

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

# National Wild Horse & Burro Advisory Board Meeting

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## Volume 1 Meeting Minutes

340 Commercial Street  
Elko, Nevada 89801

September 8 - 9, 2016



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 U. S. Forest Service (FS) on matters pertaining to the management and protection of wild, free-roaming horses and burros on the Nation's public lands.

During its September 8 - 9, 2016, meeting held in Elko, Nevada, the Board received updates from BLM on a number of different areas pertaining to the management of wild horses and burros, which are summarized below.

Ms. Kristen Bail, BLM's Assistant Director for Natural Resources and Planning and the Board's Designated Federal Official opened the meeting by welcoming the Board and announcing that she had recently been appointed permanently to the Assistant Director position. Ms. Bail stated that there are many important components of the wild horse and burro program requiring thoughtful dialogue, action, and everyone working together on behalf of having healthy horses and burros on healthy rangelands.

Mr. John Ruhs, BLM Nevada's State Director welcomed the Board to Nevada and provided an overview of BLM Nevada's resource programs including three of the largest programs within the agency – wild horses, mining, and grazing. With the responsibility for managing and overseeing 63 percent of the land area in Nevada – 48 million surface acres and 59 million subsurface acres – it is important to remember that the public land is owned by the American people and its management has been entrusted to the BLM. Mr. Ruhs summarized the numerous laws that shape and direct BLM's management of the public lands and its many resource programs, which includes (but is not limited to) renewable energy, non-renewable energy, mining, grazing, wildlife including habitat for the Greater Sage-grouse and Bi-State Sage-grouse populations, the wild horse and burro program, wildland fire, BLM's National Landscape Conservation System, Areas of Special Designation, and recreation.

Mr. Ruhs was followed by Mr. Alan Shepherd, BLM Nevada's Wild Horse and Burro State Lead, who addressed BLM Nevada's wild horse and burro program in more detail. In summary, BLM Nevada's program includes nine Wild Horse and Burro Specialists who are responsible for managing and overseeing 83 Herd Management Areas (HMAs) of which 72 are significantly above their designated Appropriate Management Level (AML). The State's wild horse and burro population as of March 1, 2016, of approximately 34,500 (not including the 2016 foal crop) is approximately 260 percent above the State's AML of 12,811 animals. Management of the wild horse and burro population continues to be difficult with the extended drought. On a brighter note, BLM Nevada has established successful partnerships with the Northern Nevada Correctional Center and the Mustang Heritage Foundation for placing animals in good homes.

In a joint presentation, Mr. Bill Wolf and Ms. Julie Hughes, Chair and Co-Chair, respectively, for the Northeast Great Basin Resource Advisory Council (RAC),<sup>1</sup> briefly addressed the RAC and how it works with the BLM as well as some of its concerns particularly in relation to wild horses and burros as well as sage-grouse. A map was presented that overlaid wild horse and burro HMAs in Nevada and Sage-grouse priority habitat management areas, general habitat management areas, and other habitat management areas.

In addressing BLM's national wild horse and burro program, Mr. Dean Bolstad, Chief of BLM's Wild Horse and Burro Division in Washington, D. C., discussed major challenges and issues of the program including the increasing population levels; lack of highly effective, affordable, easy administered fertility control methods; limited outlets for placing animals into good homes; high holding costs; and restricted gather targets. In addition, Mr. Bolstad discussed program priorities, what can and cannot be addressed with the program's existing resources (personnel and funding), and concluded with some general remarks.

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<sup>1</sup> RACs consists of a 15-member advisory panel that provides advice and recommendations to the BLM on resource and land management issues for 47.5 million acres (63 percent of the state) of BLM-administered lands in Nevada.

In closing the first day of the meeting, 34 speakers were given opportunity to address the Board with their thoughts, comments, and concerns during the meeting's public comment period.

Ms. Hope Woodward from the FS opened Day 2 of the meeting by providing an overview the agency's national wild horse and burro program, which involves 34 active territories encompassing approximately 2 million acres. With a national AML of approximately 2,000 wild horses and 296 burros, the current population of 6,000 wild horses and 900 burros is 300 percent above of the national AML. Ms. Woodward also summarized the agency's planning efforts for development and implementation of wild horse and burro management plans, implementation efforts on several Forests, and management of Sage-grouse and its relationship to the agency's wild horse and burro program.

Ms. Holle' Hooks, BLM's Off-Range Branch Chief, provided an update addressing several areas including holding space activities in corrals, pastures, and eco-sanctuaries; the Comprehensive Animal Welfare Program; marketing firm support; the Adoption Incentive Pilot Program; changes to the Internet Adoption website; several trained animal programs; and placement of animals into private care.

Ms. Kali Sublett, Executive Director, and Bryan Hogan, Program Director for the Mustang Heritage Foundation provided an overview of the Foundation's training and adoption programs (Extreme Mustang Makeover and the Trainer Incentive Program) and non-BLM funded programs (Veterans & Mustangs, America's Mustang Campaign, and America's Mustang Ex.

With the terms of three Board members expiring, Mr. Fred Woehl, Dr. Susan McDonnell, and Dr. Julie Weikel were recognized for their service and commitment to the wild horse and burro program.

Mr. Gordon Toevs, BLM's Senior Resource Advisor in Washington, D. C., provided an overview of the fundamentals of BLM's rangeland health program particularly as it applies to the Greater Sage-Grouse and wild horses and burros. In summary, Mr. Toevs' presentation set the stage for understanding rangeland health; the legislation, regulations, and science underpinning rangeland health; an inter-agency effort in the western United States to collect range-wide data; turning the data into usable information; identifying desired future conditions; and how a determination is reach that the rangelands are (or are not) meeting the desired future conditions.

Mr. Jared Bybee, BLM's acting On-Range Branch Chief provided an update on the FY16 population estimates; gather, removal, and fertility control efforts; escalating problems; Sage-grouse; litigation; and Freedom of Information Act requests.

In his research program update, Dr. Paul Griffin, BLM's Research Coordinator provided an update on 21 research and pilot projects and the agency's population inventory efforts.

Mr. Dean Bolstad reviewed BLM's responses to eight recommendations made by the Board at its April 2016 meeting.

Mr. Michael Reiland, a Budget Specialist in BLM's Washington Office provided an overview of BLM's FY16 program expenditures and accomplishments (year to date).

After the presentations, five Advisory Board working groups presented updates on efforts to address several different aspects of the program. Discussions during the working group updates resulted in the Board developing seven draft recommendations, which were finalized for presentation to the BLM and provided below.

Recommendation #1: The National Wild Horse and Burro Advisory Board recommends BLM follow the stipulations of the Wild Horse and Burro Act by offering all suitable animals in long- and short-term holding deemed unadoptable, for sale without limitation or humane euthanasia. Those animals deemed unsuitable for sale should then be destroyed in the most humane manner possible.

Recommendation #2: The National Wild Horse and Burro Advisory Board recommends BLM prioritize designated sage-grouse habitat for removal of excess animals. BLM should use degree of range degradation as a criterion for prioritization for removal of excess animals i.e., consideration should be given to those rangelands that can be restored and maintained in a healthy status.

Recommendation #3: The National Wild Horse and Burro Advisory Board recommends BLM develop partnerships with economic agencies and/or departments to conduct an analysis of socio-economic and environmental effects on communities with reduced AUMs on HMAs due to range degradation resulting from over-population of wild horses and/or burros. Further analysis should be conducted regarding the effects of the potential removal of all domestic livestock from all HMAs.

Recommendation #4: The National Wild Horse and Burro Advisory Board recommends BLM encourage BLM RACs to develop and submit for consideration their ideas for herd management and range rehabilitation strategies tailored to their specific areas and HMAs based on local knowledge and expertise.

Recommendation #5: The National Wild Horse and Burro Advisory Board recommends BLM advertise and conduct more frequent adoption events at off-range corrals to enable more horses & burros to reach sale eligible status.

Recommendation #6: The National Wild Horse and Burro Advisory Board recommends BLM facilitate an invitation to all Board members to attend spay trials when they might occur, if allowed by protocols governing the trial.

Recommendation #7: The National Wild Horse and Burro Advisory Board asks the BLM to continue to work toward full implementation of previously accepted recommendations of the Board and prioritize according to BLM matrix of meeting AML. Note: This is the first recommendation from the Board's April 13 – 14, 2016 meeting.

**Thursday, September 8, 2016**

**Welcome and Introductions**

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

Mr. Woehl called the meeting to order at 1:05 p.m. by asking all past and present veterans in the room to stand and be recognized. After leading the pledge of allegiance, Board members were asked to introduce themselves (Attachment 1.) Ms. Jennifer Sall was unable to attend the meeting. Mr. Woehl then introduced two BLM representatives - Kristin Bail, Assistant Director for Resources and Planning and the Board's Designated Federal Official, and Dean Bolstad, Wild Horse and Burro Division Chief. Mr. Bolstad welcomed everyone to the meeting and introduced a number of other BLM and FS representatives attending in the meeting.

<b>NATIONAL WILD HORSE &amp; BURRO ADVISORY BOARD MEMBERS</b>	
<b>Board Member</b>	<b>Representing</b>
<b>Mr. Fred T. Woehl, Jr. (Chair)</b>	Public Interest
<b>Ms. Ginger Kathrens</b>	Humane Advocacy
<b>Mr. Ben Masters</b>	Wildlife Management
<b>Mr. Steven Yardley</b>	Livestock Grazing
<b>Ms. Jennifer Sall</b>	Public Interest
<b>Dr. Julie M. Weikel</b>	Veterinary Medicine
<b>Ms. June Sewing</b>	Wild Horse & Burro Advocacy
<b>Dr. Robert E. Cope</b>	Natural Resource Management
<b>Dr. Sue M. McDonnell (Vice Chair)</b>	Wild Horse & Burro Research

Mr. Woehl recognized Dr. Boyd Spratling past Chair of the National Wild Horse and Burro Advisory Board.

**Agenda Review**

**Kathie Libby, Facilitator, BLM**

Ms. Libby, serving as the meeting's facilitator, introduced herself and welcomed those attending the meeting in person and those participating via the Internet through online streaming. She reviewed the rules of the meeting which included the importance of being respectful of others to ensure work can be accomplished, voices can be heard, and respect can be paid.

