

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



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Bureau of Land Management

Contents

Executive Summary	3
Monday, April 23, 2012	6
Welcome	6
Call to Order	6
BLM Leadership’s Remarks & Recognitions	7
Welcome & Introduction to BLM Nevada’s Program.....	8
October 13 – 14, 2011 Meeting Minutes Approval.....	9
Wild Horse and Burro Program Update	9
Director’s Challenge	11
FY2012 Wild Horse & Burro Budget	12
FY2013 President’s Budget.....	12
Gather Schedule, Summer FY2012 and Fall/Winter FY2013.....	13
Short Term Corral & Long Term Holding Pasture Facilities.....	13
FY2012 Adoptions & Sales.....	14
Tuesday, April 24, 2012	15
BLM Sage Grouse Planning Strategy	15
Wild Horse and Burro Program Update (continued)	17
Research Advisory Team	17
USFS’s Wild Horse & Burro Report.....	19
Eco-Sanctuary Proposals	19
Comprehensive Animal Welfare Program.....	20
Public Comment Period.....	21
Appointment of Board Chairs – 2012 through 2014.....	22
Standard Operating Procedures.....	22
Charter.....	22
Standard Operating Procedures.....	22
Board Recommendations to the BLM	23
Board Recommendation Discussions Which Were Dropped or Require Further Action.....	24
Meeting Adjournment.....	25
Acronyms.....	26
Attachments.....	27

Attachment 1 – BLM Response to Wild Horse and Burro Advisory Board.....	27
Attachment 2 – Guidelines Regarding Wild Horse and Burro Advisory Board Members’ Participation Outside Advisory Board Meetings.....	30
Attachment 3 – BLM FY2012 AWP Budget Allocation	32
Attachment 4 – FY2013 President’s Proposed Budget for BLM’s Wild Horse & Burro Program.....	33
Attachment 5 – National Bait Trapping Proposed Trap Zones.....	34
Attachment 6 – Adoption & Sales Comparison of FY2012 & FY2011	35

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 Enclosure 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 enclosure 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.

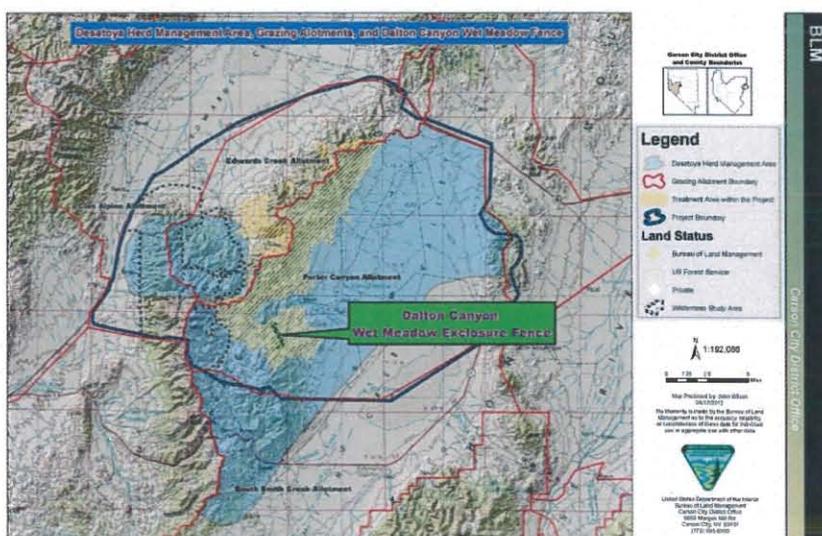


Figure 1 - General Location of the Dalton Canyon Wet Meadow Riparian Enclosure

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

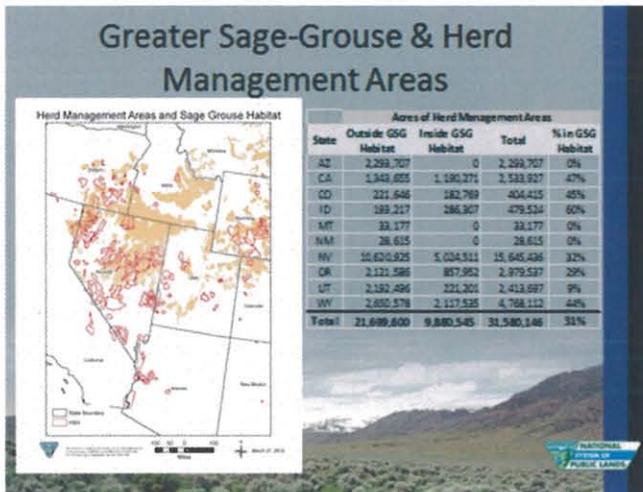


Figure 2 - Comparison of Great Sage Grouse and Wild Horse & Burro Herd Management Areas

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.

