMITTEE'S OFFICIAL DESIGNATION:** Wild Horse and Burro Advisory Board (Board).
2. **AUTHORITY:** The Board is established pursuant to Section 7 (16 U.S.C. 1337) of the Wild Free-Roaming Horses and Burros Act (16 U.S.C. 1331-1340) (Act), and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2. In addition, the Bureau of Land Management (BLM) is subject to additional standards and procedures for the creation, operation, and termination of BLM advisory committees. Refer to the 1995 BLM regulations (43 C.F.R. Subsection 1784) for specific regulations regarding: composition (1784.2-1); avoidance of conflict of interest (1784.2-2); calls for nominations (1784.4-1); notice of meetings (1784.4-2); open meetings (1784.4-3); and records (1784.5-3).
3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Board will assist and advise the Secretary of the Interior, through the Director of the Bureau of Land Management, and the Secretary of Agriculture, through the Chief of the Forest Service (FS), on wild horse and burro policy formulation and oversight of the Wild Horse and Burro (WH&B) Program administered under the provisions of the Act.
4. **DESCRIPTION OF DUTIES:** At the request of the Director of the BLM, and in an advisory capacity only, the Board will gather to analyze information and consider public comments in order to offer advice and develop recommendations for the Secretary of the Interior, the Director of the BLM, the Secretary of Agriculture, and the Chief of the FS on matters relating to their responsibilities under the Wild Free-Roaming Horses and Burros Act of 1971. Those responsibilities include the protection and management of wild free-roaming horses and burros as components of the public lands; designation and maintenance of specific ranges on public lands as sanctuaries for their protection and preservation (where appropriate); management at the minimal feasible level to protect natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species, and to ensure forage allocations on any such lands take into consideration the needs of other wildlife species which inhabit such lands.

Specifically, the Board may be directed to:

- a. Review current and proposed management policies on the protection, management, and control of wild horses and burros, the disposition of

excess wild horses and burros, and recommend appropriate changes that will facilitate these actions;

- b. Review current program guidance and procedures and advise the BLM and FS as to whether they are effective for implementing program policy;
- c. Advise the BLM and FS on ways to stimulate public and private participation to facilitate the adoption process and to provide for humane care for animals determined to be unadoptable;
- d. Advise the BLM and FS on ways to foster cooperation and provide liaison among Federal, state, tribal, and local governments, private organizations and affected interests, humane groups, the scientific community, and others;
- e. Advise the BLM and FS in assessing the scientific basis for managing populations of wild horses and burros; and
- f. At the end of the 2-year charter period, compile a written report to the Secretaries of the Interior and Agriculture highlighting the results of its deliberations and make recommendations concerning major policy issues as requested by the Director of the BLM and the Chief of the FS.

- 5. **OFFICIAL TO WHOM THE BOARD REPORTS:** The Board reports to the Secretary of the Interior, through the Director of the BLM, and the Secretary of Agriculture, through the Chief of the FS.
- 6. **SUPPORT:** Administrative support for activities of the Board will be provided by the BLM.
- 7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual operating costs associated with supporting the Board's activities are estimated to be \$128,500, including all direct and indirect expenses and .5 staff years.
- 8. **DESIGNATED FEDERAL OFFICER:** The Designated Federal Officer (DFO) is the BLM's Assistant Director for Renewable Resources and is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all of the Board and subcommittee meetings, prepare and approve all meeting agendas, attend all Board and subcommittee meetings, and adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary.
- 9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** The Board will meet approximately one to four times annually, and at such other times as designated by the DFO.
- 10. **DURATION:** Continuing.

11. **TERMINATION:** The Board will become inactive 2 years from the date the Charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The Board will not meet or take any action without a valid current charter.
12. **MEMBERSHIP AND DESIGNATION:** Members will be appointed and serve at the pleasure of the Secretaries of the Interior and Agriculture. Members will be appointed as representatives or Special Government Employees from the following organizations or categories:
 - a. Wild horse and burro advocacy groups;
 - b. Wild horse and burro research institutions (especially genetics, population biology, and equine behavior);
 - c. Veterinary medicine (equine science);
 - d. Natural resources management organizations (especially rangeland science);
 - e. Humane advocacy groups;
 - f. Wildlife management organizations;
 - g. Livestock management organizations; or
 - h. General public (with special knowledge about protection of wild horses and burros, management of wildlife, animal husbandry, or natural resource management).

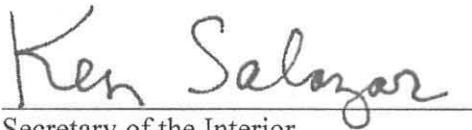
The Board will have no more than nine members, and members may not be employees of the Federal or State Governments.

13. **ETHICS RESPONSIBILITIES OF MEMBERS:** No Board or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.

As provided in 43 CFR 1784.2-2, members of the Board shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the BLM, or in any litigation related thereto. For the purposes of this paragraph, indirect interests include holdings of a spouse or dependent child.

The Department of the Interior will provide materials to members appointed as special Government employees explaining their ethical obligations. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Board's operations, activities, or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

14. **SUBCOMMITTEES:** Subject to the DFO's approval, subcommittees can be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Board for consideration. Subcommittees must not provide advice or work products directly to the Agency. The Board Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
15. **RECORDKEEPING:** The Records of the Board, and formal and informal subcommittees, of the Board, shall be handled in accordance with General Record Schedule 26, Item 2, or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

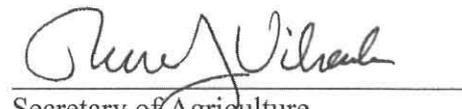

Secretary of the Interior

JUN 14 2012

Date Signed

JUL 22 2012

Date Filed


Secretary of Agriculture

JUN 29 2012

Date Signed

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
AND
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**NATIONAL WILD HORSE AND BURRO ADVISORY BOARD
2012-2014 BYLAWS AND STANDARD OPERATING PROCEDURES**

SECTION 1. PURPOSE:

The purpose of the Wild Horse and Burro Advisory Board (Board) is to provide advice and recommendations on current issues facing the program.

SECTION 2. AUTHORITY:

The Board is established pursuant to Section 7 (16 U.S.C. 1337) of the Wild Free-Roaming Horses and Burros Act (16 U.S.C. 1331-1340) Act, and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App.2.

SECTION 3. MEMBERSHIP SELECTION AND APPOINTMENT:

Members of the Board shall be selected from persons who are not employees of Federal or state government. As appropriate, certain members may be appointed as Special Government Employees.

From among nominations submitted by individuals, national organizations, and associations involved with problems relating to protection, management, and control of wild horses and burros on the public lands, and after consultation with the Chief of the Forest Service, the Director of the BLM will submit to the Secretary of the Interior and the Secretary of Agriculture a list of individuals recommended for membership on the Board. The Secretaries may appoint members of the Board from this list or, at their discretion, other sources.

Members will be selected based on specific needs of the Board in order to balance those viewpoints required to effectively address BLM policy issues under consideration. The Act directs that membership reflect special knowledge about protection of horses and burros, management of wildlife, animal husbandry or natural resource management.

Vacancies due to resignation, death, or Secretarial removal will be filled for the balance of the vacating member's term in the same manner as the original appointment.

The Secretaries may, after written notice, terminate the service of a member if in the judgment of the Secretaries or the Designated Federal Official (DFO), removal is in the public interest. Members may also be terminated if they no longer meet their appointment requirements, fail or are unable to participate regularly in Board work, or have violated Federal law or the regulations of the Secretaries.

Board members are appointed to serve 3-year terms, on a staggered term basis, subject to renewal of the Board's charter, with one-third of the Board subject to appointment each year. At the Secretaries' discretion, the Board members from past Boards may be appointed or reappointed for additional terms.

The Board chair or co-chairs will be appointed by the DFO.

SECTION 4. MEETINGS PROCEDURES:

The DFO required by the Federal Advisory Committee Act will be the Director of the BLM or a designee, who will call and attend all meetings of the Board

A. Agenda: The DFO will approve the agenda for all meetings. BLM will distribute the agenda to the members prior to each meeting and will publish an outline of the agenda with the notice of the meeting in the Federal Register. Items for the agenda may be submitted to the DFO and/or the Chairman by a member of the Board.

B. Minutes and Records: The Boards DFO will prepare minutes of each meeting and will distribute copies to each Board member. Minutes of meetings will be available to the public upon request. The minutes will include a record of the persons present (including the names of Board members, names of staff, and a complete and accurate description of the matters discussed and conclusions reached, and copies of all reports received issued or approved by the Board. All documents, reports, or other materials prepared by, or for the Board constitute official government records and must be maintained according to BLM policies and procedures. The accuracy of all minutes will be certified by the Board Chair. Copies of the approved minutes will be maintained in the Office of the Assistant Director for Renewable Resources and Planning, Bureau of Land Management, 1849 C Street, N.W., Washington, D.C. 20240, and will be available for public viewing on the BLM's National Wild Horse and Burro website at www.wildhorseandburro.blm.gov.

C. Federal Register Notice: Absent urgent circumstances, the BLM will publish a notice of each meeting of the Board in the Federal Register and distribute to the news media 30 days in advance of the meeting. If urgent circumstances prevent a 30-day notice, not less than a 15-day notice will suffice. The notice sets forth the purpose, time and place of the meeting.

D. Open Meetings: Unless otherwise determined in advance, all meetings of the Board will be open to the public. Once an open meeting has begun, it will not be closed for any reason. Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may, at the determination of the Chairman, offer oral comment at such meeting. The Chairman may decide in advance to exclude oral public comment during a meeting, in which case the meeting announcement published in the Federal Register will note that oral comments from the public is excluded and will invite written comment as an alternative. Members of the public may submit written statements to the Board at any time.

SECTION 5: VOTING

When a decision or recommendation of the Board is required, the Chairman will request a motion for a vote. Any member, including the Chairman, may make a motion for a vote. No second after a proper motion will be required to bring any issue to vote. Alternatively, approval of recommendations can be made by discussion and consensus at the discretion of the Chair.

SECTION 6. ROLE OF BOARD OFFICIALS

Chairperson: The Chair person works with the DFO to establish priorities identify issues which must be addressed, determines the level and types of staff and financial support required, and serves as the focal point for the Board's membership. In addition, the Chairperson is responsible for certifying the accuracy of minutes developed by the Board to document its meetings.

Designated Federal Officer: The DFO serves as the government's agent for all matters related to the Board's activities. By Law, the DFO must: (1) approve or call the meeting of the Board; (2) approve agendas; (3) attend all meeting, (4) adjourn the meetings when such adjournment is in the public interest; and (5) Chair meetings of the Board, when so directed by the Secretary of Interior. The DFO can designate a representative as needed.

SECTION 7. EXPENSES AND REIMBURSEMENT

Expense related to the operation of the Board will be borne by the Bureau of Land Management. Expenditures of any kind must be approved in advance by the DFO. The government will pay travel and per diem for non-government members at a rate equivalent to that allowable for federal employees.

U.S. DEPARTMENT OF THE INTERIOR **BUREAU OF LAND MANAGEMENT**
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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240
<http://www.blm.gov>

June 25, 2013

In Reply Refer To:
4710 (260) P

EMS TRANSMISSION 06/28/2013
Instruction Memorandum No. 2013-146
Expires: 09/30/2014

To: All Field Office Officials (except Alaska)

From: Assistant Director, Renewable Resources and Planning

Subject: Exception to Policy in BLM Handbook H-4700-1 and Manual 4720.41: "Helicopter Gather of Wild Horses and Burros between March 1 and June 30" Due to Emergency Conditions and Escalating Problems

Program Areas: Wild Horse and Burro Program

Purpose: This Instruction Memorandum (IM) provides guidance to Authorized Officers (AO) regarding the potential need to gather wild horses utilizing helicopters within the current "annual foaling season helicopter gather closure period" under emergency, and some situations or conditions, resulting in escalating problems. This IM amends guidance in the Wild Horse and Burro (WH&B) Handbook H-4700-1 issued in June 2010, as well as Bureau of Land Management (BLM) Manual 4720.41 issued in July 2010. It authorizes AOs to use helicopters to assist in the gathering of wild horses between the dates of March 1 and June 30 of a given year. This option is crucial to the BLM mission to protect wild horses on the range in a humane manner while allowing for multiple uses of the public lands.

Policy/Action: The peak of foaling for the majority of the wild horse herds on public lands in the West falls within a period from mid-April to mid-May. It has been the BLM's policy to prohibit the use of helicopters to assist in the capture of wild horses during the peak foaling period and for the six weeks before, and the six weeks following, the peak of foaling. Therefore, the use of helicopters to capture wild horses has been prohibited by policy from March 1 until June 30. Helicopters may be used year-round in the capture of wild burros as they may foal throughout the year and do not exhibit a specific foaling season.

This IM describes a new exception to the above policy that could be exercised during emergencies and some situations or conditions resulting in escalating problems that threaten the health and welfare of wild horses. Emergency and Escalating Problems are defined in the WH&B 4700 Handbook as follows: emergencies[1]: "unexpected events that threaten the health and welfare of a WH&B population and/or their habitat;" and escalating problems: "conditions that deteriorate over time. The key indicators are a decline in the amount of forage or water available for WH&B use, with negative impacts to rangeland health and, ultimately, animal conditions." During such an escalating problem, gathering from March 1 until June 30 with the use of a helicopter could be allowed. The BLM district or field office will need to provide a briefing paper to the WO-260 for prior approval of the gather. This briefing paper should include the following:

- Name of affected herd management area (HMA).
- Nature of the emergency or escalating problem. (i.e., drought, fire, lack of forage).
- Approximate number of animals that are in jeopardy.
- A brief description of actions already taken to attempt to mitigate the situation.
- Whether mortality is expected without action and why.
- Appropriate management level of the HMA and the current estimated population
- Anticipated timeline for action.