Ms. Libby reviewed the agenda for the meeting and noted the public comment period will begin at 3:15 p.m. this afternoon. Two hours were set aside for the public comment period; therefore, the amount of time each speaker will be given may be limited to approximately 3 minutes depending on the number of individuals wishing to speak. Individuals wishing to provide comments to the Board were asked to sign up no later than 3 p.m.

**Opening Remarks**

**Kristin Bail, Designated Federal Official, Assistant Director for Resources and Planning, BLM**

Ms. Bail indicated that she had recently been permanently appointed as BLM's Assistant Director for Resources and Planning responsible for overseeing and providing leadership to many programs including the wild horse and burro program (Program). She is gratified to be able to continue her involvement in the Program and has been struck by the amount of passion, engagement, and commitment demonstrated by members of the public as well as BLM staff at all levels of the agency. There are many important components of the Program requiring thoughtful dialogue, action, and everyone working together on behalf of having healthy horses and burros on healthy rangelands. Ms. Bail expressed her appreciation for those attending the meeting as well as those who continue to be BLM's partner in implementing the wild horse and burro program.

## Welcome & Introduction to Nevada

*John F. Ruhs, Nevada State Director, BLM*



John Ruhs

Mr. Ruhs welcomed the Board to Nevada and thanked them for participating in the tour yesterday sponsored by the BLM's Elko District Office.

To highlight BLM's mission (inset), Mr. Ruhs provided an overview of BLM Nevada's resource programs including three of the largest programs within the agency – wild horses, mining, and grazing. Being responsible for the management and oversight of 63% of the land area in Nevada – 48 million surface acres and 59 million subsurface acres – it is important to remember that the public land is owned by the American people and its management has been entrusted to the BLM. There are many priorities to consider and address as BLM Nevada manages its programs which include suppression of wild fires and subsequent emergency rehabilitation and stabilization actions necessary for restoring America's rangelands.

Numerous laws (below) shape and direct BLM's management of the public lands and its many resource programs. In Nevada, BLM is responsible for regulating renewable energy (solar, geothermal, and wind), non-renewable energy (primarily oil and gas), mining, and grazing. Of note is the deferment of approximately four million acres of potential oil and gas leasing parcels since 2014 for the protection of habitat for the Greater Sage Grouse.

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1876 Mining Law  
1934 Taylor Grazing Act  
1964 Wilderness Act  
1970 National Environmental Policy Act (NEPA)  
1971 Wild Horse and Burro Act  
1973 Endangered Species Act (ESA)  
1976 Federal Land Policy and Management Act (FLPMA)<sup>2</sup>  
1978 Public Rangeland Improvement Act (PRIA)

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Mining is the third largest industry in Nevada who is the fourth largest gold producer in the world. Approximately 76 percent of the gold produced in the United States comes from Nevada. Nevada BLM administers 676 grazing permits and leases for approximately two million Animal Unit Months.<sup>3</sup> Due to drought and other conditions, BLM has worked with the grazing permittees to reduce the active grazing use by as much as 25 percent in some years.

Services provided by BLM Nevada include management of the wild horse and burro program, wildland fire, BLM's National Landscape Conservation System, Areas of Special Designation, and recreation. As of August 30, 2016, BLM Nevada has experienced 240 wild fires involving 219,000 acres. On lands managed by other entities, there has been an additional 355 fires involving 257,000 acres.

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<sup>2</sup> BLM's Organic Act.

<sup>3</sup> An AUM is the amount of forage required to sustain a cow and its calf for one month.

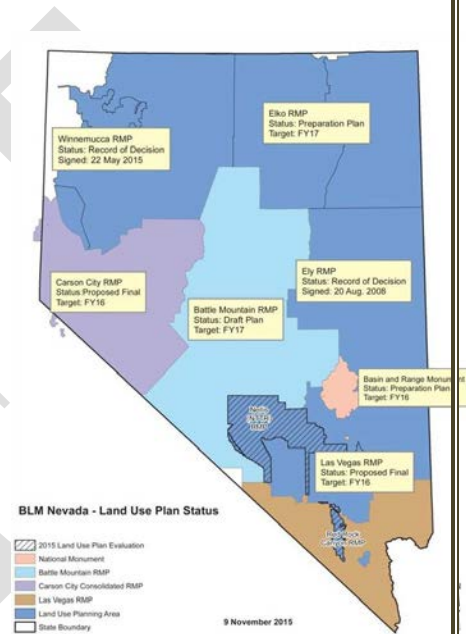
### BLM's Mission Statement

*"is to manage the public lands to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations."*

In addition, BLM Nevada is responsible for managing the recently designated Basin and Range National Monument, 3 National Historic Trails<sup>4</sup> as well as 3 National Conservation Areas,<sup>5</sup> 45 wilderness areas (approximately 2 million acres), 63 wilderness study areas, and 54 Areas of Critical Environmental Concern.

Annually, public lands administered by BLM in Nevada are used by approximately 8 million visitors. Over 300 Special Recreation Permits are authorized each year for events such as the world renowned Burning Man event, which is permitted for a maximum attendance of 75,000 people. During its weeklong event, Black Rock City is created on the Black Rock Desert playa and represents Nevada's sixth largest city!

Other BLM Nevada priorities include its seven Resource Management Plans (inset), sage grouse plan implementation, and grazing permit renewals. Mr. Ruhs emphasized actions being taken to implement the *Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon and Utah*, which was signed by the Assistant Secretary for Land and Minerals Management in September 2015. Such actions include completing a scoping process for the Sagebrush Focal Areas (SFA) in April 2016, signing a Memorandum of Understanding between BLM California, the State of Nevada's Department of Conservation and Natural Resources, and the Humboldt-Toiyabe National Forest documenting the cooperation between the parties regarding use of Nevada's Conservation Credit System as a tool to enhance mitigation options, improve habitat on federal lands by authorizing credit development projects, and provide for mitigation of residual impacts from anthropogenic disturbance that cannot be avoided or minimized to achieve a no net loss for the Bi-State Sage-Grouse population and a net conservation gain for the Greater Sage-Grouse population.



BLM Nevada continues to engage stakeholders and partners in implementation of the Nevada and Northeastern California Sage Grouse Plan Amendment. In June, BLM Nevada in cooperation with the Nevada Cattlemen's Association and the Nevada Department of Agriculture held grazing permittee workshops across the state to provide permittees with an update as to how the Sage Grouse Plan Amendment may (or may not) impact their grazing permits. Similar meetings are scheduled to be held again in January 2017.

BLM Nevada has formed an interdisciplinary team of six technical professionals who are responsible for addressing the state's high priority Term Grazing permit renewal efforts. The first priority for attention by this team is the Argenta/Battle Mountain Complex allotments in the Battle Mountain District.

In closing, Mr. Ruhs provided an overview of the state's wild horse and burro program, which includes 83 HMAs and a statewide AML of 12,811 animals. As of March 1, 2016, the state's estimated horse population was 34,531 animals, which currently could be as high as 41,437 animals considering the 2016 foal crop. Mr. Ruhs noted that the state is experiencing issues with lack of water and forage which are adversely impacting many HMAs. Of the 83 HMAs, 72 are at or over the AML.

Following the presentation, Dr. Julie Weikel inquired as to how many livestock grazing permittees were authorized under the 677 grazing permits. Mr. Ruhs estimated that there are approximately 450 grazing permittees and promised to get the exact number to Dr. Weikel.

<sup>4</sup> California Trail, Pony Express Trail, and the Old Spanish Trail.

<sup>5</sup> Black Rock Desert – High Rock Canyon Emigrant Trail, Red Rock Canyon, and Sloan Canyon.



Dr. Robert Cope asked if the BLM RMPs were being revised under the new BLM Planning 2.0 rule. Mr. Ruhs indicated that the Planning 2.0 rule has yet to be implemented; however, the Battle Mountain and Elko RMP revision efforts will fall under the 2.0 rule if it is finalized. Mr. Ruhs believes RMP revision efforts currently underway should marry up with the rule fairly well.

In a related question, Dr. Cope indicated that the Board has previously recommended BLM encourage the development and use of collaborative efforts similar to the collaborative efforts used by the FS to bring advocates and representatives together. Dr. Cope suggested that as Planning 2.0 is implemented it would be an excellent opportunity to develop such collaborative approaches and have more public outreach and involvement in development of different strategies for managing the resources including wild horses.

Dr. Weikel inquired as to the reason(s) for and the percentage of the 25 percent nonuse being taken by the livestock grazing permittees. Mr. Ruhs noted that there are several different reasons the nonuse was or is being taken by the livestock grazing permittees including voluntary nonuse during the drought and where rangelands are in a degraded condition that won't sustain the amount of permitted use (livestock, wild horses, burros, wildlife, etc.) It was noted that many livestock permittees recognized the amount of use that could be made on the rangeland particularly during drought and voluntarily reduce their livestock use accordingly.

Steven Yardley inquired as to the reasons or causes for some rangelands being in a degraded condition. Mr. Ruhs indicated that in some cases the number of wild horses and burros and/or drought may be significant causal factors.

## **Nevada Wild Horse & Burro Program**

**Alan Shepherd, Wild Horse & Burro Program Lead, BLM**



Alan Shepherd

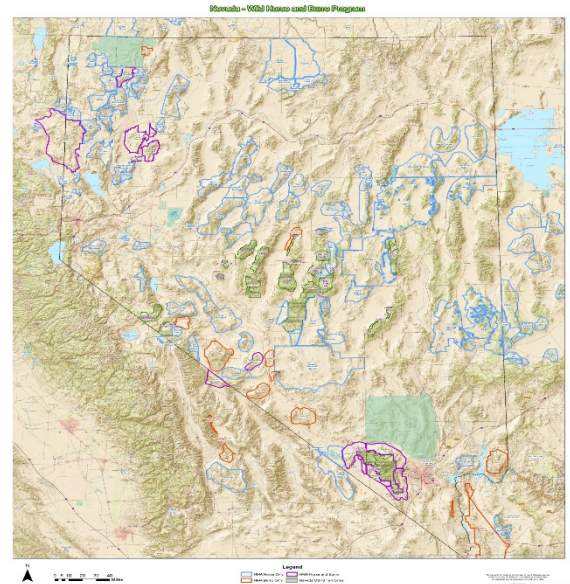
Mr. Shepherd provided an overview of BLM Nevada's wild horse and burro program including its statistics, challenges, and adoption partnerships.