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's	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:

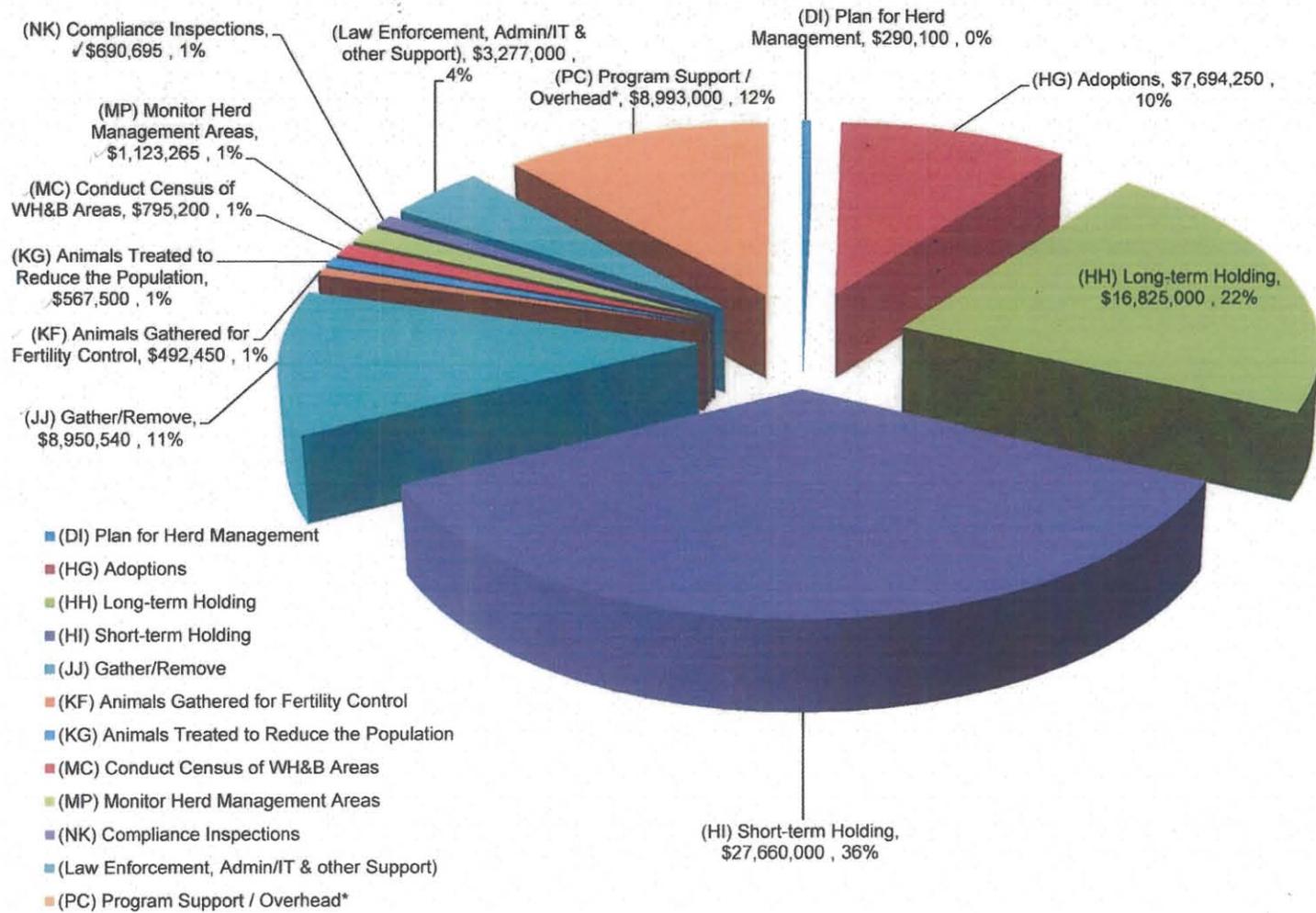
Federal Register Notice – Thursday, July 19, 2001