Upon approval from WO-260, the gathering of wild horses with a helicopter could commence.

Timeframe: This IM is effective immediately.

Budget Impact: No budget impacts are expected. Gathers that were previously scheduled to take place later in the fiscal year would be canceled or rescheduled to allow for these gathers to occur.

Background: This IM provides further guidance with respect to the use of helicopters to assist in the capture of wild horses.

Manual/Handbook Sections Affected: This IM clarifies the intent of BLM Manual Section 4720.41 and BLM Handbook 4700-1, Chapter 4.4.4, with regard to the BLM's policy on the use of helicopters to assist in the capture of wild horses.

Coordination: This IM was coordinated among WO-200 and WO-260 staff and State WH&B Program Leads.

Contact: If you have any questions regarding this IM, please call Joan Guilfoyle, Division Chief, Wild Horse and Burro Program, at 202-912-7260.

Signed by:
Edwin L. Roberson
Assistant Director
Renewable Resources and Planning

Authenticated by:
Robert M. Williams
Division of IRM Governance, WO-560

[1] The term 'emergency' as used in this sense does not necessarily imply an emergency under NEPA, and so appropriate NEPA analysis may be required before action is taken. Refer to BLM NEPA Handbook 1790-1 section 2.3.1 for additional information.

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Washington, D.C. 20240
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March 13, 2013

In Reply Refer To:
1600/1730/4100/4700/6500/7200 (220) PEMS TRANSMISSION 03/26/2013
Instruction Memorandum No. 2013-094
Expires: 09/30/2014

To: All Field Office Officials

From: Assistant Director, Renewable Resources and Planning

Subject: Resource Management During Drought

Program Area: Drought Management

Purpose: This Instruction Memorandum (IM) provides general guidance regarding Bureau of Land Management (BLM) program management in the face of drought. It also provides specific livestock grazing program guidance. Although this guidance is centered on the biological resource programs that have direct impacts on the long-term health of rangelands, the communication and coordination principles apply to many other resource programs as well.

Policy/Action:A. General Principles

Regardless of weather or climatic variation, the BLM must manage public land resources to achieve and sustain their long-term health and productivity. Lack of water due to drought stresses ecosystem functions and processes. Land uses and activities authorized or managed by the BLM affect the condition of public land resources. The BLM must modify authorized uses or management practices when necessary to lessen their impact to drought-stressed public land resources. This includes but is not limited to activities such as grazing, recreation, lands actions and minerals activities.

When deliberating the appropriate management response to adapt to drought, the BLM must consider the potential impact of that response on public land users. In turn, the BLM will strive to mitigate that impact while still promoting land health and productivity over the long term. Actions available to mitigate the impacts of public land uses and activities in the face of drought vary by program. Mitigation that involves the use of alternative water sources will involve existing water rights and typically will need long lead times, involvement of BLM water rights specialists, pre-planning with other Federal agencies, State agencies (e.g., state water boards), and stakeholders to have

agreements/action plans in-place and ready to be used. The BLM will strive to timely modify any authorized uses or activities that could result in long-term damage to ecosystem functions or processes. This can be particularly important where the BLM is mandated to protect the purposes for a Congressional designation and federal reserved water rights are involved (such as on Wild and Scenic Rivers).

Field offices must be aware of whether and to what extent drought conditions exist within their area of jurisdiction. To that end, field offices may use a variety of drought monitoring and assessment tools including those found at the U.S. Drought Portal (www.drought.gov) [1] and the National Drought Mitigation Center (<http://drought.unl.edu/>). Additional useful information may be found at the National Oceanic and Atmospheric Administration's (NOAA) climate portal (www.climate.gov) and NOAA's National Weather Service website (www.weather.gov). When necessary, district and field offices should request assistance in the proper use and interpretation of the information, maps, indices, etc., that may be accessed from these sites from state office specialists, the National Operations Center or specialists at the various units of the Predictive Services program overseen by the National Interagency Coordination Center (<http://www.predictiveservices.nifc.gov/weather/weather.htm>). The BLM offices are encouraged to share drought information that they compile both internally and externally, as well as to seek out drought information that may have been compiled by other Federal, State or local agencies.

The effects of droughts have no jurisdictional boundaries. State government organizations (e.g., the Western Governors Association/Western States Water Council/Western States Federal Agency Support Team), and State and local governments have a central and crucial role in drought management. Qualification for Federal, State or local emergency or disaster assistance typically hinges on gubernatorial or county findings or declarations. Each Western State has a drought management plan and local and tribal governments may also have plans. When developing drought assessment and response management for public lands, the BLM line managers must be aware of the drought management plans developed by other governmental entities that exist within their jurisdictional area. Field offices will ensure that their drought management efforts are compatible with these plans to the extent consistent with Federal law and policy. Most Western State drought plans as well as some local plans can be found by accessing the "Planning" tab at the National Drought Mitigation Center's website – see <http://drought.unl.edu/Planning/PlanningInfobyState/DroughtandManagementPlans.aspx?st=wa>.

The BLM, as part of a landscape approach to management, is now in the process of completing Rapid Ecoregional Assessments (REA's) for several regions in the west. Once completed, REA's will identify where change agents, including climate change, have the potential to impact conservation elements. As it becomes available, the information set forth in REAs should be considered when assessing drought and potential future mitigation.

Early opportunity for input into the BLM's decision-making process is fundamental to well-balanced decisions. When determining needed adjustments to existing public land use authorizations, the preferred approach is to arrive at consensus with both the authorized parties and the interested public. Field office use of local working groups, public meetings and other outreach and input gathering activities is recommended to meet the requirements for consultation, cooperation and coordination under the grazing regulations, and other programs' processes and procedures for involving interested parties or affected users in BLM decision-making.

Offices screen proposed drought mitigation strategies and actions to determine if they trigger the requirement for National Environmental Policy Act (NEPA) compliance documentation and if so, whether existing documentation is adequate or whether additional analysis is needed. Preparing

Resource Management Plans, as well as activity plans such as Allotment Management Plans and Habitat Management Plans and their supporting NEPA documents, provides a pro-active mechanism to address potential drought conditions and contingencies. Drought and its effects on resources is a gradual phenomenon. A delay in taking timely action to mitigate the effects, while undeniably urgent, does not rise to the standard for an Emergency Action under NEPA. As appropriate, line managers will use the decision process specific to their programs to implement adjustments of uses or activities to mitigate the effects of those activities on natural resources stressed by drought.

This Instruction Memorandum provides flexibility to line management and staff as they work cooperatively with public land users and other stakeholders to develop and implement drought-responsive actions during drought conditions. Success of this policy hinges on timely communication among BLM field units at all organizational levels and among livestock operators, Resource Advisory Councils, conservation and advocacy organizations, local, State and Tribal governments, other Federal agencies, and the public.

B. Procedures

The procedures outlined below provide guidelines for line managers regarding their approach to formulating and implementing actions to mitigate the effects of BLM authorized uses on drought-stressed resources. All procedures will not be applicable to all situations and where necessary, these may be adapted or modified to suit local circumstances. This policy is supplemental to standard BLM program procedures and is intended to be used as a tool to help address and mitigate the impacts of drought.

This policy outlines an annual three-phased approach, organized using the annual seasonal cycle of livestock grazing use on public lands, to assessing drought-caused circumstances or resource conditions, and implementing responsive management actions (“assessment and response”): 1) Pre-Season; 2) Early to Mid-Season; and, 3) Late-Season to Post-Season. It is focused primarily on the grazing program and those programs that affect or are affected by the grazing program.

1. **Pre-Season – Preferably four or more months before, but any time before livestock turnout (or any time if use is authorized year-round).**

- a. Use an interdisciplinary approach (within the confines of scarce skills availability) to: 1) identify natural resources and other applicable public values of highest vulnerability to being adversely impacted by drought; and 2) prioritize emphasis areas to focus monitoring, assessment and allocation of scarce resources and operational resources. Information sets that may be used to assess conditions and to prioritize and support responsive action include but are not limited to:
 - Weather information, precipitation indices, snowpack conditions, and soil moisture indices.
 - The timing and “type” of precipitation received (e.g., “effective” precipitation or rainfall) with respect to its impact on plant growth and reproduction, soil moisture recharge and surface runoff.
 - Surface water flows, spring flow rates and subsurface water levels.
 - Vegetation condition and use levels, and soil monitoring data.
 - Fish and wildlife habitat condition, with emphasis given to critical habitat for threatened and endangered, or sensitive species.
 - Wild horse or burro body condition and population distribution.
 - Presence and condition of significant, vulnerable or sensitive resources or

values.

- Areas that have been prioritized for assessment and evaluation of land health standards (see Manual Handbook H-4180-1 III.A.3).
 - Fuel moisture levels.
 - Information acquired from stakeholders, cooperators and partners.
- b. Determine whether currently available data is sufficient to inform and support drought responsive actions. Collect additional data if currently available data are deemed inadequate. Use locally-tailored checklists and “ground truthing” to ensure that critical resources and issues are addressed and to document coordination with all affected, involved or interested parties.
- c. Maintain a continuing dialogue and timely inform line management regarding the results of drought assessments and the approaches being used to develop and implement responsive actions. When drought is widespread, State and Washington Office line management will coordinate a consistent approach to response development and implementation at the State and multi-state regional levels.
- d. Use correspondence to: 1) inform grazing permittees and lessees and other stakeholders about current and projected drought conditions; and 2) outline potential responsive management actions that the BLM may take that would affect their use of public lands for grazing in the forthcoming grazing season. Actively engage and encourage operators in early communication and coordination in advance of possible action with a view towards identifying and implementing appropriately responsive grazing management adjustments. Whenever feasible, host or participate in on-the-ground tours to discuss conditions, concerns and possible solutions.
- e. Adjust grazing use, as necessary, which may include *but is not limited to* reducing livestock numbers, shortening the season of use, altering pasture move dates, changing pasture rotations, authorizing water hauling (after documenting NEPA compliance), closing allotments to grazing use, or allowing use in vacant allotments.
- Regulatory mechanisms to voluntarily implement grazing use changes include approval of applications for voluntary non-use (43 CFR 4130.2(g)), or approving applications for changes within the terms and conditions of permits and leases (43 CFR 4130.4(b)), or some combination.
 - Line officers also have the option to implement needed changes through a formal agreement between the BLM and grazing operator (which is recommended to be implemented by decision) that specifies the drought-related grazing adjustments (43 CFR 4110.3-3(a)), or by temporarily suspending or otherwise modifying use via a decision that may be put into immediate effect, if necessary (43 CFR 4110.3-2(a) and 3-3(b)).[2]
 - If using an agreement or decision, indicate within it the intended duration of the drought-related adjustments and include supporting rationale for the indicated timeframe.
 - Regulation 43 CFR 4130.6-2 provides the mechanism for the BLM to authorize use in vacant allotments. Do not modify permits and leases (43 CFR 4130.3-3) to make drought responsive short-term grazing use adjustments.
- f. Actively monitor wild horse and burro population distribution and habitat conditions as well as current animal body condition. Whenever it appears that it may be

necessary because of drought projections or conditions to take action to ensure wild horse or burro welfare (e.g. emergency gather, water hauling or direct movement of animals to other parts of a Herd Management Area (HMA), engage the State Wild Horse and Burro program lead for guidance and advice, and determine the appropriate course of action. Ensure timely utilization of standard mechanisms for informing higher organizational levels and escalating the action (Early Alerts, Escalating Issues Reports, etc.). Placement and use of temporary (not to exceed one month) portable corrals and water troughs may be required. Utilization of the approved Categorical Exclusion for Wild Horse and Burro's (H-1790) may be used as needed.

- g. As appropriate, engage state fish and wildlife agencies to discuss actions they intend or desire to take to address drought impacts on fish and wildlife populations and to what extent the BLM can cooperate with or facilitate these actions.
- h. Assess and document annual work plan priorities to determine which tasks or projects will be supplanted by focused efforts to address and manage drought impacts. After appropriate communication and consultation with local staff and state program leads, field and district managers should disseminate and justify these changed priorities through line management to the state level to obtain Deputy State Director concurrence or alternate management direction.

2. Early to Mid-Season– Within three months after livestock turn-out and/or at the peak plant growth period.

- a. Obtain updated weather records, indices, etc., from sites accessible from the U.S. Drought Portal. Review the most recent relevant precipitation, snow pack and soil moisture records for the winter and early spring period.
- b. Evaluate on-the-ground resource conditions to determine the effects and appropriateness of continued grazing use by all users. Maintain close coordination and consultation with other biological resource program specialists, recognizing that drought will stress wild horses and burros, wildlife and aquatic dependent resources, and will compromise riparian and upland habitats. Maintain communication with local line officers and pertinent state program leads regarding drought effects on resources and actions being taken in response. Monitor soil moisture levels in areas of concern to help assess the need for immediate or potential action. During this period, measurements in the root zone to determine available water for plants are especially important. If the technical capability of local staff to collect or interpret this information is an issue, consider partnering opportunities with other groups (e.g., the local Natural Resources Conservation Service office, local Conservation Districts).
- c. Review the adequacy of external and internal communications regarding the drought and drought responsive actions. Assess whether the level and efficiency of communication is sufficient and if not, strengthen communications efforts to address the weaknesses.
- d. Continue to interact with affected livestock permittees and lessees to refine livestock grazing management practices using the authorities identified in Section 1(e) of this IM, above. Communicate to permittees or lessees in advance the conditions or circumstances that would prompt further livestock management adjustments or

modifications. Consider whether correspondence that updates all affected stakeholders regarding drought impacts and identifying areas of concern is warranted. As needed, maintain or refresh contacts with permittees and lessees, emphasizing that the need to work closely with the BLM and BLM Rangeland Management Specialists is especially important during drought periods. Whenever feasible, meet personally with livestock permittees or lessees to review and discuss drought information and needed management changes within the terms and conditions of the permit/lease. Base the extent of livestock use adjustments on assessment of all factors including past grazing use, rangeland health, residual cover, precipitation, long-term weather forecasts, and the impact of grazing on other resources present within the affected area.

