

National Wild Horse and Burro Advisory Board Information

Salt Lake City, UT

October 29-30, 2012

Please scroll down to see the
information provided to the
Advisory Board.

Wild Horse & Burro Advisory Board Meeting – AGENDA
Radisson Hotel Salt Lake City Downtown
215 W. South Temple
Salt Lake City, UT 84101
October 29-30, 2012

<u>Topics for Discussion</u>	<u>Actions/Outcomes</u>
Monday, October 29, 2012, 8:00 a.m. to 5:00 p.m.	
8:00 a.m. Welcome/Introductions/Call to Order - Dr. Boyd Spratling and Julie Gleason, Co-Chairs Agenda Review - Kathie Libby, Facilitator BLM Leadership's Remarks - Ed Roberson, Assistant Director Welcome/Introduction to Utah Program – Juan Palma, Utah State Director Utah Wild Horse and Burro Program – Gus Warr, Utah State Lead	
8:30 a.m. Approval of Minutes from 4/23-24/2012 meeting – Co-Chairs	<i>Decision</i>
8:40 a.m. BLM Response to Advisory Board Recommendations (#9 & #10) – Joan Guilfoyle, Division Chief	<i>Information/Q&A</i>
9:00 a.m. Review of Charter and Draft SOPs – Sally Spencer	<i>Information/Q&A</i>
9:30 a.m. Break	
9:45 a.m. Nationwide Drought Situation and Impacts on Range – Jan Curtis, Applied Climatologist, Natural Resources Conservation Service, National Water & Climate Center	<i>Information/Q&A</i>
10:45 a.m. WHB Program Update - Joan Miscellaneous Items FY 2013 Fall/Winter Gather/Treat/Remove Plan, Escalating Conditions/Emergency Gathers – Dean Bolstad Off the Range Space – Zach Reichold Video show!	<i>Information/Q&A</i>
12:00 p.m. Lunch	
1:15 p.m. Research Advisory Team – Dr. Jeff Manning	<i>Information/Q&A</i>
1:45 p.m. BLM-Formed Working Groups <ul style="list-style-type: none"> • Comprehensive Animal Welfare Program – Dean • Increasing Adoptions – Sally • Eco-Sanctuary – Zach • WHB Gather Guidance – Joan 	<i>Information/Q&A</i>
3:15 p.m. Break	
3:30 p.m. Public Comment Period Begins	
4:30 p.m. Public Comment Period Ends	
5:00 p.m. End of Meeting	

Tuesday, October 30, 2012, 8:00 to Noon

8:00 a.m.	Advisory Board-Formed Working Groups	<i>Information/Q&A</i>
	<ul style="list-style-type: none">• Population Growth Suppression – Dr. Boyd Spratling, Tim Harvey, Jim Stephenson• Ecotourism – Callie Hendrickson, Julie Gleason, Tim Harvey• Herd Area Re-Population – Tim Harvey, June Sewing, Paul Durbin	
9:15 a.m.	Board Member's Concerns and Issues	<i>Discussion/Decision</i>
10:00 a.m.	Break	
10:15 a.m.	Board Recommendations to the BLM	<i>Discussion/Decision</i>
Noon	End of Meeting	

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

National Wild Horse & Burro Advisory Board Meeting Minutes

Grand Sierra Resort, Reno, Nevada

April 23 – 24, 2012



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

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Executive Summary

The Wild Horse and Burro Advisory Board (Board) advises the Secretary of the Interior, the Bureau of Land Management (BLM) Director, the Secretary of Agriculture, and the Chief of the USDA Forest Service (USFS) on matters pertaining to the management and protection of wild, free-roaming horses and burros on the Nation's public lands.

During its April 23 – 24, 2012 meeting held in Reno, Nevada, the Board received updates from the BLM on a number of different areas pertaining to the management of wild horses and burros including the number of animals currently held in short-term corrals and long-term pastures, Fiscal Year (FY) 2012 wild horse adoptions and sales, the Director's Challenge, the agency's FY2012 Annual Work Plan and the President's FY2013 Proposed Budget for the BLM's wild horse and burro program, BLM's gather schedule for the remainder of FY2012 and the beginning of FY2013, ongoing and new research activities, establishment of eco-sanctuaries, the BLM's Comprehensive Animal Welfare Program (CAWP) and activities associated with management of wild horse and burro management territories by the USFS. In addition to the program updates, the Board received a presentation concerning BLM's Greater Sage Grouse Planning Strategy and heard from 29 members of the public during a public comment period held on April 24, 2012.

Prior to receiving program updates from the BLM and the USFS, Ed Roberson, BLM's Assistant Director for Renewable Resources and Planning, presented Robin Lohnes with a letter from BLM Director Bob Abbey and a plaque thanking her for 14 years of outstanding leadership on the Advisory Board. In addition, a plaque was presented to Gary Zakotnik for his leadership as the Board's Co-Chair and Janet Jankura was recognized for her service to the Board.

Under the new "Director's Challenge" initiative which encourages volunteers to become engaged in the stewardship of the Nation's public lands as well as improving Western rangeland conditions where wild horses and burros roam, \$272,700 was approved on March 22, 2012 to fund 12 projects which address a variety of actions including conducting inventories of water sources, monitoring riparian area conditions, removing invasive plant species and protecting spring resources.

From a financial standpoint, the BLM is on track in spending its \$77.4 million in available funding in FY2012. The President's FY2013 Proposed Budget calls for \$76.9 million to be allocated to BLM's Wild Horse and Burro program.

From an animal management perspective, to date, BLM has completed 18 gathers removing approximately 5,873 animals (both wild horse and burros) from the Nation's public lands. In addition, 883 mares were treated with a fertility control vaccine and released back on to the range. In its remaining FY2012 scheduled gathers, the BLM projects removing an additional 2,400 animals from the range. In its FY2013 projections, the BLM anticipates removing approximately 7,000 animals as well as continuing its fertility control injection program on 658 mares.

Unfortunately, the number of animals adopted and sold to individuals who can provide good homes for the animals is down as compared to the same date in FY2011. To date, BLM and the Mustang Heritage

Foundation have adopted 1,094 animals and BLM has sold 219 animals. BLM's target for FY2012 adoptions is 4,475 animals. BLM currently is holding approximately 14,500 animals in its short-term holding facilities and 32,400 animals on the long-term holding pastures. From a research standpoint, there are three ongoing projects currently underway; a 5-year SpayVac study, a longer lasting conventional PZP study and two Humane Society of the United States studies. In addition, BLM is working with the U. S. Geological Survey to explore opportunities for two new proposals.

The second day of the meeting began with a presentation on BLM's efforts to avoid the listing of the Greater Sage Grouse as a threatened or endangered species by the U. S. Fish & Wildlife Service (FWS). This presentation addressed the efforts of the FWS since 2005 concerning a threatened/endangered designation, the legal challenges faced by the FWS to date, the extent of the species' currently recognized habitat (or range), the major threats to the Greater Sage Grouse in its range, BLM's efforts in working with State wildlife agencies to identify critical habitat for the species, the potential impacts to the wild horse and burro program with a threatened/endangered designation and BLM's National Sage Grouse Planning strategy.

The USFS provided an update concerning the status of managing its 53 Wild Horse and Burro Territories, the agency's FY2012 budget and an overview comparison of the National Environmental Policy Act (NEPA) processes for the BLM and the USFS.

In February 2012, BLM announced the selection of a private land eco-sanctuary proposal for additional environmental review. The location of the 4,000-acre ranch is approximately 30 miles west of Laramie, Wyoming and would involve 250 non-reproductive animals from Wyoming herds. The current schedule calls for the completion of the NEPA analysis and issuance of a decision by August 2012. In a second eco-sanctuary effort announced in April 2012, a private/public eco-sanctuary proposal in northeastern Nevada was selected for further NEPA review. Under this proposal, 900 non-reproducing wild horses would be located on 14,000 acres of private land and 530,000 acres of public land administered by the BLM. Both proposals also contain a public educational and an ecotourism component.

As part of its efforts to implement the agency's National Wild Horse and Burro Strategy, BLM has convened a 10-person inter-agency team to develop draft Standard Operating Procedures (SOPs) for the gather component of the new CAWP. The CAWP will eventually address all components of the wild horse and burro program, which includes animals on the range, gather operations, short- and long-term holding, adoption events and post-adoption once the animals have been adopted. Once developed, the gather SOPs will be reviewed internally within the agency as well as by selected credentialed external experts. Following the review, the SOPs will be finalized for implementation.

Following a public comment period during which 29 members of the public provided verbal and written statements; Ed Roberson designated Dr. Boyd Spratling and Julie Gleason as Chair and Co-Chair of the Advisory Board, respectively, for the period of 2012 to 2014. The Board also received an update of the status of efforts to renew the Board's Charter, which will expire in July 2012 as well as an effort to revise the Board's SOPs.

After a full day of agency updates and status reports, the Board identified ten recommendations to be made to the BLM addressing the following major topic areas:

- Board participation as external experts on BLM working groups associated with the agency's national wild horse and burro strategy and review of draft agency Instruction Memoranda;
- Expansion of Board representation on one existing Board working group;
- Formation of three new Board working groups;
- Establishment of a mechanism by which agency resource needs can be matched with public/non-profit organization assistance; and,
- Expediting submission of the Wild Horse and Burro Program Strategy and FY 2005 – 2010 Report to Congress.

Monday, April 23, 2012

Welcome

Call to Order

Dr. Boyd Spratling, Interim Chair of the Bureau of Land Management's (BLM) National Wild Horse and Burro Advisory Board (Board), opened the meeting precisely at 2 PM in the Crystal Ballroom of the Grand Sierra Resort in Reno, Nevada. In his opening remarks, Dr. Spratling thanked Robin Lohnes who was in the audience for her many years of service on the Board. In his remarks, Dr. Spratling highlighted her understanding of not only the nuances of the wild horse and burro program but the people involved with the program as well.

Dr. Spratling also referenced a trip earlier in the day, when the Advisory Board toured the Nevada Correctional Facility in Carson City to obtain a firsthand understanding of the wild horse gentling program conducted by inmates. Dr. Spratling was impressed with the infrastructure at the correctional facility associated with the horse gentling program and remarked that the program is a "bright spot" in BLM's wild horse and burro program. He encouraged people to be supportive of continuing such programs. He remarked that the gentling program was not only beneficial for the animals but the inmates as well, who were improving their lives through the lessons they were teaching the animals.

The second order of business was to have each Board member introduce themselves.

Dr. Robert Bray (Wild Horse & Burro Research) has been involved with horses in some fashion for his entire life. He has a Doctorate in Animal Nutrition specializing in Equine Nutrition. Prior to retiring in 2010, Dr. Bray was a professor for over twenty years. He has worked with University extension programs and now does consulting. Similar to Dr. Spratling, he also was impressed with the program at the Nevada Correctional Facility.

June Sewing (Wild Horse & Burro Advocacy) is the Executive Director of the National Mustang Association. In over twenty years with that organization, she has seen the wild horse program evolve and is very proud of the Association's wild horse sanctuary which can house up to 72 animals. In addition, the Association has been active in the establishment of a prison program in Gunnison, Utah, which is similar to the Carson City facility, albeit on a smaller scale.

Timothy Harvey (Humane Advocacy) has been on the Board for two years. While he currently has one adopted mustang, he has adopted 12 to 15 mustangs over the years.

Julie Gleason (Public Interest) is a native Nevadan who grew up riding mustangs (before passage of the 1971 Act). She has been a "horse person" her entire life. In 1999, she was appointed by the Nevada Governor to the State Wild Horse Commission where she was involved with establishment of the Correctional facility program toured earlier in the day and the National Mustang Heritage Foundation.

Dr. Boyd Spratling (Veterinary Medicine) is a large animal veterinarian in Deeth, Nevada which is in the northeastern part of the state. He has spent his entire life working with and around horses.

Gary Zakotnik (Livestock Grazing) is a federal land rancher in southwestern Wyoming. He grazes livestock on a federal grazing allotment which is part of the White Mountain Herd Management Area (HMA). Mr. Zakotnik is a member of the Rock Springs Grazing Association which shares the public lands with wild horses. He is involved with wild horses and their impacts on a daily basis.

Callie Hendrickson (Public Interest) has lived her entire life within 100 miles of Grand Junction, Colorado. She has a diverse background involving the Lamar Community College Horse Training and Management Program, professionally training horses for cutting and reining, obtaining a Bachelor's degree in Marketing and Office administration, teaching school with the Job Corps, serving as the Executive Director for the Colorado Association of Conservation Districts, and working on the State of Colorado Conservation Board. Ms. Hendrickson currently works as the Executive Director for the White River and Douglas Creek Conservation Districts which are home to the majority of wild horses in Colorado. Horses have always been a part of her life.

Paul Durbin (Wildlife Management) grew up and worked in northern Nevada for most of his adult life until moving to Arizona after retiring as a financial planner. He has worked for several different wildlife organizations and has been on the Board for 2 years.

James Stephenson (Natural Resources Management) is a Big Game Biologist for the Yakama Nation which currently has approximately 15,000 horses on 400,000 acres in Washington State. Mr. Stephenson also mentioned the numbers of horses on six Native American reservations across the West.

Following introduction of the Board, Kathie Libby who served as the facilitator for the meeting, introduced herself. In her remarks, she thanked the Board members for their commitment, BLM staff for their support and efforts in setting up this meeting and for those in the audience who have a passion for wild horses and burros. She stressed that the Board and BLM are here to listen, receive feedback and complete important work. In reviewing the agenda for the meeting, she stressed that the public comment period will occur on Tuesday (April 24th) morning at 10:45 AM. She asked that anyone interested in making a statement should register no later than 10 AM Tuesday morning. She drew the audience's attention to a brochure rack which contained the following documents:

- Wild Horse & Burro Advisory Board Member Biographies
- Wild Horse and Burro Advisory Board Membership Nomination Process
- Long-Term Pasture Fact Sheet
- Eco-sanctuaries Comparison: Public Land versus Private Land
- Healthy Range Equals Healthy Wild Horses and Burro

BLM Leadership's Remarks & Recognitions

In his opening remarks, Ed Roberson, BLM's Assistant Director for Renewable Resources and Planning, highlighted that there are only two current Board members, Dr. Spratling and Gary Zakotnik, who were on the Board when he entered his current position 4½ years ago. He highlighted the fact that over the past several years, this Advisory Board has provided phenomenal service to the BLM as envisioned by the 1971 Act, serving as a sounding board for ideas and in facilitating discussion and dialogue concerning protection of wild horses and burro, wildlife management as well as other natural resource

management issues; all of which have come into play as we make decisions on moving the Wild Horse and Burro program forward.



Assistant Director Roberson Presenting Robin Lohnes with Recognition Plaque

In a special recognition of 14 years of involvement on the Board, Assistant Director Roberson presented Robin Lohnes with a plaque and a letter from BLM's Director, Bob Abbey, which summarized the important contributions she has made to the BLM's Wild Horse and Burro program. He commended her for the instrumental advice and leadership she provided to the Board in addressing many significant issues within the program which included exploring opportunities to achieve Appropriate Management Levels (AML) and management of Herd Management Areas (HMAs), initiating new research and providing advice on the Comprehensive

Animal Welfare Program and BLM's current long-term program strategy. Her sincerity, expertise and willingness to be available to discuss the issues have made the Board extremely effective.

Likewise, Assistant Director Roberson presented Gary Zakotnik with a similar plaque for his service as the Board's current Co-Chair. In addition, Janet Jankura, who was unable to attend this meeting, will receive a plaque and letter for her contributions to the development of the long-term program strategy and efforts to provide a new perspective to gather and adoption operations.



Assistant Director Roberson Presenting Gary Zakotnik with Recognition Plaque

Assistant Director Roberson closed his remarks by welcoming the new members to the Board, introducing representatives from the BLM and other agencies that were in the audience, and summarizing the meeting's agenda. Of special note, Assistant Director Roberson emphasized the June 9, 2012 tour of the long-term holding pasture east of Wichita, Kansas, and the importance of the sage-grouse issue which will be discussed Tuesday morning. It was noted later in the meeting that there are a significant number of people who have expressed interest in attending the June 9th tour.

Welcome & Introduction to BLM Nevada's Program

Raul Morales, BLM Nevada's Deputy State Director (DSD) for Natural Resources, Lands and Planning welcomed the Board to Nevada, on behalf of BLM Nevada's State Director, Amy Lueders. In his presentation, DSD Morales highlighted how things such as public involvement and interest in BLM's Wild Horse and Burro program have changed since the beginning of his career. He provided an overview of BLM Nevada's Wild Horse and Burro program, which is implemented by ten highly motivated, hard-working Wild Horse and Burro Specialists. From a budget standpoint, BLM Nevada receives

approximately \$8.5 million annually of BLM's national wild horse and burro budget of approximately \$77.3 million. BLM Nevada's 83 HMAs¹ contain an estimated population of 22,000 wild horses and burros, which are approximately 10,000 animals over the State's AML of 12,688. Of the 83 HMAs within the State, 58 are over their designated AML. To date, in FY2012, six gathers have been completed within Nevada with three gathers remaining.

DSD Morales highlighted the State's current drought situation where 52 percent of the State is listed in the "severe" category. BLM District offices are closely monitoring these areas and are preparing to use all tools available to protect the welfare of all animals, as well as, vegetative conditions. When asked, DSD Morales emphasized that drought-related impacts being observed include (1) lack of water sources and (2) degrading of vegetative conditions. He emphasized the importance of early and consistent monitoring of vegetative and animal conditions within drought stricken areas and taking action, if necessary, while animals are in a condition to withstand the effects of a gather operation. Of the areas currently being watched closely, only one (Jackson Mountains HMA) is currently on the 2012 gather schedule. If necessary, this gather may be moved forward in the schedule.

October 13 – 14, 2011 Meeting Minutes Approval

The minutes from the October 13 – 14, 2011 Board meeting were approved without modification.

Wild Horse and Burro Program Update

In her opening remarks, Joan Guilfoyle, Chief of BLM's Wild Horse and Burro Division, echoed others in welcoming the Board to Nevada and thanking Robin Lohnes for her dedicated service on the Board for many years.

Chief Guilfoyle addressed the Board's October 13 – 14, 2011 recommendations to BLM, which are highlighted in Attachment 1. In summary, the Board made nine recommendations of which five were accepted as presented, three were accepted in part and one was not accepted. In providing BLM's rationale concerning its response to the first five recommendations, the Board was asked to reference guidance entitled "Guidelines Regarding Wild Horse and Burro Advisory Board Members' Participation Outside Advisory Board Meetings" (Attachment 2). The Board did not identify any questions concerning BLM's response to their recommendations; however, Dr. Spratling reserved the opportunity to identify potential members for the approved work groups during development of the Board's recommendations to BLM currently scheduled for Tuesday afternoon.



Joan Guilfoyle – Chief of BLM's Wild Horse & Burro Division

In an effort to improve the timeliness of review, Chief Guilfoyle made a commitment to have draft Board meeting minutes to the Board for review within one month following conclusion of this meeting. In addition, Chief Guilfoyle highlighted some new additions to the Board's notebook including a current contact list, news releases and facts sheets.

¹ This represents 45% of BLM's HMAs.

Chief Guilfoyle emphasized that the Board is in a time of transition with Dr. Spratling serving as the Interim Chair, appointment of a new Chair and Co-Chair upcoming at this meeting and potentially three new members being appointed each year. In March 2013, the terms for the Wildlife Management (Paul Durbin), Humane Advocacy (Timothy Harvey) and Livestock Management (Gary Zakotnik) positions will expire. To start the search for potential new Board members, a Federal Register Notice seeking nominations for these positions will be released in June 2012.

Chief Guilfoyle also highlighted several positions within the Wild Horse and Burro program which are being considered. These include (1) an Outreach Coordinator 4-month detail, a position which may become permanent, (2) a Research Team Lead position for which a list of qualified candidates has been received and applications are being reviewed, and (3) a Federal Advisory Committee Act/Freedom of Information Act position.

Important activities within the Wild Horse & Burro Division include developing a new Memorandum of Understand (MOU) with The Humane Society of the United States (HSUS) to replace the currently expired MOU. Because the assistance agreement with the Mustang Heritage Foundation expires in 2012, a new solicitation for an assistance agreement is being developed.

In addition, a Report to Congress which addresses a 2005 - 2010 Program Report as well as a 2010 - 2014 Program Strategy is currently being reviewed by BLM's senior leadership and will be submitted to the Assistant Secretary for Lands & Minerals Directorate in the Department of the Interior (DOI) in the near future.

Chief Guilfoyle reviewed the seven major components of BLM's National Wild Horse & Burro strategy, which include:

- Sustainable herds
- Science & Research
- Eco-sanctuaries
- Animal Welfare Program
- Increasing adoptions
- Program transparency/public outreach
- Ecotourism

BLM is working with other agencies on inter-agency teams which are focused on reviewing policies and procedures on several critical wild horse and burro issues and will be providing recommendations to Chief Guilfoyle within 120 days. Issues and/or current actions being reviewed include helicopter gather contracts, alternative method gathers, and the Comprehensive Animal Welfare Program (CAWP).

In a continuing quality control effort within the Wild Horse & Burro program, the Division continuously reviews and updates current and expired policy direction. Current policy guidance for conducting helicopter gathers is being reviewed to ensure it addresses all aspect of gather activities. Another area being reviewed is the Charter for the Research Team to ensure it addresses current needs and has appropriate representation by other federal agencies.

Director's Challenge

Sally Spencer addressed the “Director’s Challenge” initiative which seeks to promote citizen-based science opportunities which address land health issues within wild horse and burro HMAs across the West. Eligible projects were competing for a maximum of \$25,000 per BLM Field Office. The eligibility criteria included the need for the volunteer project to meet a BLM identified management need or answer a specific management question within one or more HMAs, and to include community or partnerships efforts.

In total, 12 project proposals were received proposing a variety of actions including conducting inventories of water sources, monitoring riparian area conditions, removing invasive plant species and protecting spring resources. Based on recommendations of a team of BLM employees and external expert Jim Stephenson (Natural Resource Management representative on the Board), the Director made the decision to fund all submitted proposals at a cost of \$272,700.

John Wilson from BLM Nevada’s Carson City District Stillwater Field Office provided the Advisory Board with an overview of the Dalton Canyon Riparian Enhancement and Protection Exclosure project (refer to Figure 1), which was selected for funding under the Director’s Challenge program. In summary, once approved, the project would fund construction of a four-wire fence to create a 145-acre exclosure for the protection of approximately 3.5 miles of degraded wetland riparian area which had previously served as a brooding area for sage grouse. In addition to the fencing, monies would be used for vegetation monitoring and ground water fluctuation.