### **Program Statistics**

BLM Nevada's program currently includes nine<sup>6</sup> Wild Horse and Burro Specialists spread through the six districts who are responsible for managing and overseeing 83 HMAs (inset). Several HMAs involve public lands administered by neighboring BLM districts in Utah, California, and Oregon as well as FS Wild Horse Territories.

The state's AML is 12,811 animals, which includes both wild horses and burros. The projected wild horse population as of March 1, 2016, is approximately 34,500, which does not include the 2016 foal crop. In addition, there are several Herd Areas (HAs) that contain wild horse and/or burro populations.

In FY15, BLM Nevada removed 1,640 excess wild horses and burro primarily due to water and forage issues; conducted 43 population inventories; monitored water, forage, animal distribution, etc., on 59 HMAs, and adopted 111 animals.

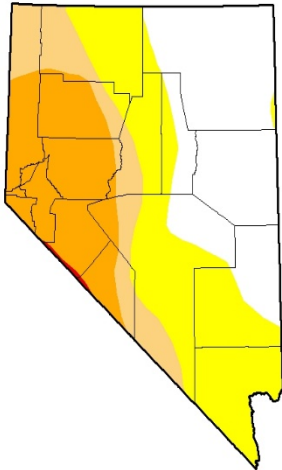


<sup>6</sup> In 1990, there were 17 Wild Horse and Burro Specialist on staff.

In FY16, BLM Nevada is working toward removing approximately 830 excess wild horses and burros; conducting 42 population inventories; monitoring 50 HMAs; and adopting 110 animals.

### Program Challenges

#### U.S. Drought Monitor Nevada



August 30, 2016  
(Released Thursday, Sep. 1, 2016)  
Valid 8 a.m. EDT

Intensity

- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

Author:  
Chris Ferrelle  
NCEP/NESDIS/NOAA

USDA NCEP/NESDIS/NOAA  
<http://droughtmonitor.unl.edu/>

The largest challenge faced by Nevada's program is being 250% over the AML of 12,811 animals in 72 of the 83 HMAs. Animals continue to move outside designated HMAs to find sufficient water and forage resulting in increasing private property and public safety concerns across the state.

Drought has and continues to impact the State. Although drought conditions have improved in many areas (inset), the impacts of drought to the resources as well as BLM's management efforts continue to be felt. BLM closely monitors water and forage conditions in HMAs as well as animal movement within and outside of the HMAs. Actions are continually being taken to protect the health and welfare of the animals.

Program-wide budget shortfalls and other program priorities limit the agency's ability to reach AML.

The national FY16 gather priorities is Greater Sage-Grouse SFAs and research projects. FY16 funding is being used to gather animals from SFAs in the Owyhee HMA Complex in the Winnemucca and Elko Districts, the Antelope HMA Complex and Maverick-Medicine HMA that are 500 percent over AML, and the Reveille HMA which is a court-ordered maintenance of AML. Eleven additional, much smaller (< 100 animals) gather efforts that address escalating issues due to water issues, research, private property issues, public safety issues, etc., were highlighted. No large-scale gathers are scheduled in Nevada in FY16.

### Adoption Partnerships

BLM Nevada's adoption program is one of the smallest in BLM; however, an exciting and very successful adoption partnership has been established with the Northern Nevada Correctional Center. The program is the second largest prison-based program in BLM with over 1,400 animals ranging in age from 3 to 20 years old.

Under this program, inmates train between 75 and 100 animals each year, which average \$1,800 per animal when adopted. Over the 12-year life of this program, 1,100 animals have been trained and placed in good homes with the public as well as with State and other Federal agencies.

Through this program, partnerships with other agencies such as the U. S. Border Patrol, U. S. Marine Corps, FS, California and Idaho Game and Fish Departments, and the Washoe County Sheriff's Department have been developed as outlets for trained animals.

In 2015 and 2016, BLM Nevada partnered with the Mustang Heritage Foundation to host two Extreme Mustang Makeover events at the annual Reno Rodeo. Over the two-year period, 45 animals have been adopted at an average cost of \$1,300 per animal.



Following the presentation, a number of questions were asked as summarized below.

Dr. Cope indicated that it was gratifying to see the successes of BLM Nevada's adoption program but noted the numbers of animals being adopted is less than one half of one percent of the number of animals on the range. Dr. Cope asked how BLM was addressing the disparity of the number being adopted versus the number of animals on the range as RMPs are being revised. Mr. Shepherd indicated that as RMPs are revised BLM must closely examine where it is managing wild horses and burros. It will be critical to ensure all available tools (fertility control, non-reproducing herds, adjusting AMLs, etc.) for managing populations are incorporated in the RMPs.

Dr. Cope indicated that if we were able to achieve zero population growth today, with the on-range population being 250 percent above the AML, and BLM requesting funding to remove only 3,500 animals annually for the next three years, there will continue to be a significant problem into the foreseeable future. Mr. Shepherd acknowledge that there isn't an easy solution and the agency needs to continue to be open to and explore use of new tools. BLM Nevada recognizes that it is the largest player in the program and must support the program by using all of the tools once they become available.

Mr. Steven Yardley indicated that with the existing population on the rangeland and the projected annual foal crops the population level will continue to rise at an exponential rate. He asked Mr. Shepherd about the end result for the animals as well as the resources on the rangeland should that trend continue. Mr. Shepherd indicated that as the wild horse population continues to increase so will the pressure placed on the natural resources such as habitat, water quantity and quality, soils, etc. There is potential for changes in vegetation communities from perennial species to annual and invasive species, which have limited or no value to animals using the rangeland. As conditions degraded on the rangeland, adverse impacts to animal health will occur as well as the animals moving into other areas in search of food and water. Until a solution (or solutions) to the problem is found, the issues will continue to increase.

Mr. Yardley asked a follow up question concerning the impact to the livestock grazing permittees as resource conditions in allotments with HMAs continue to deteriorate. Mr. Shepherd indicated that as horse populations increase, they will require and consume additional forage. Over allocation of the forage resources is occurring now and will continue until the horse population and its demand for forage is reduced.

Mr. Ben Masters summarized a situation that occurred last year in the Cold Creek HMA where dozens of animals were starving to death requiring an emergency gather to remove them from the rangeland. Unfortunately, some animals had to be euthanized. Mr. Masters asked if BLM had an emergency plan in place to address an emergency involving several thousands of animals and if that situation could occur within the next couple of years. Mr. Shepherd indicated that BLM does not have a plan to address an emergency to the scale described by Mr. Masters. Nationally, the program is prepared to address situations involving hundreds of animals but not thousands. Mr. Shepherd indicated that if populations continue to increase at the present rate, he believes it is possible such a scenario could occur.

Ms. Ginger Kathrens asked how the 7,000 AUMs of grazing use in the area toured yesterday were divided between livestock and wild horses. Mr. Shepherd indicated that approximately 4,000 AUMs and 3,000 AUMs are allocated to livestock and wild horses, respectively. It was noted that there hasn't been livestock use in the most heavily impacted areas for the past eight years.

Mr. Woehl thanked Mr. Ruhs and Mr. Shepherd for the tour given to the Board. It was interesting to see the contrast between rangelands without invasive species and lands heavily infested with invasive species. Mr. Woehl was struck by the large number of water sources that were privately owned and asked what would happen if the land owner decided not to allow wild horses access to those sources. Mr. Shepherd indicated that if access to private water in that area were denied to the horses and no intervention were taken, the event described earlier by Mr. Masters would occur. In the area toured the day before the meeting, 700 to 800 wild horses would lose access to their primary water sources if those sources were fenced by the private land owner.

Mr. Masters indicated that wild horses significantly impact Greater Sage-Grouse habitat as well as livestock grazing forage. He asked if there were other key issues in Nevada between wildlife and wild horses/burros. Mr. Shepherd indicated that depending on the specific situation, wild horses and burros can have an impact on every native species in the state. Burros compete with Bighorn Sheep for water. Horses compete with elk, mule deer, antelope and other species

for water and forage. While not directly competing with smaller wildlife species, wild horses and burros do impact those species as well.

Mr. Woehl indicated that the Antelope HMA Complex toured by the Board contained over 1 million acres which has not improved and may have gotten worse in terms of rangeland health despite eight years without livestock grazing.

Ms. Kathrens asked Mr. Shepherd to describe a longer term perspective of the past use of the area toured by the Board as she understands many areas were degraded by excessive livestock use. Mr. Shepherd indicated that he is not familiar with the long-term livestock use of the area but understands the area, which involves 11 grazing allotments, received livestock use by sheep and cattle in the past. The tour involved 2 of the 11 allotments. Mr. Cope asked a follow up question relating to how long BLM has been managing the habitat to keep it from being degraded. Mr. Shepherd indicated that BLM has been trying since 1971.

Mr. Ruhs indicated that on the last stop of the tour, the Board saw an area that receives grazing from wild horses, livestock, and elk where under a more balanced and managed situation, the rangeland can be totally different as compared to areas that are out of balance. Mr. Woehl agreed with Mr. Ruhs as the contrast between areas seen on the tour was very eye opening. Mr. Woehl expressed his appreciation for the tour, which is one of the best he has ever attended.

Mr. Yardley inquired as to the costs and time that would be required to rehabilitate the decimated rangeland that was viewed on the tour. Mr. Shepherd indicated that it would require decades of nonuse to rehabilitate itself naturally. Many vegetation communities in the area cannot be easily reestablished through rehabilitation efforts such as seeding. Many sites are at a point where it would be impossible to revegetate itself naturally. Mr. Bolstad indicated that intensive practices would need to be employed. Naturally, it would require decades if not centuries to come back to an acceptable condition. Drawing on estimates to rehabilitate burned areas, aerial seeding costs are approximately \$20 per acre depending on the seed mixture and prices and as compared to drill seeding in combination with practices to address cheatgrass infestations being over \$100 per acre. Recognizing the costs to rehabilitate degraded rangelands, it is imperative that action now to properly manage and protect areas with good habitat. If we don't take care of the habitat, wild horses and other animals will be threatened. Mr. Ruhs added that it is important to remember that the area in question falls in the 5 to 8-inch precipitation zone, where mechanical treatment and rehabilitation will be questionable.