- e. Track drought-related use authorization and other activity (e.g., wild horses and burros) adjustments sufficiently to enable field offices and states to answer the question: "What types and levels of adjustments in uses and activities have you made in response to drought conditions?"
- f. Continue to engage state fish and wildlife agencies to consult about drought impacts to fish and wildlife habitat conditions (e.g., species population levels, species distribution, seasonal mortality, ungulate fawning and calving success, surface water availability, etc.). During multiple-year drought cycles consult with the agency to determine if temporary reductions of ungulate populations are appropriate to provide for healthy long-term habitats.

3. Late-Season to Post-Season

- a. Monitor conditions in the previously identified priority drought-affected areas, including effective precipitation, utilization by all herbivores of key plant species in key areas, plant growth and reproduction, and water availability at artificial and natural water sources. Evaluate livestock distribution over the landscape. Plant and water use by livestock should occur in a manner that does not compromise terrestrial and aquatic habitat conditions or other watershed values. Ensure that use authorization compliance occurs in an efficient and systematic manner. Anticipate and promptly resolve noncompliance.
- b. Notify the permit or lease holders that they must move or remove livestock within a designated period of time, if adverse impacts to resources attributable to livestock grazing are occurring despite the drought response actions implemented under previous steps. It is recognized that predicting the severity of a drought's impact on resources is an inexact science. As feasible, consult with and communicate with the interested public. If the livestock are not timely moved or removed as directed, issue a grazing decision requiring that they be moved or removed using the authority in 43 CFR 4110.3-3(b). Field offices that administer year-round grazing should also undertake the procedures identified in the "pre-season" assessment phase before the next peak plant growth period.

C. Other Considerations

- 1. The placement of portable water troughs for a period not to exceed one month is categorically excluded from NEPA analysis (516 Departmental Manual 11.9 (D)(2)), if no extraordinary circumstances (see 43 CFR 46.215) apply. (An example of an extraordinary

circumstance is where the action would impact a listed and candidate species or where the action would impact cultural resources.) Address placement of portable water troughs for more than one month in a concise, focused environmental assessment. Decisions to authorize the placement of portable water troughs are issued under 43 CFR 4160.

2. If water sources are not available, typical movement of livestock as specified by the grazing permit or lease may no longer be feasible. In those cases, the following implementation options may be feasible:
 - *Enter into agreements with private entities and other agencies to allow access to more reliable water sources.* If this option is considered, the water rights associated with the more reliable sources must be reviewed to ensure that livestock use is authorized, and the proposed agreements must be reviewed to ensure that any investment of dollars by the BLM has a sound legal foundation.
 - *Construct alternative or temporary water sources, such as new wells or temporary pipelines.* These new structures typically require water rights, and often, the lead time needed to get a water right is long.
 - *Authorize additional grazing use in areas with more reliable water sources.* If use of a reliable water source is going to be increased, the water right holder(s) may need to file an application for enlargement of the water right.
 - *Haul water.* Before authorizing water hauling, the BLM must determine that appropriate water rights exist for use of the proposed water source. (For example, using a local creek to fill a water hauling tank may be unauthorized and cause problems with other parties who are relying upon that water under existing water rights.)
3. The regulation 43 CFR 4130.3-2 provides that the BLM may allow permittees or lessees to place feed supplements (e.g., salt, minerals, vitamins, protein cake, etc.) at specified locations on public lands to improve livestock or rangeland management. Such supplements provide livestock essential nutrients that are not provided by rangeland forage or facilitate more efficient digestion of rangeland forage. Regulation 43 CFR 4140.1(a)(1) provides that placing supplemental feed on public lands without authorization is prohibited.
4. Generally, do not authorize “maintenance feeding” (provision of fodder that serve as the bulk dry matter forage requirement for livestock) on public lands regardless of drought. Deny any applications for maintenance feeding on public lands due to poor forage conditions or lack of forage[3]. If circumstances are such that the public rangeland does not supply the dry matter diet requirement of livestock, the livestock need to be removed. If approved in advance by the state director, you may make exceptions for emergency situations to the extent that livestock must be fed in order to be in sufficient condition to be safely removed. District and field managers may make an exception for overnight maintenance feeding of sheep if they are being trailed, this has been the historical practice and it occurs in compliance with state-established certified weed-free hay or forage requirements.
5. Promptly process mid-season applications to modify existing grazing authorizations to request non-use due to drought. When this occurs, line managers are authorized to waive the application fee required by 43 CFR 4130.8-3 (cross-referenced at 43 CFR 4130.4(a)) to process a replacement or supplemental billing. Regulation 43 CFR 4130.8-2(b) authorizes the BLM to refund grazing fees if previously approved grazing use is not made due to drought conditions.

6. During drought, be especially cognizant of the BLM's mandate to manage grazing and other uses in a manner that protects, conserves and restores National Landscape Conservation System values.
7. When considering whether to implement drought responsive management actions in wilderness or wilderness study areas, consult the BLM Wilderness Manual (6440), specifically the Minimum Requirement Decision Guide, and the Wilderness Study Area Manual (6330), specifically the non-impairment standard.
8. Coordinate with state fish and wildlife agencies on drought response actions and potential effects to fish and wildlife pursuant to state-level Memorandums of Understanding with the BLM.
9. Coordinate and consult with the U.S. Fish and Wildlife Service and National Marine Fisheries Service on drought response actions and potential effects to federally-listed fish and wildlife pursuant to section 7 of the Endangered Species Act.

D. Post Drought

The importance of achieving or maintaining rangeland health cannot be over emphasized when considering the return of grazing or other uses to a "pre-drought" basis. Time is needed to allow plants to regain vigor that was weakened by drought conditions. Residual impacts to resource conditions continue long after "normal" levels of rainfall and snowmelt have recharged soil moisture. Resource recovery from long-term or multi-year drought typically will require several years. When drought conditions ease, complete an assessment of all on-the-ground conditions and take that into account when determining whether and to what extent uses will be authorized. Where RMPs, activity plans, decisions or agreements have described criteria to be met before returning to pre-drought use levels, evaluate on the ground conditions against those criteria. If frequent emergency or nuisance removals or water hauling is required within a specific HMA due to inadequate habitat, managers should reevaluate the area and consider the possibility of removing the area's designation as an HMA through the LUP process.

Managers and staff are to engage grazing permittees and lessees, other stakeholders, the Resource Advisory Councils and the interested public in discussions about these topics. Consider what worked well and what did not work so well in addressing the drought and formalize process improvements in anticipation of the need to address future drought.

Timeframe: This IM is effective upon receipt and until superseded.

Budget Impacts: Work efforts needed to respond to drought will be budget neutral; however, work programmed prior to the onset of drought will not be accomplished if supplanted by focused efforts to assess resources and modify or carryout activities in response to drought conditions.

Background: Multi-year drought conditions may impact vegetative vigor and composition; create conditions suitable for invasion by exotic plants; reduce both surface and subsurface water quantities and qualities; stress fish and wildlife; negatively impact air quality and, create economic hardship for many users of public land. Regional and local-scale drought periodically reoccurs from time to time. National level drought management guidelines and recommendations for BLM-administered lands were last articulated in BLM IM 2003-0074 (January 8, 2003). The principals and recommended practices set forth in that IM are refreshed in this IM.

Manual/Handbook Sections Affected: None

Coordination: Preparation of this IM was coordinated with the Deputy State Directors, Field Committee members, Division of Decision Support Planning and NEPA (WO-210); Division of Fish, Wildlife, and Plant Conservation (WO-230); Division of Wild Horses and Burros (WO-260); Division of Environmental Quality and Protection (WO-280); Division of Public Affairs (WO-610); and the National Landscape Conservation Division (WO-410).

Contact: If there are any questions concerning this IM, please contact Lynda Boody, Division Chief, Division of Forest, Rangeland, Riparian and Plant Conservation (WO-220), 202-912-7222; [Robert Bolton, Senior Rangeland Management Specialist, 202-912-7204](mailto:Robert.Bolton@blm.gov); or [Ken Visser, Rangeland Management Specialist, 503-808-6635](mailto:Ken.Visser@blm.gov).

Signed by:
Edwin L. Roberson
Assistant Director
Renewable Resources and Planning

Authenticated by:
Ambyr Fowler
Division of IRM Governance, WO-560

[1] The BLM is one of many government agencies that participate in the *National Integrated Drought Information System* (NIDIS), which was chartered in 2006 by Public Law 109-430. The NIDIS is administered by the National Oceanic and Atmospheric Administration (NOAA). The U.S. Drought Portal is the “public face” of the NIDIS.

[2] Issuing a grazing decision to implement an agreement for changes in use provides for administrative finality of the approval of actions that will occur under the agreement. Issuing a grazing decision where agreement cannot be reached must be preceded by a reasonable attempt at consultation, cooperation and coordination with affected grazing operators, the state having lands or responsible for managing resources in the affected area and the interested public.

[3] Under specific criteria, the BLM may allow or require the use of providing hay or other fodder on specific sites on public lands if “animal impact” is used as a tool for land treatment. This is not considered to be maintenance feeding.

Note: the text of the Wild Free-Roaming Horses and Burros Act of 1971, as amended by Congress since that time, has been compiled, organized, and reproduced below by the Bureau of Land Management as of January 2006

The Wild Free-Roaming Horses and Burros Act of 1971 (Public Law 92-195) was amended as follows: Sections 1332 and 1333 were modified by the Public Rangelands Improvement Act of 1978 (Public Law 95-514); Section 1338 was modified by the Federal Land Policy and Management Act of 1976 (Public Law 94-579); the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333) added Section 1338a.; and Section 1333 was again modified by the Fiscal Year 2005 Omnibus Appropriations Act (Public Law 108-447)

THE WILD FREE-ROAMING HORSES AND BURROS ACT OF 1971 (PUBLIC LAW 92-195)

§1331. Congressional findings and declaration of policy

Congress finds and declares that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West; that they contribute to the diversity of life forms within the Nation and enrich the lives of the American people; and that these horses and burros are fast disappearing from the American scene. It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands.

§1332. Definitions

As used in this Act-

- (a) "Secretary" means the Secretary of the Interior when used in connection with public lands administered by him through the Bureau of Land Management and the Secretary of Agriculture in connection with public lands administered by him through the Forest Service;
- (b) "wild free-roaming horses and burros" means all unbranded and unclaimed horses and burros on public lands of the United States;
- (c) "range" means the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros, which does not exceed their known territorial limits, and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple-use management concept for the public lands;
- (d) "herd" means one or more stallions and his mares; and

(e) "public lands" means any lands administered by the Secretary of the Interior through the Bureau of Land Management or by the Secretary of Agriculture through the Forest Service.

(f) "excess animals" means wild free-roaming horses or burros

(1) which have been removed from an area by the Secretary pursuant to application law or,

(2) which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area.

§1333. Powers and duties of Secretary

(a) Jurisdiction; management; ranges; ecological balance objectives; scientific recommendations; forage allocations adjustments

All wild free-roaming horses and burros are hereby declared to be under the jurisdiction of the Secretary for the purpose of management and protection in accordance with the provisions of this Act. The Secretary is authorized and directed to protect and manage wild free-roaming horses and burros as components of the public lands, and he may designate and maintain specific ranges on public lands as sanctuaries for their protection and preservation, where the Secretary after consultation with the wildlife agency of the State wherein any such range is proposed and with the Advisory Board established in section 1337 of this Act deems such action desirable. The Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands. He shall consider the recommendations of qualified scientists in the field of biology and ecology, some of whom shall be independent of both Federal and State agencies and may include members of the Advisory Board established in section 1337 of this Act. All management activities shall be at the minimal feasible level and shall be carried out in consultation with the wildlife agency of the State wherein such lands are located in order to protect the natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species. Any adjustments in forage allocations on any such lands shall take into consideration the needs of other wildlife species which inhabit such lands.

(b) Inventory and determinations; consultations; overpopulations; research study; submittal to Congress

(1) The Secretary shall maintain a current inventory of wild free-roaming horses and burros on given areas of the public lands. The purpose of such inventory shall be to: make determinations as to whether and where an overpopulation exists and whether action should be taken to remove excess animals; determine appropriate management levels of wild free-roaming horses and burros on these areas of the public lands; and determine whether appropriate management levels should be

achieved by the removal or destruction of excess animals, or other options (such as sterilization, or natural controls on population levels). In making such determinations the Secretary shall consult with the United States Fish and Wildlife Service, wildlife agencies of the State or States wherein wild free-roaming horses and burros are located, such individuals independent of Federal and State government as have been recommended by the National Academy of Sciences, and such other individuals whom he determines have scientific expertise and special knowledge of wild horse and burro protection, wild-life management and animal husbandry as related to rangeland management.