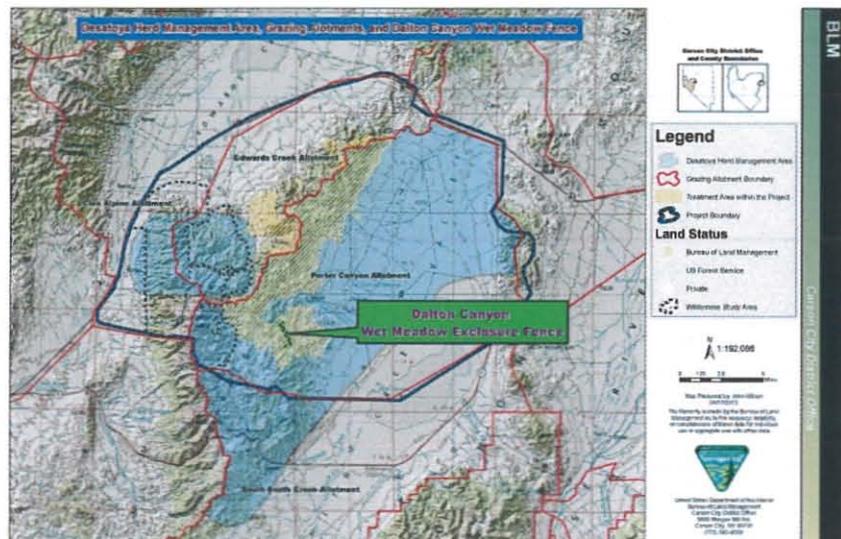


Figure 1 - General Location of the Dalton Canyon Wet Meadow Riparian Exclosure

Factors contributing to the degradation² of the wet meadow included pinion-juniper encroachment, historical livestock grazing practices and excessive wild horse population numbers.

The Dalton Canyon project is a smaller piece of a much larger project involving several different partners including the Nevada Department of Wildlife, Nevada Partners for Conservation Development, the Natural Resource Conservation Service, U. S. Geological Survey, Agriculture Research Service, the University of Nevada/ Reno, the Smith Creek Ranch and, eventually, other public land users. The overall

² Decreased hydrologic levels which, in turn, lead to changes in the vegetation from wet meadow species to a solid stand of rabbit brush

project will include removal of excess wild horses, range improvements to protect water sources, thinning and removal of pinion/juniper and invasive species treatment.

The Stillwater Field Office is completing the National Environmental Policy Act (NEPA) requirements for the project. The comment period on the Environmental Assessment (EA) closed on April 4, 2012 with approximately 4,000 comments having been received. In addition, the field office will be hosting a tour of the project area in late May. At this time, a decision regarding the approval of the project is anticipated in June 2012.

FY2012 Wild Horse & Burro Budget

Dean Bolstad provided a summary of the BLM's FY (Fiscal Year) 2012 Wild Horse and Burro program budget allocation by program element (Attachment 3). Of the total budget of \$77.4 million, short- and long-term holding, adoptions and gather/removals account for \$70.1 million or 80% of the total budget as depicted in the following table.

FY2012 February Annual Work Plan			
Program Element	Program Title	Dollar Allocation	Percentage of Total Budget
HI	Short-Term Holding	\$27,660,000	36%
HH	Long-Term Holding	\$16,825,000	22%
HG	Adoptions	\$7,694,250	10%
JJ	Gather/Removal	\$8,950,540	12%
PC	Administration	\$8,993,000	12%
Others	All other codes	\$7,236,210	9%
Total		\$77,359,000	100%

One question typically asked by the Board is "How much money is allocated for the Mustang Heritage Foundation"? In FY2012, approximately \$7.7 million is allocated for adoptions of which \$3.75 million is allocated for the Mustang Heritage Foundation. In FY2012, \$600,000 is allocated for research, of which \$250,000 is identified for the SpayVac program.

FY2013 President's Budget

Dean Bolstad reported that the President's FY2013 proposed budget (Attachment 4) identifies \$76.9 million for BLM's Wild Horse and Burro program, which essentially mirrors the Program Element proportions as outlined in the agency's FY2012 budget except for the identification of \$2.0 million for research. Dr. Spratling identified a discrepancy between the \$175,500 depicted for the Program Element KG (Population Growth Suppression Applications) in the table shown under Tab 5 of the Board's notebook and the \$585,500 depicted on the Power Point presentation slide (Attachment 4). Further investigation found that the \$175,500 figure depicted on the table under Tab 5 was incorrect and will be revised. In response to a suggestion from a Board member, BLM agreed to footnote any changes in program element titles as occurred for Program Element KG which is changed from "Animals Treated to Reduce the Population" in FY2012 (Tab 5 of Board's notebook) to "Population Growth Suppression Applications" in the FY2013 President's Budget (Attachment 4).

During the question/answer portion of the presentation, Dr. Spratling expressed his frustration with the amount of time which it has taken to gain the Environmental Protection Agency's registration for use of Porcine Zona Pellucida (PZP).

Gather Schedule, Summer FY2012 and Fall/Winter FY2013

Lili Thomas provided a summary of the BLM's status in implementing its FY2012 gather schedule, which includes scheduled USFS gathers. In the 18 gathers completed to date, 7,837 animals (horses and burros) have been gathered and 5,873 animals removed. In addition, 883 mares have been treated with a fertility control vaccine. In the remainder of FY2012³, it is anticipated that of the 2,475 animals that will be gathered, 2,435 will be removed from the range. BLM's current projection for its FY2013 gather schedule identifies approximately 8,504 wild horses and burros to be gathered of which 7,017 animals are expected to be removed from the rangeland. The expected number of mares to be treated with fertility control vaccine is 658 while the number of animals to receive population growth suppression action is 838. Of special note concerning the FY2013 gather schedule, the scheduled fall gathers are less than the number of scheduled summer gathers to minimize holding costs and space limitations. The targets for removals and population growth suppression (including fertility control treatments) are not final at this time.

Several questions were raised in relation to bait trapping concerning the ease of trapping burros as compared to horses and the difference in bait trapping the two species. Ms. Thomas explained that the bait trapping contract is currently on-the-street for proposal submissions. Most bait trapping efforts to date have been either conducted internally by BLM personnel or completed under local District office contracts. Utilizing a national contract as presently being pursued is a new way of doing business. Under the national contract, six large-scale proposed trap zones have been identified west wide (Attachment 5). Contractors have been asked to bid on one or multiple proposed zones. Based on an analysis, BLM and the USFS have determined that up to 17 contractors could be utilized to accomplish the bait trapping needs. Contracts will be awarded based on the technical abilities of the contractor to accomplish the trapping activities. Each Task Order will be issued competitively so that all contractors who expressed an interest in a particular zone will be able to bid on that specific task order, which is different than BLM's normal contracting process. Interim Chairman Spratling indicated that the status of the bait trapping contract and its implementation is one topic which he would like to have BLM address with the Board in future meetings.

Short Term Corral & Long Term Holding Pasture Facilities

Bea Wade provided a summary of the number of animals currently being held in BLM's wild horse and burro short- and long-term facilities. At this time, short-term holding corral facilities contain 14,502 animals which represent 87 percent of their holding capacity. In long-term holding pasture facilities, a total of 32,389 animals are being held which is 94 percent of the long-term holding capacity. One special note made in relation to holding of animals is that, for the first time, BLM has had to open a burro facility in Utah.

³ FY2012 will end on September 30, 2012

A question was raised as to the status of the long-term holding pasture contract. Currently, proposals were received by BLM on April 10, 2012. A Technical Program Evaluation Committee (TPEC) will be meeting on May 1 – 2, 2012. Site visits will occur on May 21, 2012 and an award by June 1, 2012. There will also be a 120-day NEPA EA process which must be completed prior to placing animals on a new facility.

A summary of the 2010 – 2012 end-of-year population statistics was presented as depicted on the following table.

2010 to 2012 End-of-Year Population Statistics	
Year	Estimated Population
FY2012	37,300
FY2011	38,500
FY2010	38,400

BLM believes the population census methods are working; however, more animals are being found. In response to a question relating to the use of direct counts, it was explained that BLM currently uses three different population census methods: (1) direct counts, (2) Mark Resight and (3) simultaneous double count.

FY2012 Adoptions & Sales

Sally Spencer addressed the current status of FY2012 adoption and sale statistics for the Advisory Board. In total, 4,475 animals are targeted for adoption in FY2012. Of the 4,475 animals, the Mustang Heritage Foundation is striving to facilitate adoption of 2,000 animals while BLM is working to facilitate adoption of the remainder (2,475 animals). As of April 12, 2012, the Mustang Heritage Foundation and the BLM have adopted a total of 1,094 animals (484 and 610 animals, respectively). As of April 12, 2012, the 1,094 figure is 156 animals fewer than the number adopted as of the same date in 2011. Likewise, BLM has sold fewer animals in FY2012 as compared to the same date in 2011. More detailed information by State is provided in Attachment 6.

BLM has been exploring with the National Park Service the possibility of utilizing wild horses in the Wounded Warrior program. Under this concept, the horses would be used to provide therapy to wounded veterans as well as providing opportunity to work with horse trainers as a possible career avenue.

The Extreme Mustang Makeover occurred this past weekend. There were 31 competitors and horses with all animals being adopted at an average price was \$625 per animal. Congratulations to Sid Zackarius who was the overall winner.

There were two inquiries during the question/answer portion of this presentation. One was related to feedback received from the adoption review team, as discussed at the October 2011 Board meeting. The second was related to completion of a review of the 2000 marketing report. The response was that

a team has not been formed yet, but should be within the next month. One of the tools that the team will use is the 2000 marketing report.

Since the October 2011 Board meeting, BLM has reviewed and made changes to the language on the Bill of Sale and the Sales questionnaire. The primary change to the Bill of Sale was the addition of the following language at the bottom of the form:

“This sale is null and void and the animals will remain protected under applicable laws, if, the purchaser makes any material misrepresentations in the applicable “Application to Purchase Wild Horses and Burros,” “Bill of Sale,” or during any negotiations with the BLM leading up to purchase, including without limitations, representations about the purposes and/or use for which the animals are obtained”.

A question was asked if the above language would allow BLM to take legal action against someone who deliberately mistreats an animal similar to what occurred in a Michigan case. Ms. Spencer was unsure of the response to that question and agreed to contact the Solicitor’s office to future discuss the question.

In addition to the changes made to the Bill of Sale document, BLM has also added the following language to the Sale Questionnaire.

“I agree to provide humane care and to not sell or transfer ownership of any listed wild horse or wild burro to any person or organization with the interest to resell or trade or give away animals for processing into commercial products”.

Interim Chair Spratling concluded the meeting for the day at 4:44 PM.

Tuesday, April 24, 2012

Dr. Boyd Spratling opened the second day of the National Wild Horse and Burro Advisory Board meeting at 8:01 AM by allowing each Board member to briefly introduce themselves for those who may not have attended the meeting on the previous day.

BLM Sage Grouse Planning Strategy

Dr. Spratling opened the BLM’s Greater Sage Grouse Strategy presentation by indicating that he was responsible for identifying this agenda topic. Dr. Spratling felt that the significance of a threatened or endangered designation by the U. S. Fish & Wildlife Service (FWS) for the Greater Sage Grouse and its subsequent potential impacts to all uses of the public lands including the wild horse and burro program warranted a discussion by the Advisory Board.



Joe Tague – BLM Nevada’s
Branch Chief for Renewable
Resources

Joe Tague, BLM Nevada’s Branch Chief for Renewable Resources, provided an overview of the agency’s efforts which, hopefully, will avoid a listing of the species by the FWS. In summary, the presentation addressed efforts of the FWS since 2005 concerning a threatened/ endangered designation, the legal challenges which the FWS has faced,

the extent of the species currently recognized habitat (or range), the major threats to the Greater Sage Grouse in their range, BLM's efforts in working with State wildlife agencies to identify critical habitat for the species, the potential impacts to the wild horse and burro program with a threatened/endangered designation and BLM's National Sage Grouse Planning strategy.

In summary, BLM is working with many other Federal/State agencies and other users of the public lands to institute appropriate regulatory mechanisms, management strategies and other actions necessary to avoid a threatened or endangered determination by the FWS for the Greater Sage Grouse. Identified threats to the bird and/or its habitat include wildfire, infrastructure development, conifer invasion, grazing by large ungulates (livestock, wild horses, wildlife, etc.), energy development, mining and several

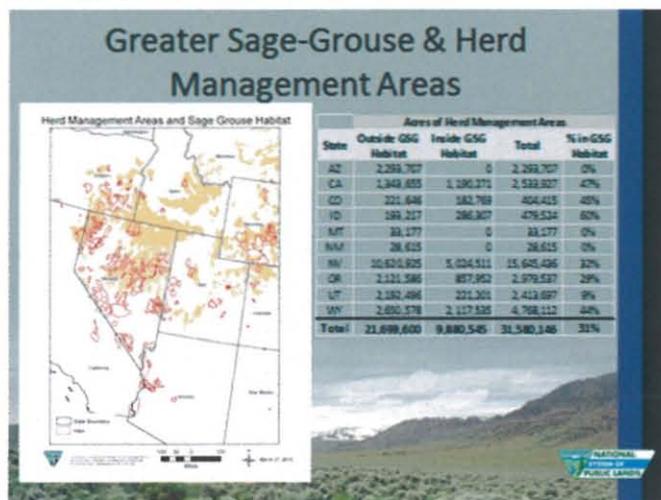


Figure 2 - Comparison of Great Sage Grouse and Wild Horse & Burro Herd Management Areas

others. In total, the currently recognized range of the Greater Sage Grouse covers roughly 100 million acres in ten Western States. Of the recognized habitat, approximately 50 percent are lands managed by the BLM.

As shown in Figure 2, within the 10 Western States', there are approximately 31.6 million acres classified as wild horse and burro HMAs. Of that acreage, approximately 9.9 million acres (31%) within 106 HMAs are considered habitat for the Greater Sage Grouse.

While a threatened/endangered listing for the specie would affect management of all uses on public lands, affects to the wild horse and burro program could involve limiting when gathers and other management activities occur, how management activities are conducted as well as requiring additional regulatory steps such as consultation with the FWS prior to implementing actions on the ground.

BLM's Greater Sage Grouse Planning Strategy is to develop and implement new or revised regulatory mechanisms by revising land use planning documents in BLM's 68 planning units which contain Greater Sage Grouse habitat. This approach will ensure the conservation measures which conserve and restore Greater Sage Grouse and their habitats are carried forward into future planning efforts. Unfortunately, revision of the land use plans is a long-term process which will require several years. In the short-term, BLM is establishing highly coordinated, multi-level, interagency teams to review and develop national interim guidance which will direct resource program management actions until the long-term land use plan revision process is completed.

Specific interim guidance with areas determined to be Preliminary Priority Habitat (PPH) for the wild horse and burro program includes:

- Managing animal populations within established AMLs;
- HMAs will receive priority for removal of excess horses;

- Areas where the AML has been established as zero will receive priority for removal; and,
- When establishing work priorities, give priority to gathers in PPH areas except where removals in non-PPH areas are necessary to prevent catastrophic herd health and ecological impacts.

During the question/answer portion of the presentation, Interim Chair Spratling requested to receive a handout of the maps as well as a copy of the power point presentation. Additional questions from the Board addressed involvement of State wildlife agencies in BLM's process, habitat restoration activities following wildfire and coordination of program guidance and implementation between different programs (livestock grazing, wildlife, energy development, mining, etc.).

Wild Horse and Burro Program Update (continued)

Research Advisory Team

Dean Bolstad initiated an overview of BLM research activities by indicating that the agency is in the process of recruiting for a research team/population survey lead position. Until this position is filled permanently, Joe Stratton will serve as the point-of-contact and Acting National Wild Horse and Burro Research Advisory Team Coordinator for these activities.

Ongoing Studies

The SpayVac 5-year research study which was initiated in March 2011 continues. The first two tasks, a safety study and regulatory approvals for experimental use, have been completed. As discussed at the Board's October 2011 meeting, as part of the third task, population and genetic modeling, the U. S Geological Survey (USGS) selected the Vortex model. The fourth task, captive breeding trials which involves 90 mares and 12 stallions, is ongoing in Oklahoma and is proceeding as planned. Blood samples for pregnancy testing were drawn in December 2011 with the first foals expected in May 2012. In addition and in relation to the fifth task, BLM is hoping to start a field trial involving SpayVac this summer to determine its impacts on the behavioral/social effects and long term efficacy. The next ongoing study is a longer lasting conventional PZP study being conducted at the Nevada Correctional facility in Carson City, Nevada. This is a 5-year study involving 105 mares and about 12 stallions initiated in March 2011 with the objective of determining the efficacy of a potentially longer lasting time release PZP agent. Blood samples are being collected to monitor titer levels and foaling has begun. The stallions will be turned back with the mares in the near future to begin the second breeding season.

There was a question and concern expressed as to whether the number of services per mare was being recorded. After some discussion, it was suggested that further discussion of this concern would be more appropriately addressed by the Research Advisory Team or the researchers themselves.

The third ongoing study is being conducted by the HSUS in two HMAs: Sand Wash in Colorado and Cedar Mountain in Utah. The initial treatments with PZP22 in Sand Wash were completed in October 2008 and results of those treatments as reported to BLM by HSUS were presented to the Board. In summary, the data suggests that PZP22 is less effective than originally reported in an earlier study in the Clan Alpine (Nevada) study. Early conclusions also suggest that the timing of the treatment in relation to the breeding season is critical in being most effective in preventing pregnancy. It appears that the closer to the breeding season that the drugs are administered, the more effective the treatment. There have

not been any obvious effects indicating that the PZP vaccination has an impact on the animal's health and/or the herd's social dynamics, which confirms results from previous studies.

In these studies, the HSUS study is also addressing the feasibility of ground darting as a method of applying PZP vaccines. All target mares in Sand Wash were able to be darted but mares in the Cedar Mountain area were too wary and no mares were darted. Foaling rates and population growth monitoring will continue in both HMAs.

During the question/answer session, a question was raised as to the viability of using darting in conjunction with water/bait trapping capture techniques. The response was that water/bait trapping may be helpful in administering fertility control vaccines, but this will need further exploration.

New Studies

BLM has requested two new research proposals from the USGS. The first involves conducting the necessary field trials for the fifth task described under the ongoing SpayVac study above. In general terms, the purpose of the field trials is to evaluate the efficacy and effects of SpayVac on herd behavior.

The second request is for a study involving geldings, possibly stallions with epididymectomys, mares and other stallions. The objectives for the study are still being discussed but may potentially evaluate the effects on body condition, survival, behavior and spatial distribution. Dr. Bray expressed concern with including geldings in this study but agreed to discuss his concerns with the Research Team.

Dr. Gus Cothran from Texas A&M University continues with his genetic diversity evaluation of individual wild horse herds. BLM is expecting to receive his comprehensive analysis later in FY2012. Dr. Cothran will be giving a presentation of his research findings at an international conference on wild equids in Austria in September 2012.

During the question/answer portion of the presentation, Dr. Bray encouraged BLM to review its protocol addressing solicitation of research proposals with the intent to increase the diversity of the pool of researchers. This is a great opportunity to reach out to universities in other fields (medical, endocrinologists, biochemists, etc.). Mr. Bolstad and Chief Guilfoyle concluded the discussion with describing the efforts of the Research Team to expand the number of researchers, and the number of federal agencies on the Research Team as well as generating the idea of approaching the National Academy of Sciences (NAS) for their review.

Gary Zakotnik asked if there had been consideration given to actual spaying of mares as part of a research proposal or a field trial. The response indicated that there have been proposals for field trials involving spaying mares but the requests have been temporarily set aside pending feedback from the NAS review. Gary indicated that he would like to discuss this thought further when the Board considers recommendations to the BLM later in the day.

USFS's Wild Horse & Burro Report

Tom Frolli, Inter-Regional Wild Horse & Burro Program Coordinator, provided an overview of USFS wild horse and burro program. In his opening remarks, Mr. Frolli indicated that his position had been vacant for approximately four years prior to his assuming the position's responsibilities in 2011.



Figure 3 - USFS Wild Horse & Burro Territories

In total, the USFS has 53 recognized Wild Horse and Burro Territories in eight Western states' (refer to Figure 3), of which, 34 are active and 19 inactive.

Within the USFS, the wild horse and burro program is a relatively small program with an annual budget of approximately \$2.2 million. Of the \$2.2 million, \$1.75 million is directed to BLM, leaving approximately \$330,000 for the USFS's regional programs. To accomplish the work required within the program, the wild horse and burro budget is typically augmented by the USFS's grazing program. In comparison to the BLM's 12 budget program elements, the USFS wild horse and burro program is a small indistinguishable part of a single budget element. This element is either Integrated Resource Restoration or Vegetation Management, depending upon the USFS region managing the

local territory. The USFS has one performance measure to which the Wild Horse and Burro program contributes (acres of rangeland improved).

In his presentation, Mr. Frolli highlighted differences between the BLM and USFS NEPA environmental analysis processes. In summary, BLM has a 1-year process as compared to the USFS 2-year process; however, the shelf life of BLM's documents is 1 to 4 years as compared to 5 to 10+ years for the USFS. Another significant difference is the level of the goals and objectives reflected in the planning documents. The BLM's planning documents reflect the National Wild Horse & Burro Strategy goals and objectives, whereas USFS planning documents reflect the local land management plan goals and objectives. Currently, revision of USFS land use plans in Nevada, California and New Mexico involving 13 wild horse and burro territories have been initiated in FY2012.

Other differences between BLM and the USFS include (1) the lack of fertility control guidance in the USFS where BLM has issued such guidance and (2) EAs are typically focused on specific gather operations in BLM where the USFS EAs focus on territory management plans.

In those areas where there are wild horses and/or burro complexes, the USFS and BLM are working to increase coordination and management efforts which include designating a lead agency for each complex, preparing joint environmental analysis decision records and implementation schedules, developing joint complex management strategies and working to develop local inter-agency cooperative agreements.

Eco-Sanctuary Proposals

Dean Bolstad provided the Board with an update on private land eco-sanctuaries and private/public land eco-sanctuaries, which are two different entities. In March 2011, BLM issued a solicitation for proposals

for the two different types of eco-sanctuaries. The TPECs have completed evaluation of both proposals, and BLM made the decision to move forward with the NEPA analysis, as discussed below.

Private Land Eco-Sanctuary

The private land eco-sanctuary proposal selected for further consideration on February 24, 2012, involves a 4,000-acre ranch approximately 30 miles west of Laramie, Wyoming and would involve 250 non-reproducing animals (geldings) from Wyoming herds. The NEPA scoping period for this proposal opened on April 3, 2012. Based on the current schedule, the NEPA analysis would be completed and a decision issued by August 2012. If the decision is to move forward with the proposal, the final Assistance Agreement would be prepared and could result in possibly having animals on the ground as early as October 2012.