III. The BLM 's Response to Recommendations

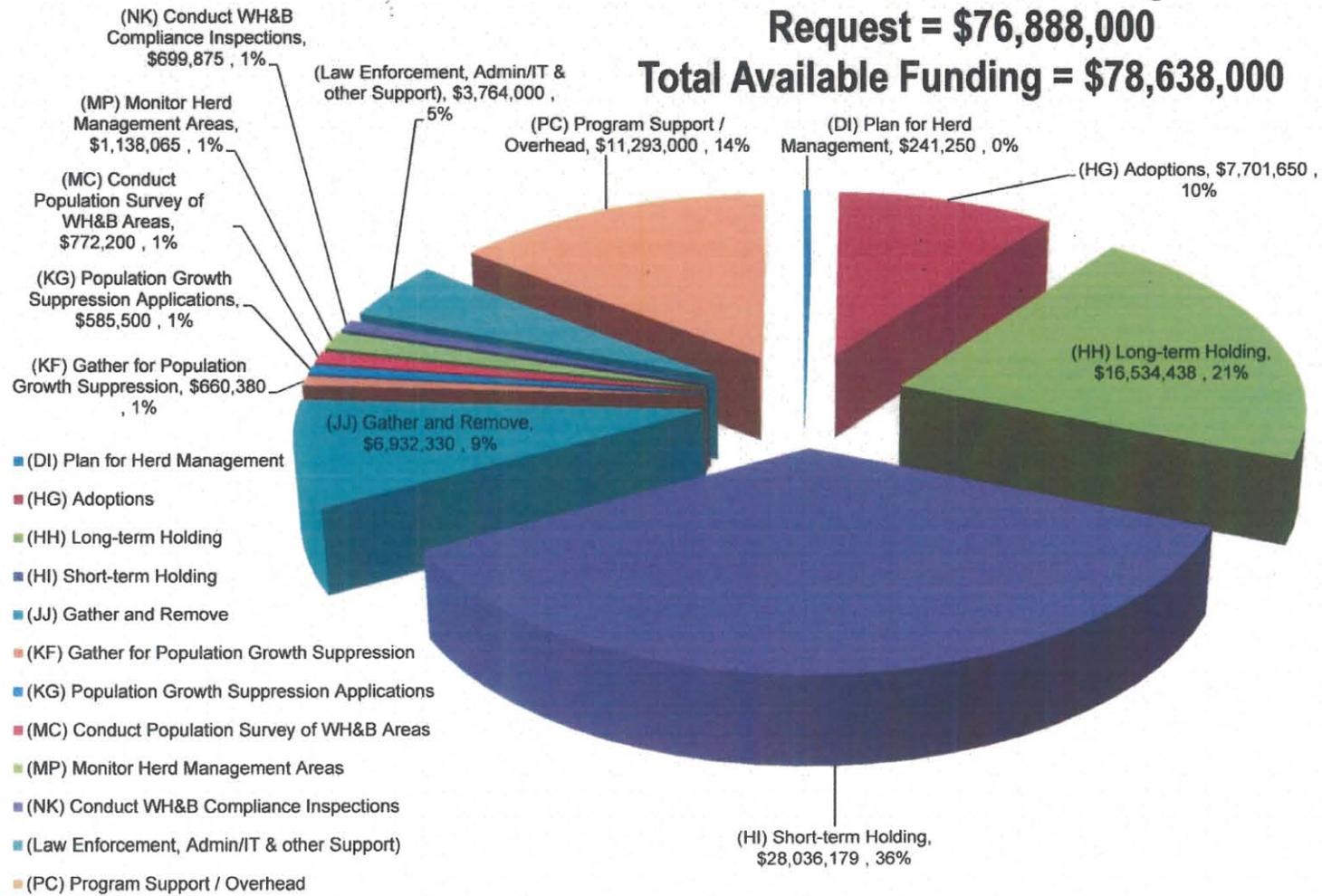
The BLM will accept or not accept recommendations from the Advisory Board concerning Advisory Board formed Working Groups and BLM formed Groups requesting Advisory Board external experts within one month of the meeting. The BLM wants to enable the Advisory Board to participate and share their valuable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