(2) Where the Secretary determines on the basis of:

(i) the current inventory of lands within his jurisdiction;

(ii) information contained in any land use planning completed pursuant to section 1712 of title 43;

(iii) information contained in court ordered environmental impact statements as defined in section 1902 of title 43; and

(iv) such additional information as becomes available to him from time to time, including that information developed in the research study mandated by this section, or in the absence of the information contained in (i-iv) above on the basis of all information currently available to him, that an overpopulation exists on a given area of the public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken, in the following order and priority, until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from the deterioration associated with overpopulation.

(A) The Secretary shall order old, sick, or lame animals to be destroyed in the most humane manner possible;

(B) The Secretary shall cause such number of additional excess wild free-roaming horses and burros to be humanely captured and removed for private maintenance and care for which he determines an adoption demand exists by qualified individuals, and for which he determines he can assure humane treatment and care (including proper transportation, feeding, and handling): Provided, that, not more than four animals may be adopted per year by any individual unless the Secretary determines in writing that such individual is capable of humanely caring for more than four animals, including the transportation of such animals by the adopting party.

(C) The Secretary shall cause additional excess wild free-roaming horses and burros for which an adoption demand by qualified individuals does not exist to be destroyed in the most humane and cost efficient manner possible.

(3) For the purpose of furthering knowledge of wild horse and burro population dynamics and their interrelationship with wildlife, forage and water resources, and assisting him in making his determination as to what constitutes excess animals, the Secretary shall contract for a research study of such animals with such individuals independent of Federal and State government as may be recommended by the National Academy of Sciences for having scientific expertise and special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to rangeland management. The terms and outline of such research study shall be determined by a research design panel to be appointed by the President of the National Academy of Sciences. Such study shall be completed and submitted by the Secretary to the Senate and House of Representatives on or before January 1, 1983.

(c) Title of transferee to limited number of excess animals adopted for requisite period;

Where excess animals have been transferred to a qualified individual for adoption and private maintenance pursuant to this Act and the Secretary determines that such individual has provided humane conditions, treatment and care for such animal or animals for a period of one year, the Secretary is authorized upon application by the transferee to grant title to not more than four animals to the transferee at the end of the one-year period.

(d) Loss of status as wild free-roaming horses and burros; exclusion from coverage

Wild free-roaming horses and burros or their remains shall lose their status as wild free-roaming horses or burros and shall no longer be considered as falling within the purview of this Act-

(1) upon passage of title pursuant to subsection (c) except for the limitation of subsection (c)(1) of this section, or

(2) if they have been transferred for private maintenance or adoption pursuant to this Act and die of natural causes before passage of title; or

(3) upon destruction by the Secretary or his designee pursuant to subsection (b) of this section; or

(4) if they die of natural causes on the public lands or on private lands where maintained thereon pursuant to section 4 and disposal is authorized by the Secretary or his designee; or

(5) upon destruction or death for purposes of or incident to the program authorized in this section.

(e) Sale of excess animals;

(1) In general. Any excess animal or the remains of an excess animal shall be sold if-

(A) the excess animals is more than 10 years old; or

(B) the excess animal has been offered unsuccessfully for adoption at least 3 times.

(2) Method of sale

An excess animal that meets either of the criteria in paragraph (1) shall be made available for sale without limitation, including through auction to the highest bidder, at local sale yards or other convenient livestock selling facilities, until such time as-

(A) all excess animals offered for sale are sold; or

(B) the appropriate management level, as determined by the Secretary is attained in all areas occupied by wild free-roaming horses and burros.

(3) Disposition of funds

Funds generated from the sale of excess animals under this subsection shall be-

(A) credited as an offsetting collection to the Management of Lands and Resources appropriation for the Bureau of Land Management; and

(B) used for the costs relating to the adoption of wild free-roaming horses and burros, including the costs of marketing such adoptions.

(4) Effect of sale. Any excess animal sold under this provision shall no longer be considered to be a wild free-roaming horse or burro for purposes of this Act.

§ 1334. Private maintenance; numerical approximation; strays on private lands; removal; destruction by agents

If wild free-roaming horses or burros stray from public lands onto privately owned land, the owners of such land may inform the nearest Federal marshal or agent of the Secretary, who shall arrange to have the animals removed. In no event shall such wild free-roaming horses and burros be destroyed except by the agents of the Secretary. Nothing in this section shall be construed to prohibit a private landowner from maintaining wild free-roaming horses or burros on his private lands, or lands leased from the Government, if he does so in a manner that protects them from harassment, and if the animals were not willfully removed or enticed from the public lands. Any individuals who maintain such wild free-roaming horses or burros on their private lands or lands leased from the

Government shall notify the appropriate agent of the Secretary and supply him with a reasonable approximation of the number of animals so maintained.

§ 1335. Recovery rights

A person claiming ownership of a horse or burro on the public lands shall be entitled to recover it only if recovery is permissible under the branding and estray laws of the State in which the animal is found.

§ 1336. Cooperative agreements; regulations

The Secretary is authorized to enter into cooperative agreements with other landowners and with the State and local governmental agencies and may issue such regulations as he deems necessary for the furtherance of the purposes of this Act.

§ 1337. Joint advisory board; appointment; membership; functions; qualifications; reimbursement limitations

The Secretary of the Interior and the Secretary of Agriculture are authorized and directed to appoint a joint advisory board of not more than nine members to advise them on any matter relating to wild free-roaming horses and burros and their management and protection. They shall select as advisers persons who are not employees of the Federal or State Governments and whom they deem to have special knowledge about protection of horses and burros, management of wildlife, animal husbandry, or natural resources management. Members of the board shall not receive reimbursement except for travel and other expenditures necessary in connection with their services.

§1338. Criminal provisions

(a) Violations; penalties; trial.

Any person who-

- (1) willfully removes or attempts to remove a wild free-roaming horse or burro from the public lands, without authority from the Secretary, or
- (2) converts a wild free-roaming horse or burro to private use, without authority from the Secretary, or
- (3) maliciously causes the death or harassment of any wild free-roaming horse or burro, or

(4) except as provided in section 1333 (e), processes or permits to be processed into commercial products the remains of a wild free-roaming horse or burro, or

(5) sells, directly or indirectly, a wild free-roaming horse or burro maintained on private or leased land pursuant to section 1334 of this Act, or the remains thereof, or

(6) willfully violates a regulation issued pursuant to this Act, shall be subject to a fine of not more than \$2,000, or imprisonment for not more than one year, or both. Any person so charged with such violation by the Secretary may be tried and sentenced by any United States commissioner or magistrate designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided for in section 3401, title 18.

(b) Arrest; appearance for examination or trial; warrants; issuance and execution.

Any employee designated by the Secretary of the Interior or the Secretary of Agriculture shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of this Act or any regulation made pursuant thereto, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction, and shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this Act or regulations made pursuant thereto. Any judge of a court established under the laws of the United States, or any United States magistrate may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

§ 1338a. Transportation of captured animals; procedures and prohibitions applicable

In administering this Act, the Secretary may use or contract for the use of helicopters or, for the purpose of transporting captured animals, motor vehicles. Such use shall be undertaken only after a public hearing and under the direct supervision of the Secretary or of a duly authorized official or employee of the Department. The provisions of section 47 (a) of title 18 shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary. Nothing in this Act shall be deemed to limit the authority of the Secretary in the management of units of the National Park System, and the Secretary may, without regard either to the provisions of this Act, or provisions of section 47 (a) of title 18, use motor vehicles, fixed-wing aircraft, or helicopters, or to contract for such use, in furtherance of the management of the National Park System, and section 47 (a) of title 18 shall be applicable to such use.

§ 1339. Limitation of authority

Nothing in this Act shall be construed to authorize the Secretary to relocate wild free-roaming horses or burros to areas of the public lands where they do not presently exist.

§ 1340. Joint report to Congress; consultation and coordination of implementation, enforcement, and departmental activities; studies

After the expiration of thirty calendar months following the date of enactment of this Act, and every twenty-four calendar months thereafter, the Secretaries of the Interior and Agriculture will submit to Congress a joint report on the administration of this Act, including a summary of enforcement and/or other actions taken thereunder, costs, and such recommendations for legislative or other actions he might deem appropriate.

The Secretary of the Interior and the Secretary of Agriculture shall consult with respect to the implementation and enforcement of this Act and to the maximum feasible extent coordinate the activities of their respective departments and in the implementation and enforcement of this Act. The Secretaries are authorized and directed to undertake those studies of the habits of wild free-roaming horses and burros that they may deem necessary in order to carry out the provisions of this Act.



U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

Tonopah Field Office

Release Date: 08/12/13

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News Release No. BMDO 2013-019

BLM to Conduct Drought Wild Horse Gathers in the Fish Lake Valley and Gold Mountain Herd Management Areas

Tonopah, Nev. - The Bureau of Land Management (BLM) Battle Mountain District, Tonopah Field Office is scheduled to begin a drought related helicopter gather within the Fish Lake Valley and Gold Mountain Herd Management Areas (HMAs) beginning on or about August 19. The BLM intends to relocate 180 wild horses threatened by severe drought from areas within, and near the HMAs, to off-range facilities.

Drought conditions have persisted throughout Nevada since 2012, leading to pending emergency conditions in these two HMAs in Esmeralda County, that seriously threaten the health and well-being of these wild horses. The BLM has been closely monitoring drought conditions within the HMAs, and associated grazing allotments, since 2012. Although some rainfall has occurred, the moisture has been insufficient to break the drought, which has left extremely limited amounts of water and forage in the area. Henneke Body Condition Scores within the Fish Lake Valley and Gold Mountain HMAs range from poor (1.5) to moderately thin (4). Wild horses with a Henneke Body Condition Score of 2 or less are at risk of death if they remain on the range, given the current drought conditions and lack of resources.

Gold Mountain HMA is located about three miles south of Gold Point, in southwestern Nevada, and encompasses approximately 100,000 acres of primarily BLM land. Appropriate Management Level for Gold Mountain HMA is currently 0 wild horses and 78 burros. The estimated wild horse population within Gold Mountain HMA is 33 horses and 1 mule. Monitoring shows that the only known perennial water source within the Gold Mountain HMA is nearly dry, and has completely dried in previous years, resulting in horse deaths. Additionally, because horses are reliant on a single water source, they are unable to venture far from that water. Horses removed from Gold Mountain HMA will be transported to the Central Utah Correctional Facility in Gunnison, UT.

Fish Lake Valley HMA is located just northwest of Dyer, in western Nevada, and encompasses approximately 70,000 acres of primarily BLM land. The AML for Fish Lake Valley HMA is currently 54 wild horses. The estimated wild horse population within Fish Lake Valley HMA is 229 wild horses. Monitoring shows that vegetation growth is extremely limited within the HMA. Additionally, areas lower in elevation have been denuded of nearly all vegetation. Lack of vegetation is not only a problem for the wild horses, but there is occupied Bi-State Sage-grouse (BLM Sensitive Species, and Endangered Species Act Candidate Species) habitat within Fish Lake Valley HMA, with two known active leks. Additionally, public safety issues exist as wild horses often trail across highways to access limited water sources and foraging areas. Wild horses removed from Fish Lake Valley HMA will be transported to the Ridgecrest Regional Wild Horse and Burro Corrals in Ridgecrest, Calif.

Vegetation utilization levels and drought stress in both HMAs combined with the lack of reliable water have met Drought Response Triggers that require Drought Response Action (DRA), in the form of a horse gather, which is consistent with alternatives analyzed in the Battle Mountain District Drought Management Environmental Assessment DOI-BLM-NV-B000-2012-0005-EA (Drought EA), dated June 22, 2012. This document can be viewed online at www.blm.gov/nv/st/en/fo/battle_mountain_field.html.

The BLM will use the services of a gather contractor which uses a helicopter to locate and guide wild horses toward a set of corrals.

During the gather it is anticipated that as an act of mercy, some animals with a poor prognosis for survival may need to be humanely euthanized to end their suffering. Without these actions, it is highly likely that more animals, particularly mares and foals, would suffer over time and die if left on the range. "This is a sad situation all the way around," said BLM, Nevada State Director, Amy Lueders. "We have done our best to help these horses but the combination of no forage and limited water has led to wild horses that simply need more help."

The BLM will offer public viewing opportunities during the gather operations. Photos and daily updates will also be posted on the Battle Mountain District 2013 Summer Gather website at www.blm.gov/nv/st/en/fo/battle_mountain_field.html. The Decision and Gather Plan for this gather are also available for viewing on the website.

For further information about the gather or to express interest in attending a site visit, please contact David Price, Wild Horse and Burro Specialist at (775) 482-7848 or email David at dprice@blm.gov. Additionally, if you are interested in fostering or adopting wild horse orphans encountered during gather operations, please contact David Price.

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Tonopah Field Office 1553 S. Main St. Tonopah, NV 89049

Last updated: 08-20-2013

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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

Elko District Office

Release Date: 08/06/13

Contacts: Lesli Ellis, 775-388-1101, lellis@blm.gov

News Release No. ELDO 2013-061

BLM Concludes Maverick-Medicine Wild Horse Gather

ELKO, Nev. – The Bureau of Land Management (BLM) Elko District Office concluded the Maverick-Medicine wild horse gather on Monday, Aug. 5. A total of 64 wild horses were gathered from Cherry Spring in the Maverick Range of the Maverick-Medicine Herd Management Area.