Private/Public Eco-Sanctuary

The private/public eco-sanctuary selected (on April 19, 2012) to move forward for NEPA analysis was submitted by the Save America's Mustangs (SAM) organization. The proposal involves 14,000 acres of private land and 530,000 acres of public land in the Spruce Mountain allotment in northeastern Nevada and portions of three HMAs. SAM currently is the federal land grazing permittee on the Spruce Mountain allotment and would, under the proposal, relinquish the livestock grazing preference to BLM.

The proposal is to support 900 non-reproducing (geldings) wild horses where SAM would be responsible for maintaining and improving fences and water developments, overseeing management of the wild horses, providing a Western history education component and promoting ecotourism.

The NEPA process, which will involve a land use plan amendment, is expected to be completed in approximately 2 years. Under the current proposal, the public lands within the eco-sanctuary would remain accessible to the general public for recreational activities.

During the question/answer portion of the presentation, there were questions relating to the presence of Greater Sage Grouse habitat, BLM's involvement in developing the education component of the proposal, if monies generated through fund raising would be used to offset costs incurred by BLM, interaction between domestic horses on the Ranch and the wild horses on the eco-sanctuary and interaction between the non-reproducing wild horses on the eco-sanctuary and the wild horses on the existing HMAs.

Comprehensive Animal Welfare Program

The CAWP is designed to ensure the consistent humane care and handling of animals throughout the wild horse and burro program, which includes animals on the range, during gather operations, short- and long-term holding, adoption events and post-adoption compliance after the animals have been adopted.

The initial step in developing the CAWP involves three parts: (1) developing Standard Operating Procedures (SOPs) for gathers by July 1, 2012 for the program's implementation, (2) training BLM and contractors on the SOPs and (3) refining the draft assessment tool developed by Dr. Carolyn Stull for

application during gather operations. Later stages of the program will involve developing SOPs and refining the assessment tool for other phases of the program such as on the range and in BLM facilities.

In implementing the initial step of the CAWP, a team of 10 BLM; USDA, USFS; and USDA, Animal and Plant Health Inspection Service (APHIS) specialists with diverse backgrounds and experience met in March 2012 to draft SOPs for gather operations. The team is working to refine the draft SOPs which will be made available for review by external experts in the near future. Currently, the draft SOPs address approximately 11 major categories including general gather administration, animal capture, veterinary services, biosecurity, trap and temporary holding facility designs, animal handling and care, field gelding, euthanasia, animal transportation and personnel training.

The next step will involve review of the draft SOPs by BLM field offices, Advisory Board members and selected credentialed external experts. Based on the review comments, the SOPs will be finalized and training of those SOPs will occur. The Washington Office will also be working with Dr. Stull to refine the welfare assessment tool she developed to incorporate the SOPs as well as implement the assessments for gathers.

Public Comment Period

The public comment period was conducted from approximately 10:45 AM to 12 Noon. There were 29 speakers who were limited to three minutes for their presentations to ensure all presenters were allowed an opportunity to speak within the designated time frame. Speakers were required to submit their comments in a written form; therefore, no minutes were taken during this time.

Following the conclusion of the public meeting, Interim Chair Spratling asked BLM if there were any clarification statements they would like to make based on the public comments. Chief Guilfoyle and Dean Bolstad provided the following clarifications:

- A speaker referenced BLM exterminating wild horses and burros; however, it is important that the Board understand that BLM is not trying to drive wild horses and/or burros to extinction.
- A speaker referenced that BLM Nevada does not receive its proportionate share of the National wild horse and burro budget. Based on a previous analysis, it has been determined that BLM Nevada is in fact receiving its proportionate share of the National wild horse and burro budget.

In addition to providing clarification to the public comments, the following points were also raised during this part of the meeting.

- Chief Guilfoyle: A typographical error was found on the "BLM Response to Wild Horse and Burro Advisory Board (Board Recommendation from October 13 – 14, 2011 Meeting)" document (Attachment 1). The first sentence of BLM's response to Item 4 identifying Board members to participate on the working group associated with population growth suppression indicates BLM accepts the recommendation for Dr. Bray and Dr. Spratling to serve on the working group. Dr. Bray's name was mistakenly inserted into that sentence and should have been Tim Harvey. Therefore, the first sentence of BLM's response should have read:

“The BLM accepts the recommendation that the Advisory Board from this workgroup, and that Tim Harvey and Dr. Spratling serve as members”. The remainder of the response remains the same.

- Chief Guilfoyle: A fact sheet has been developed to ensure everyone understands the process used to select members for the National Wild Horse and Burro Advisory Board. It is important to understand that the special knowledge required and sought by BLM is defined by the 1971 Act. The Act directs that membership reflect special knowledge about protection of horses and burros, management of wildlife, animal husbandry or natural resource management.
- Callie Hendrickson remarked that she does not support the slaughter of wild horses but supports the sale of excess wild horses.
- Tim Harvey: Tim expressed a concern with the use of the term “eco-sanctuary” and that it should not be used as another term for long-term holding. He believes future eco-sanctuaries should have some reflection of a natural herd structure (stallions, mares, foals, etc.). This statement was supported by Dr. Bray.

Appointment of Board Chairs – 2012 through 2014

Assistant Director Roberson referenced the discussion yesterday concerning the extraordinary efforts of past Board members and Dr. Spratling’s willingness to serve as the Board’s interim Chair until a new Chair and Co-Chair were selected. As the agency’s Federal Designated Official, Assistant Director Roberson expressed his appreciation for the advice and guidance that he has received from the Board over the past 4½ years.

In consultation and support from Director Abbey, Assistant Director Roberson appointed Dr. Boyd Spratling to serve as the Board’s Chair and Julie Gleason to serve as the Board’s Co-Chair through 2014. Both appointments were supported by the Board and accepted by the appointed members.

Standard Operating Procedures

Charter

Sally Spencer explained to the Board that their current Charter will expire on July 22, 2012. In accordance with DOI policy, the Charter cannot be modified by the Board. The Charter currently is within the Secretary’s office and will be filed on July 22, 2012; therefore, the Board will be able to continue to operate without interruption.

Standard Operating Procedures

In the past, the Charter and SOPs were contained within one document. The DOI has made the decision to separate the two documents. In past SOPs, when an appointment had not been made for a position by the time it expired, the current member could remain in the position until the final appointment was made. Based on DOI guidance, this flexibility will no longer be possible. The DOI has assured BLM this

will not be an issue and there will be a person selected for a position when the term of that position expires.

Assistant Director Roberson explained that the two positions⁴ appointed in March 2011 were not notified of their appointment until after the Board had had its first meeting. Assistant Director Roberson asked Sally Spencer to contact BLM's Federal Advisory Committee Act (FACA) personnel to determine if there is opportunity to extend the appointment for those two individuals to ensure they are able to fulfill their entire term.

BLM has been working to establish a consistent SOP format for Advisory Boards which follows General Services Administration FACA rules. Just prior to initiating the SOP discussion, the Board was provided with a document for their review. The document contains a substantial amount of material which will require additional time for the Board to complete its review. Therefore, a suggestion was made to postpone this discussion and any necessary action until the Board's next meeting. A second suggestion was made for the Board to consider establishing a working group which could review the distributed material and prepare a recommendation(s) for the Board's consideration at their next meeting. Chair Spratling agreed with the second suggestion and requested that establishment of a working group be discussed as a recommendation for the BLM later in the day.

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 that Dr. Boyd Spratling be appointed as an external expert on the Comprehensive Animal Welfare Program group involved with strategy implementation. Dr. Spratling would join Jim Harvey and Dr. Bray who were previously appointed in the same capacity following the October 13 – 14, 2011 Board meeting.

Recommendation 2: The National Wild Horse and Burro Advisory Board recommends that Julie Gleason and June Sewing be appointed as external experts on the "increasing adoptions" group involved with strategy implementation.

Recommendation 3: The National Wild Horse and Burro Advisory Board recommends that Tim Harvey and Callie Hendrickson be appointed as external experts on the "eco-sanctuary" group involved with strategy implementation.

Recommendation 4: The National Wild Horse and Burro Advisory Board recommends that the Board formed "Population Growth Suppression" working group be expanded to include Jim Stephenson. Mr. Stephenson would join Dr. Boyd Spratling and Tim Harvey who were appointed to this working group following the October 13 – 14, 2011 meeting.

Recommendation 5: The National Wild Horse and Burro Advisory Board recommends the formation of an "ecotourism" Board formed working group, and that Julie Gleason, Tim Harvey and Callie Hendrickson serve as members. This working group should continue the Board's April 24, 2012

⁴ Wildlife Management (Paul Durbin) and Humane Advocacy (Tim Harvey)

discussion concerning (1) the possibility for a future eco-sanctuary proposal to include a breeding herd component, (2) the opportunity for field testing of population control research in its operation, (3) an educational component and (4) opportunities for supporting local community benefits.

Recommendation 6: The National Wild Horse and Burro Advisory Board recommends the formation of “Herd Area Re-Population” Board formed working group, and that Tim Harvey, June Sewing and Paul Durbin serve as members. The objective of this working group is to discuss and refine Tim Harvey’s proposal to re-populate, with non-reproducing herds, herd areas which have been zeroed out.

Recommendation 7: The National Wild Horse and Burro Advisory Board recommends the formation of a “National Wild Horse and Burro Advisory Board Standard Operating Procedures” working group, and that Dr. Boyd Spratling and Julie Gleason serve as members. The objective of this working group is to review the draft Advisory Board SOPs distributed at the April 23 – 24, 2012 meeting and make recommendations to the Board for its modification and/or acceptance at its next meeting.

Recommendation 8: The National Wild Horse and Burro Advisory Board recommends that Gary Zakotnik be appointed as an external expert in the review of four draft Instruction Memorandums associated with helicopter operations and communication.

Recommendation 9: The National Wild Horse and Burro Advisory Board recommends that BLM develop the means to connect/identify District resource needs with potential public/non-profit organizations which have the interest and desire to assist either from a financial, material and/or labor standpoint. The Board’s point-of-contact for this recommendation is June Sewing.

Recommendation 10: The National Wild Horse and Burro Advisory Board recommends that the BLM’s delivery of the Wild Horse and Burro Program Strategy and Report to Congress be expedited. Chair Spratling asked that the minutes note that one Advisory Board member did not feel the recommendation was necessary.

Board Recommendation Discussions Which Were Dropped or Require Further Action

Protocols for Research

After substantial discussion, Dr. Robert Bray was asked by Chair Spratling to finalize (with Board input) draft language for a recommendation supporting the use of the \$2.0 million as identified in the President’s FY2013 budget for population growth research. Draft language which was developed during the meeting based on the Board’s discussion is provided below:

“The Board supports the use of the \$2.0 million identified in the President’s budget specifically for population growth suppression (PGS) research and its relationship to preservation of rangeland”.

Spaying of Mares

A proposed recommendation was suggested which encourages the field testing of spaying wild horse mares. After considerable discussion, the Board could not come to consensus on the proposed recommendation; therefore, it was withdrawn.

BLM/USFS Coordination

A proposed recommendation was suggested to encourage the BLM and USFS to coordinate and streamline actions and policies which jointly affect both agencies. After some discussion, the Board could not reach consensus on developing the recommendation.

Notification of Local Animal Control Agencies upon Sale of Wild Horses and Burros

A proposed recommendation was suggested to require BLM to notify local Animal Control agencies if there was a sale of a wild horse and/or burro within its jurisdiction. After some discussion, the Board could not reach consensus on developing the recommendation.

Meeting Adjournment

In closing the meeting, the Board suggested either September 10, 2012 or October 22, 2012 for its next meeting. The BLM was asked to complete a cost analysis evaluation to determine the location for the next meeting.

After a short discussion, the Board agreed to offer Director Abbey and a representative from the Secretary's office an invitation to attend and participate in its next meeting.

The meeting was formally adjourned at 4:48 PM.

Acronyms

The following acronyms were used during the meeting and listed in alphabetical order.

<u>Acronym</u>	<u>Meaning</u>
APHIS.....	USDA, Animal and Plant Health Inspection Service
AML	Appropriate Management Level
BLM.....	Bureau of Land Management
CAWP.....	Comprehensive Animal Welfare Program
DOI.....	Department of the Interior
DSD	Deputy State Director
EA.....	Environmental Assessment
FACA	Federal Advisory Committee Act
FWS.....	U. S. Fish & Wildlife Service
FY.....	Fiscal Year
HMA.....	Herd Management Area
HSUS	Humane Society of the United States
MOU	Memorandum of Understanding
NAS	National Academy of Sciences
NEPA.....	National Environmental Policy Act
PPH	Preliminary Priority Habitat
PZP.....	Porcine Zona Pellucida
SAM	Save America's Mustangs
SOP	Standard Operating Procedure
TPEC.....	Technical Program Evaluation Committee
USFS.....	USDA, United State Forest Service
USGS.....	U. S. Geological Survey

Attachments

Attachment 1 – BLM Response to Wild Horse and Burro Advisory Board

**BLM Response to Wild Horse and Burro Advisory Board
(Board Recommendation from October 13-14, 2011 Meeting)
April 23-24, 2012**

Background:

In accordance with the Federal Advisory Committee Act (FACA) and General Services Administration 41 CFR (Code of Federal Regulations), there are two options for Board members to actively participate with the BLM on WHB issues other than at Board meetings. These are either by forming their own workgroup (consisting solely of Board members), or by individual Board members serving as “External Experts” to BLM-formed workgroups. The attached document defines the roles, responsibilities and restrictions by which these workgroups and external experts interact. The term “external expert” replaces the term “liaison”.

1. The Wild Horse and Burro Advisory Board recommends that Dr. Bray be appointed liaison to the Bureau of Land Management (BLM) Research Committee.

BLM’s Response: The BLM accepts the recommendation that Dr. Bray serve as an external expert to the BLM-formed WHB Research Advisory Team (workgroup).

2. The Wild Horse and Burro Advisory Board recommends that Janet Jankura be appointed liaison for the implementation of the strategy.

BLM’s Response: The BLM does not accept this recommendation, since Ms. Jankura no longer serves on the WHB Advisory Board. The BLM welcomes nominations of current Board members to act as external experts on BLM-formed workgroups involved with strategy initiatives.

3. The Wild Horse and Burro Advisory Board recommends that Dr. Bray, Tim Harvey, and Robin Lohnes as liaisons to the Comprehensive Animal Welfare Program (CAWP).

BLM’s Response: The BLM accepts the recommendation of Dr. Bray and Tim Harvey to serve as external experts to the BLM-formed workgroup for CAWP. The BLM does not accept the recommendation of Ms. Lohnes, since she no longer serves on the WHB Advisory Board.

4. The Wild Horse and Burro Advisory Board recommends the formation of a workgroup to “expand the toolbox for population growth suppression and include all alternatives”. Proposed members are Tim Harvey, Boyd Spratling and Robin Lohnes.

BLM’s Response: The BLM accepts the recommendation that the Advisory Board form this workgroup, and that Dr. Bray and Dr. Spratling serve as members. The BLM does not accept the recommendation of Ms. Lohnes as a member, since she no longer serves on the WHB Advisory Board. Dean Bolstad will serve as the point of contact for this workgroup.

5. The Wild Horse and Burro Advisory Board recommends a workgroup to “evaluate protocol for optimizing volunteers”. Proposed members are Julie Gleason, Tim Harvey, and Paul Durbin.

BLM’s Response: The BLM accepts the recommendation that the Advisory Board form this workgroup, and that Julie Gleason, Tim Harvey and Paul Durbin serve as members. Sally Spencer will serve as the point of contact for the workgroup.

6. The Wild Horse and Burro Advisory Board recommends promoting the acceleration of SpayVac® as appropriate.

BLM’s Response: The BLM accepts this recommendation, as the BLM is already supporting an aggressive, ongoing, collaborative research effort to advance the development of SpayVac® as a contraceptive to control population growth rates. These studies address three main areas: the safety, mechanism of action and efficacy of SpayVac®. A Field Trial of SpayVac® is under development. It is not expected that SpayVac® will see widespread management use until further progress is made in each of the areas mentioned above, particularly a reasonable expectation of efficacy with no untoward effects on the animals.

7. The Wild Horse and Burro Advisory Board recommends that the BLM post the ongoing status of the implementation of the strategy on the website.

BLM’s Response: The BLM accepts this recommendation. Ongoing status reports for major implementation initiatives to the strategy’s seven components will be periodically posted on the website.

8. The Wild Horse and Burro Advisory Board recommends that the language with regard to sale authority animals include care and sustenance and that local animal control are contacted regarding sale authority animals.

BLM’s Response: The BLM accepts the first part of this recommendation; and does not accept the second.

The BLM Law Enforcement and Solicitor’s Office reviewed the language of the sales questionnaire and the bill of sale. It was determined that the sales questionnaire and bill of sale already contained requirements to provide humane care of the animals. However, it was concluded that the language of both documents could be enhanced to allow prosecution under the Wild Free Roaming Horses and Burros Act for individuals who misrepresent their intentions when purchasing a wild horse or wild burro.

Edits have been made to strengthen the sales questionnaire that includes having potential purchasers sign the sales questionnaire and agree to the following statement:

"I agree to provide humane care and will not sell or transfer ownership of any listed wild horse or wild burro to any person or organization with the interest to resell or trade or give away animals for processing into commercial products."

The bill of sale has been edited to include the following statement:

"This sale is null and void, and the animals will remain protected under applicable laws, if, the purchaser makes any material misrepresentations in the applicable "Application to Purchase Wild Horses and Burros," "Bill of Sale," or during any negotiations with the BLM leading up to purchase, including, without limitations, representations about the purposes and/or use for which the animals are obtained."

The BLM has determined that it does not have the capacity to take on additional workload that involves contacting local animal control at State and local level. This role could be an opportunity for interested non-profit or other non-governmental organizations.

9. The Wild Horse and Burro Advisory Board recommends that the Mustang Heritage Foundation trainers be recognized for their service and contribution to mustang awareness.

BLM's Response: The BLM accepts this recommendation. Letters of recognition and certificates were signed by the co-chairs of the Advisory Board and sent to the list of nine trainers provided by the Mustang Heritage Foundation. The nine trainers are Chris Cox, Ken McNabb, Craig Cameron, Al Dunning, Suzy Jeane, Pat Parelli, Tootie Bland, Larry Mahan, and Tommy Garland.

Attachment 2 – Guidelines Regarding Wild Horse and Burro Advisory Board Members' Participation Outside Advisory Board Meetings

Guidelines Regarding Wild Horse and Burro Advisory Board Members' Participation Outside Advisory Board Meetings

Issued April 4, 2012

I. Advisory Board-formed Working Groups

Definition:

- Group is formed by the Advisory Board
- Group is comprised solely of current Advisory Board members and participation in Working Groups terminates upon termination of Board membership.
- BLM provides information as requested to the Group on the Group's subject area
- BLM does not participate in Group discussions
- Group reports findings/recommendations directly and only to the Advisory Board

Reference:

General Services Administration 41 CFR Part 102-3.160

"What activities of an advisory committee are not subject to the notice and open meeting requirements of the Act?"

The following activities of an advisory committee are excluded from the procedural requirements contained in this subpart:

- (a) Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
- (b) Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency."

Currently Recommended Advisory Board-formed Working Groups

- A workgroup to evaluate protocol for optimizing volunteers.
- A workgroup to expand the toolbox for population growth suppression and include all alternatives.

II. BLM-formed Group requesting Advisory Board External Experts

Definition:

- Group is formed by the BLM
- BLM requests an external expert(s) from the Advisory Board
- Advisory Board recommends Board members to serve on the Group
- External Experts can meet with the BLM-formed Group to present their independent views and recommendations, participate as individuals, and contribute independent opinions regarding issues, materials and questions posed to them by the BLM-formed Group.
- External Experts cannot collaborate with the BLM-formed Group to develop findings and recommendations

- The BLM-formed Group develops and presents the Group's findings and recommendations, and reports them to the Advisory Board.
- External Experts from the Advisory Board must be current Advisory Board members and participation terminates upon termination of Board membership.

Reference:

General Services Administration 41 CFR Part Parts 102-3.40

"What types of committees or groups are not covered by the Act and this part?"

The following are examples of committees or groups that are not covered by the Act

- (e) Groups assembled to provide individual advice. Any group that meets with a Federal Official(s), including a public meeting, where advice is sought from the attendees on an individual basis and not from the group as a whole;
- (f) Groups assembled to exchange facts or information. Any group that meets with a Federal official(s) for the purposes of exchanging facts or information."

Current BLM-formed Groups with Recommended External Experts

- Three external experts were recommended by the Advisory Board to serve on the BLM's Comprehensive Animal Welfare Program team.
- One External Expert was recommended by the Advisory Board to serve on the BLM's Research Team
- One External Expert was recommended by the Advisory Board regarding Program Strategy Implementation.