### **Working with BLM Resource Advisory Councils**

***Bill Wolf, BLM Nevada Northeast Great Basin Resource Advisory Council Chair***

***Julie Hughes, BLM Nevada Northeast Great Basin Resource Advisory Council Vice-Chair***



**Bill Wolf**

Mr. Woehl introduced the two speakers by indicating this was the first time the Board has interacted with the local BLM RAC.

Mr. Wolf expressed the appreciation of the RAC in being invited to meet with the Board. In their joint presentation, Mr. Wolf and Ms. Julie Hughes briefly addressed the Northeastern Great Basin RAC, how it works with the BLM as well as some of its concerns. A map was presented that overlaid



**Julie Hughes**

wild horse and burro HMAs in Nevada and Sage-Grouse priority habitat management areas, general habitat management area, and other habitat management areas.

Ms. Hughes gave a prepared presentation which is provided below.

The Northeast Great Basin Resource Advisory Council (NEGBRAC) would like to thank the Board for the opportunity to address you. Our RAC is one of three RAC's in the state, Mohave-Southern Great Basin (MOSO) and Sierra Front-Northwestern Great Basin (SFNW) being the other two. Each RAC consists of individuals representing different interests and uses on public land from wildlife to mining to wild horse to political and more. Our RAC has a history of convening four times a year though others might meet less regularly. One of the meetings is a gathering of all three Nevada RAC's, known as the Tri-RAC, and generally, occurs in the winter when field trips are

problematic. As with the individual RAC meetings, the Tri-RAC members may decide to work on specific issues to provide the BLM advice on that issue. To that end, the last Tri-RAC has led to the formation of a state-wide sub-group to address concerns regarding the wild horse management program. Two other state-wide sub-groups have also been formed, one to look at some issues surrounding livestock term-permit renewals and another to provide advice on issues pertaining to the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment. Policy, as you well know, is set statutorily through Congressional actions such as the Federal Land Management Policy Act (FLPMA) or the Wild Free-Roaming Horse and Burro Act as well as by the Executive Branch of the Federal Government. The best we can do is to provide the agency input on how it meets the demands of policy and procedure. We do this through consensus building within the RAC to come to a course of action we would recommend to the agency. An example of this is the recommendation from our RAC to implement the Water Canyon Wild Horse Growth Suppression Pilot Program. A wild horse advocate on the RAC brought a proposal to the council and convinced the council that this was a good alternative technique to help manage population growth in wild horse herds. The RAC forwarded the proposal to the Secretary of Interior and we were very pleased to see her endorse the proposal. With your indulgence, I will explain a little about the Water Canyon Wild Horse Growth Suppression Pilot Program.

Originally, the pilot program was presented to the RAC using PZP but following the approval of the pilot program the volunteer project coordinator, Jeanne Nations, working with agency wild horse specialists, decided to use GonaCon. They felt this drug would be a better choice because the recommended application rate is approximately two years. The PZP would require the annual gathering of the animals to re-treat them. The goal of the 10-year pilot program is to stabilize and maintain a wild horse population of 25-30 animals within the Water Canyon portion of the Antelope Herd Management Area (HMA). The test area is about 60 miles north of Ely and on the east side of US 93. The management number is based on range conditions, water availability and acreage comparisons as well as seasonal movement of the band during the summer and drier winter months.

- Between October 22, 2015, and December 12, 2015, the BLM gathered 53 wild horses using a feed and water trap.
- The BLM released 22 wild horses back into the project area after holding them for 30 days. The mares selected for release were treated with the fertility control vaccine GonaCon-Equine which has an expected efficacy of about two years.
- On November 12, 2015, each mare was given a shot of GonaCon in the hip area.
- On December 12, 2015, a second shot was administered as a booster.
  - There was no noticeable swelling or abscesses in the injection area. This side effect had been noted as a concern in other studies.
  - Ms. Nations reported that the bait and trap method was done in a very humane way and that the horses were treated well during the 30 days of holding.
- The released horses were freeze branded with a FC brand to differentiate them from other wild horses that might wander into the area, join the band or if they wander to another area.
  - DNA samples were taken from both the mares and the stallions so that the project may determine the genetics of the herd and possibly determine some of the history of this band.
  - The BLM monitors the treated mares and applies a booster every 20-24 months to maintain the vaccine's effectiveness.
- The BLM will remove a small number of horses when the population exceeds 40 animals.

- Horses selected for removal, approximately 5-10 primarily young horses born within the project area would be offered to the public through a trap site adoption.
- All fourteen yearlings and weanling available from the original trap site were successfully adopted. The volunteer coordinator has stated that it was no easy task but it was accomplished with the help of a lot of wonderful people though some staff at Palomino Valley could have been a little more pro-active in getting the horses adopted.
- All 15 treated mares have continued to maintain good health.
  - Using the Henneke 1-9 horse body condition scoring system, the mares going into the program in October 2015 scored at about 4.
  - The GonaCon did not cause any birth defects or abortions in the treated mares. Some were in the very early stages of pregnancy at the time of treatment.
  - Going into the fall of 2016, most of the mares seem to be in condition level 6 or better.

This is only the first phase of the study. The next foaling season will tell just how well GonaCon is working. If it is working as it should, there should be no foals being born next season to treated mares. There can be many variables to consider over the course of the next foaling season but we would consider even an 80% efficacy rate to be a success. The volunteer coordinator is extremely encouraged by the early findings of the study. She and the RAC see this as a positive way forward and a solution for managing over population in wild horse herds and we hope it might be implemented in other areas of the state.

The Battle Mountain District is implementing a similar project with a band in the Rocky Hills area. They are using PZP and darting the animals as they gather at water instead of bait trapping and holding the animals.

We feel these measures are a small step to resolving a problem that requires much greater action. The current measures will do nothing toward bringing wild horse populations to Appropriate Management Levels (AML). Current population levels are demonstrably damaging both the resource and the health and longevity of the horses themselves. The NEGBRAC members want to see healthy wild horse herds. Our mandate, as is the Secretary's, is for managing healthy ecosystems. This is congressionally mandated under the Wild Free-Roaming Horse and Burro Act. The RAC is routinely shown projects put forward by the agency and cooperators whose purpose is to improve habitat. Additionally, we are briefed on agency post-fire emergency stabilization and rehabilitation (ESR) work. As part of ESR actions, cattle use is restricted until adequate forage demands are met, however, we rarely see the same actions taken with wild horses.

The recent drought throughout Nevada has had huge impacts on the resource as well as the animals that depend on it. Nevada BLM was a leader in managing drought impacts with livestock permittees. Most permittees were asked to take voluntary non-use and or adjust season and length of use in Greater Sage-Grouse priority habitat areas. It is the understanding of the NEGBRAC that little to no actions have been taken in regards to wild horses and their management under the same circumstances.

In response to these conditions, the Nevada Department of Wildlife (NDOW) implemented special hunts i.e. California and Desert Big Horn ewe hunts, mule deer doe hunts as well as pronghorn antelope doe hunts. NDOW received much criticism for implementing these hunts but they were a crucial management tool to keep wildlife populations in check with the current habitat capacities.

Wild horses are the only large animal on the range that is not actively managed to keep populations at appropriate levels. This RAC has written to the Secretary previously encouraging the agency to

take actions to reach AML. The purpose of this is to ensure healthy herds as well as the success of Greater Sage-Grouse action management plans.

As all the public land cooperators move progressively towards actions that will not only restore habitat, specifically to improve Greater Sage-Grouse populations, we also believe these actions are showing the US Fish and Wildlife Service (USFWS) that public land managers are paying attention and are serious about implementing changes to prevent a listing.

The NEGBRAC fully supports the current determination of listing of sage grouse as “not warranted”. However, the USFWS has been mandated to revisit the current sage grouse listing in less than 4 years. We feel strongly that BLM National Office needs to take immediate action in herd management areas (HMA’s) that are over their population AML, ensure they are managed to the benefit of the range or at permitted stocking rates.

23% of the Priority Habitat Management Area for Sage Grouse is in HMA’s. Currently, only wild horse populations are allowed to exceed recognized appropriate stocking levels. This imbalance poses a real danger to undo all the work being done to meet the requirements agreed upon between the BLM, USFWS and the State of Nevada to prevent the listing of sage grouse as a T&E species.

With that in mind, we want to extend our support to you to go a step further and utilize all fertility control methods in the tool box on horses in the field. We encourage any type of PZP application and applaud your persistence in the on-going field studies. We also encourage you to utilize and prioritize approved fertility control methods including PZP and GonaCon in HMA’s where appropriate management levels are at, under or close to target levels or where applications have been applied in recent years.

We feel those areas should be a priority for darting as applications should not be allowed to lapse. We more specifically ask you to prioritize areas such as the Rocky Hills HMA in the Battle Mountain District, which has received several applications of PZP to date. We again encourage rigorous collection of scientific data of the results.

We encourage the fall gather plans for the Elko area. These horses too are at risk and numbers need to come down to AML before we have more dead horses. The longer horses are left on the range unmanaged and over AML, the fewer horses the range can support in the future due to the degradation of the range and damage to the habitat that supports them and other wildlife. We want to see the overall AML remain where it is and a habitat that can support those numbers.

The NEGBRAC recognizes that one of the more difficult management problems facing the BLM in Nevada is that of management of wild horses and burros. All the herd management objectives must continue for the long term in order to improve management of horses and burros, improve rangeland health, and foster cooperative alliances among agencies, interest groups, and land users.

We want to encourage the BLM to look at spending money on range restoration. There is a very small percentage of the money within the horse program that goes back to the range. On one of our more recent field tours, we visited the idea of reseeded with forage acacias as well as native seeds and protecting spring sources by fencing animals out of the spring source and piping water to troughs in order to improve the water flow and water production for all animals on the range. We encourage BLM to take steps in this direction. If one never made improvements or repairs to the house they lived in, it would not stay standing forever. With this analogy in mind, please encourage the BLM to reinvest in the resource as this is the house for all users of public land.

Since holding facilities are at maximum and short term and long term holding is expensive, we should encourage the BLM to continue work with the MHF (Mustang Heritage Foundation) and other groups

to enhance adoptions. MHF has opened up adoptions back east by providing gentled horses through the Extreme Mustang Events. Please continue the partnership with the Mustang Heritage Foundation to encourage the growth of the TIP trainer program and enhancement of adoptions east of the Mississippi.