The water trap gather was necessary to prevent a further decline in animal condition caused by minimal forage growth and reduced water availability due to severe drought conditions. This action was analyzed as part of the Three HMA Environmental Assessment released in May 2013.

Appropriate Management Level (AML) for the Maverick Medicine HMA is 166-276 wild horses and the current estimated population is 587 wild horses. BLM has been monitoring the condition of the wild horses due to the on-going drought conditions.

The wild horses removed from the range were sent to Gunnison Correctional Facility, Utah where they will be prepared for BLM's adoption program. Un-adopted wild horses will be placed in long-term pastures where they will be humanely cared for and retain their "wild" status and protection under the 1971 Wild Free-Roaming Horses and Burros Act. The BLM does not sell or send any wild horses to slaughter.

The gather began Aug. 2 and concluded on Aug. 5. No wild horses died or were euthanized during the course of the gather.

"The BLM's efforts made prior to the gather by hauling water and improving the troughs helped us achieve our goal in just three days," said Bruce Thompson, Contracting Officer's Representative and Elko District Wild Horse Specialist. "By ensuring the wild horses were still in fair shape and accustomed to using this spring, the water trapping worked. All of the captured wild horses loaded well and adapted quickly to feed and water."

BLM's Maverick-Medicine Gather website can be accessed at this address: bit.ly/MavMedGather.

For more information, contact Lesli Ellis, BLM Elko District public affairs specialist, at (775) 753-0386 or by email at <mailto:lellis@blm.gov?subject=Maverick-Medicine%20Gather>.

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Elko District Office 3900 E. Idaho St. Elko, NV 89801

Last updated: 08-06-2013

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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

Ely District Office

Release Date: 08/01/13

Contacts: Chris Hanefeld, 775-289-1842, chanefel@blm.gov

News Release No. ELY 2013-064

BLM Concludes Seaman Herd Area Emergency Wild Horse Gather

Ely, Nev. – The Bureau of Land Management (BLM) Ely District, Caliente Field Office concluded the Seaman Herd Area (HA) Emergency Wild Horse Gather on Friday, July 26. The BLM gathered and removed 30 wild horses from the southern end of the Seaman HA in south-central Nevada, about 100 miles south of Ely or 40 miles northwest of Alamo, Nev. The animals were at risk of death if they remained on the range because of reduced water availability caused by severe drought conditions. Post-gather monitoring reveals that the BLM gathered all the horses in the area.

The horses were transported to the Delta Wild Horse and Burro Facility in Delta, Utah, to be prepared for the BLM's adoption program. Un-adopted wild horses will be placed in long-term pastures where they will be humanely cared for and retain their "wild" status and protection under the 1971 Wild Free-Roaming Horses and Burros Act. The BLM does not sell or send any wild horses to slaughter.

The emergency gather began on July 23. An Animal and Plant Health Inspection Service (APHIS) veterinarian was on site daily through the gather to evaluate animal conditions and provide recommendations to the on-site BLM wild horse and burro specialist for care and treatment. BLM staff utilized the Henneke body condition scale to classify gathered wild horses. On a scale from one to nine (one being poor condition and nine being extremely fat), the horses were generally a body condition score of two and three, with a few wild horses observed to be higher or lower.

The BLM's Seaman HA Emergency Wild Horse Gather website can be accessed at this address:
http://www.blm.gov/nv/st/en/prog/wh_b/test.html

For more information, contact Chris Hanefeld, BLM Ely District public affairs specialist, at (775) 289-1842 or chanefel@blm.gov.

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Ely District Office 702 North Industrial Way Ely, NV 89301

Last updated: 08-06-2013

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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

State Office

Release Date: 07/30/13

Contacts: Debbie Collins, 405-790-1056, dacollin@blm.gov

News Release No. NSO 2013-027

BLM's National Wild Horse and Burro Program Solicits Ideas, Input at Public Workshop

Tour of Palomino Valley Center Provided Prior to Workshop

Reno, Nev. –Join us for a highly interactive workshop to brainstorm possible strategies for the increased comfort of wild horses and burros at the Bureau of Land Management's (BLM) Palomino Valley National Wild Horse and Burro Center (PVC) preparation and adoption facility.

The workshop will be held at the Reno City Council Chamber at 1 East First Street, Reno, Nev. 89501 on August 6, 2013 from 5:30 - 9:00 p.m. Participants should plan on attending the full workshop, which will involve presentations, discussion and brainstorming on several items.

Information and constructive input from the workshop will be used by the BLM in consideration of providing for increased comfort for the animals at the PVC facility.

Tours of the Palomino Valley Center facility will be conducted on Aug. 6, prior to the workshop from 2-4 p.m., for 30 minutes starting on the half hour. The tours will be group walking tours of this outdoor working facility over dirt and uneven ground, so proper footwear is advisable. The PVC is located at 15780 Pyramid Hwy. (State Rte. 445) Reno, Nev.

PLEASE RVSP for the workshop and PVC tour, either online at: www.surveymonkey.com/s/PalominoVCrsvp or by calling the BLM at 866-468-7826.

For additional information and meeting materials, go to: www.blm.gov/whb

In response to requests from the public, the workshop will offer a webinar option for remote participation. While internet-based participation is an option, the quality and consistency of the technology cannot be guaranteed. Participants are encouraged to attend in person, if possible. For those using the webinar, please be prepared for the possibility of technical difficulties. The BLM would appreciate feedback from online attendees to improve this option in the future.

The Palomino Valley Center is located about 20 miles north of Reno. From Interstate 80, take Exit 18 (Pyramid Way/State Road 445). PVC is north about 20 miles to Ironwood Road. Turn east (right) on Ironwood Road to reach the facility. PVC is the largest BLM preparation and adoption facility in the country with a capacity of 1,850 animals. It serves as the primary preparation center for wild horses and burros gathered from the public lands in Nevada and nearby states. Visitors wishing to adopt are encouraged to call the Center prior to arrival at (775) 475-2222. Public hours for visiting are held Monday through Friday from 8 a.m.-4 p.m. and on the first Saturday of each month from 8 a.m.-noon.

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Last updated: 08-02-2013



BLM NEWS RELEASE

U.S. Department of the Interior • Bureau of Land Management • Washington, D.C., Office • 1849 C Street N.W. • Washington, D.C.

For immediate release:
Friday, July 19, 2013

Contact: Tom Gorey
(202-912-7420)

BLM Announces Summer Schedule for Gathering Wild Horses and Burros

The Bureau of Land Management today announced its current summer schedule for gathering wild horses and burros roaming Western public rangelands. The schedule is subject to change because of continuing drought conditions across the West that are resulting in significantly limited water and forage for wildlife, wild horses and burros, and livestock. BLM managers are monitoring animal and range conditions, reducing livestock grazing, enacting fire restrictions, and providing supplemental water in some locations for wild horses.

Most of the gathers on the schedule will use bait and water trapping to attract, gather, and remove animals to off-range pastures and corrals over the next several months. Because of access constraints, lack of suitable bait-water trapping sites, and the need for more immediate action related to animal condition, six of the proposed gathers will be conducted using helicopters.

Because of off-range holding capacity limits and funding constraints, the BLM will attempt to gather and remove only 1,300 wild horses and burros this summer. Overall, the BLM anticipates removing about 4,800 animals from the range in FY 2013, as compared to 8,255 in FY 2012.

Most of the upcoming gathers have been scheduled in response to emergency conditions brought on by drought; public safety issues related to animals that roam near highways, residential areas, and agricultural areas; and requests from private landowners who have asked the BLM to remove from their property wild horses and burros that have strayed beyond Herd Management Area (HMA) boundaries.

With the exception of some re-treatments of mares in the Little Bookcliffs (Colorado) Wild Horse Range, the agency does not intend to administer fertility-control vaccine during any of the proposed summer gathers. Instead, the BLM intends to implement fertility-control treatments through ground-darting operations and during gathers between November and February – before breeding season – when the vaccines' maximum effectiveness can be realized.

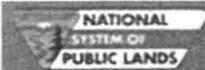
The BLM is committed to providing as much public access to gathers as possible. The terrain of and access to each HMA is different, as is animal temperament within each area, and thus viewing considerations may vary. Public viewing opportunities will be provided during all helicopter gather operations. Access to bait-trapping locations will be limited because of the need for minimal human presence near the sites. The public is advised to visit local BLM field office Websites for specific schedules and viewing opportunities.

The BLM was successful in removing 38 wild horses during the 2012 Pryor Mountain (Montana) wild horse gather using the bait-trapping method. To understand how bait gather operations work, please visit: <http://blm.gov/g8kd>.

Animals removed during the gather season will be made available for adoption through the BLM's wild horse and burro adoption program. Those not adopted will be cared for in long-term and ecosanctuary pastures, where they retain their "wild" status and thus remain protected under the 1971 Wild Free-Roaming Horses and Burros Act. The gather schedule, which is subject to change because of emergencies, is below:

| Agency | HMA/ Territory | Start Date | # Planned Gathered | # Planned Removed | Bait Trapping (B) or Helicopter Trapping (H) |
|--------|-------------------------------|------------|--------------------|-------------------|--|
| FS/BLM | Carracas Mesa/Jicarialla (NM) | 7/15/13 | 65 | 65 | B |
| FS/BLM | Murderers Creek (OR) | 7/20/13 | 100 | 100 | B |
| BLM | Outside Beaty's Butte (OR) | 8/15/13 | 40 | 40 | B |
| BLM | Seaman/White River Has (NV) | TBD | 50 | 50 | H |
| BLM | Silver King (NV) | 7/26/13 | 25 | 25 | H |
| BLM | Delamar Mountains HA (NV) | 7/28/13 | 30 | 30 | H |
| BLM | Kamma Mtn (NV) | 8/1/13 | 200 | 200 | H |
| BLM | Maverick-Medicine HMA | 8/1/12 | 60 | 60 | B |
| FS/BLM | Hickison (NV) | 8/1/13 | 30 | 30 | B |
| BLM | Outside Big Sandy HMA (AZ) | 8/1/13 | 60 | 60 | B |
| BLM | Havasu-CA HMA (AZ) | 8/1/13 | 45 | 45 | B |
| BLM | Snowstorms (NV) | 8/3/13 | 340 | 340 | B |
| BLM | Fish Lake Valley (NV) | 8/15/13 | 150 | 150 | H |
| BLM | Gold Mountain (NV) | 8/21/13 | 30 | 30 | H |
| BLM | Sand Basin (ID) | 9/1/13 | 25 | 25 | B |
| BLM | Little Bookcliffs WHR (CO) | 9/1/13 | 80 | 50 | B |
| | Total | | 1330 | 1300 | |

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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

Release Date: 07/03/13

Contacts: Tom Gorey, 202-912-7420

Nominations Open for Wild Horse and Burro Advisory Board

The Bureau of Land Management is requesting public nominations to fill three positions on its national Wild Horse and Burro Advisory Board. Nominations are for a term of three years and are needed to represent the following categories of interest: wild horse and burro research, natural resource management, and public interest (with special knowledge of equine behavior). The Board advises the BLM, an agency of the Interior Department, and the U.S. Forest Service, an agency of the Agriculture Department, on the protection and management of wild free-roaming horses and burros on public lands administered by those agencies. The BLM announced its formal request for nominations in the Federal Register (<https://www.federalregister.gov/articles/2013/07/02/2013-15873/notice-of-call-for-nominations-for-the-wild-horse-and-burro-advisory-board>).

The nine members on the Advisory Board represent a balance of interests. Each member has knowledge or special expertise that qualifies him or her to provide advice in one of the following categories: wild horse and burro advocacy, wild horse and burro research, veterinary medicine, natural resources management, humane advocacy, wildlife management, livestock management, general public interest, and public interest (with special knowledge of equine behavior). Members must also have a demonstrated ability to analyze information, evaluate programs, identify problems, work collaboratively, and recommend corrective actions.

Any individual or organization may nominate one or more persons to serve on the Advisory Board; individuals may also nominate themselves. In accordance with Section 7 of the Wild Free-Roaming Horses and Burros Act Federal and state government employees are not eligible to serve on the Board, whose members serve three-year terms, on a staggered-term basis, with one-third of the Board subject to appointment each year. The Board meets at least two times a year and the BLM Director may call additional meetings when necessary. Members serve without salary, but are reimbursed for travel and per diem expenses according to government travel regulations.

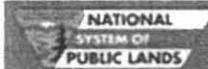
The BLM is accepting nomination letters plus resumes that include the nominee's first, middle, and last name, address, e-mail address, telephone number, profession, educational background, relevant biographical information, references, and endorsements; the nominee must also state the specific category of interest for which he or she is most qualified in regard to the three vacancies. Nominations must be postmarked by August 16, 2013, to be considered for appointment. To send by the U.S. Postal Service, please mail to the National Wild Horse and Burro Program, Department of the Interior, Bureau of Land Management, 1849 C Street, N.W., Room 2134 LM, Attn: Sharon Kipping WO-260, Washington, D.C. 20240. To send by FedEx or UPS, address to the National Wild Horse and Burro Program, Department of the Interior, Bureau of Land Management, 20 M Street, S.E., Room 2134 LM, Attn: Sharon Kipping, Washington, D.C. 20003. Or you may send a fax to Ms. Kipping at (202) 912-7182 or e-mail her at skipping@blm.gov. If you have questions, you may call Ms. Kipping at 202-912-7263.