Reference Used:

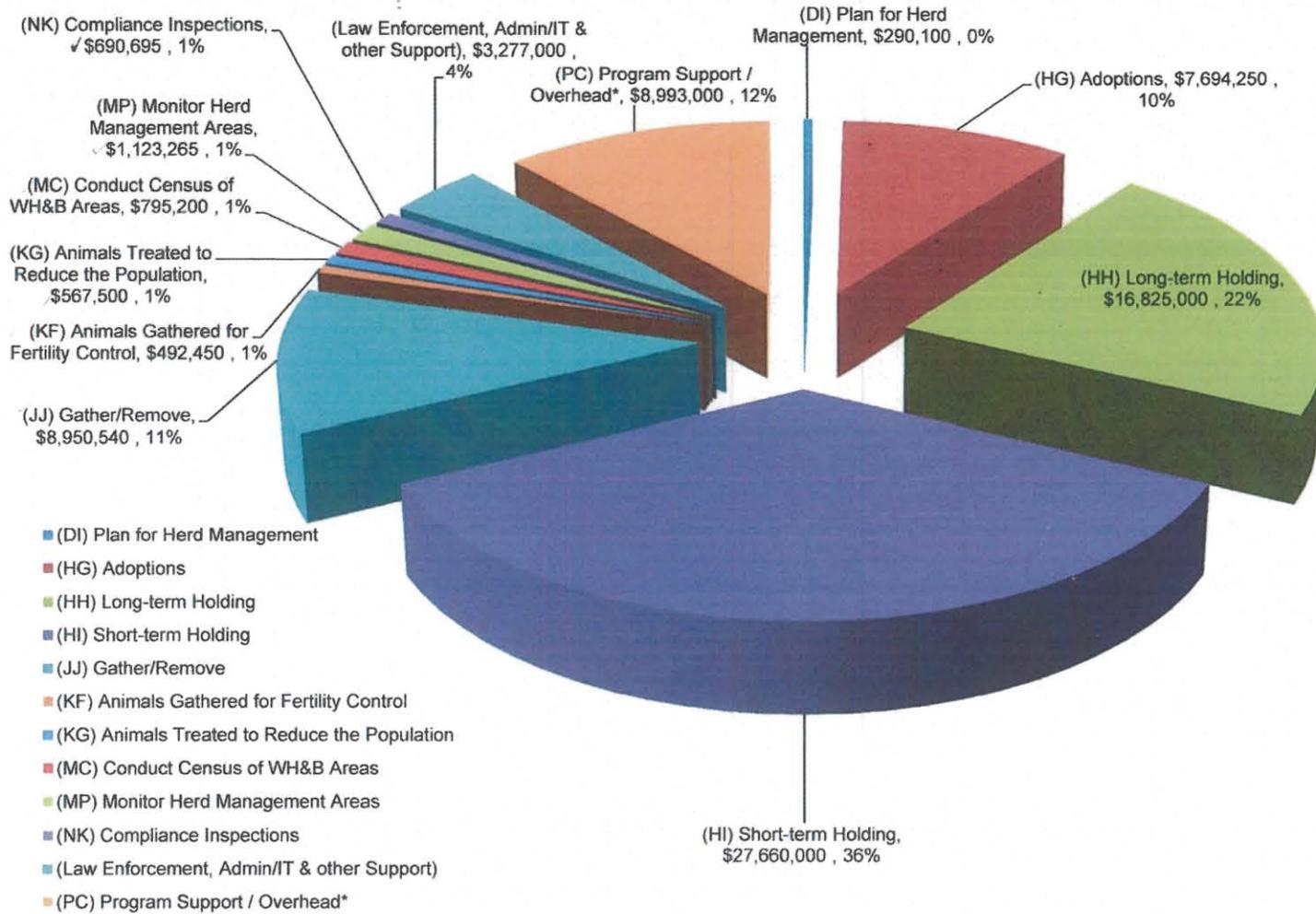
Federal Register Notice – Thursday, July 19, 2001

III. The BLM 's Response to Recommendations

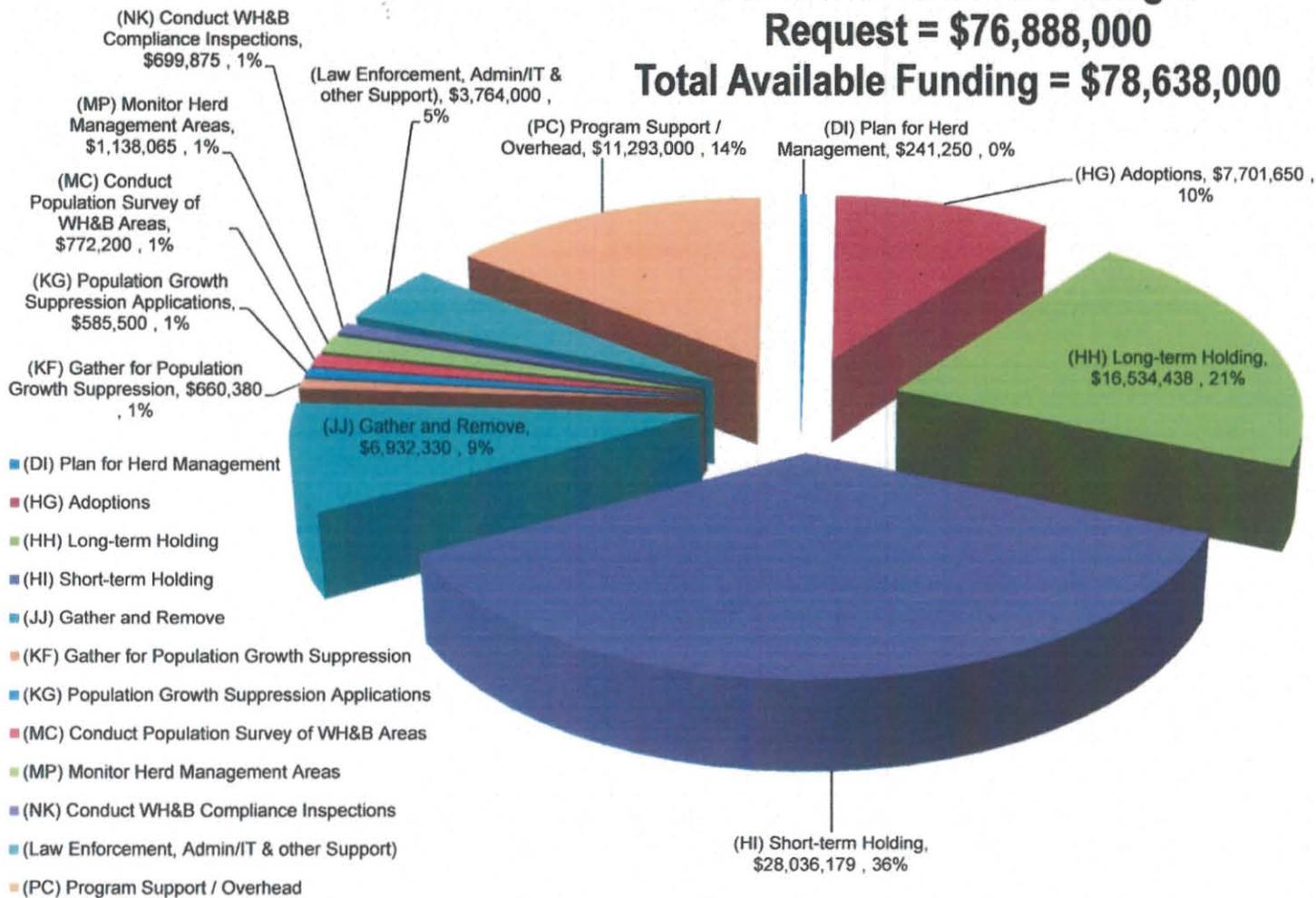
The BLM will accept or not accept recommendations from the Advisory Board concerning Advisory Board formed Working Groups and BLM formed Groups requesting Advisory Board external experts within one month of the meeting. The BLM wants to enable the Advisory Board to participate and share their valuable assistance as soon as possible.

NOTE: All recommendations above were made by the Advisory Board during the October 13-14, 2011 Board meeting in Washington DC.

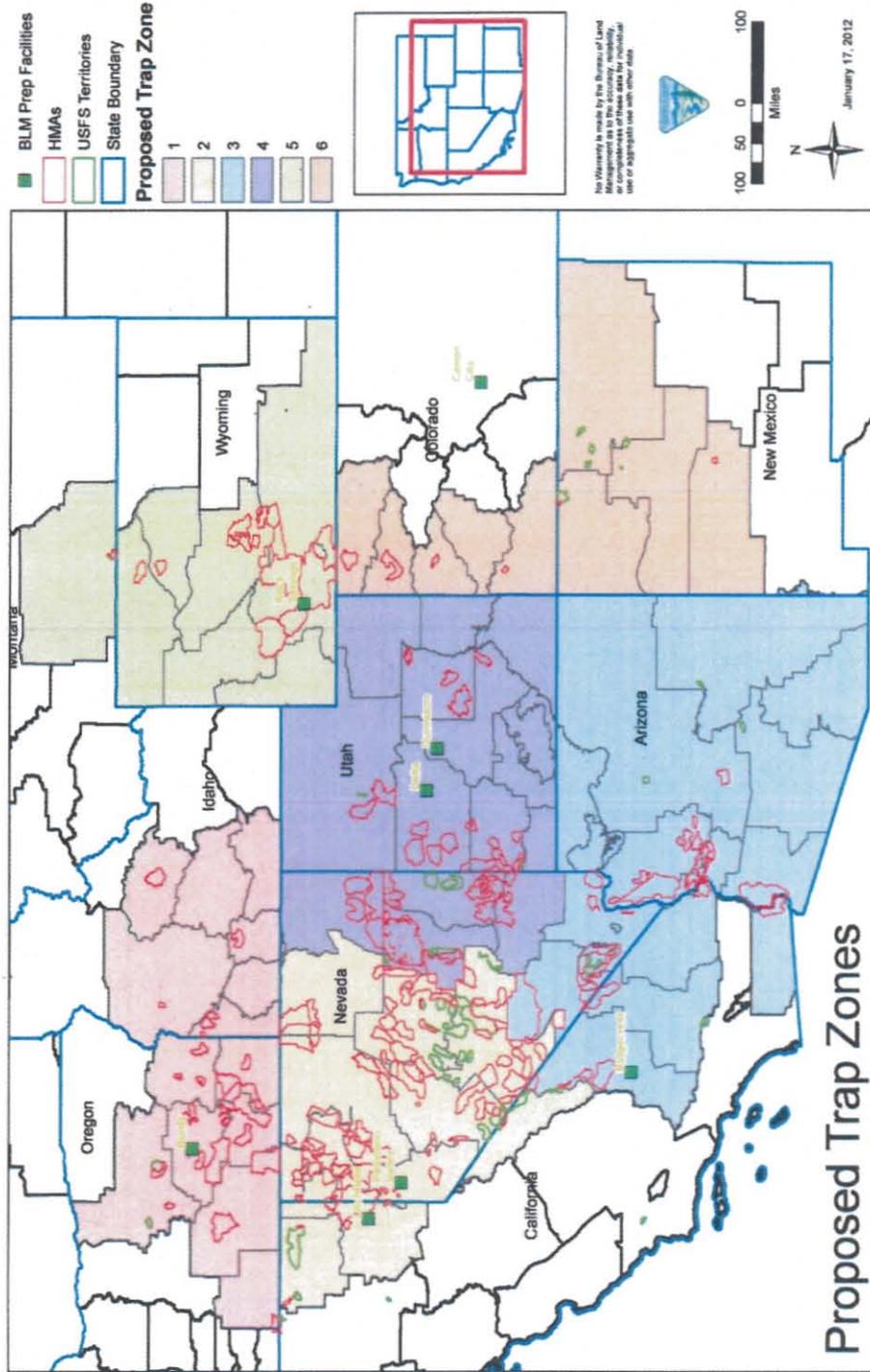
FY 2012 February Annual Work Plan = \$77,359,000



**FY 2013 President's Budget
Request = \$76,888,000
Total Available Funding = \$78,638,000**



Attachment 5 - National Bait Trapping Proposed Trap Zones



Attachment 6 – Adoption & Sales Comparison of FY2012 & FY2011

Adoption and Sales Comparison of FY12 and FY11

1,094 Animals Adopted in FY12 (as of April 12, 2012)

AZ	-	49
CA	-	102
CO	-	59
ES	-	360
ID	-	8
MT	-	3
NV	-	24
NM	-	218
OR	-	129
UT	-	44
WY	-	49
WO	-	49

219 animals sold

Revised Bill of Sale and Sales Questionnaire in
book and at www.blm.gov.

1,250 Animals Adopted in FY11 (as of April 12, 2011)

AZ	-	81
CA	-	113
CO	-	74
ES	-	425
ID	-	6
MT	-	2
NV	-	40
NM	-	297
OR	-	80
UT	-	50
WY	-	23
WO	-	59

460 animals sold

**Wild Horse and Burro Advisory Board
Recommendations to the BLM
April 23-24, 2012 meeting**

Recommendation 1: The National Wild Horse and Burro Advisory Board recommends that Dr. Boyd Spratling be appointed as an external expert on the Comprehensive Animal Welfare Program group involved with strategy implementation. Dr. Spratling would join Tim Harvey and Dr. Bray who were previously appointed in the same capacity following the October 13 – 14, 2011 Board meeting.

BLM's Response: The BLM accepts the recommendation of Dr. Spratling joining Tim Harvey and Dr. Bray as external experts to the BLM-formed group for the Comprehensive Animal Welfare Program. Dean Bolstad will serve as the point of contact for this recommendation.

Recommendation 2: The National Wild Horse and Burro Advisory Board recommends that Julie Gleason and June Sewing be appointed as external experts on the “increasing adoptions” group involved with strategy implementation.

BLM's Response: The BLM accepts the recommendation of Julie Gleason and June Sewing to serve as external experts to the BLM-formed group for “increasing adoptions” involved with strategy implementation. Sally Spencer will serve as the point of contact for this recommendation.

Recommendation 3: The National Wild Horse and Burro Advisory Board recommends that Tim Harvey and Callie Hendrickson be appointed as external experts on the “eco-sanctuary” group involved with strategy implementation.

BLM's Response: The BLM accepts the recommendation of Tim Harvey and Callie Hendrickson to serve as external experts to the BLM-formed group for “eco-sanctuaries” involved with strategy implementation. Zach Reichold will serve as the point of contact for this recommendation.

Recommendation 4: The National Wild Horse and Burro Advisory Board recommends that the “Population Growth Suppression” working group be expanded to include Jim Stephenson. Mr. Stephenson would join Dr. Boyd Spratling and Tim Harvey who were appointed to this working group following the October 13 – 14, 2011 meeting.

BLM's Response: The BLM accepts the recommendation that the Advisory Board expand the membership of the “Population Growth Suppression” working group to include Jim Stephenson. Mr. Stephenson would join Dr. Boyd Spratling and Tim Harvey who were appointed to this working group at the October 2011 meeting. Dean Bolstad will serve as the point of contact for this working group.

Recommendation 5: The National Wild Horse and Burro Advisory Board recommends the formation of an “ecotourism” working group, and that Julie Gleason, Tim Harvey and Callie Hendrickson serve as members. This working group should continue the Board’s April 24, 2012 discussion concerning (1) the possibility for a future eco-sanctuary proposal to include a breeding herd component, (2) the opportunity for field testing of population control research in its operation, (3) an educational component and (4) opportunities for supporting local community benefits.

BLM’s Response: The BLM accepts the recommendation that the Advisory Board form an “ecotourism” working group, and that Julie Gleason, Tim Harvey and Callie Hendrickson serve as members. Debbie Collins will serve as the point of contact for this working group.

Recommendation 6: The National Wild Horse and Burro Advisory Board recommends the formation of “Herd Area Repopulation” working group, and that Tim Harvey, June Sewing and Paul Durbin serve as members. The objective of this working group is to discuss and refine Tim Harvey’s proposal to re-populate, with non-reproducing herds, herd areas which have been zeroed out.

BLM’s Response: The BLM accepts the recommendation that the Advisory Board form a “Herd Area Repopulation” working group, and that Tim Harvey, June Sewing and Paul Durbin serve as members. Dean Bolstad will serve as the point of contact for this working group.

Recommendation 7: The National Wild Horse and Burro Advisory Board recommends the formation of a “National Wild Horse and Burro Advisory Board Standard Operating Procedures” working group, and that Dr. Boyd Spratling and Julie Gleason serve as members. The objective of this working group is to review the draft Advisory Board SOPs distributed at the April 23 – 24, 2012 meeting and make recommendations to the Board for its modification and/or acceptance at its next meeting.

BLM’s Response: The BLM accepts the recommendation that the Advisory Board form a “National Wild Horse and Burro Advisory Board Standard Operating Procedures” working group, and that Dr. Boyd Spratling and Julie Gleason serve as members. Sharon Kipping will serve as the point of contact for this working group.

Recommendation 8: The National Wild Horse and Burro Advisory Board recommends that Gary Zakotnik be appointed as an external expert in the review of four draft Instruction Memorandums associated with helicopter operations and communication.

BLM’s Response: The BLM accepts the recommendation of Gary Zakotnik to serve as an external expert in the review of four draft Instruction Memorandums associated with helicopter operations and communication. Joan Guilfoyle will serve as the point of contact for this recommendation.

Recommendation 9: The National Wild Horse and Burro Advisory Board recommends that BLM develop the means to connect/identify District resource needs with potential public/non-profit organizations which have the interest and desire to assist either from a financial, material and/or labor standpoint. The Board's point-of-contact for this recommendation is June Sewing.

BLM's Response: The BLM has good relationships with several organizations that have an interest and desire to help the Wild Horse and Burro Program. Examples include the Mustang Center in the Pryor Mountain Wild Horse Range; the National Mustang Association in Utah, Nevada, and Colorado; and FOAL in the McCullough Peaks HMA. If a local group is interested in assisting the BLM or US Forest Service, they should contact the local BLM District Office or the US Forest Service Regional Offices to see what is needed. Once a relationship has been established between the local group and the BLM or the US Forest Service, a formal agreement will be signed. A list of District Offices for the BLM and US Forest Service Regional Offices is attached.

Recommendation 10: The National Wild Horse and Burro Advisory Board recommends that the BLM's delivery of the Wild Horse and Burro Program Strategy and Report to Congress be expedited. Chair Spratling asked that the minutes note that one Advisory Board member did not feel the recommendation was necessary.

BLM's Response: The Wild Horse and Burro Program Strategy and Report to Congress is still being reviewed by Department of the Interior. Even though the Strategy and Report have not been delivered to Congress, the BLM has started to move forward on the strategy. Examples include:

Sustainable Herds – plans to remove approximately 3,500 excess animals during the Fall/Winter Gathers to maintain the population size at approximately 38,500 and to prioritize gathers in areas where overpopulation most threatens land health, animal welfare, and public health and safety. The BLM has implemented Catch, Treat, and Release gathers with the principal goal of applying PZP based fertility control vaccine to 905 mares during the Fall/Winter Gathers and adjusting herd sex ratios to favor males by releasing additional stallions. The BLM is using bait or water-trapping gather techniques in Herd Management Areas where it is effective.

Pastures and Partnership Sanctuaries – One private eco-sanctuary is scheduled to open in Wyoming in October 2012 and NEPA has started for the public/private eco-sanctuary in Nevada.

Place Excess Animals in Private Care – A BLM formed working group has been formed to look at increasing adoptions.

Animal Welfare – A Comprehensive Animal Welfare Program (CAWP) is being developed. The gather portion of the CAWP is being reviewed.

Science and Research – The National Academy of Sciences review of the WHB Program is due in June 2013. The WHB Program hired Dr. Jeffrey Manning, Statistical Population Ecologist as its Research Advisory Team Leader and Population Survey Lead.

Public Outreach – The WHB website has been redesigned. The Wild Horse and Burro Program System (WHBPS) continues to be updated. The public is invited to view helicopter gathers and to tour one of the Long-Term Holding Pastures annually.

National Wild Horse and Burro Program District Offices

ARIZONA			
<p>Arizona Strip District 345 East Riverside Drive St. George, UT 84790-6714</p> <p>Phone: (435) 688-3200 Fax: (435) 688-3258 Email: ASFOWEB_AZ@blm.gov</p> <p>District Manager: Scott Florence</p>	<p>Gila District 1763 Paseo San Luis Sierra Vista, AZ 85635-4611</p> <p>Phone: (520) 439-6400 Fax: (520) 439-6422</p> <p>District Manager: Tom Dabbs</p>	<p>Colorado River District 2610 Sweetwater Avenue Lake Havasu City, AZ 86406-9071</p> <p>Phone: (928) 505-1200 Fax: (928) 505-1208</p> <p>District Manager: Roxie Trost</p>	<p>Phoenix District 21605 N. 7th Avenue Phoenix, AZ 85027-2929</p> <p>Phone: (623) 580-5500 Fax: (623) 580-5580 Email: PFOWEB_AZ@blm.gov</p> <p>District Manager: Scott Cooke, Acting</p>
CALIFORNIA			
<p>Northern California District 355 Hemsted Drive Redding, CA 96002</p> <p>Phone: (530) 224-2100 Fax: (530) 224-2172</p> <p>District Manager: Nancy Haug</p>	<p>Central California District 2800 Cottage Way, Suite W-1623 Sacramento, CA 95825</p> <p>Phone: (916) 978-4400 Fax: (916) 978-4416</p> <p>District Manager: Este Stifel</p>	<p>California Desert District 22835 Calle San Juan De Los Lagos Moreno Valley, CA 92553</p> <p>Phone: (951) 697-5200 Fax: (951) 697-5299</p> <p>District Manager: Teri Raml</p>	
COLORADO			
<p>Front Range District Office 3028 East Main Street Cañon City, Colorado 81212</p> <p>719-269-8500 719-269-8599 FAX</p> <p>District Manager: Leah Quesenberry, 719-269-8547 lquesenb@blm.gov (Acting until early November)</p>	<p>Northwest District Office 2815 H Road Grand Junction, Colorado 81506</p> <p>970-244-3000 970-244-3083 FAX</p> <p>District Manager: Jim Cagney, 970-244-3066, jcagney@blm.gov</p>	<p>Southwest District Office 2465 South Townsend Avenue Montrose, Colorado 81401</p> <p>970-240-5300 970-240-5367 FAX</p> <p>District Manager: Lori Armstrong, 970-240-5336, Valori_Armstrong@blm.gov</p>	

IDAHO

<p>Boise District 3948 Development Ave Boise, ID 83705</p> <p>Phone: 208-384-3300 Fax: 208-384-3326 Office hours: 8:00am-4:30pm, M-F</p> <p>District Manager: Aden Seidlitz</p>	<p>Coeur d'Alene District 3815 Schreiber Way Coeur d'Alene, ID 83815</p> <p>Phone: 208-769-5000 Fax: 208-769-5050 Office hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Gary Cooper</p>	<p>Idaho Falls District 1405 Hollipark Drive Idaho Falls, ID 83401</p> <p>Phone: 208-524-7500 Fax: 208-524-7505 Office hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Joe Kraayenbrink</p>	<p>Twin Falls District 2536 Kimberly Road Twin Falls, ID 83301</p> <p>Phone: 208-735-2060 Fax: 208-735-2076 Office hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Jenifer Arnold (Acting)</p>
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MONTANA

<p>Central Montana District 920 Northeast Main Lewistown, MT 59457</p> <p>Phone: 406-538-1900 Fax: 406-538-1904 Email: BLM_MT_Central_DO@blm.gov</p> <p>District Manager: Stan Benes</p>	<p>Eastern Montana/ Dakotas District 111 Garryowen Road Miles City, MT 59301</p> <p>Phone: 406-233-2800 Fax: 406-233-2921 Email: BLM_MT_Eastern_Montana_Dakotas_DO@blm.gov</p> <p>District Manager: Diane Friez</p>	<p>Hiline District 1101 15th Street North Great Falls, MT 59403</p> <p>Phone: 406-791-7700 Fax: 406-731-5303 Email: BLM_MT_HiLine_DO@blm.gov</p> <p>District Manager: Mark Albers</p>	<p>Western Montana District 106 North Parkmont Butte, MT 59701</p> <p>Phone: 406-533-7600 Fax: 406-533-7660 Email: BLM_MT_Butte_FO@blm.gov</p> <p>District Manager: Richard Hotaling</p>
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NEVADA