We encourage the Board to seek out other partnerships to develop programs like the one with the Nevada Department of Corrections (NDOC) which has a successful history of gentling, training and helping with wild horse adoptions. Might the Board consider encouraging similar programs in other areas by seeking out partnerships throughout the country? It might find NDOC willing to lend its expertise in developing these partnerships.

The RAC has not given up on the idea that there might yet be suitable designs for sanctuaries and we will encourage the Nevada Tri-RAC wild horse sub-group to explore what has worked, what hasn't and offer suggestions to the agency. There are numerous examples of "eco-sanctuaries" that may offer a way forward.

We encourage BLM to look at the education of the public regarding the horse program and public lands overall as a multi-use. MHF has hosted speakers at some of their events to discuss the sustainability of the land and what it means to have a healthy ecosystem. Could BLM look at other partnerships to share their messages such as Safari Club, teacher workshops, etc? For example, Safari Club Inc, has a summer program in place which teaches youth about conservation. Would it be possible to partner with them to have their workshop include a few hours of horse management 101? Also, within the teacher education workshops, such as the one hosted by the Ely District, is it possible to incorporate a little information regarding horse management within those programs?

We ask the Board to explore all these options at a national level while we work at the local level. I believe I can safely say that the NEGBRAC members, indeed all three Nevada RACs, are willing to work more closely with the Board to reach solutions.

Following the presentation, Dr. Julie Weikel asked if the RAC is supporting the use of Forage Kochia or the family of acacia plants. Mr. Wolf indicated that the use of "forage acacias" in the text should be Forage Kochia.

Ms. Kathrens thanked the speakers for their report and indicated that she loved many of the suggestions given.

In closing, Mr. Wolf indicated that the number of discussions he has been able to have with members of the Board over the past two days has been wonderful. He has been impressed with the members on the Board and the direction of their conversations. Mr. Wolf indicated that the issue of freeze branding wild horses was raised in the discussions which is contentious and may have conflict with some Nevada branding laws. With the hope of moving programs forward, he encouraged the Board to become well versed in the conflicts that might be encountered and work with BLM's Nevada State Office to develop resolutions addressing the conflicts. As fertility control techniques are employed, one aspect of the program is to brand treated animals with a specific number which should facilitate tracking of individual animals. Overcoming obstacles or issues between BLM and the State regarding marking of the animals will be a key component to moving forward. Mr. Woehl indicated that this was the first time the Board has been made aware of the marking issue and promised to look into it and get back to Mr. Wolf.

Mr. Woehl thanked the speakers for their presentation and suggestions.

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## Approval of April 2016 Minutes

*Mr. Fred Woehl*

Mr. Woehl noted that during its presentation at the April 13 – 14, 2016, meeting, BLM indicated that it would explore Recommendations #8 and #10 (below) from the Board’s September 22 – 23, 2015, meeting in more detail and get back with the Board.

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### Recommendation #8

Present to Board 3 - 4 draft alternatives (including a timeline and one alternative that includes AML without ‘rider’) to achieve AML in all HMAs.

### Recommendation #10

Develop strategy to train and use more qualified volunteers to support WH&B activities, off-range and on-range.

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In addressing Recommendation #10 above, Mr. Bolstad indicated that the Board had made a similar recommendation<sup>7</sup> during its April 13 – 14, 2016, meeting in Redmond, Oregon. BLM’s response to the Redmond, Oregon recommendation will be similar but provide more detailed feedback.

In relation to the Recommendation #8 from the September 22 – 23, 2015, meeting, Mr. Bolstad indicated that BLM has completed development of several scenarios; however, they are not available for presentation to the Board today. Ms. Bail added that the scenarios explore different combinations of population control tools, which involved a significant amount of data analysis including an economic analysis. The intent is to bring a long-term analysis to the Board; not just a one-year snap shot. Mr. Woehl indicated that when the Board makes a recommendation, they hesitate to make additional recommendations until previous recommendations are resolved.

Mr. Woehl offered the Board an opportunity to identify changes to the draft minutes of the Board’s April 13 - 14, 2016 meeting minutes.

**DECISION:** The Board unanimously approved a motion made by Dr. Cope and seconded by Mr. Yardley to approve the April 13 – 14, 2016, meeting minutes as presented.

## Wild Horse and Burro Program Update

*Mr. Dean Bolstad*



In his *Wild Horse and Burro Program Update*, Mr. Bolstad addressed major challenges and issues of the program, which were not new to the Board but provided a status update. In addition, Mr. Bolstad discussed program priorities, what can and cannot be addressed with the program’s existing resources (personnel and funding), and concluded with some general remarks.

### *Challenges and Issues*

**Dean Bolstad**

Wild horse and burro population levels continue to grow beyond the AML with 58,000 animals nationally on the public rangelands in early 2015 and an estimated 67,000 animals as of March 2016. With the 2016 foal

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<sup>7</sup> Recommendation 6: The National Wild Horse and Burro Advisory Board urges BLM to institute the volunteer strategy as soon as possible (September 2015 Recommendation # 10 which states “Develop strategy to train and use more qualified volunteers to support wild horse and burro activities, off-range and on-range.”)

crop of approximately 10,000 animals, the on-range population is projected to be over 75,000 animals, which is 300 percent of the national AML.

Mr. Bolstad highlighted the second major challenge by quoting the 2013 National Academy of Sciences (NAS) report “there is no highly effective, affordable, easy administered fertility control method available to BLM.”

While adoptions have increased in 2016 with approximately 2,600 animals projected to be adopted, limited outlets for placing animals in good homes through adoptions and sales is a limiting factor and is the third challenge faced by the program.

Holding costs continue to require 60 to 65 percent of the agency’s wild horse and burro budget. In 2015, holding costs required \$49 million (64 percent of the budget), which holds true in 2016.

BLM continues to be restrained to a 3,500-animal gather target, which is equal to the number of animals leaving the program through adoptions, sale, and natural mortality of animals in pastures and holding facilities. Removal of animals significantly above the 3,500 figure would immediately make the program financially insolvent due to the cost of maintaining animals that have not been adopted. If 1,000 animals were brought into the system over the number of animals removed from the system, it would cost BLM an additional \$1.8 million annually. The agency does not have the additional money to address an additional 1,000 animals in pastures and holding nor does it have the authority to exceed its budget.

### *Program Priorities*

Within its existing financial resources, BLM continues to accomplish the following:

- Research to develop new management tools and more effective contraceptive methods;
- Reduce holding costs by acquiring additional less expensive pasture (\$2 per day per animal) and moving animals that are older and less desirable for adoption out of more expensive holding corrals (\$5 per day per animal).
- Launch an adoption incentive pilot program targeting animals slightly older than the desirable adoption age but are not too old to train;
- Increase the number of wild horses and burro for adoption in the eastern United States through the Store Front program;
- Increase the use of Internet adoptions through use of a new software;
- Targeting removals to selectively remove animals that are five years or younger and more desirable for adoption. This is being done to address a risk of not having a sufficient number of suitable and desirable animals to fuel the adoption program.
- Embrace and encourage new and different management approaches including contribution and assistance from community groups.

In closing, Mr. Bolstad stressed that as the issues and problems being experienced in Nevada and other states continue to escalate, there is a greater sense of urgency for resolving those issues and developing a path forward. He is encouraged as there is an increasing awareness and conversation in Congress, who will be key to the future of the program. BLM has been asked to the Hill frequently to deliver briefings, attend Congressional hearings, etc. Mr. Bolstad is cautiously optimistic and hopes for greater funding in the future, which may allow implementation of new tools gained from the research being completed. These are extremely difficult times and it is imperative that everyone comes to the table to work together in finding solutions. Success of a sustainable wild horse and burro program will be composed of multi-management approaches and tools. If entities remain polarized, decisions will be made by others including the courts.

Following the presentation, Mr. Woehl indicated that many of the areas addressed by Mr. Bolstad were previously identified by the Board, which remains unified in helping BLM manage the wild horse and burro program down to the field level of the agency. Mr. Woehl express his and the Board’s appreciation for BLM’s efforts which are recognized as not being easy.

Mr. Masters thanked BLM for taking the Board’s recommendations seriously.

Ms. Sewing asked how decisions made by others such as the Court would be funded. Mr. Bolstad explained that the agency does not have authority to expend beyond Congressionally-designated funding levels. If such decisions are given to the BLM, it must rise to the challenge of determining how to implement those decisions. Ms. Bail provided a response in two contexts. First, BLM would like to continue dialogue with the Board as well as Congress and, secondly, with the upcoming transition in administrations, there will be opportunity for educating members of the new Administration concerning the wild horse and burro program, its challenges and opportunities, and needs for additional funding as the program moves forward.

Ms. Kathrens asked if BLM had requested less money from Congress and, if so, why. Ms. Bail explained that the federal budget is developed two years in advance where in 2016, the agency is working on its 2018 budget. When budget requests are made, there are difficult decisions that need to be made. The Administration in place at the time, which includes the Department of the Interior, identifies the amount of funding that can be requested by an agency. It is necessary for the agency to make trade-offs between programs to address major issues such as restoring and protecting habitat for the Greater Sage-Grouse. The President’s budget serves as a starting point for conversation with Congress as to the needs of different programs, which is accomplished through Congressional budget hearings. It is difficult to request less funding than you believe necessary but difficult decisions must be made as the agency takes a broader view of its needs and responsibilities.

### Public Comment Period

A public comment period was conducted from 3:15 p.m. to 5:15 p.m. allowing 34 speakers opportunity to address the Board. Each speaker was asked to limit their presentation to 3-1/2 minutes to ensure all speakers had opportunity within the timeframe identified for public comment. Speakers were encouraged to submit their comments in a written format.

The following provides a listing of individuals who spoke during the public comment period. A summary of the individual presentations and written comments submitted at the meeting as well as public comments submitted to BLM through the U. S. Postal Service or BLM’s e-mail address at [whbadvisoryboard@blm.gov](mailto:whbadvisoryboard@blm.gov) are provided in Volume 2 (not attached).