The 1971 Wild Free-Roaming Horses and Burros Act mandates the protection, management, and control of wild horses and burros to ensure healthy free-roaming herd populations at levels consistent with the land's capacity to support them.

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Last updated: 07-03-2013



U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

Release Date: 06/05/13

Contacts: Tom Gorey, 202-912-7420

BLM Welcomes National Academy of Sciences Research Committee Report on Wild Horse and Burro Management Program

The Bureau of Land Management today welcomed the findings and recommendations of a 14-member Committee of the National Academy of Sciences (NAS) that reviewed the BLM's wild horse and burro management issues over a two-year period. The resulting report, entitled "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward," was commissioned by the BLM, which requested the NAS to perform and prepare an independent assessment of numerous scientific-related issues related to the agency's management of wild horses and burros on Western public rangelands.

"We commend the National Academy of Sciences for their diligent work on this complex issue," said Neil Kornze, BLM Principal Deputy Director. "The BLM looks forward to reviewing the report in detail and building on the report's findings and recommendations to meet the formidable challenges facing the agency in managing wild horses and burros. Our agency is committed to protecting and managing these iconic animals for current and future generations."

Kornze added, "The BLM shares the committee's view that although no quick or easy fixes exist to this pressing issue, investments in science-based management approaches, exploring additional opportunities for population control, and increased transparency could lead to a more cost-effective program that manages wild horses and burros with greater public confidence."

Under the 1976 Federal Land Policy and Management Act, the BLM is required to manage the public lands under its jurisdiction for multiple uses while protecting the land's resources. The 1971 Wild Free-Roaming Horses and Burros Act mandates the Bureau to protect and manage these animals as part of the agency's multiple-use mission, making sure that herd population levels are consistent with the land's capacity to support them.

The NAS study looked at issues such as population modeling, annual rates of population growth, fertility-control methods, carrying capacity of various lands that support wild horse herds, genetic diversity in wild horse herds, and predator impact on wild horse population growth.

Among other things, the research committee found that most free-roaming horse herds on public rangelands in the Western U.S. are growing at rates of 15 to 20 percent per year. A population growth rate of 20 percent per year results in a herd's doubling in size in four years and tripling in six years.

The report will help the BLM build on the reforms that the agency has taken over the past several years to improve program effectiveness, such as the stepped-up use of fertility control, additional measures to ensure the humane care of animals, and further program transparency.

The NAS research committee recommended that the BLM continue to build on its partnership with the U.S. Geological Survey to develop rigorous, practical, and cost-effective survey methods for population monitoring, which will help inform management decisions. The NAS committee further recommended that the BLM take into account the full variety of stakeholders, including local communities, in formulating its management plans and called on the BLM to provide greater specificity in its guidance to field managers regarding the establishment and adjustment of appropriate management (i.e., population) levels in its 179 Herd Management Areas across the West.

The BLM will review the report in concert with the National Wild Horse and Burro Advisory Board, which advises the BLM and U.S. Forest Service on the management, protection, and control of wild free-roaming horses and burros on public lands administered by those agencies.

More information on the reforms that the BLM has taken in connection with the Wild Horse and Burro Program can be found [here](#).

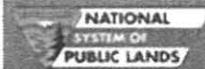
The NAS report is available at http://www.nap.edu/catalog.php?record_id=13511.

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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE

Release Date: 03/27/13

Contacts: Tom Gorey, 202-912-7420

BLM Announces Three Selections for National Wild Horse and Burro Advisory Board

The Bureau of Land Management announced today that the Secretaries of Interior and Agriculture have made selections for three positions on its National Wild Horse and Burro Advisory Board. Timothy J. Harvey of Campton, New Hampshire, has been re-appointed for the position representing Humane Advocacy; Rick Danvir of Evanston, Wyoming, has been appointed for the category of Wildlife Management; and John Falen of Orovada, Nevada, has been appointed for the position representing Livestock Management. Each individual will serve a three-year term on the Advisory Board.

Mr. Harvey, owner of the Merry-Go-Round Pens, LLC, Western Safety Stirrups, LLC, and Journey Horses Farm has been a horse professional and experienced trainer for the past 20 years. An established clinician who organizes training seminars and clinics with several top trainers, Mr. Harvey specializes in colt starting and foundation training based on natural horsemanship and traditional vaquero (cowboy) training methods. Mr. Harvey is an innovator who has also operated a therapeutic riding program centered on fostering the emotional well-being of victims of abuse and people with anger-management issues.

Mr. Danvir is a professional wildlife biologist with a Bachelor of Science degree from Utah State University in Wildlife and an Associate of Applied Science degree in Fisheries and Wildlife Technology from State University New York. Currently working with the Deseret Land and Livestock ranch – a northern Utah operation known for its multiple-use management of wildlife and domestic livestock – Mr. Danvir is Wildlife Manager for Deseret Western Ranches. Mr. Danvir is affiliated with several wildlife-related organizations, including the Utah Wildlife Board, the Cooperative Wildlife Management Unit Association, the Utah Foundation for Quality Resource Management, the Society for Range Management, the Center for Holistic Resource Management, and the National Conservancy.

Mr. Falen, a graduate of the University of Idaho with a Bachelor of Science degree in Animal Husbandry, is a longtime advocate of responsible wild horse management and has spent years dealing with wild horse issues, both on and off the range. He has 20 years' experience serving on numerous boards and committees regarding wild horse management, including the Mustang Heritage Foundation (MHF) and the Public Lands Council's Wild Horse and Burro Committee. A respected leader in the livestock community at both the state and national levels, Mr. Falen is Past President of the Public Lands Council and serves on the Board of Directors for the National Cattlemen's Beef Association. (Mr. Falen, a member of the MHF Board of Trustees, will recuse himself from issues concerning MHF, which is a BLM partner in promoting public adoptions of wild horses and burros.)

The nine-member National Wild Horse and Burro Advisory Board advises the BLM, an agency of the Interior Department, and the U.S. Forest Service, part of the Agriculture Department, on the management, protection and control of wild free-roaming horses and burros on public lands and national forests administered by those agencies, as mandated by the 1971 Wild Free-Roaming Horses and Burros Act. Members of the board, who represent various categories of interests, must have a demonstrated ability to analyze information, evaluate programs, identify problems, work collaboratively, and develop corrective actions.

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that an expanded amenity fee be considered by a Recreation Resource Advisory Council (RAC). The Roswell Field Office has complied with the REA by presenting the Business Plan to the Pecos District RAC for consideration. The final Business Plan decision process will be made after the six month public comment period. Section 3(g) of REA provides for levy of an "expanded amenity recreation fee" at developed campgrounds characterized by nine standards of available facilities. Having all nine required amenities, the Rob Jagers Camping Area meets the Congressional criteria for an expanded amenity fee site. While overnight camping would remain free of charge, the use of the amenities at the campground would be available for an expanded amenity fee. The proposed fees are for electric hookup, water hookup, reservation of the group shelter for exclusive use, and use of the dump station. The collected fees would be used for onsite maintenance, improvements, and incidental expenses associated with the volunteer program, such as meals and transportation to and from the worksite. Possible improvements include additional water and electrical stations, fire rings, picnic tables, restrooms, cook grills, and equestrian facilities. The amenity fees are scheduled to be implemented after the December 15, 2013, deadline for public comment.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: The Federal Lands Recreation Enhancement Act 2005 as authorized under 16 U.S.C. 6801–6814.

Aden L. Seidlitz,
Associate State Director, New Mexico.
[FR Doc. 2013–18575 Filed 7–31–13; 8:45 am]
BILLING CODE 4310–FB–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO2600000 L10600000 XQ0000]

Wild Horse and Burro Advisory Board Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management (BLM) announces that the Wild Horse and Burro Advisory Board will conduct a meeting that will provide an opportunity for the Advisory Board to attend presentations and engage with authors of the June 2013 National Research Council of the National Academies (NRC/NAS) Report entitled: "Using Science to Improve the WHB Program: A Way Forward."

DATES: The Advisory Board will meet on Monday, September 9, 2013, from 1 p.m. until 5 p.m.; Tuesday, September 10, 2013, from 8 a.m. until 5 p.m.; and Wednesday, September 11, 2013, from 8 a.m. until noon. This will be a 3-day meeting.

ADDRESSES: This Advisory Board meeting will take place at the Key Bridge Marriott, 1401 Lee Highway, Arlington, VA 22209, 703–524–6400.

Written comments pertaining to the September 9–11, 2013, Advisory Board meeting can be mailed to National Wild Horse and Burro Program, WO–260, Attention: Ramona DeLorme, 1340 Financial Boulevard, Reno, NV 89502–7147, or sent electronically to wildhorse@blm.gov. Please include "Advisory Board Comment" in the subject line of the email.

FOR FURTHER INFORMATION CONTACT: Ramona DeLorme, Wild Horse and Burro Administrative Assistant, at 775–861–6583. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Wild Horse and Burro Advisory Board advises the Secretary of the Interior, the BLM Director, the Secretary of Agriculture, and the Chief of the Forest Service on matters pertaining to the management and protection of wild, free-roaming horses and burros on the Nation's public lands. The Wild Horse and Burro Advisory Board operates under the authority of 43 CFR 1784. The tentative agenda for the 3-day event is:

I. Advisory Board Public Meeting

Monday, September 9, 2013 (1:00 p.m.–5:00 p.m.)

- 1:00 p.m. Welcome and Introductions
- 1:30 p.m. Agenda Review
- 1:45 p.m. Approval of March 2013 Minutes
- BLM's responses to March meeting

recommendations with brief updates

- 2:00 p.m. (NRC/NAS) Presentations
- 2:45 p.m. Break
- 5:00 p.m. Adjourn

Tuesday, September 10, 2013 (8:00 a.m. to 5:00 p.m.)

- 8:00 a.m. (NRC/NAS) Presentations
- 9:30 a.m. Break
- 11:30 a.m. Lunch
- 1:00 p.m. (NRC/NAS) Presentations
- 2:30 p.m. Break
- 3:00 p.m. Public Comment Period Begins
- 5:00 p.m. Public Comment Period Ends
- Adjourn

Wednesday, September 11, 2013 (8:00 a.m.–Noon)

- 8:00 a.m. BLM Presentation on Report
- 9:00 a.m. Advisory Board discussion and recommendations to the BLM
- Noon Adjourn

The meeting site is accessible to individuals with disabilities. An individual with a disability needing an auxiliary aid or service to participate in the meeting, such as an interpreting service, assistive listening device, or materials in an alternate format, must notify Ms. DeLorme 2 weeks before the scheduled meeting date. Although the BLM will attempt to meet a request received after that date, the requested auxiliary aid or service may not be available because of insufficient time to arrange it.

The Federal Advisory Committee Management Regulations at 41 CFR 101–6.1015(b), requires the BLM to publish in the **Federal Register** notice of a public meeting 15 days before the meeting date.

II. Public Comment Procedures

On Tuesday, September 10, 2013, at 3 p.m., members of the public will have the opportunity to make comments to the Board on the Wild Horse and Burro Program. Persons wishing to make comments during the Tuesday meeting should register in person with the BLM by 2 p.m. on September 10, 2013, at the meeting location. Depending on the number of commenters, the Advisory Board may limit the length of comments. At previous meetings, comments have been limited to 3 minutes in length; however, this time may vary. Commenters should address the specific wild horse and burro-related topics listed on the agenda. Speakers are requested to submit a written copy of their statement to the address listed in the **ADDRESSES** section above or bring a written copy to the meeting. There may be a webcam

present during the entire meeting and individual comments may be recorded.

Participation in the Advisory Board meeting is not a prerequisite for submission of written comments. The BLM invites written comments from all interested parties. Your written comments should be specific and explain the reason for any recommendation. The BLM appreciates any and all comments. The BLM considers comments that are either supported by quantitative information or studies or those that include citations to and analysis of applicable laws and regulations to be the most useful and likely to influence the BLM's decisions on the management and protection of wild horses and burros.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Edwin L. Roberson,

Assistant Director, Renewable Resources and Planning.

[FR Doc. 2013-18571 Filed 7-31-13; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS00560.L58530000. EU0000.241A00; N-91073; 13-08807; MO# 4500052481; TAS: 14X5232]

Notice of Realty Action: Direct Sale of Public Land (N-91073) for Affordable Housing Purposes in Las Vegas, Clark County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action.

SUMMARY: The Bureau of Land Management (BLM) proposes to sell a 5-acre public land parcel located in the southern portion of the Las Vegas Valley in Clark County, Nevada, under the authorities of Sections 203 of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, and the BLM land sale conveyance regulations. In compliance with Section 7b of the Southern Nevada Public Land Management Act of 1998 (SNPLMA), the BLM proposes that the parcel be sold by direct sale to the Nevada Housing Division, a division of the State

of Nevada, Department of Business and Industry, at a discounted rate based upon the appraised fair market value (FMV).

DATES: Comments regarding the proposed sale must be received by the BLM on or before September 16, 2013. The sale would not be held prior to September 30, 2013.

ADDRESSES: Written comments concerning the proposed sale are to be sent to the BLM Las Vegas Field Office, Assistant Field Manager, Division of Lands, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130.

FOR FURTHER INFORMATION CONTACT: Michelle Leiber at 702-515-5168, or email at mleiber@blm.gov. For information on the SNPLMA Section 7b affordable housing land sale program go to: http://www.blm.gov/nv/st/en/snplma/affordable_housing.html. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Nevada Housing Division submitted a sale nomination application to the BLM for the proposed affordable housing project called the Agate Avenue Senior Apartments. In response, the BLM proposes to sell a 5-acre parcel of public land located in the southern portion of the Las Vegas Valley in Clark County, Nevada, further described as:

Mount Diablo Meridian

T. 22 S., R. 61 E.,
Sec. 20, Lot 25.

The area described contains 5 acres, in Clark County, Nevada.