<p>Battle Mountain District Office 50 Bastian Road Battle Mountain, NV 89820</p> <p>Phone: 775-635-4000 Fax: 775-635-4034 Email: bmfoweb@blm.gov Office hours: 7:30 am-4:30 pm, M-F</p> <p>District Manager: Doug Furtado</p>	<p>Carson City District Office 5665 Morgan Mill Road Carson City, NV 89701</p> <p>Phone: 775-885-6000 Fax: 775-885-6147 Email: ccfoweb@blm.gov Office hours: 7:30 am-4:30 pm, M-F</p> <p>District Manager: Chris McAlear</p>	<p>Elko District Office 3900 E. Idaho Street Elko, NV 89801</p> <p>Phone: 775-753-0200 Fax: 775-753-0255 Email: elfoweb@blm.gov Office hours: 7:45 am-4:30 pm, M-F</p> <p>District Manager: Ken Miller</p>
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<p>Ely District Office 702 North Industrial Way, HC 33 Box 33500 Ely, NV 89301</p> <p>Phone: 775-289-1800 Fax: 775-289-1910 Email: eyfoweb@blm.gov Office hours: 7:30 am-4:30 pm, M-F</p> <p>District Manager: Rosemary Thomas</p>	<p>Southern Nevada District Office 4701 North Torrey Pines Drive Las Vegas, NV 89130</p> <p>Phone: 702-515-5000 Fax: 702-515-5023 Email: lvfoweb@blm.gov Office hours: 7:30 am-4:30 pm, M-F</p> <p>District Manager: Vacant</p>	<p>Winnemucca District Office 5100 East Winnemucca Blvd. Winnemucca, NV 89445</p> <p>Phone: 775-623-1500 Fax: 775-623-1503 Email: wfoweb@blm.gov Office hours: 7:30 am-4:30 pm, M-F</p> <p>District Manager: Gene Seidlitz</p>
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NEW MEXICO

<p>Albuquerque District Office 435 Montano Road, NE Albuquerque, NM 87107</p> <p>(505) 761-8700 (505) 761-8911 FAX</p> <p>District Manager: Ed Singleton</p>	<p>Farmington District Office 6251 College Blvd. Suite A Farmington, NM 87402</p> <p>(505) 564-7600 (800) 842-3127 (505) 564-7608 FAX</p> <p>District Manager: Dave Evans</p>	<p>Las Cruces District Office 1800 Marquess Street Las Cruces, NM 88005</p> <p>(575) 525-4300 (575) 525-4412 FAX</p> <p>District Manager: Bill Childress</p>	<p>Pecos District Office 2909 W. Second Street Roswell, NM 88201</p> <p>(575) 627-0272 (575) 627-0276 FAX</p> <p>District Manager: Doug Burger</p>
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OREGON

<p>Burns District 28910 Hwy 20 West Hines, OR 97738</p> <p>Telephone: 541-573-4400 Fax: 541-573-4411 E-mail: <u>Burns District</u> Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Brendan Cain</p>	<p>Coos Bay District 1300 Airport Lane North Bend, OR 97459</p> <p>Telephone: 541-756-0100 Fax: 541-751-4303 E-mail: <u>Coos Bay District</u> Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Mark Johnson</p>	<p>Eugene District 3106 Pierce Parkway Suite E Springfield, OR 97477</p> <p>Telephone: 541-683-6600 /888-442-3061 Fax: 541-683-6981 E-mail: <u>Eugene District</u> Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Ginnie Grilley</p>	<p>Lakeview District Office 1301 South G Street Lakeview, OR 97630</p> <p>Telephone: 541-947-2177 Fax: 541-947-6399 E-mail: <u>Lakeview District</u> Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: E. Lynn Burkett</p>
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<p>Medford District Office 3040 Biddle Road Medford, OR 97504</p> <p>Telephone: 541-618-2200 Fax: 541-618-2400 E-mail: Medford District Office Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Dayne Barron</p>	<p>Prineville District Office 3050 N.E. 3rd Street Prineville, OR 97754</p> <p>Telephone: 541-416-6700 Fax: 541-416-6798 E-mail: Prineville District Office Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Carol Benkosky</p>	<p>Roseburg District Office 777 N.W. Garden Valley Boulevard Roseburg, OR 97470</p> <p>Telephone: 541-440-4930 Fax: 541-440-4948 E-mail: Roseburg District Office Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Katrina Symons</p>	<p>Salem District Office 1717 Fabry Road, S.E. Salem, OR 97306</p> <p>Telephone: 503-375-5646 Fax: 503-375-5622 E-mail: Salem District Office Office Hours: 7:45am - 4:30pm, M-F</p> <p>District Manager: Kim Titus</p>
<p>Spokane District Office 1103 N. Fancher Road Spokane, WA 99212</p> <p>Telephone: 509-536-1200 Fax: 509-536-1275 E-mail: Spokane District Office Office Hours: 7:45am - 4:00pm, M-F</p> <p>District Manager: Daniel Picard</p>	<p>Vale District Office 100 Oregon Street Vale, OR 97918</p> <p>Telephone: 541-473-3144 Fax: 541-473-6213 E-mail: Vale District Office Office Hours: 8:00am - 4:30pm, M-F</p> <p>District Manager: Don Gonzalez</p>		
UTAH			
<p>Canyon Country District 82 East Dogwood Moab, Utah 84532 District Manager: Shelley Smith</p> <p>Phone: (435) 259-2100 Fax: (435) 259-2106 utmbmail@blm.gov</p> <p>District Manager: Shelley Smith</p>	<p>Color Country District 176 East D.L. Sargent Drive Cedar City, UT 84721 District Manager: Todd Christensen</p> <p>Phone: (435) 865-3000 Fax: (435) 865-3058 utccmail@blm.gov</p> <p>District Manager: Todd Christensen</p>	<p>Green River District 170 South 500 East Vernal, UT 84078 District Manager: Bill Stringer</p> <p>Phone: (435) 781-4400 Fax: (435) 781-4410 utvnmil@blm.gov</p> <p>District Manager: Bill Stringer</p>	<p>West Desert District 2370 South 2300 West Salt Lake City, UT 84119 (Acting) District Manager: Kevin Oliver</p> <p>Phone: (801) 977-4300 Fax: (801) 977-4397 utslmail@blm.gov</p> <p>(Acting) District Manager: Kevin Oliver</p>

WYOMING

High Desert District
280 Highway 191 North
Rock Springs, WY 82901-3447

Phone: 307-352-0256
Fax: 307-352-0329
E-mail:
Rock_Springs_WYMail@blm.gov

District Manager: John Ruhs

High Plains District
2987 Prospector Drive
Casper, WY 82604-2968

Phone: 307-261-7600
Fax: 307-261-7587
E-mail: Casper_WYMail@blm.gov

District Manager: Stephanie
Connolly

Wind River/Bighorn Basin District
101 South 23rd Street
Worland, WY 82401

Phone: 307-347-5100
Fax: 307-347-5228
E-mail: Worland_WYMail@blm.gov

District Manager: Steve Dondero

U.S. Forest Service Wild Horse and Burro Program Contacts (Active Territories Only)

		PHONE	FAX	E-MAIL
Inter-Regional Program Coordination/BLM Liaison 1200 Franklin Way Sparks, NV 89431	Tom Frolli Inter-Regional WHB Program Coordinator	(775) 355-5360 (775) 842-7055 (Cell)	(775) 355-5399	tfrolli@fs.fed.us
Northern Region 1 200 East Broadway P.O. Box 7669 Missoula, MT 59807-7669	Tom H. Martin Assistant Director Forest and Range Management	(406) 329-3608	(406) 329-3132	thmartin@fs.fed.us
Beaverhead-Deerlodge NF, SO 420 Barrett St. Dillon, MT 59725-3572	Thomas Heintz Acting Range Administration Program Leader	(406) 683-3987 (406) 370-3648 (Cell)	(406) 683-3855	theintz@fs.fed.us
R1 Custer National Forest 1310 Main Street Billings, MT 59105	Mary C. Erickson Forest Supervisor	(406) 255-1400 x 06 (406) 587-6949 GNF	(406) 255-1499 (406) 587-6758 GNF	mcerickson@fs.fed.us
Beartooth Ranger District 6811 Highway 212 Red Lodge, MT 59068	Traute Parrie District Ranger	(406) 446-2103 x 529	(406) 446-3918	tparrie@fs.fed.us
Southwest Region 3 333 Broadway Blvd. SE Albuquerque, NM 87102-3407	David M. Stewart, Director, Rangeland Management	(505) 842-3224	(505) 842-3150	dmstewart@fs.fed.us
	Berwyn Brown, Assistant Director, Rangeland Management	(505) 842-3220	(505) 842-3150	bbrown03@fs.fed.us
R3 Apache-Sitgreaves NF P.O. Box 640 30 S. Chiricahua Drive Springville, AZ 85938	Jim E. Zornes Forest Supervisor	(928) 333-6301	(928) 333-5966	jzornes@fs.fed.us
Black Mesa Ranger District P.O. Box 968 2748 East AZ 260 Overgaard, AZ 85933	Dee Hines District Ranger	(928) 535-7301	(928) 535-5972	dhines@fs.fed.us
R3 Carson National Forest 208 Cruz Alta Road Taos, NM 87571	Buck Sanchez Forest Supervisor	(575) 758-6301	(505) 758-6213	bsanchez@fs.fed.us

U.S. Forest Service Wild Horse and Burro Program Contacts (Active Territories Only)

		PHONE	FAX	E-MAIL
Jicarilla Ranger District 664 E. Broadway Bloomfield, NM 87413	Antony Madrid District Ranger	(505) 632-2956 x 77215 (505) 320-4083 (Cell)	(505) 632-3173	amadrid@fs.fed.us
El Rito Ranger District P.O. Box 56 State Road 554, Bldg. 1221 El Rito, NM 87530	Diana Trujillo District Ranger	(575) 581-4554 x 77103 (575) 741-1073 (Cell)	(575) 581-4556	dmtrujillo@fs.fed.us
R3 Kaibab National Forest 800 S. 6 th Street Williams, AZ 86046	Mike Williams Forest Supervisor	(928) 635-8301 (928) 606-6513 (Cell)	(928) 635-8208	mwillams@fs.fed.us
Williams Ranger District 742 S Clover Road Williams, AZ 86046-9122	Martie Schramm District Ranger	(928) 635-5630 (906) 298-1763	(928) 635-5680	mschramm@fs.fed.us
R3 Sante Fe National Forest 11 Forest Lane Sante Fe, NM 87508	Maria T. Garcia Forest Supervisor	(505) 438-5310	(505) 438-5391	mtgarcia@fs.fed.us
Espanola Ranger District 1710 N. Riverside Drive Espanola, NM 87532	Sandy Hurlocker District Ranger	(505) 753-7331	(505) 753-9411	shurlocker@fs.fed.us
Intermountain Region 4 Federal Building 324, 25 th Street Ogden, UT 84401-2300	Danielle Chi Acting Director, Vegetation Management	(801) 625-5669 (801) 540-5536 (Cell)	(801) 625-5756	wlevere@fs.fed.us
	Terry Padilla Regional Rangeland Management Staff Officer	(801) 625-5518 (801) 540-5536 (Cell)	(801) 625-5127	tpadilla@fs.fed.us
R4 Dixie National Forest 1789 North Wedgewood Lane Cedar City, UT 84720	Vacant vice Rob MacWhorter Forest Supervisor	(435) 865-3701	(435) 865-3791	rmacwhorter@fs.fed.us
Pine Valley Ranger District 196 E. Tabernacle, Suite 40, St. George, UT 84770	Bevan Killpack District Ranger	(435) 652-3101	(435) 652-3191	bkillpack@fs.fed.us
R4 Humboldt-Toiyabe NF 1200 Franklin Way Sparks, NV 89431	Rebecca Nourse vice Jeanne Higgins Acting Forest Supervisor	(775) 355-5310	(775) 355-5399	rnourse@fs.fed.us

**U.S. Forest Service Wild Horse and Burro Program Contacts
(Active Territories Only)**

		PHONE	FAX	E-MAIL
	Stephanie Phillips Deputy Forest Supervisor	(775) 355-5309 (702) 858-4547 (Cell)	(775) 355-5399	saphillips@fs.fed.us
Austin Ranger Districts 100 Midas Road P.O. Box 130 Austin, NV 89310	Steve Williams District Ranger	(775) 964-2671x6309 (775) 293-0041 (Cell)	(775) 964-1451	swilliams01@fs.fed.us
Tonopah Ranger Station 1400 South Erie Main Street P.O. Box 3940 Tonopah, NV 89049	Vacant vice Heather Mobley Rangeland Management Specialist	(775) 482-7882	(775) 482-3053	@fs.fed.us
Bridgeport Ranger District HC 62, Box 1000 Bridgeport, CA 93517	Mike Crawley District Ranger	(760) 932-5801 (760) 272-7374 (Cell)	(760) 932-5899	mcrawley@fs.fed.us
Ely Ranger District 825 Avenue E Ely, NV 89301	Jose Noriega District Ranger	(775) 289-5100 (775) 289-0176 (Cell)	(775) 289-2132	jnoriega@fs.fed.us
Ruby Mountains & Jarbidge Ranger Districts 140 Pacific Avenue P.O. Box 246 Wells, NV 89835	Kathy M. Johnson, Acting DR Matthew Boisseau Deputy District Ranger	(775) 752-1705 (775) 289-5121 Ely	(775) 752-1799	kathyjohnson@fs.fed.us mboisseau@fs.fed.us
Spring Mountains NRA 4701 North Torrey Pines Drive Las Vegas, NV 89130	Theresa Frolli, Acting Manager Randy Swick NRA Manager (report date 10/15)	(702) 515-5400	(702) 515-5499	rswick@fs.fed.us
Pacific Southwest Region 5 1323 Club Drive Vallejo, CA 94592-1110	Debra Whitman Director Ecosystems Management	(707) 562-8689	(707) 562-9049	dwhitman@fs.fed.us
	Anne L. Yost Regional Range Program Manager	(707) 562-9164 (530) 340-1566 (Cell)	(707) 562-9034	ayost@fs.fed.us
	Diana Craig Deputy Director Ecosystems Management	(707) 562-8930	(707) 562-9054	Dcraig01@fs.fed.us
R5 Inyo National Forest 351 Pacu Lane Bishop, CA 93514	Edward E. Armenta Forest Supervisor	(760) 873-2400	(760) 873-2458	earmenta@fs.fed.us

**U.S. Forest Service Wild Horse and Burro Program Contacts
(Active Territories Only)**

		PHONE	FAX	E-MAIL
White Mountain Ranger Station 798 North Main Street Bishop, CA 93514	Margaret Wood SZ District Ranger	(760) 873-2500 (760) 937-3917	(760) 873-2563	mwood@fs.fed.us
	Christine Hill Acting Diana J. Pietrasanta SZ Deputy District Ranger	(760) 873-2464 (760) 937-0303	(760) 873-2563	cahill@fs.fed.us djpietrasant@fs.fed.us
Mono Lake-Lee Vining Ranger Station 10806 Hwy. 120 W./ P.O. Box 429 Lee Vining, CA 93541	Sarah Tomsky NZ Deputy District Ranger	(760) 647-3033	(760) 647-3027	sarahtomsky@fs.fed.us
Mt. Whitney Ranger Station 640 S. Main Street PO Box 8 Lone Pine, CA 93545	Brianna Goehring Rangeland Management Specialist	(760) 876-6200		bjgoehring@fs.fed.us
R5 Klamath National Forest 1711 South Main Street Yreka, CA 96097	Patricia A. Grantham Forest Supervisor	(530) 841-4502	(530) 841-4571	pagrantham@fs.fed.us
	Christine Frisbee Deputy Forest Supervisor	(530) 841-4501	(530) 841-4571	cfrisbee@fs.fed.us
Goosenest Ranger Station 37805 Highway 97 Macdoel, CA 96058	Laura E. Allen District Ranger	(530) 398-5700	(530) 398-5749	leallen@fs.fed.us
R5 Modoc National Forest Supervisor's Office 800 West 12 th Street Alturas, CA 96101	Kimberly H. Anderson Forest Supervisor	(530) 233-8700 (530) 708-0065 (Cell)	(530) 233-8719	khanderson@fs.fed.us
Devil's Garden Ranger Station 800 West 12 th Street Alturas, CA 96101	Timothy C. Knight District Ranger	(530) 233-5811	(530) 233-8809	tcknight@fs.fed.us
R5 Los Padres National Forest 6755 Hollister Ave. Suite 150 Goleta, CA 93117	Peggy Hernandez Forest Supervisor	(805) 961-5733	(805) 961-5729	phernandez@fs.fed.us
	Ken Heffner Deputy Forest Supervisor	(805) 961-5733	(805) 961-5755	Kheffner01@fs.fed.us

**U.S. Forest Service Wild Horse and Burro Program Contacts
(Active Territories Only)**

		PHONE	FAX	E-MAIL
Santa Lucia Ranger Station 1616 N. Carlotti Drive Santa Lucia, CA 93454	Kathleen Phelps District Ranger	(805) 925-9538 x 229	(805) 961-5781	kphelps@fs.fed.us
R5 San Bernardino NF Supervisor's Office 602 S. Tippecanoe Ave. San Bernardino, CA 92408	Jody Noiron Forest Supervisor	(909) 382-2710	(909) 383-5770	jnorion@fs.fed.us
	Tom Gillett Deputy Forest Supervisor	(909) 382-2603	(909) 383-5770	tgillett@fs.fed.us
Big Bear Ranger Station 41374 North Shore Drive Highway 38 Fawnskin, CA 92333	Scott Tangenberg District Ranger	(909) 382-2728	(909) 866-2867	stangenberg@fs.fed.us
Pacific Northwest Region 6 333 SW First Avenue Portland, OR 97204-3440	Debbie A. Hollen Assistant Director Natural Resources	(503) 808-2922 (503) 867-0209 (Cell)	(503) 808-2469	dahollen@fs.fed.us
	Tom Hilken Regional Rangeland Program Manager	(503) 808-2822	(503) 808-2469	thilken@fs.fed.us
R6 Malheur National Forest Supervisor's Office P.O. Box 909 431 Patterson Bridge Road John Day, OR 97845	Teresa Raaf Forest Supervisor	(541) 575-300	(541) 575-8580	traaf@fs.fed.us
	Tom Hilken Regional Rangeland Program Manager	(503) 808-2822	(503) 808-2469	thilken@fs.fed.us
	Steven K. Beverlin Deputy Forest Supervisor	(541) 575-0373	(541) 575-8580	sbeverlin@fs.fed.us
Blue Mountain Ranger District P.O. Box 909 431 Patterson Bridge Road John Day, OR 97845	Jeff Shinn (Detail) Acting District Ranger	(541) 575-3401	(541) 575-3319	jshinn@fs.fed.us

**U.S. Forest Service Wild Horse and Burro Program Contacts
(Active Territories Only)**

		PHONE	FAX	E-MAIL
R6 Ochoco National Forest 3160 NE 3 rd Street P.O. Box 490 Prineville, OR 97754	John P. Allen Forest Supervisor	(541) 383-5512	(541) 416-6695 (541) 383-5719	jpallen@fs.fed.us
	Shane Jeffries Deputy Forest Supervisor	(541) 383-5709	(541) 383-5429	sjeffries@fs.fed.us
Lookout Mountain Ranger District 3160 NE 3 rd Street Prineville, OR 97754	Slater Turner District Ranger	(541) 416-6448 (541) 480-0104 (Cell)	(541) 416-6695	sturner@fs.fed.us
U.S. Forest Service 201 14th Street Southwest Washington, DC 20250	Barry Imler Rangeland Management Specialist	(202) 205-1458	(202) 205-1096	bimler@fs.fed.us

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).

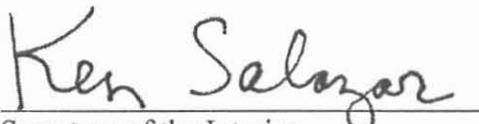
The Board will have no more than nine members, and members may not be employees of the Federal or State Governments.

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.

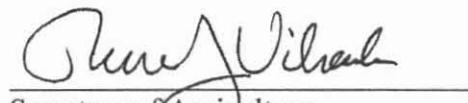

Secretary of the Interior

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
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, or his designee; (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, or his designee.

Section7: 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.

FY 2013 GATHER, TREAT and REMOVE SCHEDULE.