<u>Speaker</u>	<u>Representing</u>
Ken Brown .....	Western Counties Alliance
Melinda Kersten .....	Black Hills Wild Horse Sanctuary
Jeff Roche.....	Self
Greg Hendricks.....	Sierra Front-Western Great Basin Resource Advisory Council
Callie Hendrickson .....	National Association of Conservation District White River and Douglas Creek Conservation District
Mary Ann Oelsner .....	Self
Barb Flores .....	CWHBC
JJ Goicoechea.....	N4 Grazing Board
John Allison.....	State Assemblyman
Bonnie Kahsergter .....	Self
Carla Bowers .....	Self
Janet Smith .....	American Wild Horse Preservation Campaign
Kenneth Jones.....	Self
Gerald (Skip) Miller .....	Self
Hank Vogler .....	N4 Grazing Board
Sandra Sell-Lee .....	The Cloud Foundation
Dr. Boyd Spratling .....	Self
Keith Norris.....	The Wildlife Society National Horse & Burro Rangeland Management Coalition

Speaker

Representing

Teresa Griffin .....	State of Utah
Dr. Gerald Huff .....	Self
Betsy MacFarland.....	Eastern Nevada Landscape Coalition
Tom Barnes .....	Nevada Cattlemen’s Association
Meghan Dixon.....	Self
Wilde Brough .....	Self
Jake Tibbits.....	Eureka County
Maggie Orr .....	Nevada Conservation Districts
Sheila Schwadel .....	Pine Nut Wild Horse Advocates
Bevin Lister .....	Nevada Farm Bureau
Kim Airhart .....	Self
Marie Milliman.....	Self
Craig Downer .....	Wild Horse & Burro Fund
Tammy Pearson.....	Beaver County (Utah) Commissioner
Ramona Morrison.....	PTH
Ken Jones .....	Self

Following conclusion of the public comment period, Mr. Woehl asked BLM if there were any clarifying statements they would like to make based on the public comments. There were none.

**First Day Adjournment**

The first day of the meeting was officially adjourned at 5:30 p.m.

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## Friday, September 9, 2016

Ms. Kathie Libby opened the second day of the BLM's National Wild Horse and Burro Advisory Board meeting at 8:04 a.m. by welcoming those attending in person as well as those participating via the Internet and reviewing the agenda for the day's meeting, which had changed to accommodate changes from the first day of the meeting.

Mr. Woehl expressed his appreciation to those members of the public attending the second day of the Board meeting and the opportunity for being in Elko, Nevada.

Dr. Sue McDonnell, Vice-Chair of the Board, provided her insights concerning the public comments heard yesterday as well as those received on BLM's e-mail system. Dr. McDonnell thanked those who provided comments as the comments are very helpful. Ms. McDonnell felt the comments presented were outstanding in terms of the positive suggestions offered and for the most part the much less misinformation presented.

There has been a large number of public comments received in writing either through BLM's e-mail address or those addressed directly to the Board. Dr. McDonnell stressed that the Board reads all comments and often discusses comments between themselves. Dr. McDonnell indicated that much of the correspondence were from individuals (as compared to form letters) and were also more position in tone.

Dr. McDonnell acknowledged the efforts of BLM to address the misinformation issue through development of the *Myths and Facts* document available on BLM's Wild Horse and Burro website ([www.blm.gov/wo/st/en/prog/whbprogram.html](http://www.blm.gov/wo/st/en/prog/whbprogram.html)).

Mr. Masters expressed his thanks to the volunteer organizations who attended the Board's Working Group meeting expressing their desire to help with BLM's wild horse and burro program.

Mr. Weikel indicated that the local Elko paper contained an editorial in its September 8, 2016, edition entitled "BLM Horse Program at Epic Low" but the trend of the editorial was more positive and wished the Board luck in its problem-solving efforts. She requested the editorial be considered and included as a public comment.

Dr. Cope indicated that for the first time since he has been on the Board almost everyone recognizes that we have a problem which needs to be addressed. While there may be disagreement about what and how to take action, everyone recognizes we have an immediate problem that must be addressed. He is hopeful that there can be progressive discussions concerning how to handle the problem without having to discuss if the problem exists.

Mr. Kathrens echoed Dr. Cope's comment and that the comments heard yesterday had value. She thought the Board tour was very enlightening. There are serious issues that must be addressed. Ms. Kathrens noted that BLM Nevada has some new exciting volunteer efforts that could get people in the field in proactive ways.

Ms. Sewing added to Dr. Cope's comment by indicating that so often in the past people commented that there are problems and the agency hasn't done anything to address those problems but the person commenting never offered solutions. The public comments provided yesterday identified significant issues but also offered substantive ways to address those issues.

Mr. Woehl noted that several of the comments suggested the need for an emergency declaration. Having worked for 36 years in providing loans through the Department of Agriculture, Mr. Woehl has knowledge of emergency declarations; however, is not acquainted with how emergency declarations pertain to the BLM. **ACTION:** Mr. Woehl asked Mr. Bolstad to investigate what an emergency declaration would entail and do for the agency, which will allow the Board to discuss the possibility of making such a recommendation. Mr. Woehl indicated that he would like feedback from Mr. Bolstad on the request within 30 days. Mr. Bolstad indicated that he was not familiar with the details associated with declaring an emergency for reasons of wild horse over-population but was familiar with the process for drought and other natural disasters. Mr. Bolstad committed to investigate the request and report back to the Board.

Mr. Woehl indicated that this is a unique situation where there are too many wild horses but also range degradation due to drought. It may be appropriate to address an emergency declaration resulting from drought, range degradation, and too many wild horses.

## **U. S. Forest Service Update**

*Hope Woodward, Rangeland Program Manager, Wild Horse & Burro Program, USFS*



Hope Woodward

Ms. Woodward thanked the Board for the opportunity to provide the Board with an update on the FS's wild horse and burro program. In summary, Ms. Woodward provided an overview of the agency's program as well as addressing cooperative efforts with the BLM, individual Forest activities, and an update on the Greater and Bi-State Sage-Grouse conservation as it relates to the FS planning amendments.

### *Program Update*

Nationally, there are 34 active wild horse and burro territories encompassing approximately 2 million acres. With a national AML of 2,000 wild horses and 296 burros, the current population of 6,000 wild horses and 900 burros is 300 percent of the national AML. More specific to Nevada, there are approximately 2,300 wild horses and burros, which is 250 percent of the State AML. Within the state there are 20 active territories encompassing approximately 1.5 million acres of which 370,000 acres lie with inactive territories.

From a staffing standpoint, the program Ms. Woodward reported to the agency's Washington Office in May 2016 to assume the duties of Barry Imlar, who recently retired. There is a vacant Wild Horse and Burro position in Region 4 in Ogden, Utah that is expected to be encumbered in early 2017. A similar position is located in Region 3 in Albuquerque, New Mexico that is also vacant. The Region 3 position will be responsible for overseeing the wild horse and burro program as well as feral animals.

### *Wild Horse and Burro Management on National Forest Service Lands*

The agency's primary focus is to complete the necessary National Environmental Policy Act (NEPA) analyses on territory management plans which will set the AML for each territory and outline management actions (inset.)

In 2013, the FS shifted its program from having BLM conduct gathers and adoptions for the FS. Since that time, the focus for program funding, which was \$1.1 million in FY15 and \$1.3 million in FY16, was long-term holding by the BLM. As of September 30, 2015, there were 266 animals held in corrals and 771 animals in long-term pastures. The Carson National Forest removed 49 from long-term holding pastures in July 2016 as part of their gentling contract. One FS goal is to increase adoptions and sales of wild horses to reduce the number of animals being held in BLM long-term pastures.

#### Management Actions

- *Wild Horse and Burro Gathers (bait trap & helicopter)*
- *Adoptions & Sales*
- *Contraception with PZP*
- *Partnering with individuals, support groups, Tribes, local governments, and state agencies*

The FS is working cooperatively with BLM in terms of increasing population control methods. The BLM and FS have discussed signing a Memorandum of Agreement (MOU) with the Humane Society of the United States to facilitate coordination and cooperation concerning the use of immuno-contraception as part of wild horse and burro management on National Forest lands.

Another major focus has been increased coordination with other agencies in joint management areas, which is expected to result in an MOU between the FS and BLM. The increased coordination will also result in the increased use of Service First agreements.

Ms. Woodward addressed several Forest-specific efforts summarized below.

The Big Summit Territory in the Malheur National Forest in Oregon, which contains approximately 27,000 acres, is 250 percent over the established AML. The Forest is working with the Central Oregon Intergovernmental Council to develop recommendations for management for inclusion into the upcoming management plan revision. The Forest has undertaken a Porcine Zona Pellucida (PZP) program as well as partnering with the Central Oregon Wild Horse Coalition to conduct population counts annually.

The Murderer's Creek Territory also on the Malheur National Forest in Oregon, contains 72,500 acres and is a joint management area with the BLM. Working cooperatively, the FS and BLM are initiating a planning process to revise the appropriate management plan(s) to revise the AML as well as address other issues such as a Court-ordered reduction of the wild horse population due to issues with the Endangered Species Act. Scoping for the planning effort is expected to occur in early 2017. Wild horses have been removed from private land and returned to the territory.

The Devil's Garden territory in the Modoc National Forest in northern California contains the largest number of excess animals of any territory in the FS. The 2016 population survey found 2,246 wild horses, which is approximately 600 percent above AML. The management plan for the territory has been completed. There is a helicopter gather scheduled to remove between 200 and 250 wild horses from private and Tribal lands in September 2017. Selected mares will be treated with PZP before being returned to the Territory. Those that are not adopted or sold will also be returned to the territory. The Forest has been working with many partners for funding the gather as well as developing long-term management solutions for the territory. Under a Service First agreement, BLM will be conducting adoptions out of the Richfield, California corrals.

The Carson National Forest in New Mexico which is the most active Forest using PZP as a management tool also has a gentling contract which has facilitated the adoption of several animals into good homes. The Forest has established a cost share agreement with partners for the adoption of wild horses.

The North Hills Territory in the Dixie National Forest in southern Utah is a 23,500-acre territory that is jointly managed with BLM HMAs. The Forest has initiated pre-NEPA for revising the Forest management plan, which will be developed in coordination with BLM for the wild horse complex management strategy. The territory contains an active grazing allotment where 19 animals have been removed since 2014. Currently, there are approximately 15 to 30 wild horses on the allotment, which are scheduled to be removed over the next two years.