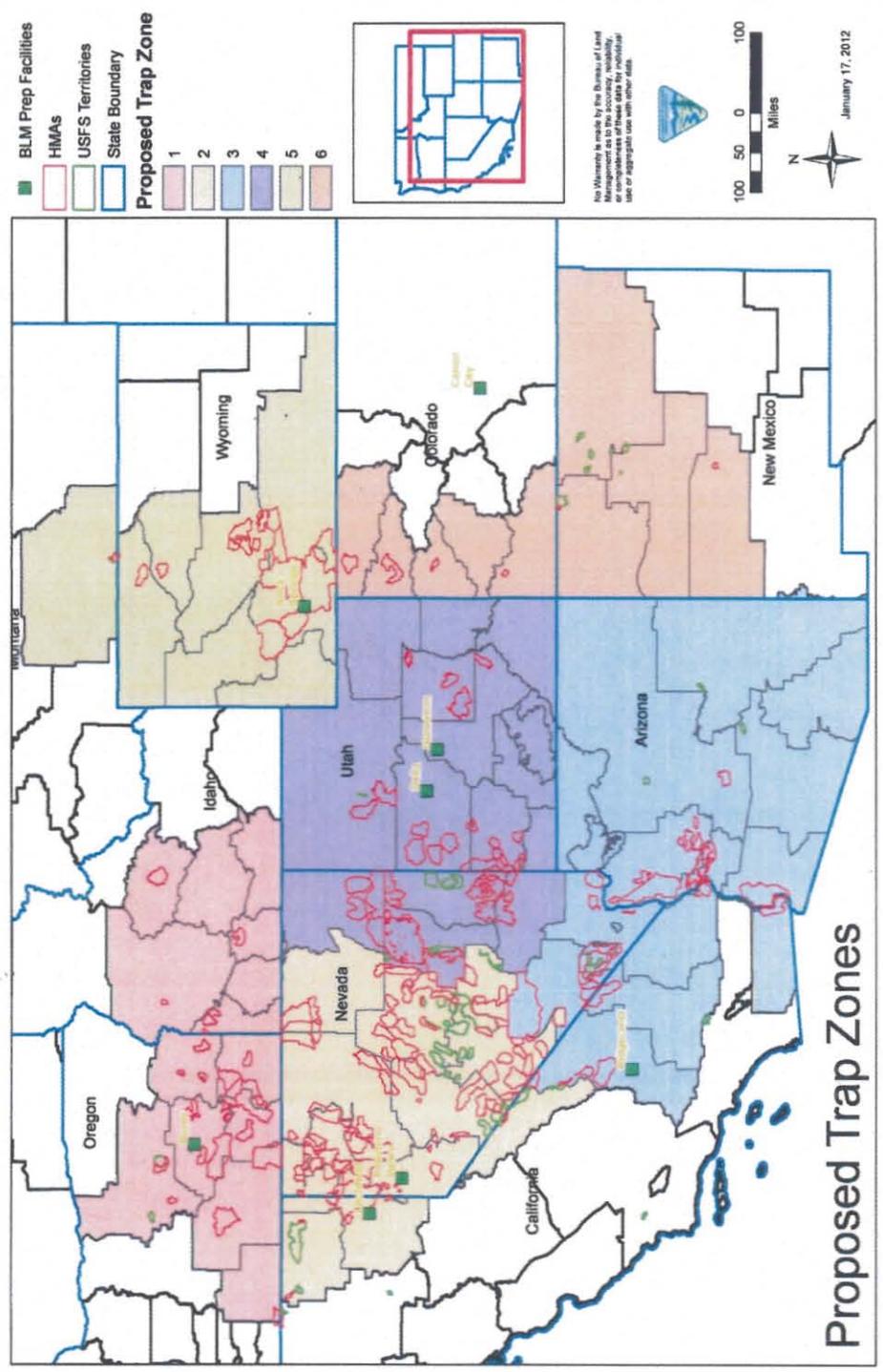
FY 2012 February Annual Work Plan = \$77,359,000



**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