FY 2013 GATHER, TREAT and REMOVE SCHEDULE.																
		10/5/2012		This is a Tentative schedule that is subject to change												
State	Agency	HMA/ Territory	Complex (if applicable)	Start Date	End Date	Species	# Planned Gathered	# Actual Gathered	# Planned Removed	# Actual Removed	# Planned Mares Treated	# Actual Mares Treated	Bait Trapping or Helicopter Trapping	Change Made Since Last Update		
NM	BLM	Jarita Mesa Territory		10/1/12	2/28/13	horse	102		66		18		Bait Trapping			
OR	FS/BLM	Murderers Creek		10/1/12	2/28/13	horse	105		105		0		Bait Trapping			
NV	BLM	Maverick-Medicine	Triple B	10/1/12	2/28/13	horse	63		63		0		Bait Trapping			
UT	BLM	Cedar Mountain		10/1/12	2/29/13	horse	400		250		0		Bait Trapping			
NV	BLM	Antelope/Antelope Valley	Antelope Complex	10/1/12	10/7/12	horse	200		200		0		Helicopter			
ID	BLM	Challis		10/16/12	10/23/12	horse	311		174		55		Helicopter	Start Date Changed from 10/26/2012; 37 added to gather removal #s		
NV	BLM	Wassuk		11/3/12	11/15/12	horse	400		250		100		Helicopter	Start Date Changed from 10/14/2012		
NV	BLM	Little Owyhee HMA	Owyhee Complex	11/18/12	12/23/12	horse	858		544		118		Helicopter	Start Date Changed from 11/01/201		
NV	BLM	Snowstorms Mountains HMA	Owyhee Complex	11/18/12	12/23/12	horse	384		256		48		Helicopter	Start Date Changed from 11/01/201		
NV	BLM	Owyhee	Owyhee Complex	11/18/12	12/23/12	horse	141		11		45		Helicopter	Start Date Changed from 11/01/201		
WY	BLM	Rock Creek	North Lander Complex	11/4/12	11/26/12	horse	810		580		115		Helicopter			

UT	BLM	Frisco		11/27/12	12/6/12	horse	166		104		31		Helicopter	
NV	BLM	Diamond	Diamond Complex	1/2/13	1/25/13	horse	290		191		47		Helicopter	Start Date changed from 12/10/2012
NV	BLM	Diamonds Hills North	Diamond Complex	1/2/13	1/25/13	horse	200		150		24		Helicopter	Start Date changed from 12/10/2012
NV	BLM	Diamond Hills South	Diamond Complex	1/2/13	1/25/13	horse	272		272		0		Helicopter	Start Date changed from 12/10/2012
UT	BLM	Swasey		1/4/13	1/13/13	horse	262		164		49		Helicopter	
NM	FS	Jicarilla Territory		1/28/13	2/19/13	horse	365		91		185		Helicopter	Start Date changed from 1/10/2012
WY	BLM	McCullough Peaks		1/17/13	2/28/13	horse	90		20		70		Bait Trapping	
TOTAL														
		Totals					5,419		3,491		905			

9/28/12

COMPLETED 2012 GATHER SCHEDULE

State	Agency	Herd Management Area	Complex	Start Date	End Date	# Planned Gathered	# Actual Gathered	# Planned Removed	# Actual Removed	Contractor/BLM	Species	mares treated w/pzp	# geldings / Stallions released
AZ	BLM	Lake Havasu	Bait Trapping	10/1/11	1/27/12	50	93	50	93	BLM/BT	burros	0	0
CA	BLM	Palo Verde outside nuisance		10/3/11	10/5/11	80	95	80	95	Cattoor	burros	0	0
OR	FS	Murderers Creek	Bait Trapping	10/7/11	1/1/12	100	83	100	83	BLM	horses	0	0
WY	BLM		Red Desert	10/7/11	11/21/11	1,139	899	822	516	Cattoor	horses	173	178
WY	BLM	Green Mountain	Red Desert	10/7/11	11/21/11					Cattoor	Horses	0	0
WY	BLM	Crooks Mountain	Red Desert	10/7/11	11/21/11					Cattoor	Horses	0	0
WY	BLM	Divide Basin		10/25/11	11/14/11	1,394	1,132	1,225	990	Cattoor	Horses	55	84
WY		Continue	Red Desert	10/7/11	11/21/11							0	0
WY	BLM	Antelope Hills	Red Desert	10/7/11	11/21/11					Cattoor	Horses	0	0
WY	BLM	Stewart Creek	Red Desert	10/7/11	11/21/11					Cattoor	Horses	0	0
WY	BLM	Lost Creek	Red Desert	10/7/11	11/21/11					Cattoor	Horses	0	0

CA	BLM		High Rock	10/15/11	12/1/11	1,276	1334	1,094	1141	Sun J	Horses	87	100
CA	BLM	Bitner	High Rock	10/15/11	10/20/11					Sun J	Horses		
CA	BLM	Nut MT	High Rock	10/15/11	10/21/11					Sun J	Horses		
CA	BLM	Fox Hog	High Rock	10/15/11	11/23/11					Sun J	Horses		
CA	BLM	High Rock	High Rock	10/15/11	12/1/11					Sun J	Horses		
CA	BLM	Wall Canyon	High Rock	10/15/11	10/24/11					Sun J	Horses		
CA	BLM	Outside	High Rock	10/15/11	11/12/11					Sun J	Horses		
NV	BLM	Calico	Calico	11/19/11	1/10/12	1,300	1,213	950	961	Sun J	Horses	94	148
NV	BLM	McGee Burros		12/1/11	1/10/12	127	131	127	131	Sun J	Burros	0	0
NV	BLM	Pancakes	Monte Cristo	1/12/12	2/17/12	1,250	1115	800	819	Cattoor	Horses	124	162
WY	BLM	McCullough Peaks	Darting PZP	1/1/12	9/29/12			0		BLM/BT	Horses	67	0
UT	BLM	Four Mile	Bait Trapping	1/13/12	1/13/12	9	9	9	9	BLM/BT	Horses	0	0
NV	BLM	Dogskins, & Granite Peak	Flanigan	1/15/12	1/21/12	52	41	52	41	Sun J	Horses	0	0
NV	BLM	Flanigan	Flanigan	1/15/12	1/21/12	270	267	200	211	Sun J	Horses	21	35
NV	BLM	Garfield Flat		1/22/12	1/30/12	83	84	59	60	Sun J	Horses	14	10
CA	BLM	Slate Range		1/30/12	2/22/12	36	36	36	36	BLM/BT	burros	0	0
NV	BLM	Saulsbury/Stone Cabin		2/1/12	2/18/12	580	725	500	502	Sun J	Horses	115	131

UT	BLM	Onaqui	Skull Valley	2/25/12	2/29/12	143	155	14	34	Cattoor	Horses	57	63
UT	BLM	Cedar Mountain	Skull Valley	2/20/12	2/24/12	326	348	49	74	Cattoor	Horses	143	130
NV	BLM	Bullfrog		3/1/12	3/6/12	74	77	74	77	Cattoor	Burros	0	0
NM	FS	Jarita Mesa	Bait Trapping	3/1/12	9/29/12	130	99	90	72	FS/BT	Horses	40	0
AZ	FS	Double A burro	Bait Trapping	6/1/12	7/1/12	25	23	25	23	FS/BT	burros	0	0
AZ	BLM	Cibola		6/5/12	6/13/12	350	354	350	350	Cattoor	burros	0	0
CA	BLM	Chocolate Mule/Palo Verde		6/15/12	6/15/12	40	12	40	12	Cattoor	Burros	0	0
MT	BLM	PMWHR	Bait Trapping	6/20/12	8/29/12	30	146	30	45	BLM/BT	horses	63	28
NM	BLM	Bordo Atravesado	Water Trapping	5/22/12	6/6/12	75	94	75	56	Bait trap	Horses	0	0
NV	BLM	Jackson MT		6/8/12	7/14/12	634	648	634	633	Sun J	Horses	0	0
CA	BLM	Outside Burros	Bait Trapping	6/15/12	6/15/12	12	12	12	12	BLM	burros	0	0
OR	BLM	Paisley	Bait Trapping	7/1/12	7/30/12	20	15	20	15	BLM	Horses	0	0
CA	BLM	Red Rocks Lake	Bait Trapping/ nusanice	2/15/12	8/28/12	65	94	65	94	BLM	Horses	0	0
CO	BLM	West Douglas	Bait Trapping	7/16/12	7/27/12	50	20	50	20	Warner	Horses	0	0
OR	BLM	Jackies Butte	emergency	8/6/12	8/10/12	85	84	85	84	Cattoor	Horses	0	0
NV	BLM	Desatoya		8/15/12	8/31/12	400	429	400	405	Cattoor	Horse	0	22
OR	BLM	Paisley	emergency	8/28/12	8/29/12	200	193	200	193	Cattoor	Horse	0	0

OR	FS	Murders Creek	Bait Trapping	8/1/12	9/29/12	40		40		FS/BT	Horses	0	0
CA	BLM	Centennial		8/31/12	9/4/12	48	64	48	64	Sun J	burros	0	0
CA	BLM	Slate Range		9/6/12	9/28/12	40	36	40	36	Sun J	burros	0	0
NV	BLM	Red Rocks	Bait trapping	9/10/12	9/14/12	40		49		BLM	Burros	0	0
NV	BLM	Pancakes	emergency	9/12/12	9/13/12	125	131	125	124	Cattoor	Horses	0	0

Animals Treated to date

883 1,041

Total						10,698	10,291	8,619	8,111				
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Mt Ayr/IA/G	400	409	0
Foster/OK/M	750	730	0
Tishomingo/OK/M	600	577	0
Matfield Green/KS/M	606	577	0
Vinita/OK/G	200	189	0
Nowata/OK/M	800	699	0
Hickory, OK/M	1,600	1,204	0
Total	34,326	33,623	0
Grand Total		46,500	1,361

Advisory Board Meeting
Program Budget Update

PE Name	FY 2012 Actual Expenditures	% of Overall Budget
(DI) Plan for Herd Management	\$235,536	0.3%
(HG) Adoptions	\$7,132,033	9.8%
(HH) Long-term Holding	\$17,451,196	24.1%
(HI) Short-term Holding	\$25,503,871	35.2%
(JB) Construct Shrub/Grass Projects/Water Developments	\$117,651	0.2%
(JC) Maintain Shrub/Grass Projects/Water Developments	\$112,933	0.2%
(JJ) Gather/Remove	\$7,807,517	10.8%
(KF) Animals Gathered for Fertility Control	\$333,835	0.5%
(KG) Animals Treated to Reduce the Population	\$52,229	0.1%
(MC) Conduct Census of WH&B Areas	\$966,008	1.3%
(MP) Monitor Herd Management Areas	\$1,389,092	1.9%
(NK) Compliance Inspections	\$624,933	0.9%
(Law Enforcement, Admin/IT & other Support)	\$5,271,029	7.3%
(PC) Program Support / Overhead*	\$5,442,051	7.5%
WHB Program Costs:	\$72,439,914	

***NOTE:**

2012 Appropriation: \$74,888,000

FY 2011 Carryover: \$1,146,000

FY 2012 TOTAL FUNDING AVAILABLE: \$76,034,000

Research costs are included in (PC) . For new research proposals (\$250K), USGS (\$250K) and Dr. Cothran - Genetics (\$45K). Projects are fully funded.

Fertility Control vaccine costs are also included \$410K for 1,000 doses.

PE Name	FY 2013 President's Budget	% of Overall Budget
(DI) Plan for Herd Management	\$241,250	0.3%
(HG) Adoptions	\$7,701,650	9.8%
(HH) Long-term Holding	\$16,534,438	21.1%
(HI) Short-term Holding	\$28,036,179	35.8%
(JJ) Gather and Remove	\$6,932,330	8.8%
(KF) Gather for Population Growth Suppression	\$660,380	0.8%
(KG) Population Growth Suppression Applications	\$585,500	0.7%
(MC) Conduct Population Survey of WH&B Areas	\$772,200	1.0%
(MP) Monitor Herd Management Areas	\$1,138,065	1.5%
(NK) Conduct WH&B Compliance Inspections	\$699,875	0.9%
(Law Enforcement, Admin/IT & other Support)	\$3,764,000	4.8%
(PC) Program Support / Overhead*	\$11,293,000	14.4%
WHB Program Costs:	\$78,358,867	

***NOTE:**

2013 Budget Request: \$76,888,000 which includes \$2,000,000 for new research projects.

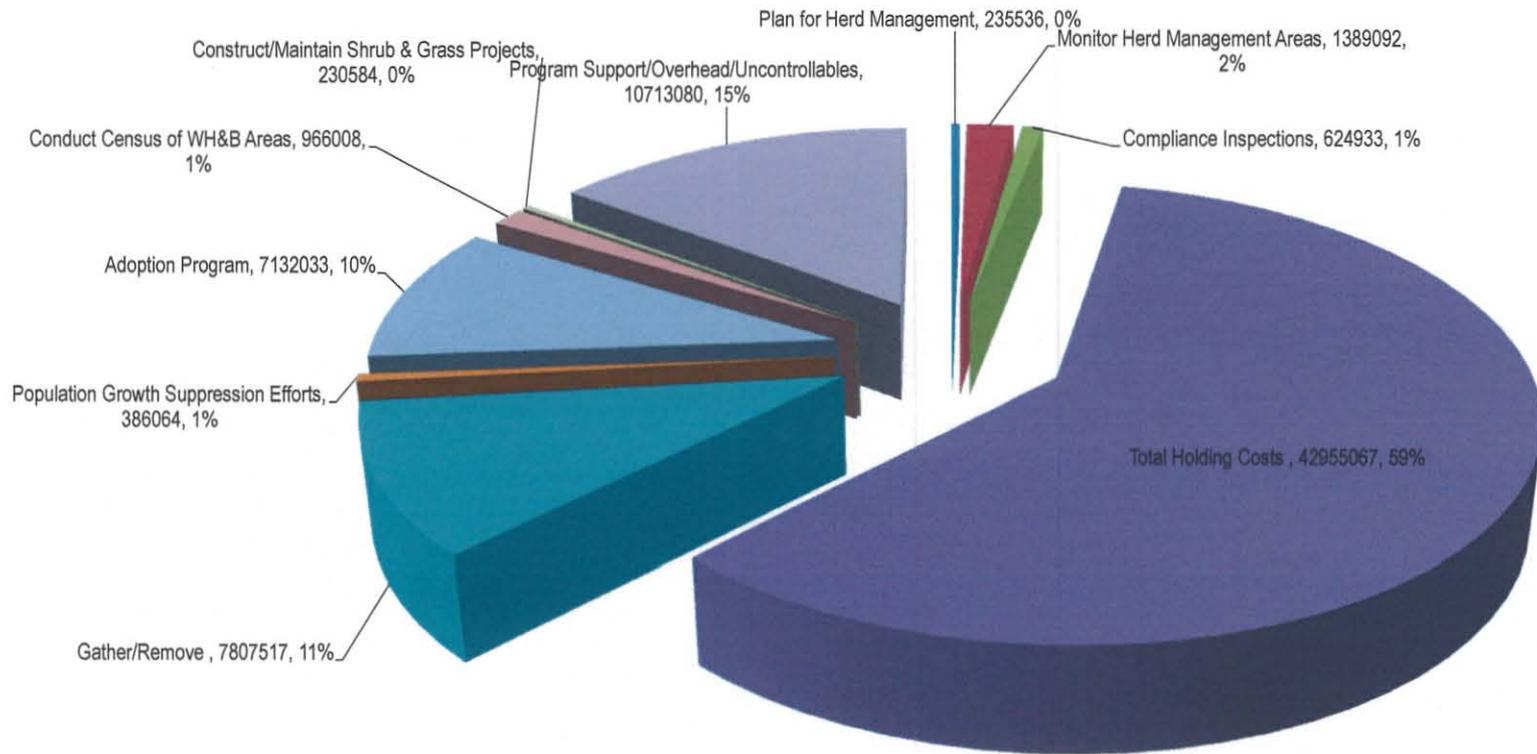
Forest Service Income: \$1,750,000

TOTAL FUNDING AVAILABLE: \$78,638,000

Research costs are included in (PC) \$2,460,000. For new research proposals (\$2M), USGS (\$250K), Dr. Turner Pen Trial Study (\$165K) and Dr. Cothran - Genetics \$45K

Fertility Control vaccine costs are also included in (KG) \$410K for 1,000 doses.

FY 2012 Expenditures



Advisory Board Meeting – Program Budget Update

The following program elements are vital components of the program. They serve as an accounting system for the money spent on specific areas. The program elements support the following highlighted performance measures:

M1G1S1.09 Wild Horse and Burro Management Areas: Cumulative of number of Herd Management Areas (HMAs) achieving appropriate management levels. (Bureau Measure)

M1G1S1.20 Cumulative number of Herd Management Areas (HMAs) treated or where population suppression techniques were conducted. (Bureau Measure)

The costs associated are labor and operations, which include but is not limited to contracts, transportation, vaccine and feed.

FY 2013 – President’s Budget Request, Program Elements

- **Long-Term Holding (HH):** Number of animal feeddays for all animals older than 6-months of age held or born in a long-term holding facility.
- **Short-Term Holding (HI):** Number of animal days for all animals held or born in a short-term holding facility.
- **Gather and Remove (JJ):** Report the number of animals gathered through gathers conducted for the primary purpose of removal and placing in the adoption system or long term facilities, including foals and animals that die at the capture site.
- **Gather for Population Growth Suppression (KF):** Number of animals gathered for the primary purpose of treatment with population growth suppression techniques with limited removal and returned to the range.
- **Population Growth Suppression Applications (KG):** The definition for counting Population Growth Suppression applications: The number of animals treated for the purpose of population growth suppression is the number of mares treated with fertility vaccines plus the number of males (geldings and/or stallions) released to the range that are in excess or greater than the number of mares (treated and untreated) released.
- **Adoption (HG):** Animals adopted into long-term private care through each Private Maintenance and Care Agreement [PMACA].
- **Monitoring (MP):** The number of HMAs where water sources and animal, vegetation and climatic conditions are monitored to determine the presence of excess animals and/or to establish or adjust AML. Vegetation inventory is also included.

- **Conduct Population Survey (MC):** A periodic count of the population of animals within one Herd Management Area (HMA).
- **Compliance Inspections (NK):** Number of individual animals receiving field compliance review such as, follow-up visits, or field inspections prior to title. No animal is to be counted more than once during any given year regardless of the number of visits to that animal.
- **Plan for Herd Management (DI):** This reportable unit is the number of HMAs and Herd Areas (HAs) that are reviewed for their suitability for active management of wild horses and burros (WHBs) and/or where AML is reviewed, established or changed. The suitability of HAs for reintroduction of WHBs should be reviewed along with suitability of existing HMAs for continued management in all ongoing and new planning starts. HMAs are also reportable where new AML is established, existing AML is reviewed with no change or an AML that is adjusted to a new number or to create a range (low and high AML).

September 30, 2012

WILD HORSE & BURRO ADOPTION REPORT

SUBJECT: FY 2012 ADOPTIONS BY STATE

In FY2012 the BLM, in partnership with the Mustang Heritage Foundation, adopted 2,730 animals. There have been 158 fewer animals adopted this year in comparison with last year at this time. There were 391 animals sold in FY2012. There were 480 fewer animals sold this year in comparison with last year at this time. 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

106– 2012 PMDS Reported Animals adopted (9/30/2012)

134 - 2011 WHBPS Reported Animals adopted (9/30/2011)

October 14, 2011 – Willcox, AZ – 17 animals adopted, 36 animals available, 3 animals in TIP Program

February 24-26, 2012 – Apache Junction, AZ – 11 animals adopted, 38 animals available

March 23-25, 2012 – Yuma, AZ – 15 animals adopted, 35 animals available

April 27-29, 2012 – Tucson, AZ – 12 animals adopted, 35 animals available

May 18-20, 2012 – Wickenburg, AZ – 18 animals adopted, 35 animals available

August 17-19, 2012 – Flagstaff, AZ – 16 animals adopted, 35 animals available

4- Animals needed to be adopted to meet Target.

California

252 – PMDS Negotiated Adoption Target

278 – 2012 PMDS Reported Animals adopted (9/30/2012)

270 - 2011 WHBPS Reported Animals adopted (9/30/2011)

October 8, 2011 – Redlands, CA – 0 animals adopted

October 14, 2011 – Tulare, CA – 5 animals adopted, 30 animals available

October 14, 15, 21, 22, 2011 – Grand National Rodeo, San Francisco, CA – 2 animal adopted, 2 animals available

November 12, 2011 – Redlands, CA, 0 animals adopted

November 19, 2011 – Santa Maria, CA – 11 animals adopted, 33 animals available

December 10, 2011 – Redlands, CA – 2 animals adopted, 17 animals available

January 14, 2012 – Redlands, CA – 4 animals adopted, 12 animals available

February 11, 2012 – Redlands, CA – 1 animals adopted, 11 animals available

February 11, 2012 – Ferndale, CA – 6 animals adopted, 6 animals available

February 25, 2012 - Redlands, CA – 3 animals adopted

March 10, 2012 - Redlands, CA – 0 animals adopted

March 31, 2012 – Red Bluff, CA – 6 animals adopted, 15 animals available

April 14, 2012 - Redlands, CA – 0 animals adopted

April 21-22, 2012 – San Jose, CA – 11 animals adopted, 44 animals available

May 12, 2012 – Redlands, CA -0 animals adopted

May 18-20, 2012 – Norco, CA, Extreme Mustang Makeover – 30 animals adopted, 31 animals available, 1 animal in TIP program

May 19-20, 2012 – Santa Rosa, CA – 19 animals adopted, 43 animals available

June 9-10, 2012 – Clovis, CA – 8 animals adopted

June 23-24, 2012 - Crescent City, CA – 11 animals adopted, 19 animals available
July 14, 2012 – Redlands, CA – 0 animals adopted
July 14, 2012 – Sacramento, CA – 8 animals adopted, 21 animals available, 1 animal in TIP Program
August 11, 2012 – Redlands, CA – 1 animal adopted
September 8, 2012 – Redlands, CA – 3 animals adopted

Exceed target by 26 animals.

Colorado

150 – PMDS Negotiated Adoption Target

181 - 2012 PMDS Reported Animals adopted (9/30/2012)

216 - 2011 WHBPS Reported Animals adopted (9/30/2011)

October 14, 2011 - Canon City Facility, CO – 12 animals adopted

October 28, 2011 - Canon City Facility, CO – 2 animals adopted

January 6, 2012 - Canon City Facility, CO – 3 animals adopted

January 18, 2012 - Canon City Facility, CO – 6 animals adopted

February 17, 2012 - Canon City Facility, CO – 0 animal adopted

March 11, 2012 – Rocky Mtn. Horse Expo – Denver, CO – 4 animals adopted, 4 animals available

March 16, 2012 – Canon City Facility, CO – 1 animals adopted

March 30, 2012 – Canon City Facility, CO – 0 animal adopted

April 6, 2012 – Canon City Facility, CO – 3 animals adopted

April 20, 2012 – Canon City Facility, CO – 0 animals adopted

May 4, 2012 – Canon City Facility, CO – 4 animals adopted

May 18, 2012 – Canon City Facility, CO – 2 animals adopted

June 1, 2012 – Canon City Facility, CO – 2 animals adopted

June 8-9, 2012 – Fort Collins, CO, Extreme Mustang Makeover, 32 animals adopted, 32 animals available

June 15, 2012 – Canon City Facility, CO – 3 animals adopted

June 29, 2012 – Canon City Facility, CO – 2 animals adopted

July 13, 2012 – Canon City Facility, CO – 1 animal adopted

July 27, 2012 – Canon City Facility, CO – 3 animals adopted

August 10, 2012 - Canon City Facility, CO – 1 animal adopted

August 24, 2012 – Canon City Facility, CO – 2 animals adopted

September 7, 2012 – Canon City Facility, CO – 4 animals adopted

September 21-22, 2012 – Grand Junction, CO – 21 animals adopted, 24 animals available

September 28, 2012 – Canon City Facility, CO – 2 animals adopted

Exceeded target by 31 animals.