The Spring Mountains Complex HMA Project Environmental Assessment is being developed for the Spring Mountain Territory on the Humboldt-Toiyabe National Forest in southern Nevada. In 2015, BLM conducted an emergency gather to removed horses from this area due to lack of forage. Public outreach for the joint-management project is expected to commence in mid-October 2016. Two additional wild horse and burro planning efforts are underway in Nevada.

As discussed at the Board's April 2016 meeting in Redmond, Oregon, the Heber Territory on the Apache – Sitgreaves National Forest in Arizona, two large fires on the Forest removed barriers to wild horse migration and created a tremendous amount of desirable, high quality forage. As a result, horses from surrounding Native American reservations and abandoned animals have migrated on to FS-administered lands including the Heber Territory. The Territory was believed to be vacant prior to the fires; however, a 2015 survey identified 255 horses on the Forest with approximately 20 animals on the Heber Territory and 113 animals on the adjacent Apache National Forest. The Forest Management Plan appeal has been resolved which has allowed planning for the Heber Territory Management Plan to commence.

Also discussed at the April 2016 Board meeting, Ms. Woodward provided the Board with an update on the Salt River Herd, which involves stray and abandoned off-territory horses on FS-administered lands. These animals are not afforded protections offered under the *Wild Free-Roaming Horses and Burro Act of 1971*. House Bill 2013 was passed by the Arizona legislature in May 2016, which makes it illegal to harass, shoot, kill, or slaughter a horse that is part of the Salt River horse herd. Currently, it is suspected that there are approximately 100 horses on lands administered by the FS and between 100 and 300 animals on all land ownerships. Management will be dependent on signing an MOU between the State of Arizona and the FS, which has been submitted in draft form to the State for their review. At this time, the State of

Arizona nor the FS are not responsible for managing the animals. When an issue arises, the FS meets with the Arizona Department of Agriculture and the local Sheriff. The Salt River Wild Horse Management Group is administering PZP and takes animals to a local veterinarian when the need arises.

Dr. Cope asked if the new management plans were being completed at the project level, as a plan revision, or a plan amendment. Ms. Woodward indicated that it varies by plan. The Spring Mountain planning effort on the Humboldt-Toiyabe National Forest will amend the management plan under the 2019 process. All other efforts are project level and addressed under the 218 objection process. Dr. Cope indicated that this has been a big issue since the Tongass National Forest completed a Forest Plan revision in the form of an amendment. **ACTION:** Ms. Woodward indicated that she would look into Dr. Cope’s question relating to the level of planning (project versus Forest level) being used to address the various planning efforts and provide a response to the Board. Dr. Cope asked a follow up question if the 218 Objection process was addressed under the 2012 planning rule. Ms. Woodward indicated that it may vary as to the rule being used by each Forest. The Spring Mountain Wild Horse and Burro Complex HMA Project is being completed under the 2019 rule. Ms. Woodward was not sure which rule the other management plans were following. Dr. Cope highlighted several entities that were early adopters of the 2012 rule. He indicated the Apache – Sitgreaves National Forest planning effort was not under the 2012 rule. Dr. Cope indicated that there is movement away from the old planning rule toward the 2012 rule. Ms. Woodward indicated that it would be rare that a Forest Plan process being initiated now would not follow the 2012 rule.

#### Sage-Grouse Habitat Classifications

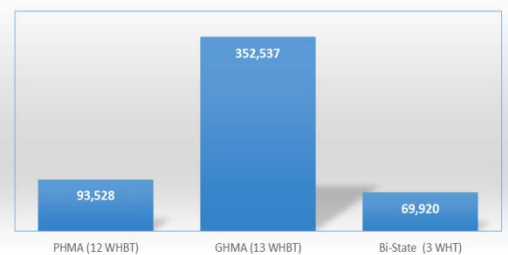
- *Sagebrush Focal Areas (SFA)*
- *Priority Habitat Management Areas (PHMA)*
- *Other Habitat Management Areas (OHMA)*
- *General Habitat Management Areas (GHMA)*

The Record of Decision documents for the Greater Sage-Grouse and Bi-State Sage Grouse planning processes were approved in September, 2015, and May, 2015, respectively. In addition, the rangeland standards and guidelines for wild horse and burro management have been established. As discussed yesterday, habitat for the Greater Sage-Grouse has been classified into four separate categories (inset to left). Slightly different classifications have been established for the Bi-State Sage-Grouse habitat, which lies principally in the northwest part of Nevada and northeastern California.

Nationally, 12 wild horse territories and 1 wild burro territory contain 446,065 acres of Greater Sage-Grouse habitat. Of the 446,065 acres, 93,528 acres (21 percent) lie in SFAs and 352,537 (79 percent) lie in GHMA. The wild horse and burro territories do not contain SFA habitat. Three wild horse territories contain 69,920 acres of habitat for the Bi-State Sage-Grouse population (inset to right).

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GRSG & BSSG Habitat Acres in WHBT





As mentioned previously, standards and guidelines have been established for both species of Sage-Grouse. Table 1 provides a summary of those standards and guidelines.

Table 1 Forest Service Standards and Guidelines for the Greater and Bi-State Sage-Grouse Management Recommendations		
Species	Standard/Guideline	Description
	Standard GRSG-HB-ST-068	In priority and general habitat management areas, consider adjusting appropriate management levels, consistent with applicable law, if Greater Sage-Grouse management standards are not met due to degradation that can be at least partially attributed to wild horse and burro populations.
	Standard GRSG-HB-ST-069	In priority and general habitat areas, remove wild horses and burro outside of a wild horse and burro territory.
	Standard GRSG-HB-ST-070	In priority and general habitat areas, herd gathering should be prioritized when wild horse and burro populations exceed the upper limit of the established appropriate management level.
	Guideline GRSG-HB-GL-071	In priority and general habitat areas, wild horse and burro population levels should be managed at the lower limit of established appropriate management level ranges, as appropriate.
	Guideline GRSG-HB-GL-072	In priority and general habitat areas, consider exclusion of wild horses or burro immediately following emergency situation (e.g., fire, floods, and drought).
	Guideline	4-inch stubble height by end of brood-rearing season with annual reporting to the U. S. Fish & Wildlife Service.
Bi-State Sage-Grouse	Standard BSSG-WHB-S-01	Appropriate management levels in territories and herd management areas with habitat shall be based on the structure, condition, and composition of vegetation needed to achieve bi-state DPS habitat objectives.  Maintain wild horse numbers at AML and within designated territory boundaries to minimize the risk of excessive use levels and range expansion.  Establish AML and management plans, implement gathers, use contraceptive methods.

Given the requirement for monitoring and reporting back to the U. S. Fish & Wildlife Service (FWS) in five years, there may be need for additional action regarding management of wild horses and burros within priority habitat management areas.

Sage-grouse habitat monitoring direction is to (1) conduct appropriate monitoring assessments per the Greater Sage-Grouse guidelines in wild horse and burro territories, (2) establish plots in sage-grouse habitat (if not established), (3) maintain a 4-inch stubble height at the end of the summer brood-rearing season, and (4) identify the capability of achieving a 4-inch stubble height in Nevada.

Following the presentation, Dr. Cope summarized the principles of the 2012 planning rule of establishing the desired conditions, develop a monitoring plan, and use adaptive management. Dr. Cope asked what action would be taken if the 4-inch stubble height is not achieved in HMAs where wild horses are determined to be a causal factor. Ms. Woodward explained that there is an inter-disciplinary team working with the individual Forests to establish the appropriate monitoring. Mr. Woodward was not aware if the specific management actions needed to address instances of non-attainment have been determined. The process associated with establishing sage-grouse monitoring is totally separate from the planning process used to revise the agency's land use plans. Dr. Cope indicated that this will be important as the Forests in Region 4 will be revising their management plans over the next decade.

Mr. Bolstad noted that Ms. Woodward's position is devoted 100 percent to the agency's wild horses and burro program, which is new to the FS's Washington Office. Mr. Dean re-emphasized the importance and significance of the MOU referenced by Ms. Woodward, which will provide more detailed guidance to the local BLM field offices and FS districts to work cooperatively where horses move between BLM HMAs and FS territories.

Mr. Masters asked if there were wild horses and burros on designated wilderness within FS-administered lands and, if so, is there any special consideration given to that status when managing wild horses and burros. Ms. Woodward explained

that she has raised the same question but has not yet had the time to delve into the answer. Discussions which she has been able to initiate address questions such as if the wild horses and burros contribute to the naturalness of the wilderness area. Ms. Woodward has been corresponding with a researcher at the Rocky Mountain Research Station in Missoula, Montana concerning wild horses and burros in wilderness areas.

**Off-Range Update**

*Holle' Hooks, Off-Range Branch Chief, Wild Horse and Burro Program, BLM*



Holle' Hooks

Ms. Hooks began her presentation by providing statistics associated with the off-range component of the wild horse and burro program (Table 2.)

Table 2 Off-Range Space Statistics		
Description	Number of Animals	Projected Capacity
Number of Wild Horses at Off-Range Pastures	31,588	37,000
Number of Wild Horses and Burros at Off-Range Corrals	13,552	
Number of Wild Horses at Eco-Sanctuaries	562	

The current number of animals in off-range corrals is approximately 13,500 animals, which will be reduced with the elimination of one off-range corral facility in Kansas. The animals will be relocated to new off-range pastures that were acquired from the 2015 solicitation.

From the 2015 and 2016 off-range pasture solicitations, BLM anticipates offering seven awards of which two will be in Missouri and Oklahoma for 600 spaces that will be available in October and five awards in Oklahoma and Kansas for approximately 5,400 animals. Additional work is being completed for a potential off-range pasture facility in Iowa. BLM anticipates having all new facilities operating no later than April 2017.

**Eco-Sanctuaries**

There are two eco-sanctuaries in Wyoming and one in Oklahoma (below), which currently hold approximately 580 animals. BLM continues to work towards its FY17 goal of developing additional educational and placement opportunities to expand awareness of the wild horse and burro program.

