

# Triple B Gather Wild Horse and Burro Gather Review Charter

## Purpose and Need

A review of the Triple B Gather has been organized as part of BLM's continuing efforts to improve how wild horse and burro gathers are conducted and to further the development of best management practices and standard operating procedures.

## Background

The Triple B Complex gather was initiated on July 20 and completed on August 31, 2011. The gather was conducted by the Ely and Elko District Offices who manage the herd management areas in the complex. Sun J was the national contractor who conducted the gather. Responsible District Managers are Rosemary Thomas, Ely District and Ken Miller, Elko District. Incident commanders overseeing the gather were Mary D'Aversa, Shell Field Office Manager and Brian Fuell, Wells Field Office Manager. Contract Officer's Technical Representatives were Ben Noyes, Ruth Thompson, Kristine Dedolph and Bruce Thompson. The goal of the gather was to gather and remove 1,726 wild horses. Gather results were 1,269 captured, four returned to the range, four gather related deaths and eight non-gather related deaths. In late August, Laura Leigh filed a lawsuit in Reno District Court alleging animal abuse and inhumane animal treatment among other things. On August 31, 2011 Judge McKibben issued a temporary restraining order to prohibit the use of the helicopter as demonstrated on August 11, 2011 (Laura Leigh video), that appears to strike a horse with the skid or flying the helicopter unreasonably close to a horse during the Triple B Complex gather.

## Review Team Charge

1. The Review Team is assigned to review the available records of the execution of the Triple B gather, interview BLM managers, staff and visitors and provide recommendations that will be considered in the development of national policy for internal and external communications and performance based standard operating procedures that will apply to the execution of future wild horse and burro gathers. The following questions should be answered and evaluated. Document the Incident Command structure used and the plan for internal and external communications utilized by the Nevada BLM team that conducted the Triple B gather. Also, document any pre-gather guidance provided by the Nevada State Director on how the gather was to be conducted and how information was to be conveyed to the public. For internal communications identify conference calls, onsite gather meetings, etc. For external communications identify tools used such as, websites, Facebook and twitter.
  - a. Was an Incident Command System used and what was its structure?
  - b. Was the State Director's direction adhered to?
  - c. What was the External and Internal Communications Plan?
  - d. Was the guidance and plan adhered to and was it effective in providing accurate, current information to internal and external entities?

- e. Did the team effectively and timely report newsworthy incidents, both positive and negative, to internal and external entities? What specifically was done to acknowledge negative incidents and report them factually and timely to the public before bloggers and anti-gather entities could portray these incidents to their advantage?
  - f. What worked well in regards to internal and external communications that reported gather progress in real time updates regarding gather completion progress and the reporting of incidents and issues?
  - g. What didn't work well in regards to internal and external communications?
  - h. Should the Nevada model be considered for implementation as national policy with or without modifications?
  - i. Provide recommendations for improved protocols and policy development.
  - j. Was there an After Action Review completed and were there any areas for change or improvement identified?
  - k. Were BLM employees and contractors aware of BLM standards and were they followed?
  - l. Were regular meetings held between the COR and contractor to address the safety of contractors, BLM employees, volunteers, public observers and wild horses, animal welfare issues or necessary procedure modifications?
2. Review available video of the gather operation to include 1) YouTube videos being dubbed the "Best of the Worst" that were taken and published by members of the public who allege the videos provide documentation of animal abuse; 2) Public Affairs Officer (PAO) video; and 3) Video taken by BLM videographers. Determine the following:
- a. Considering the videos, interviews of independent observers, BLM managers and staff, and factual information, was the capture, handling and/or care of the horses at the gather conducted in humane manner?
  - b. Do the interviews, daily records of gather activities, and videos display proper capture, handling and/or care according to existing BLM standards for the conduct of a gather?
  - c. Are BLM's existing standards ( SOPs from Gather EA and Gather Contract Stipulations) adequate to address these the issues presented in the videos or identified by BLM staff and if not provide recommendations for new standard operating procedures to be considered during the development of a Comprehensive Animal Welfare Plan for the Wild Horse and Burro Program
  - d. If unacceptable performance by the contractor occurred, did the BLM's Contracting Officer's Technical Representative(s) take appropriate action to

redirect the performance of the Contractor to prevent reoccurrences of the issue? Did the Contractor respond to the direction?

### **Team Membership**

Team Lead: Ken Collum, Eagle Lake Field Office Manager

Team Members:

Gus Warr, BLM Utah State Lead Wild Horse Specialist

Steve Hall, BLM Colorado Communications Director

Dr. Owen Henderson, APHIS Veterinarian, Fort Collins

### **External Experts consulted:**

Dr. Carolyn Stull, Animal Welfare Expert, UC Davis.

Dr. Turoff, DMV, Humane Society of the United States

### **Constraints**

In accordance with Federal Advisory Committee Act guidelines, the External Experts can meet with the BLM team to present independent views and recommendations but cannot collaborate with the team to develop findings and recommendations. They can only participate as individuals and contribute independent opinions regarding issues, videos and questions posed to them by the team.

### **Process**

The team should be able to conduct the review without a field visit to the Elko and Ely Districts where the gather was completed. However, the team may elect to convene in a central location to conduct interviews, consider the independent reviews and opinions of the External Experts and to develop their report.

### **Relevant Information and Policy**

- Standard Operating Procedures from Triple B Gather EA
- National Gather Contract Stipulations
- Relevant IMs
- List of YouTube Video clips of alleged animal abuse