Eastern States

800 – PMDS Negotiated Adoption Target

762– 2012 PMDS Reported Animals adopted (9/30/2012)

938 - 2011 WHBPS Reported Animals adopted (9/30/2011)

October 7-8, 2011 – Lorton, VA – 2 animals adopted, 37 animals available, 2 animal in Foster Program

October 7-9, 2011 – Okeechobee, FL – 28 animals adopted, 50 animals available, 1 animal in TIP Program

October 14-16, 2011 – Shreveport, LA – 8 animals adopted, 78 animals available

October 21-23, 2011 – Extreme Mustang Makeover – Eastern Stampede, Murfreesboro, TN – 57 animals adopted, 58 animals available, 1 animal in TIP Program
November 3-6, 2011- Virginia Equine Extravaganza (TIP trainer), Doswell, VA – 7 animals adopted, 10 animals available, 3 animals in TIP Program
November 4-6, 2011 – Harrisonburg, VA – 24 animals adopted, 48 animals available, 10 animals in TIP Program
November 4-5, 2011 – Dry Ridge, KY – 7 animals adopted, 41 animals available, 3 animals in TIP Program
December 2-3, 2011 – Piney Woods Facility, MS – 3 animals adopted
February 3-5, 2012 – Ocala, FL - 43 animals adopted, 79 animals available
February 17-18, 2012 – Jackson, MO - 12 animals adopted, 40 animals available
March 2-4, 2012 – Liberty, KY – 24 animals adopted, 75 animals available
March 16-17, 2012 – Piney Woods Facility, MS – 2 animals adopted
March 30-April 1, 2012 – Passaic, MO - 13 animals adopted, 34 animals available, 2 animals in Foster Program
March 31-April 1, 2012 – Searcy, AR - 25 animals adopted, 54 animals available, 3 animals in TIP Program
April 20-21, 2012 – Broomfield, IA – 16 animals adopted, 38 animals presented, 3 animals in TIP Program
April 20-22, 2012 - Madison, WI – Extreme Mustang Makeover – 31 adopted, 31 available
May 11-12, 2012 – Springfield, IL – 10 animals adopted, 55 animals available, 6 animals in TIP Program, 1 animals in Foster Program
May 11-12, 2012 – Decatur, AL - 19 animals adopted, 53 animals available
June 8-9, 2012 – Piney Woods Facility, MS – 1 animal adopted
June 15-16, 2012 – Rutland, VT – 8 animals adopted, 35 animals available, 1 animal in Foster program
June 22-24, 2012 – Unadilla, GA – 9 animals adopted, 84 animals available, 26 animals for EMM event, 1 animal in TIP Program
July 13-14, 2012 – Annville, PA – 12 animals adopted, 36 animals available, 5 animals in TIP Program
July 27-29, 2012 – Florence, SC – 43 animals adopted, 50 animals available, 2 animals in TIP Program
August 10-11, 2012 – Piney Woods Facility, MS – 6 animals adopted
August 10-12, 2012 – Gloucester County, NJ, Extreme Mustang Makeover – 21 animals adopted, 23 animals available, 2 animals in TIP Program
August 17-19, 2012 – Pine Bluff, AR – 19 animals adopted, 57 animals available, 1 animal in TIP Program
August 17-19, 2012 – Madison, WI, Take the Reins EMM Burro Challenge – 7 animals adopted, 8 animals available
September 14-15, 2012 – Franklin Furnace, OH – 5 animals adopted, 40 animals available, 1 animal in TIP Program, 2 animals in Foster Program
September 14-16, 2012 – Gainesville, GA – 18 animals adopted, 56 animals available, 2 animals in Foster Program

38 - Animals needed to be adopted to meet Target.

Internet Adoptions

September 28-October 12, 2011 - Internet Adoption – 39 animals adopted, 72 animals available

November 16-30, 2011 - Internet Adoption – 63 animals adopted, 117 animals available

January 18-February 1, 2012 - Internet Adoption – 37 animals adopted, 101 animals available

February 29-March 14, 2012 - Internet Adoption – 39 animals adopted, 61 animals available

March 31, 2012 – Supreme Extreme Mustang Makeover televised adoption (event was in Fort Worth, TX) – 220 animals adopted, 297 animals available

April 11-25, 2012 – Internet Adoption – 14 animals adopted, 28 animals available

May 23-June 6, 2012 – Internet Adoption – 28 animals adopted, 51 animals available

July 11-25, 2012 – Internet Adoption – 36 animals adopted, 54 animals available

August 29 – September 12, 2012 – Internet Adoption – 29 animals adopted, 63 animals available

Idaho

35 – PMDS Negotiated Adoption Target

45– 2012 PMDS Reported Animals adopted (9/30/2012)

60- 2011 WHBPS Reported Animals adopted (9/30/2011)

June 29-July 1, 2012 – Blackfoot, ID – 6 animals adopted, 6 animals available

August 16-18, 2012 – Rexburg, ID – 22 animals adopted, 26 animals available

August 24-26, 2012 – Boise, ID, Western Idaho State Fair – 5 animals adopted, 5 animals available

Exceeded target by 10 animals.

Montana

25– PMDS Negotiated Adoption Target

46 – 2012 PMDS Reported Animals adopted (9/30/2012)

21 - 2011 WHBPS Reported Animals adopted (9/30/2011)

September 8, 2012 – Britton Springs, WY, Pryor Mountain Wild Horses – 45 animals adopted, 45 animals available

Exceeded target by 21 animals.

Nevada

70 – PMDS Negotiated Adoption Target

83 – 2012 PMDS Reported Animals adopted (9/30/2012)

78– 2011 WHBPS Reported Animals adopted (9/30/2011)

October 8, 2011 – Carson City Facility, NV – 10 animals adopted, 14 animals available

February 11, 2012 - Carson City Facility, NV – 15 animals adopted, 16 animals available

May 19, 2012 – Caron City Facility, NV – 14 animals adopted, 6 additional horses to the US Border Patrol

June 16, 2012 – Reno, NV, Youth and Yearling Program – 5 animals adopted, 10 animals available, 2 animals with youth trainers for more training and to find adopters

August 18, 2012 – Reno, NV, Western States WHB Expo, 11 animals adopted, 11 animals available

Exceeded target by 13 animals.

New Mexico

550 – PMDS Negotiated Adoption Target

596 – 2012 PMDS Reported Animals adopted (9/30/2012)

583 - 2011 WHBPS Reported Animals adopted (9/30/2011)

October 11, 2011 – Pauls Valley Facility, OK - 1 animal adopted

October 20-23, 2011 – San Antonio, TX EXPO – 20 animals adopted, 48 animals available
November 8, 2011– Pauls Valley Facility, OK – 4 animals adopted
December 13, 2011– Pauls Valley Facility, OK – 0 animals adopted
January 10, 2012– Pauls Valley Facility, OK – 1 animals adopted
January 19-21, 2012 – Mustang Magic Makeover, Fort Worth, TX – 19 animals adopted,

19 animals available

January 26-28, 2012 – Mercedes, TX – 32 animals adopted, 63 animals available

February 9-11, 2012 – Lufkin, TX – 11 animal adopted, 45 animals available

February 14, 2012 – Pauls Valley Facility, OK – 3 animals adopted

March 1-3, 2012 – DeKalb, TX – 17 animals adopted, 47 animals available

March 13, 2012 – Pauls Valley Facility, OK – 2 animals adopted

March 22-24, 2012 – San Angelo, TX – 17 animals adopted, 48 animals available

April 10, 2012 - Pauls Valley Facility, OK – 0 animals adopted

April 12-14, 2012 – Beeville, TX – 9 animals adopted, 41 animals available

May 5, 2012 – Beaumont, TX – 7 animals adopted, 44 animals available

May 8, 2012 – Pauls Valley Facility, OK – 3 animals adopted

May 17-19, 2012 – Enid, OK – 14 animals adopted, 37 animals available

June 1-2, 2012 – Hutchinson Facility, KS – 9 adopted, 9 animals available

June 12, 2012 – Pauls Valley Facility, OK – 3 animals adopted

June 14-16, 2012 – Amarillo, TX – 16 animals adopted, 37 animals available

July 10, 2012 – Pauls Valley Facility, OK – 0 animals adopted

July 12-14, 2012 – Lubbock, TX – 20 animals adopted, 37 animals available

August 14, 2012 - Pauls Valley Facility, OK – 1 animal adopted

August 23-25, 2012 – Lawrence, KS – 8 animals adopted, 38 animals available, 4 animals in TIP Program, 1 animal in Foster Program

August 31-September 1, 2012 – Salado, TX, Extreme Mustang Makeover Team Roping – 14 animals adopted, 14 animals available

September 11, 2012 – Pauls Valley Facility, OK – 0 animals adopted

Exceeded target by 46 animals.

Oregon

198 – PMDS Negotiated Adoption Target

314– 2012 PMDS Reported Animals adopted (9/30/2012)

169- 2011 WHBPS Reported Animals adopted (9/30/2011)

October 1, 2011 – Youth & Yearling Event – Kent, WA - 10 animals adopted, 11 animals available, 1 animal in Foster Program

October 6-8, 2011 – Kiger Adoption – Burns Facility, OR – 88 animals adopted, 117 animals available

April 14 2012 – Grants Pass, OR – 6 animals adopted, 30 animals available

June 1-2, 2012, Burns Facility, OR – 5 animals adopted

June 28-July 1, 2012 – Albany, OR, Extreme Mustang Makeover – 33 animals adopted, 35 animals available, 2 animals in TIP Program

August 3-4, 2012 – Moses Lake, WA – 4 animals adopted, 20 animals available

August 24-25, 2012 – McMinnville, OR, Youth and Yearling Challenge – 35 animals adopted, 35 animals available

August 24-September 3, 2012 – Salem, OR, Oregon State Fair – 5 animals adopted, 6 animals available, 1 animal in Foster Program

September 15-16, 2012 – Port Angeles, WA – 4 animals adopted, 10 animals available

Exceeded target by 116 animals.

Utah

110 – PMDS Negotiated Adoption Target

109 – 2012 PMDS Reported Animals adopted (9/30/2012)

155 - 2011 WHBPS Reported Animals adopted (9/30/2011)

April 19-21, 2012 – Moab, UT – 9 animals adopted, 34 animals available

May 11-19, 2012 – Salt Lake City Facility, UT, Burro Adoption, 0 animals adopted

June 5, 2012 – Gunnison Facility, UT – 1 animal adopted

June 7-9, 2012 – Tooele, UT, 14th Annual WHB Festival, 13 animals adopted, 50 animals available

July 14-19, 2012 – Salt Lake City Facility, UT – 2 animals adopted, 3 animals in TIP Program

August 2-4, 2012 – Morgan, UT – 6 animals adopted, 27 animals available

August 7, 2012 – Gunnison Facility, UT – 2 animals adopted

September 4, 2012 – Gunnison Facility, UT – 2 animals adopted

1 - Animal needed to be adopted to meet Target

Wyoming

125 – PMDS Negotiated Adoption Target

106– 2012 PMDS Reported Animals adopted (9/30/2012)

121 - 2011 WHBPS Reported Animals adopted (9/30/2011)

January 27-28, 2012 – Rock Springs Facility, WY – 24 animals adopted

April 20-21, 2012 – Douglas, WY, Wyoming Horse Expo – 3 animals adopted, 3 animals available

May 18-19, 2012 – Riverton, WY, Wyoming Honor Farm – 17 animals adopted, 40 animals available

June 16, 2012 – Rock Springs Facility, WY, Mustang Versatility – 0 animals adopted

June 23, 2012 – Wheatland, WY, Mantle Ranch – 7 animals adopted, 12 animals available

July 14, 2012 – Rock Springs Facility, WY, Mustang Versatility – 0 animals adopted

July 20-29, 2012 - Cheyenne, WY, Cheyenne Frontier Days – 2 animals adopted, 2 animals available

August 13-19, 2012 – Douglas, WY, Wyoming State Fair – 15 animals adopted, 19 animals available

August 24-25, 2012 – Riverton, WY, Wyoming Honor Farm – 11 animals adopted, 36 animals available

September 15, 2012 – Rock Springs Facility, WY, Mustang Versatility – 3 animals adopted

19- Animals needed to be adopted to meet Target.

WO – (Palomino Valley and Elm Creek)

100 – PMDS Negotiated Adoption Target

104 – 2012 PMDS Reported Animals adopted (9/30/2012)

143- 2011 WHBPS Reported Animals adopted (9/30/2011)

Exceeded target by 4 animals.

Litigation Update
October 4, 2012

Arizona

Cibola-Trigo HMA. On April 2, 2012, Yuma Field Office received an Appeal and Request for Stay from Ms. Kathleen Gregg relating to the Decision to remove 350 wild burros from the Cibola-Trigo HMA. On April 30, 2012, IBLA denied the Petition for Stay. Beginning June 6, 2012, BLM Arizona began gather operations to remove 350 wild burros, completing the gather June 14, 2012. On June 28, 2012, BLM filed a Motion to Dismiss for Mootness. To date, IBLA has not ruled on the Motion, or the original Appeal.

California

In Defense of Animals v. Salazar, (Case 2:10-at-00993) (E.D. Calif) (Filed 7/15/10) Plaintiff, In Defense of Animals (IDA) et al., brought suit seeking to enjoin BLM's gather of excess wild horses from the Twin Peaks HMA in Northeastern California and challenging the legality of placing wild horses in long-term holding. The District Court denied the request for injunction. Plaintiffs appealed this denial to the Ninth Circuit, however the Ninth Circuit denied plaintiffs' request for an emergency injunction. The wild horse gather operations began on Wednesday, August 11, 2010 and ended on September 23, 2010. Plaintiffs did not withdraw their appeal from the denial of the injunction after hearing oral argument on that appeal, on August 15, 2011, the Ninth Circuit dismissed that appeal as moot. The District Court denied the United States' motion to dismiss this litigation as moot and the parties will be briefing the merits of the case. The hearing was conducted in Feb. No decision has been issued by the judge to date.

Colorado

Colorado Wild Horse and Burro Coalition, Inc., et al. v. Salazar, 10 CV 1645 (D.D.C.) (proposed gather for West Douglas Herd Area). Plaintiffs filed a Complaint and a motion for preliminary injunction (PI) and temporary restraining order (TRO) alleging the proposed gather to remove all horses in the West Douglas Herd Area would violate the Wild Free-Roaming Horses and Burros Act, NEPA, FLPMA and the Information Quality Act (IQA). The motion for PI/TRO was denied due to BLM's postponement of the gather. BLM's answer, administrative record, and motion to dismiss the IQA claim were filed November 9, 2010. The motion to dismiss was denied on June 24, 2011. On November 10, 2010, White River Conservation District, Douglas Creek Conservation District, Colorado Association of Conservation Districts, Colorado Cattleman's Association, Colorado Farm Bureau Federation, Public Lands Council, and four individuals moved to intervene in the case as defendant-interveners aligned with BLM. A ruling on the motion to intervene is pending as a dispute over supplementation of the administrative record. BLM notified the Court on its decision to withdraw the 2010 Gather Plan on February 21, 2011. The court ruled on June 24, 2011 that the case will proceed on the merits of the 2005 RMP amendment, and a briefing schedule is due to the court by July 15, 2011. Plaintiffs filed their opening brief on Nov. 18, 2011. Interveners filed a cross motion for summary judgment and responded to plaintiffs' motion for summary judgment on Dec. 12, 2011. Plaintiffs filed their opposition answer to both BLM's and interveners' cross-motion for summary judgment on

Jan. 27, 2012. BLM filed reply to plaintiffs' motion for summary judgment on Feb. 15, 2012. On 9/13/12, the case was dismissed for lack of jurisdiction.

Note: An emergency gather was initiated on July 15, 2012 to remove 50 horses in an area where there is a critical water shortage. There has been no legal opposition to date.

James Kleinert, Spirit Riders Foundation, and David Glynn v. Salazar et al. (including a long-retired state director) 11-cv-02428-CMA-BNB (U.S. Dist. Court of Colorado) (Spring Creek Basin HMA gather). On Sept. 14, 2011, Plaintiffs filed a complaint based on alleged violations of Wild Horse & Burro Act and NEPA. A motion for temporary restraining order was filed *ex parte* and was denied on Sept. 19, 2011. The court deemed plaintiff's request for a TRO as a request for a preliminary injunction hearing. BLM filed an answer to plaintiff's complaint on Jan. 20, 2012. Plaintiffs filed an amended complaint on Feb. 13, 2012. BLM filed motion to dismiss first amended complaint on April 13, 2012. Plaintiffs requested and were granted an extension until May 18, 2012 to answer BLM's motion to dismiss. Plaintiffs requested another extension until June 14, which was also granted by the court. In lieu of answering BLM's motion to dismiss, on June 14, 2012, plaintiffs filed a motion for leave to file a second amended petition, which BLM answered on July 5, 2012. On July 19, 2012, plaintiffs requested 10 days from court's order to file a second amended petition and render moot BLM's motion to dismiss. Case dismissed without prejudice on 9/17/12.

Note: This gather is complete.

Montana

The Cloud Foundation, et.al. v. Salazar 09-cv-01651. On September 2009, the U.S. District Court for the District of Columbia denied a Temporary Restraining Order (TRO) request to stop the Pryor gather. BLM proceeded with the gather and adopted or sold all of the excess wild horses that were gathered. The plaintiff filed an amended complaint concerning the gather and while a ruling was pending the case was re-assigned to a different judge located in Ohio although the case is still technically in the U.S. District Court for the District of Columbia.

The plaintiff who had previously appealed the Pryor Mountain Wild Horse Range Herd Management Area Plan (HMAP) that was affirmed in January 2010 by IBLA, subsequently filed a second amended complaint (SAC) to the U.S. District Court to the 2009 gather litigation to include a challenge to the HMAP and the use of Categorical Exclusions (CX) for adoption events and feeding/care of removed excess wild horses while also litigating the U.S. Forest Service Custer National Forest to expand the Pryor Mountain Territory. The gather claim and first amended complaint were dismissed as moot but the SAC was allowed by the U.S. District Court. The SAC has been argued and a ruling is pending.

Tillet et al. v. Salazar. The Plaintiffs petitioned the Federal District Court of Montana for a Temporary Restraining Order (TRO) July 9, 2012 and litigation to halt the gather. The TRO was denied and litigation is awaiting initial arguments.

Nevada

Cloud Foundation, et al v. Salazar, Case No. 3:11-cv-00459-HDM -VPC (D. Nev.) (Filed June 29, 2011 and July 7, 2011). Plaintiff, Cloud Foundation, et al. filed a Complaint for Declaratory and Injunctive Relief (June 29, 2011) and a Motion for Preliminary Injunction (July 7, 2011) alleging a violation of the Wild and Free-Roaming Horses and Burros Act (“WFRHBA”) by failing to manage the Triple B, Maverick-Medicine and Antelope Valley Herd Management Areas (hereafter “Triple B HMA” or “HMA”) principally for wild horses and burros, and by approving the use of overly invasive management activities for the wild horses in these management areas which go above and beyond the minimum feasible level necessary. Plaintiffs also allege that BLM violated the National Environmental Policy Act’s (“NEPA”) requirement to fully consider and analyze all reasonable alternatives to the Proposed Action by failing to consider an alternative which would reduce livestock grazing to allocate more resources to wild horses and burros. On July 15, 2011, the District Court issued an Order denying Plaintiff’s request for the preliminary injunction. On July 15, 2011, the Plaintiff filed an emergency motion for injunctive relief pending appeal, to halt appellees’ round-up of wild horses in the Triple B with the Ninth Circuit Court of Appeals, which granted the emergency injunction. After the U.S. filed its response to the motion for emergency injunction, on July 19, 2011, the Ninth Circuit issued an order that denied plaintiffs’ emergency motion for injunctive relief, and allowed gather operations to begin at the Triple B Complex on July 20, 2011. Gather operations ended August 31, 2011. On September 7, 2011, the Plaintiff filed a Motion to voluntarily dismiss its appeal to the Ninth Circuit from the District Court’s denial of its motion for preliminary injunction, and this motion was granted. On June 15, 2012 Plaintiff filed its Motion for Summary Judgment and on July 16, 2012 the United States filed its response and Cross-Motion for Summary Judgment.

Am. Wild Horse Preserv. Campaign v. Salazar, (D.D.C.) (Filed 12-14-11) (BLM, USFS). Plaintiffs bring claims under the Wild Free-Roaming Horses and Burros Act and NEPA challenging BLM’s planned gather of wild horses, which includes the release of gelded males, on the Pancake Herd Management Area, Jakes Wash Herd Area, and other BLM and USFS lands in Nevada. On December 22, 2011, the court approved the parties’ joint motion for entry of an expedited summary judgment briefing schedule, in which Defendants stipulated to delay some of the challenged actions, namely gelding and zeroing Jakes Wash HA until summer 2012, and Plaintiffs stipulated that they would not seek emergency relief. On January 11, 2012, BLM announced that the gather would not proceed on USFS lands, and Plaintiffs later voluntarily dismissed the USFS. Initial gather operations under the Pancake Complex decision record began on January 12, 2012 and ended February 12, 2012, although the Pancake Gather decision record contemplates a 6-10 year plan for reaching AML on the Complex. After Plaintiffs submitted declarations from a lawsuit in Wyoming in support of their Motion for Summary Judgment, the United States filed a Motion to Strike the declarations. After the District Court denied the United States’ Motion to strike on May 9, 2012 and denied its request to file extra-record

responses to the declarations, the United States filed a motion for a voluntary remand of the decision on June 22, 2012. On September 11, the Court granted-in-part and denied-in-part Defendants' motion for voluntary remand and ordered the parties to file a joint schedule for briefing Plaintiffs' remaining claims challenging only the Ely RMP. However, the parties agreed to file a stipulation of voluntary dismissal without prejudice of Plaintiffs' remaining claims, which was filed on September 24, and the Court dismissed the case that same day. Plaintiffs reserved their right to file a motion for attorneys' fees.

DeLong Ranch IBLA Appeal (Filed 07-11-12). On July 11, 2012, Appellant grazing permittee filed a Notice of Partial Appeal from the Jackson Mountains HMA wild horse gather decision with the Interior Board of Land Appeals (IBLA) alleging that (1) BLM's Jackson Mountain HMA is larger than the area where wild horses were actually found in 1971 (i.e., the herd area); (2) that BLM is required to immediately remove excess horses and using a phased gather strategy to reach AML over time is inconsistent with the Wild Horse Act; (3) that BLM is required to prevent, mitigate or compensate Appellant for consumption of privately owned waters by excess wild horses. Winnemucca District and Regional Solicitor's Office are coordinating on preparation of the case file and response to the appeal.

Oregon

Loren and Piper Stout v. U.S. Forest Service, Case 2:09-cv-00152-HA (D. OR) (Filed February 2-5, 2009). Plaintiffs have filed suit against the U.S. Forest Service alleging failure to comply with the National Forest Management Act and Administrative Procedure Act by allowing excess horses to remain in the Murderers Creek Wild Horse Territory. The plaintiffs filed an amended complaint alleging USFS/BLM did not complete an Endangered Species Act (ESA) consultation on the 2007 Territory/Herd Management Area plan. In December 2010, the BLM was dismissed from this action. On July 30, 2012, Judge Ancer L. Haggerty granted the parties' Joint Stipulated Motion for Extension of Remand Period. USFS must complete consultation on the 2007 Wild Horse Plan by December 14, 2012.

Joy Townsend IBLA appeal of BLM decision to deny her future WHB adoptions

On July 10, 2012 BLM issued a decision to Joy Townsend to disapprove any future "Application for Adoption of Wild Horses or Burros", based upon violations of her previous Private Maintenance and Care Agreements. On August 8, 2012 Mrs. Townsend filed an appeal with IBLA (#IBLA-2012-0253) with no statement of reasons. On September 26, 2012, Mrs. Townsend provided IBLA with a statement of reasons for her appeal. BLM is working with US Attorney to file its answer to Plaintiffs complaint.