The parcel is identified as a portion of Clark County Assessor Parcel Number 177-20-601-003. A map delineating the parcel proposed for sale to the Nevada Housing Division is available for public review at the BLM Las Vegas Field Office or at the Web site http://www.blm.gov/nv/st/en/snplma/affordable_housing.html. The parcel is located at the intersection of Agate Avenue and Kimo Street within the Las Vegas Boulevard and Interstate 15 corridor south of Blue Diamond Road. The southern and eastern boundaries of the parcel abut developed residential and commercial properties and the northern and western boundaries abut BLM-managed public land. Access is provided by Agate Avenue located along the northern boundary of the parcel.

The parcel would be sold using the direct sale procedures, and under such terms, covenants, or conditions as determined necessary for affordable housing purposes by the BLM authorized officer pursuant to SNPLMA Section 7(b), Public Law 105-263, 112 Stat. 2343, as amended, and the Nevada Guidance Policy and Procedures for Affordable Housing Disposals (Nevada Guidance) approved on August 8, 2006.

The BLM, in consultation with the Department of Housing and Urban Development (HUD), may make BLM-managed public lands available for affordable housing purposes in the State of Nevada at less than the appraised FMV. The amount administratively discounted from the FMV is calculated according to the Nevada Guidance provisions. Under Section 7(b) of the SNPLMA, housing is "affordable housing" if it serves low-income families as defined in Section 104 of the Cranston-Gonzales National Affordable Housing Act, 42 U.S.C. 12704. In the Cranston-Gonzales Act, the term "low-income families" means families whose incomes do not exceed 80 percent of the median income for the area as determined by HUD, or as otherwise adjusted by statute. The State of Nevada's proposed project would use 100 percent of the parcel to serve senior citizens, including seniors with special needs, with income at or below 60 percent of the area median income, which represents extremely low income based on the Nevada Guidance.

The appraised FMV for the 5-acre parcel is \$1,040,000. Under the Nevada Guidance, and after consultation with HUD, the BLM authorized officer has determined that discount percentages for the respective median income category would be administratively applied to the FMV to establish the price of the public land to be sold under these provisions. The FMV for this property would be 95 percent discounted consistent with the Nevada Guidance resulting in a federally approved sale price of \$52,000, so long as the property is used for affordable housing purposes consistent with the covenants, terms and conditions described in the patent.

Consistent with the Nevada Guidance, the preferred method of sale is direct sale. Such method is appropriate under regulation when "A tract is identified for transfer to State or local government . . ." (43 CFR 2711.3-3(1)), and the SNPLMA Section 7(b) which requires lands made available for affordable housing purposes to be made available only to State or local government entities, including local public housing authorities. The direct sale method is

Advisory Board Meeting
Program Budget Update

The FY 2013 Operating Plan was approved and provided a funding level of \$71.836M to the wild horse and burro program. This funding level supports critical program operations however some at a reduced rate due to sequestration. The following information portrays program expenditures as of August 23, 2013.

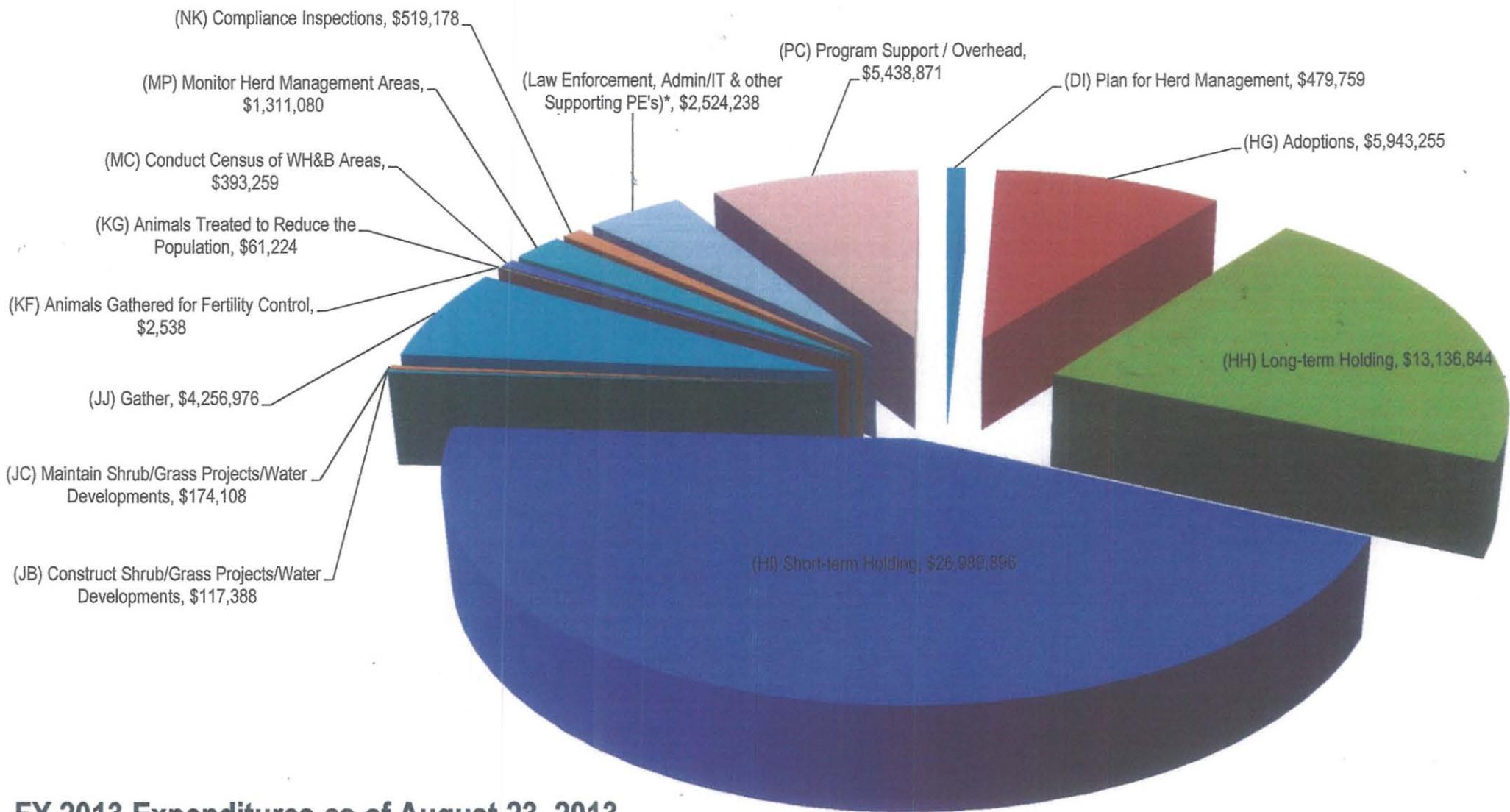
| PE Name | FY 2013 Expenditures | % of Overall Spending |
|--|----------------------|-----------------------|
| (DI) Plan for Herd Management | \$479,759 | 0.8% |
| (HG) Adoptions | \$5,943,255 | 9.7% |
| (HH) Long-term Holding | \$13,136,844 | 21.4% |
| (HI) Short-term Holding | \$26,989,896 | 44.0% |
| (JB) Construct Shrub/Grass Projects/Water Developments | \$117,388 | 0.2% |
| (JC) Maintain Shrub/Grass Projects/Water Developments | \$174,108 | 0.3% |
| (JJ) Gather | \$4,256,976 | 6.9% |
| (KF) Animals Gathered for Fertility Control | \$2,538 | 0.0% |
| (KG) Animals Treated to Reduce the Population | \$61,224 | 0.1% |
| (MC) Conduct Census of WH&B Areas | \$393,259 | 0.6% |
| (MP) Monitor Herd Management Areas | \$1,311,080 | 2.1% |
| (NK) Compliance Inspections | \$519,178 | 0.8% |
| (Law Enforcement, Admin/IT & other Supporting PE's)* | \$2,524,238 | 4.1% |
| (PC) Program Support / Overhead | \$5,438,871 | 8.9% |
| WHB Program Costs: | \$61,348,615 | |

*NOTE:

Supporting PE's include on the range management (DF, DJ, DN, DP,DQ, DS and DT) such as plans for interdisciplinary activities, evaluations of land use plans (LUPs), prepare pre-LUPs, prepare draft LUPs, prepare/proposed LUP/final environmental impact statement (EIS), prepare/draft EIS level LUP amendments and prepare final LUP amendment/record of decision (ROD).

Research costs are coded to the appropriate program element. USGS (\$250K), Dr. Turner Pen Trial Study (\$100K)/Pellet Production (\$100K) and Dr. Cothran - Genetics (\$45K).

| | |
|---|---------------------|
| 2013 Operating Plan: | \$71,836,000 |
| FY 2012 Carryover: | \$1,635,000 |
| FY 2013 TOTAL AVAILABLE FUNDING: | \$73,471,000 |



FY 2013 Expenditures as of August 23, 2013

Wild Horse and Burro Numbers in Holding Facilities
(Report Date: August 23, 2013)

| State | Facility Name | Facility Cap | Horses 8/23/13 | Burros 8/23/13 | Total 8/23/13 |
|-------------|---------------------------|---------------|-------------------|-------------------|------------------|
| Arizona | Florence Prison | 750 | 257 | 99 | 356 |
| Arizona | Kingman Staging | 0 | 0 | 0 | 0 |
| California | Litchfield | 1,000 | 572 | 38 | 610 |
| California | Redlands | 20 | 9 | 4 | 13 |
| California | Ridgecrest | 1,000 | 466 | 140 | 606 |
| Colorado | Canon City/Mens Training | 50 | 31 | 2 | 33 |
| Colorado | Canon City Prison | 3,000 | 2,173 | 316 | 2,489 |
| Idaho | Boise | 150 | 11 | 0 | 11 |
| Idaho | Challis | 150 | 0 | 0 | 0 |
| Kansas | Hutchinson Prison | 350 | 317 | 5 | 322 |
| Mississippi | Piney Woods | 150 | 127 | 20 | 147 |
| Montana | Britton Springs | 150 | 0 | 0 | 0 |
| Nebraska | Elm Creek | 500 | 395 | 48 | 443 |
| Nevada | Carson City Prison | 1,500 | 1,490 | 3 | 1,493 |
| Nevada | Fallon | 2,850 | 2,550 | 4 | 2,554 |
| Nevada | Palomino Valley | 1,850 | 1,667 | 35 | 1,702 |
| Oklahoma | Pauls Valley | 600 | 536 | 55 | 591 |
| Oregon | Burns | 800 | 624 | 0 | 624 |
| Utah | Axtell Burro | 750 | 0 | 521 | 521 |
| Utah | Delta | 300 | 211 | 1 | 212 |
| Utah | Gunnison Prison | 1,500 | 1,343 | 0 | 1,343 |
| Utah | Salt Lake Staging | 0 | 5 | 0 | 5 |
| Wisconsin | Mequon | 20 | 11 | 1 | 12 |
| Wyoming | Mantle/Chugwater Training | 150 | 173 | 1 | 174 |
| Wyoming | Rock Springs | 800 | 685 | 0 | 685 |
| Wyoming | Riverton Prison | 170 | 190 | 7 | 197 |
| | Total | 18,560 | 13,843 | 1,300 | 15,143 |

| Age of Horses in STH | | | |
|----------------------|----------|---------|----------|
| 0-4 yrs | 5-10 yrs | 11+ yrs | Unmarked |
| 10,027 | 2,882 | 535 | 399 |

| Age of Burros in STH | | | |
|----------------------|----------|---------|----------|
| 0-4 yrs | 5-10 yrs | 11+ yrs | Unmarked |
| 711 | 475 | 66 | 48 |

| State | Grassland Pasture Facilities WY Eco-Sanctuary | Facility Cap | Horses 8/1/13 | Burros 8/1/13 | Total 8/1/13 |
|--------------|--|---------------|------------------|------------------|-----------------|
| Iowa | Mt Ayr/Geldings | 400 | 401 | 0 | 401 |
| Kansas | Cassoday/Geldings | 2,011 | 1,972 | 0 | 1,972 |
| Kansas | Grenola/Mares | 2,600 | 2,565 | 0 | 2,565 |
| Kansas | Matfield Green/Mares | 606 | 548 | 0 | 548 |
| Kansas | Teterville East/Geldings | 2,200 | 2,010 | 0 | 2,010 |
| Kansas | Teterville West/Mares | 2,200 | 2,272 | 0 | 2,272 |
| Montana | Ennis/Geldings | 700 | 709 | 0 | 709 |
| Nebraska | Atkinson/Mares | 800 | 776 | 0 | 776 |
| Oklahoma | Bartlesville/Geldings | 2,300 | 2,130 | 0 | 2,130 |
| Oklahoma | Catoosa/Geldings | 2,000 | 1,877 | 0 | 1,877 |
| Oklahoma | Foraker/Geldings | 2,500 | 2,460 | 0 | 2,460 |
| Oklahoma | Foster/Mares | 750 | 719 | 0 | 719 |
| Oklahoma | Gray Horse East/Mares | 2,485 | 2,542 | 0 | 2,542 |
| Oklahoma | Gray Horse West/Geldings | 1,015 | 850 | 0 | 850 |
| Oklahoma | Hickory/Mares | 1,600 | 1,386 | 0 | 1,386 |
| Oklahoma | Hominy/Mares | 1,059 | 983 | 0 | 983 |
| Oklahoma | Hulah/Geldings | 2,648 | 2,175 | 0 | 2,175 |
| Oklahoma | Nowata/Mares | 800 | 813 | 0 | 813 |
| Oklahoma | Pawhuska/Mares | 3,400 | 3,393 | 0 | 3,393 |
| Oklahoma | Strohm/Mares | 1,000 | 898 | 0 | 898 |
| Oklahoma | Tishomingo/Mares | 600 | 595 | 0 | 595 |
| Oklahoma | Vinita/Geldings | 200 | 186 | 0 | 186 |
| South Dakota | Mission Ridge/Geldings | 1,000 | 1,007 | 0 | 1,007 |
| South Dakota | Whitehorse/Geldings | 400 | 382 | 0 | 382 |
| Wyoming | Centennial/WY Geldings | 300 | 229 | 0 | 229 |
| | Total | 35,574 | 33,878 | 0 | 33,878 |
| | Grand Total | | 47,721 | 1,300 | 49,021 |

| Age of Horses in LTH | | | |
|----------------------|----------|---------|----------|
| 0-4 yrs | 5-10 yrs | 11+ yrs | Unmarked |
| 923 | 12,452 | 20,503 | 0 |

August 20, 2013

WILD HORSE & BURRO ADOPTION REPORT

SUBJECT: FY 2013 ADOPTIONS BY STATE

In FY2013, the BLM, in partnership with the Mustang Heritage Foundation, has adopted 2,252 animals. There have been 24 more animals adopted this year in comparison with last year at this time. There have been 38 animals sold in FY2013. This report includes information from the Performance Management Data System (PMDS) and the Wild Horse and Burro Program System (WHBPS).