Downer Litigation - Kiger/Riddle HMA's, Craig Downer in July, 2011 filed for a TRO on the Kiger/Riddle gather (Case # CV'11-816-SU), based on genetic viability, violation of the WH&B Act and Congressional intent of the Act. On July 6, 2011 the Judge denied the TRO on failure to comply with rule 65(b) (1) (b) and Rule 65 (c). On July 20, 2011 the Appellant filed an

amended complaint Case # 2:11-CV-816-SU with the Cloud Foundation on the basis of not complying with the established BLM gather schedule, genetics and violation of the WH&B Act, inadequate range of alternatives/ NEPA analysis. BLM (US Attorney) filed its answer (Defendants answer to the first complaint) on September 6, 2011. On March 28, 2012 Plaintiffs and Defendants stipulated to a four month stay through June 29, 2012 to all proceedings to allow parties to explore the possibility of settlement. On May 4, 2012 all parties met for a settlement meeting at the U.S. Attorney's Office in Portland, OR. At this meeting, plaintiffs signed an agreement to withdraw their lawsuit. On May 11, 2012 council for plaintiffs formally dismissed the lawsuit.

Wyoming

Rock Springs Grazing Association, a Wyoming Corporation; v. Ken Salazar, in his official capacity as Secretary of the Department of Interior; the United States Department of the Interior; Robert V. Abbey, in his official capacity as Director of the Bureau of Land Management; and the United States Bureau of Land Management.

Plaintiff filed petition for relief to enforce the judgment and order in the case of Mountain States Legal Foundation and Rock Springs Grazing Association v. Clark, Secretary of Department of the Interior, Civ. No. 79-275, and direct the defendants to remove all of the wild horses that have strayed onto the RSGA lands within the Wyoming Checkerboard.

The case has been briefed and oral argument held, but court is refraining from ruling to allow settlement discussions to continue. The parties are to submit a status report on the progress of settlement by December 17, 2012.

U.S. Forest Service

Cloud Foundation v. Salazar, 1:09-CV-1651: Reconstruction of the north boundary fence for the Pryor Mountain Wild Horse Range based on a Forest Service decision regarding resource management issues on National Forest System lands is the focus of this litigation.

Loren and Piper Stout v. U.S. Forest Service, Case 2:09-cv-00152-HA (D. OR) (Filed 2-5-2009): Plaintiffs filed suit against the U.S. Forest Service alleging that the agency violated the National Forest Management Act, Administrative Procedure Act, and Endangered Species Act (ESA) by allowing horses in excess of the established Allotment Management Level to remain on the MC Territory, not consulting with the National Marine Fisheries Service (NMFS) on the 2007 Murderers Creek Wild Horse Management Plan (2007 Plan), and allowing wild horses to take threatened steelhead.

In March 2011, the district court ruled that the FS violated the ESA when it did not consult on the 2007 Plan. The court remanded the 2007 Plan to the FS and ordered the agency to consult with NMFS on the Plan's effects on listed steelhead and critical habitat. The FS initiated consultation with NMFS, and a final biological opinion is expected in December 2012. In April 2012, the court found that there were facts in dispute regarding whether wild horses caused a

take of steelhead, and therefore it will be necessary to have a trial on this claim. Currently, discovery is scheduled to occur this fall, and the trial is scheduled for March 2013.

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.

BLM Guidance as of October 5, 2012

Handbooks

FY2010

H-4700-1 WILD HORSES AND BURROS MANAGEMENT HANDBOOK

Manuals

FY 2010

MS-4710 Management Considerations

MS-4720 Removal

MS-4730 Destruction of Wild Horses and Burros and Disposal of Remains

FY 2009

H-4740-1 Wild Horse and Burro Program Aviation Management*

FY 2004

H-4760-1 Conducting Compliance Checks for BLM's Wild Horses and Burro Adoption Program*

FY 1998

H-4750-2 Adoption of Wild Horses and Burros*

Note: * indicates Guidance that has a Handbook reference number but is actually a Manual.

Instruction Memorandums

FY 2011

IM 2011-021, the BLM's Partnership with the Mustang Heritage Foundation

IM 2011-040, Protocols for Media at Wild Horse and Burro Gathers

IM 2011-193, FY 2012 Director's Challenge Expanding Volunteer Engagement in Monitoring and Sustaining the Health of BLM Wild Horse and Burro Herd Management Areas

FY 2010

IM 2009-041, Change 1, Euthanasia of Wild Horses and Burros for Reasons Related to Health, Handling and Acts of Mercy

IM 2010-057, Wild Horse and Burro Population Inventory and Estimation

IM 2010-130, Wild Horse and Burro Gather Decisions

IM 2010-130, Change 1, Wild Horse and Burro Gather Decisions

IM 2010-135, Gather Policy, Selective Removal Criteria, and Management Considerations for Reducing Population Growth Rates

IM 2010-162, Wild Horse and Burro Gather Daily Reporting Policy, Internal Communications Protocols

IM 2010-164, Public Observation of Wild Horse and Burro Gathers

IM 2010-183, Helicopter Capture of Wild Horses and Burros

FY 2009

IM 2009-041, Euthanasia of Wild Horses and Burros for Reasons Related to Health, Handling and Acts of Mercy

IM 2009-062, Wild Horse and Burro Genetic Baseline Sampling

IM 2009-063, Gelding of Wild Horses and Burros and Gelding Vouchers

IM 2009-074, Wild Horse and Burro Vaccinations in Short-term Holding Facilities

IM 2009-085, Managing Gathers Resulting from Escalating Problems and Emergency Situations

IM 2009-090, Population-Level Fertility Control Field Trials: Herd Management Area Selection, Vaccine Application, Monitoring and Reporting Requirements

IM 2009-107, BLM Manual 9400, Aviation Management and BLM Wild Horse and Burro Aviation Management Handbook 2009 Revision

IM 2009-172, Requirements for Selection of Wild Horses for Mustang Heritage Foundation Competitive Events

FY 2008 None

FY 2007 None

FY 2006

IM 2006-023, Euthanasia of Wild Horses and Burros

IM 2006-074, Gelding of Wild Horses/Burros and Gelding Vouchers

FY 2005

IM 2005-101, Direction for the Sale of Wild Horses and Burros

IM 2005-204, Implementation of Strategic Research Plan for Wild Horse and Burro Management

IM 2005-206, Gather Policy & Selective Removal Criteria

IM 2005-207, Wild Horse and Burro Adoption: Buddy, Previous Adopter Reward and Promotion Animal Programs

IM 2005-216, National Adoption Plan

FY 2004

IM 2004-138, Gather Plan and Environmental Assessment Review and Content Requirements for Fertility Control

IM 2004-151, Establishment/Adjustment of Appropriate Management Levels, and Managing Planned Escalating Problem and Emergency Gathers; DD: AML Establishment Schedule 04/15/2004

FY 2003

IM 2003-185, Field Review of Strategic Research Plan for Wild Horse and Burro Management; DD: 06/30/2003

Guidelines Regarding Wild Horse and Burro Advisory Board Members' Participation Outside Advisory Board Meetings

Issued April 4, 2012

I. Advisory Board-formed Working Groups

Definition:

- Group is formed by the Advisory Board
- Group is comprised solely of current Advisory Board members and participation in Working Groups terminates upon termination of Board membership.
- BLM provides information as requested to the Group on the Group's subject area
- BLM does not participate in Group discussions
- Group reports findings/recommendations directly and only to the Advisory Board

Reference:

General Services Administration 41 CFR Part 102-3.160

"What activities of an advisory committee are not subject to the notice and open meeting requirements of the Act?"

The following activities of an advisory committee are excluded from the procedural requirements contained in this subpart:

- (a) Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and
- (b) Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency."

Currently Recommended Advisory Board-formed Working Groups

- A workgroup to evaluate protocol for optimizing volunteers.
- A workgroup to expand the toolbox for population growth suppression and include all alternatives.

II. BLM-formed Group requesting Advisory Board External Experts

Definition:

- Group is formed by the BLM
- BLM requests an external expert(s) from the Advisory Board
- Advisory Board recommends Board members to serve on the Group
- External Experts can meet with the BLM-formed Group to present their independent views and recommendations, participate as individuals, and contribute independent opinions regarding issues, materials and questions posed to them by the BLM-formed Group.
- External Experts cannot collaborate with the BLM-formed Group to develop findings and recommendations

- The BLM-formed Group develops and presents the Group's findings and recommendations, and reports them to the Advisory Board.
- External Experts from the Advisory Board must be current Advisory Board members and participation terminates upon termination of Board membership.

Reference:

General Services Administration 41 CFR Part Parts 102-3.40

"What types of committees or groups are not covered by the Act and this part?"

The following are examples of committees or groups that are not covered by the Act

- (e) Groups assembled to provide individual advice. Any group that meets with a Federal Official(s), including a public meeting, where advice is sought from the attendees on an individual basis and not from the group as a whole;
- (f) Groups assembled to exchange facts or information. Any group that meets with a Federal official(s) for the purposes of exchanging facts or information."

Current BLM-formed Groups with Recommended External Experts

- Three external experts were recommended by the Advisory Board to serve on the BLM's Comprehensive Animal Welfare Program team.
- One External Expert was recommended by the Advisory Board to serve on the BLM's Research Team
- One External Expert was recommended by the Advisory Board regarding Program Strategy Implementation.

Reference Used:

Federal Register Notice – Thursday, July 19, 2001

III. The BLM 's Response to Recommendations

The BLM will accept or not accept recommendations from the Advisory Board concerning Advisory Board formed Working Groups and BLM formed Groups requesting Advisory Board external experts within one month of the meeting. The BLM wants to enable the Advisory Board to participate and share their valuable assistance as soon as possible.

NOTE: All recommendations above were made by the Advisory Board during the October 13-14, 2011 Board meeting in Washington DC.

National Wild Horse and Burro Research Advisory Team
Briefing to the Wild Horse and Burro Advisory Board
Salt Lake City, Utah
October 29-30, 2012

RESEARCH UPDATES

FERTILITY CONTROL

A Field Trial to Assess the Efficacy of SpayVac® as a Contraceptive for Wild Horses (Proposed)

Location: North Lander, WY; Lead(s): USGS, APHIS -- The information provided here expands upon that initially reported to the Board in last year's briefing, under the section titled *USGS Population Growth Suppression Field Trials with BLM HMAs*. The North Lander Complex of Herd Management Areas (HMAs) was chosen as the location for a field trial of the immunocontraceptive SpayVac®, a porcine zona pellucida (PZP) immunocontraceptive vaccine produced by Immunovaccine Inc., Halifax, Nova Scotia. A research proposal was submitted to the Wild Horse and Burro Program's Research Advisory Team, and is currently under review. Additional documentation was submitted to the Animal Care and Use Committee at the Fort Collins Science Center, U.S. Geological Survey for review and approval. Vaccine was ordered from the manufacturer, an import permit was obtained from the USDA Animal and Plant Health Inspection Service, and documentation that Experimental Use Permits were not required was obtained from the Wyoming Department of Agriculture and U.S. Environmental Protection Agency.

As proposed, the non-aqueous form of SpayVac will be administered to approximately 60 mares during a gather planned for early November 2012; the gather is intended to reduce the size of the herds in the four HMAs that make up the North Lander Complex. An additional 30 mares will remain untreated and serve as controls. Following vaccination, mares will be returned to the areas where they were found during the gather. Annual foaling rates will be used as the measure of efficacy for the vaccine for up to 5 years, and will be estimated from presence/absence of foals in treated and control animals. Based on preliminary observations, horses in this study area exhibit avoidance behaviors to humans; thus, this study does not propose to collect additional information on behavioral response variables. If the treatment and control groups incidentally become acclimated to human presence and easier to approach, data on behaviors, such as social interaction and the interchange of mares between bands, may be collected and included in the evaluation of the vaccine.

Herd Composition Study with Geldings and Epidymectomized Stallions (Tabled)

Location: TBD; Lead(s): USGS, BLM -- To date, the BLM has not implemented the approach of reducing the number of mares in a herd by replacing them with geldings

and epididymectomized stallions, which could result in a herd composition of approximately 1/3 mares, 1/3 intact stallions, and 1/3 sterilized males. A study to examine potential impacts of this approach to reducing population growth may be revisited in the future, depending on interest, funding, and availability of a suitable study site.

SpayVac® Pasture Trials (Update)

Location: BLM Adoption Facility, Pauls Valley, OK; Lead(s): USGS, APHIS -- This SpayVac® trial is taking place in three 30-acre pastures at Pauls Valley, Oklahoma, and continues as planned. Stallions were reintroduced into the pastures on 2 May 2012 (one per pasture, randomly assigned from a pool of 10, with a new stallion rotated in approximately every 3 weeks) and removed on 1 October 2012. Mares were observed daily for the presence of a foal and subsequent breeding. Foaling data have yet to be analyzed, but cursory examination indicates that the vaccine is having the intended effect. Blood samples will be drawn in December for pregnancy testing (second year of vaccine effect) and titer analysis.

3-4-year PZP Immunocontraceptive Pen Trial Study (Update)

Location: Northern Nevada Correctional Center (Carson City Prison), NV; Lead(s): Dr. John Turner, University of Toledo, OH -- This captive breeding trial of a longer lasting pelleted PZP product is being conducted in collaboration with BLM. This trial began in March 2011 and involves 104 mares in one control and four treatment groups; 10-12 breeder stallions are rotated through the pens, and breeding activity is monitored by prison personnel. Several blood draws have occurred to monitor PZP antibody levels and to identify pregnancy. The pregnancy lab test results from the fall of 2011 provided inconsistent results, so physical palpation and ultrasound have been subsequently used in the fall 2011 and fall 2012 to evaluate pregnancy status. The first-year fertility rate for mares given controlled-release PZP vaccine ranged from 0-19.0%. Currently, the pen trial has finished its second breeding season. A progress report on the assessment of pregnancies from the 2012 breedings is being prepared, and is expected in January of 2013. This study is scheduled to continue until September of 2015.

PZP Studies at Sand Wash Basin, CO and Cedar Mountain, UT (Update)

Location: Sand Wash Basin, CO and Cedar Mountain, UT; Lead(s): HSUS -- This study began in 2008 with mares being hand-injected with PZP-22 (a liquid primer plus pellets engineered to release at 1, 3 and 12 months to serve as boosters) during October (Sand Wash) and December (Cedar Mt) gathers. In fall 2010, mares in Sand Wash Basin were retreated by darting with either liquid PZP alone or PZP-22 pellets. In February 2012, 143 mares were treated in Cedar Mountain during another gather.

Results from this study continue to indicate that PZP-22 is less effective than that reported for the Clan Alpine (NV) by Dr. John Turner. HSUS has postulated that this

lower efficacy may be attributed to the vaccine being administered earlier in the year (Oct and Dec) than in Clan Alpine (Jan). Population-level responses have been difficult to ascertain due also to different proportions of mares being treated in each herd and the Cedar Mountain study site being geographically open with the adjacent military installation, allowing horses to move in and out of the study area.

HSUS presented results from various aspects of this study at the Annenberg Foundation's Wild Horse Symposium in Jackson Hole, WY on August 28, 2012. This study is scheduled to continue through 2012 with monitoring of mares and foals by HSUS and funding through 2012 by the Annenberg Foundation. The HSUS has also recently approached the BLM about their desire to request funding from the BLM to continue monitoring mares and foals and treat new mares in these HMAs for an additional 3 years (2013-2015). Further consideration of this request is pending an updated progress report from HSUS as well as their response to comments made by the BLM's Research Advisory Team on earlier Progress reports.

POPULATION SURVEY TECHNIQUES

Training and Implementation (Update)

Location: NA; Lead(s): BLM/USGS -- The goal of the NPO is to train 1 or 2 individuals within each state who will specialize in these survey techniques and assist in their implementation. In August, 2012, the BLM hired Dr. Jeff Manning to lead the BLM's efforts in implementing these new techniques Bureau wide and provide training sessions to new employees and refresher courses for trained specialists.

In September 2012, the USGS conducted a second training session on the application of two aerial survey techniques recommended for estimating the population size of wild horses. Eight BLM employees representing CA, WY, NM, and the Washington Office attended. To date, BLM employees from eight states (CA, CO, ID, NM, NV, OR, UT, and WY) have been trained in these survey techniques.

The two population survey techniques that were developed and recommended by the USGS for conducting horse population surveys are photographic mark-resight and simultaneous double count. These techniques are based on sound sampling and statistical theory, and their reliability for accurately estimating population sizes has been repeatedly demonstrated in numerous taxonomic groups worldwide, including North American ungulates, marine mammals, birds, insects, and plants. The mark-resight technique is suitable for herds that occupy lands with relatively complex topography/vegetation structure, and requires the use of a helicopter; the simultaneous double-count technique is applicable to large herds in relatively flat and open areas, and utilizes fixed-wing aircraft.

In the past 5 years, the USGS/Colorado State University published several papers on these techniques and related topics in peer-reviewed scientific journals. These include:

1. Ransom, J.I. 2012. Detection probability in aerial surveys of feral horses. *Journal of Wildlife Management* 76: 299-307. Available at: <http://www.fort.usgs.gov/ED/Bibliography.asp>
2. Lubow, B.C. and J.I. Ransom. 2009. Validating aerial photographic mark-recapture for naturally marked feral horses. *Journal of Wildlife Management* 73: 1420–1429. Available at: <http://www.fort.usgs.gov/ED/Bibliography.asp>
3. Lubow, B.C., and Ransom, J.I., 2007, Aerial population estimates of wild horses (*Equus caballus*) in the Adobe Town and Salt Wells Creek Herd Management Areas using an integrated simultaneous double-count and sightability bias correction technique: U.S. Geological Survey Open-File Report 2007-1274, 13 p. Available at: <http://www.fort.usgs.gov/Products/Publications/22003/22003.pdf>

USGS is still available for consultation on survey design and other technical questions related to the new population estimation techniques.

GENETICS

Genetic Analysis of Wild Horse and Burro Hair Samples (Update)

Location: Bureau wide; Lead(s): Texas A&M University -- Dr. Gus Cothran continues to receive hair samples from gather operations and prepare reports that summarize the level of genetic diversity within Herd Management Areas. He also continues his comprehensive analysis of the genetic samples he has received from horse and burro herds over the years. It is anticipated that he will submit the findings from this analysis to the BLM for review and for publication in a peer reviewed scientific journal. He presented preliminary results from this work at an international conference on wild equids in Austria in September 2012.

**Forest Service 2012 Report to
Wild Horse and Burro Advisory Board**
October 4, 2012

The Forest Service continues to work closely with the BLM on all gathers and the final disposition of gathered horses and burros. The Forest Service has reimbursed the BLM for work associated with gathers, etc., and long term care through a Memorandum of Understanding spelling out the reimbursement provisions. The Forest Service has been able to accomplish this through an efficient method authorized by Congress in the FY 2005 Consolidated Appropriations Act. A new five-year Interagency Agreement between the Forest Service and BLM was signed in September 2011 that will promote continued cooperation between the two agencies.

2011 Gather Statistics

Two hundred, twenty-three (223) wild horses and 68 wild burros were gathered from lands within or adjacent to seven Forest Service territories in fiscal year 2011. The territories were: Double A in Arizona (68 burros); Black Mountain in California (4 horses); Jicarilla in New Mexico (75 horses); Big Summit (6 horses) and Murderers Creek (60 horses) in Oregon; and North Hills (44 horses) in Utah. One hundred and eight (108) horses from the Jicarilla Territory (Carson NF) were placed for adoption.

2012 Planned, Emergency and Actual Gathers

The Forest Service had five territories with planned gathers in FY 2012: Double A in Arizona (25 burros); Big Summit (15 horses) in Oregon; Murderer's Creek (195 horses) in Oregon; Jarita Mesa in New Mexico (90 horses); and a fifth HMA/WHT complex will be bait trapped: Pryor Mountain WH Range in Montana (30 horses).

Emergency Gathers – To date there have been no emergency gathers on NFS lands. There was one emergency gather and another nuisance gather on HMA/territory complexes in Nevada (Pancake, Red Rock). Because water sources on NFS territories are generally at higher elevations, water sources and summer range forage have not been depleted. Drought conditions on these individual territories and HMA/territory complexes have caused horses and burros to seek water and forage outside territory boundaries. August rainfall provided some green up and surface waters in central, eastern and southern Nevada.

Double A WBT- To date, 23 burros were gathered. **Big Summit WHT** - No horses were gathered due to BLM space and emergency gather issues in Oregon; **Murderers Creek WHT** - 83 horses were gathered off Murderers Creek and bait trapping has resumed for removal of an additional 40 horses by the end of the calendar year and 105 total by end of FY2013 (September 2013). The target removal has been restricted due to space and emergency gather issues. **Jarita Mesa WHT**- Ninety-nine (99) horses have been bait trapped with 72 removed and 22 mares captured, treated with PZP-22 and released (CTR); one (1) stallion was also released back onto the territory. Twelve of those animals were placed in the TIPs program and adopted. This CTR project was conducted in partnership with HSUS.

Due to delays in NEPA planning and/or limited space at BLM short-term facilities, three territories were removed from the 2012 schedule. Jicarilla/Carracas Mesa in New Mexico (365 horses) will have 365 horses gathered, with 91 head removed and 185 mares treated with PZP-22 and released. Big Bear (30 burros) in California and Double A (34 burros) in Arizona will be scheduled in spring 2013 if space is available. A large gather on Devils Garden (600 horses), Modoc NF, CA will have NEPA completed in FY2013 and scheduled gathers beginning in FY2014.

FY2013 NEPA Planning

NEPA planning will be initiated on five territories in FY2013, including 3 territories in Nevada, 1 territory in Oregon and 1 territory in California. The territories are Monte Cristo WHT, Hickison WBT, and Spring Mountain WH&BT in Nevada; Murderer's Creek in Oregon; and Devils Garden in California.

Litigation

Cloud Foundation v. Salazar, 1:09-CV-1651: Reconstruction of the north boundary fence for the Pryor Mountain Wild Horse Range based on a Forest Service decision regarding resource management issues on National Forest System lands is the focus of this litigation.

Loren and Piper Stout v. U.S. Forest Service, Case 2:09-cv-00152-HA (D. OR) (Filed 2-5-2009): Plaintiffs filed suit against the U.S. Forest Service alleging that the agency violated the National Forest Management Act, Administrative Procedure Act, and Endangered Species Act (ESA) by allowing horses in excess of the established Allotment Management Level to remain on the MC Territory, not consulting with the National Marine Fisheries Service (NMFS) on the 2007 Murderers Creek Wild Horse Management Plan (2007 Plan), and allowing wild horses to take threatened steelhead.

In March 2011, the district court ruled that the FS violated the ESA when it did not consult on the 2007 Plan. The court remanded the 2007 Plan to the FS and ordered the agency to consult with NMFS on the Plan's effects on listed steelhead and critical habitat. The FS initiated consultation with NMFS, and a final biological opinion is expected in December 2012. In April 2012, the court found that there were facts in dispute regarding whether wild horses caused a take of steelhead, and therefore it will be necessary to have a trial on this claim. Currently, discovery is scheduled to occur this fall, and the trial is scheduled for March 2013.