Arizona

110 - PMDS Negotiated Adoption Target

97- 2013 WHBPS Reported Animals adopted (8/20/2013)

100 - 2012 WHBPS Reported Animals adopted (8/20/2012)

October 12-14, 2012 – Camp Verde, AZ – 16 animals adopted, 32 animals available, 2 animals in TIP program

February 22-24, 2013 – Buckeye, AZ – 23 animals adopted, 35 animals available, 1 animal in TIP program

March 22-24, 2013 – Phoenix, AZ – 25 animals adopted, 32 animals available

April 19-21, 2013 – Kingman, AZ – 13 animals adopted, 36 animals available

May 17-18, 2013 – Sonoita, AZ – 17 animals adopted, 37 animals available

August 16-17, 2013 – Show Low, AZ – 18 animals adopted, 39 animals available

13- Animals needed to be adopted to meet Target.

California

250 – PMDS Negotiated Adoption Target

286 – 2013 WHBPS Reported Animals adopted (8/20/2013)

232 – 2012 WHBPS Reported Animals adopted (8/20/2012)

November 10, 2012 – Redlands, CA – 2 animals adopted

March 22-24, 2013 – Norco, CA, Backcountry Horseman's Rendezvous – 19 animals adopted, 37 animals available

May 3-5, 2013 – Norco, CA, Extreme Mustang Makeover – 26 animals adopted, 26 animals available

May 5, 2013 – Norco, CA, Mustang Million – 84 animals adopted, 100 animals available

May 17-18, 2013 – Oakdale, CA – 17 animals adopted, 41 animals available

June 15-16, 2013 – Napa, CA, Napa Mustang Days, 21 animals adopted, 42 animals available

July 13, 2013 – San Martin, CA – 15 animals adopted, 44 animals available

Exceeded target by 36 animals.

Colorado

150 – PMDS Negotiated Adoption Target

88 - 2013 WHBPS Reported Animals adopted (8/20/2013)

142 - 2012 WHBPS Reported Animals adopted (8/20/2012)

October 12, 2012 - Canon City Facility, CO – 3 animals adopted

November 2, 2012 - Canon City Facility, CO – 0 animals adopted

November 16, 2012 – Canon City Facility, CO – 2 animals adopted

November 30, 2012 - Canon City Facility, CO – 1 animal adopted

January 11, 2013 - Canon City Facility, CO – 0 animals adopted
February 8, 2013 – Canon City Facility, CO – 1 animal adopted
February 22, 2013 – Canon City Facility, CO – 1 animal adopted
March 8, 2013 – Canon City Facility, CO – 6 animals adopted
March 29, 2013 – Canon City Facility, CO – 2 animals adopted
April 5, 2013 – Canon City Facility, CO – 4 animals adopted
April 19, 2013 – Canon City Facility, CO – 1 animal adopted
May 3, 2013 - Canon City Facility, CO – 2 animals adopted
May 17, 2013 - Canon City Facility, CO – 6 animals adopted
May 31, 2013 – Canon City Facility, CO – 3 animals adopted
June 14, 2013 – Canon City Facility, CO – 9 animals adopted
July 26, 2013 – Canon City Facility, CO – 3 animals adopted
August 9, 2013 - Canon City Facility, CO – 3 animals adopted
62- Animals needed to be adopted to meet Target.

Eastern States

800 –PMDS Negotiated Adoption Target

625– 2013 WHBPS Reported Animals adopted (8/20/2013)

692 - 2012 WHBPS Reported Animals adopted (8/20/2012)

October 19-20, 2012 – Canvas, WV – 14 animals adopted, 38 animals available, 1 animal in Foster Program, 3 animals in TIP program
October 19-20, 2012 – Clemson, SC, Extreme Mustang Makeover – 42 animals adopted, 43 animals available
November 2-3, 2012 – Edinburgh, IN – 4 animals adopted, 37 animals available, 2 animals in Foster Program, 3 animals in TIP program
November 2-4, 2012 –Richmond, VA, VA Equine Extravaganza – 3 animals adopted, 10 animals available
November 9-10, 2012- Gonzales, LA – 38 animals adopted, 50 animals available
December 7-8, 2012 – Piney Woods Facility, MS – 1 animals adopted
January 25-26, 2013 – Marianna, FL – 19 animals adopted, 42 animals available, 4 animals in TIP program
February 15-16, 2013 – Lake Charles, LA – 11 animals adopted, 53 animals available, 2 animals in Foster program
February 22-23, 2013 – Jackson, MO – 4 animals adopted, 37 animals available, 3 animals in TIP program
March 8-9, 2013 – Piney Woods Facility, MO – 1 animal adopted
March 15-16, 2013 – Knoxville, TN – 18 animals adopted, 48 animals available, 7 animals in TIP program
March 22-23, 2013 – Cannon Falls, MN – 10 animals adopted, 35 animals available
April 19-20, 2013 – Jonesboro, AR – 15 animals adopted, 50 animals available
April 26-27, 2013 – Springfield, OH – 9 animals adopted, 33 animals available
May 4, 2013 – Murfreesboro, TN, Mustang Million – 118 animals adopted, 120 animals available
May 10-11, 2013 – Murray, KY – 11 animals adopted, 43 animals available
May 17-18, 2013 – Decorah, IA – 19 animals adopted, 40 animals available
June 21-22, 2013 – Bentonville, AR – 15 animals adopted, 52 animals available
June 21-22, 2013 – Ewing, IL – 7 animals adopted, 35 animals available
July 12-13, 2013 – Ithaca, NY – 23 animals adopted, 57 animals available, 1 animal in Foster program

July 12-13, 2013 – Kenansville, NC – 25 animals adopted, 55 animals available
August 2-4, 2013 – Gloucester County, NJ, Extreme Mustang Makeover – 33 animals adopted, 33 animals available
August 16-17, 2013 – Cassopolis, MI – 42 animals adopted, 65 animals available

170- Animals needed to be adopted to meet Target.

Internet Adoptions

September 26-October 10, 2012 - Internet Adoption – 33 animals adopted, 72 animals available

October 31-November 14, 2012 - Internet Adoption – 38 animals adopted, 111 animals available

January 23-February 6, 2013 – Internet Adoption – 16 animals adopted, 29 animals available

February 27-March 13, 2013 – Internet Adoption – 32 animals adopted, 87 animals available

April 10-24, 2013 – Internet Adoption - 21 animals adopted, 63 animals available

May 22 – June 5, 2013 – Internet Adoption – 52 animals adopted, 103 animals available

July 10-24, 2013 – Internet Adoption - 83 animals adopted – 113 animals available

Idaho

35 –PMDS Negotiated Adoption Target

141– 2013 WHBPS Reported Animals adopted (8/20/2013)

35- 2012 WHBPS Reported Animals adopted (8/20/2012)

December 14-15, 2012 – Challis, ID – 19 animals adopted

January 15, 2013 – Wild Love Preserve – 85 animals adopted

June 20-23, 2013 – Pocatello, ID, Pocatello Equifest – 6 animals adopted, 6 animals available

Exceeded target by 106 animals.

Montana

0– PMDS Negotiated Adoption Target

1 – 2013 WHBPS Reported Animals adopted (8/20/2013)

7 - 2012 WHBPS Reported Animals adopted (8/20/2012)

Exceeded target by 1 animal.

Nevada

70 – PMDS Negotiated Adoption Target

60 – 2013 WHBPS Reported Animals adopted (8/20/2013)

70– 2012 WHBPS Reported Animals adopted (8/20/2012)

October 20, 2012 – Carson City Facility, NV – 12 animals adopted, 12 animals available

February 9, 2013 – Eureka, NV, Diamond Complex Adoption – 12 animals adopted, 19 animals available

February 23, 2013 – Carson City Facility, NV – 14 animals adopted, 16 animals available

May 18, 2013 – Carson City Facility, NV – 15 animals adopted, 15 animals available

August 3, 2013 – Reno, NV, Western States WH&B Expo – 12 animals adopted, 12 animals available

10- Animals needed to be adopted to meet Target.

New Mexico

550 – PMDS Negotiated Adoption Target

571– 2013 WHBPS Reported Animals adopted (8/20/2013)

445 - 2012 WHBPS Reported Animals adopted (8/20/2012)

October 4-7, 2012 –Glen Rose, TX EXPO – 7 animals adopted, 53 animals available

October 11-13, 2012 –Canutillo, TX – 1 animal adopted, 33 animals available

November 16-17, 2012 – Alvarado, TX, Extreme Mustang Makeover Barrel Racing - 18 animals adopted, 18 animals available

January 13, 2013–Ft. Worth, TX, Mustang Magic – 14 animals adopted, 14 animals available

January 31-February 2, 2013 – Del Rio, TX – 5 animals adopted, 33 animals available

February 21-23, 2013 – Seguin, TX – 20 animals adopted, 47 animals available, 1 animal in TIP program

March 14-16, 2013 – Abilene, TX – 20 animals adopted, 38 animals available

April 9, 2013 – Pauls Valley Facility, OK – 2 animals adopted

April 26 and 28, 2013 – Ft. Worth, TX, Mustang Million – 172 animals adopted, 300 animals available

May 10 and 12, 2013 – Ft. Worth, TX, Mustang Million – 120 animals adopted, 300 animals available

May 14, 2013 - Pauls Valley Facility, OK – 1 animal adopted

June 11, 2013 – Pauls Valley Facility, OK – 2 animals adopted

June 21-22, 2013 – Artesia, NM – 17 animals adopted

July 9, 2013 – Pauls Valley Facility, OK – 4 animals adopted

August 13, 2013 – Pauls Valley Facility, OK – 1 animal adopted

August 16-17, 2013 – Claremore, OK – 15 animals adopted, 37 animals available

Exceeded target by 21 animals.

Oregon

200–PMDS Negotiated Adoption Target

167– 2013 WHBPS Reported Animals adopted (8/20/2013)

211- 2012 WHBPS Reported Animals adopted (8/20/2012)

April 27, 2013 – Burns Facility, OR, Mustang Million – 68 animals adopted, 75 animals available

July 27-28, 2013 – Cle Elum, WA – 1 animal adopted, 10 animals available

33- Animals needed to be adopted to meet Target.

Utah

120 – PMDS Negotiated Adoption Target

80 – 2013 WHBPS Reported Animals adopted (8/20/2013)

103 - 2012 WHBPS Reported Animals adopted (8/20/2012)

November 2-3, 2012 – Heber City, UT, Cowboy Poetry Gathering and Buckaroo Fair - 9 animals adopted, 9 animals available

May 31-June 1, 2013 – South Jordan, UT, 15th Annual Utah WH&B Festival – 15 animals adopted

June 14-15, 2013 – Kanab, UT – 4 animals adopted, 42 animals available

August 9-10, 2013 – Tremont, UT – 6 animals adopted, 36 animals available

40- Animals needed to be adopted to meet Target.

Wyoming

130 –PMDS Negotiated Adoption Target

74- 2013 WHBPS Reported Animals adopted (8/20/2013)

96 - 2012 WHBPS Reported Animals adopted (8/20/2012)

April 26-27, 2013 – Powell, WY – 13 animals adopted, 19 animals available

May 17-18, 2013 – Riverton Facility, WY – 22 animals adopted, 37 animals available

August 13-18, 2013 – Douglas, WY, Wyoming State Fair – 16 animals adopted, 16 animals available

56- Animals needed to be adopted to meet Target.

WO – (Palomino Valley and Elm Creek)

100 –PMDS Negotiated Adoption Target

62 –2013 WHBPS Reported Animals adopted (8/20/2013)

95- 2012 WHBPS Reported Animals adopted (8/20/2012)

38- Animals needed to be adopted to meet Target.