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Wyoming

- Wind River Eco-Sanctuary (Lander, Wyoming)
- Deerwood Ranch Eco-Sanctuary (Centennial, Wyoming)

Oklahoma

- Mowdy Ranch Eco-Sanctuary (Coalgate, Oklahoma)
-



**Wind River Eco-Sanctuary Visitor Center**

The grand opening for the Wind River Eco-Sanctuary was held on June 4, 2016, which was part of the Mustang Heritage Foundation's *America's Mustang Campaign*. During the grand opening, free wagon rides were offered to the public, which facilitated viewing of wild horses. The event was well attended by the public as well as BLM staff from Wyoming and the Washington Office. The eco-sanctuary has a beautiful visitor center (inset) which contains a gift shop and campground.

The Mowdy Ranch Eco-Sanctuary held the 2<sup>nd</sup> Annual Mustang Marathon on June 11, 2016, hosting 400 runners. BLM continues to coordinate with the Mowdy Ranch Eco-Sanctuary concerning other public events.

Ms. Hooks noted that the Program Officer's duties have been transferred from the state to BLM's Washington Office.

### ***Comprehensive Animal Welfare Program***

The Washington Office is developing an Instruction Memorandum (IM) addressing implementation of Standard Operating Procedures (SOPs) for off-range corrals, transportation, and adoption. More specifically, the IM will address SOPs for implementation, training development, and further refine the draft assessment tool.

An IM is also being developed to address SOPs for off-range pastures and eco-sanctuaries. Work continues to move forward on developing the assessment tool as well as different training materials.

In the future, BLM is considering the development of SOPs for animals outside of BLM's care.

### ***Marketing Support***

BLM recognizes that the wild horse and burro program is controversial and contains a product (wild horses and burros) that the agency would like to successfully market to the American public for placement into private care as well as make the public aware of the challenges and issues associated with managing America's wild horses and burros.

To successfully meet its marketing goals, BLM released a solicitation on August 26, 2016, which will close on September 16, 2016, seeking professional and consistent marketing and communication products. The Technical Proposal Evaluation Committee (TPEC) will review the proposals with an award being made by September 26, 2016.

### ***Adoption Incentive Pilot Program***

A Statement of Programmatic Involvement (SPI), which is similar to a Statement of Work, has been developed and is being reviewed by BLM's procurement staff. With the end of the federal fiscal year quickly approaching, it is unsure if the review will be completed timely, therefore, additional work will occur in early FY17.

The goal is to have 100 animals moved out of off-range holding corrals into private care through the Adoption Incentive Pilot Program. The program would require adopters to halter and/or saddle train a horse seven years or older or a burro nine years or older. Once the adopter receives title to the animal, they would also receive the incentive payment.

Mr. Woehl interjected that the Board has made several recommendations to BLM concerning the Adoption Incentive Program. He explained that the Board was interested in making the program available to animals of all ages; not just older animals and inquired as to the reason(s) for making it available only for older animals. Ms. Hooks indicated that BLM has been successful in adopting younger animals and examined information to determine the age at which adoptions began to decline. Analyzing data for a 5-year period, BLM determined that horses over the age of seven and burros over the age of nine were adopted less often.

Mr. Woehl indicated that the oldest horses offered at the most recent Internet adoption as well as adoptions he has attended has been six years old. The intent of the Board's recommendation was for more animals to be adopted; not just targeted animals. Generally, speaking horses six years and older don't enter the adoption program but are placed in holding corrals and are often never offered for adoption. Mr. Woehl re-emphasized the Board's intent was to make the program available for all horses.

Mr. Bolstad indicated that the decision to consider only older animals for the program also involved having the financial resources available to accomplish the Board's recommendation. As an example, Mr. Bolstad indicated that the Board suggested a \$1,500 incentive would be appropriate under this program. When considering the number of animals adopted (2,600 animals), a \$1,500 incentive per trained animal would translate to a \$3.9 million commitment, which the agency does not have the financial resources to absorb. Mr. Woehl indicated that holding an animal in short-term holding corrals costs the agency approximately \$5 per day, which over the course of one year, translates to \$1,825 per year per animal. Mr. Woehl did not see an impact to the agency's overall budget – the money would be spent for short-term holding or to an adopter as an incentive. Mr. Bolstad indicated that BLM is not optimistic that offering an incentive would significantly increase in the number of animals adopted and making additional monies available to pay the incentive. If the number of adoptions did not increase significantly, the agency would have to use funding targeted for other parts of the program to pay the incentive. Paying the incentive would be an out-year commitment, which the agency is not assured of having available funding. BLM does agree with the Board's intent but is concerned with having adequate fiscal resources.

Mr. Woehl indicated that the skills necessary to train an older horse or burro are different than those needed to train a younger animal. The Board has been very adamant that the animals need to be moved out of the system and into private care. Mr. Woehl believes limiting the incentive pilot program to older animals is a recipe for failure.

Ms. Kathrens asked if there was an animal evaluation process for entering the program. Ms. Hooks indicated that BLM hoped that, under the Assistance Agreement, there would be an organization working directly with the adopter and the animal. An acceptable definition for a halter- and saddle-trained animal were included in the solicitation to ensure the agency's expectations were understood. Completing an evaluation of an animal prior to being adopted was not part of the program as developed. Ms. Hooks indicated that over the past eight months, there has been a tremendous amount of discussion within the agency, which included leadership to understand the expectations as well as ensuring there is an investment from the adopter. Ms. Hooks suggested the need for additional discussion internally within the agency to address the Board's concern with limiting the program to older animals.

Mr. Masters indicated that he has personally trained several wild horses and has friends that are trainers. He is not aware of anyone who attends an adoption event looking for older horses. Mr. Masters supported the concern raised by Mr. Woehl and believes that if the age limitation were eliminated from the program, the number of adoptions would increase.

Ms. Hooks indicated BLM also examined an analysis from New Mexico where a \$500 incentive was given when mares 6 years and older were adopted. The analysis found that the number of animals adopted did not increase but changed the adoption preference away from younger animals to the older animals. The intent of the incentive pilot program is to increase the number of animals placed in private care. Mr. Woehl indicated that he was aware of the New Mexico pilot, which did not involve a training component. Training animals is a major component of the incentive pilot program, which requires the adopter to demonstrate the animal has been properly trained prior to receiving the incentive. Mr. Woehl used an analogy that when training a horse, you set the horse up to succeed; not fail. He reiterated his opinion that using 7-year old horses and 9-year old burros is a recipe for failure.

Ms. Bail indicated that she is looking for a solution that includes both young and older animals. Ms. Bail asked if there was discussion or experience in offering a scaled incentive where a smaller incentive would be offered for younger animals and a higher incentive for older animals. Ms. Hooks indicated that there has not been discussion relating to a scaled approach but there was discussion concerning offering the incentive to all ages of animals. Mr. Woehl indicated that the Board had discussed an approach where the offered incentive would vary based on the animal's training (i.e., halter trained, could be ridden, etc.) Mr. Woehl indicated the intent of the program was to provide the adopter an incentive to train the animal; rather than merely having the animal in a pen.

Ms. Bail indicated that she is supportive of the program but was responding to the fact that there are so many older animals in holding corrals and pastures. She would like to have a program that gives an adopter incentive to consider adopting an older animal and would like to understand if such a program would work.

Mr. Bolstad indicated that the incentive pilot program correlates well with ideas such as a tax rebate discussed by Director Neal Kornze. To offset the cost of the incentive program would require an additional 2,000 animals to be removed from holding corrals and adopted in the first year of the program. To address the existing 2,600 animals adopted annual plus the additional 2,000 animals from the incentive pilot program, \$7 million would be required, which Mr. Bolstad was not comfortable advancing, risking possible insolvency, and setting other aspects of the program on hold. Mr. Bolstad suggestion a more aggressive approach to requesting additional funding to address such programs might be in order.

Ms. Kathrens asked if this was a pilot program that was being implemented at a specific facility. Ms. Hooks indicated that it is a pilot program, which is not being implemented at this time. Under an assistance agreement, the pilot would operate for a year after which an evaluation would be made. If there were significant changes to the program based on the evaluation, a new Assistance Agreement, solicitation, and award would be necessary to continue the program. Ms. Kathrens indicated that based on her experience with the Canon City corral in Colorado, staff had a very good evaluating animal behavior, which would have been an excellent facility to test this program.

Ms. Hooks suggested offering the Board an opportunity to review the SPI to which Mr. Bolstad indicated that the SPI could be provided to the Board once it was published.

Ms. Sewing asked if it were possible to lower the incentive to conform to the cost saved. Ms. Hooks indicated that the amount of the incentive could be adjusted to conform with the cost saved; however, she would have to work with the budget office to determine the average annual cost of off-range corrals. Mr. Bolstad indicated that \$5 per day per animal times 365 days would equal \$1,825, which is in line with the \$1,500 incentive.

In closing this conversation, Mr. Woehl indicated that he is very passionate about this program, which obviously needs to be addressed further. Such an approach has been proven to be successful as demonstrated by the Mustang Heritage Foundation who has found good homes for many animals and generate high adoption fees. Although this program would not be the complete answer to the number of animals in holding, it is a good component due to the positive press it receives. Mr. Bolstad indicated that the path forward for the wild horse and burro program is an array of efforts. He suggested BLM consider piloting the incentive program in a particular state or facility to reduce the financial risk and liability.

**ACTION:** Based on the discussion, BLM will reevaluate its approach of limiting the Adoption Incentive Pilot Program to horses seven years or older and burros nine years or older.

### *Internet Adoption Website*

BLM's Adopt-A-Horse website is undergoing reconstruction which involves rebranding and modernizing the site as well as automating the benefits to the adoption and sales programs. The Request for Proposals closed on September 6, 2016, and the TPEC will review the proposals and recommend an award in the near future. It is anticipated that the contract will be awarded prior to September 30, 2016.

During this process, BLM's Eastern States office has worked closely with the National Operations Center in Denver, the existing contractor, and Program Administration to identify the need for the website's revision as well as defining how the website should look and function in the future. A key function of the website in the future will be the ability for adopters to submit adoption applications online.

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## *Trained Animal Opportunities*

### Trainer Ambassador Pilot Program

The Eastern States office is leading an effort to initiate the Trainer Ambassador Pilot Program also commonly referred to as TAPP. A solicitation was issued and has closed. Proposals are being reviewed by the TPEC with site visits proposed to be conducted in FY17.

### Family of Horses

The Family of Horses program is a partnership with the Family Horses organization, which focuses on the burro incentive program.<sup>8</sup> Since November 2015, the program has placed over 150 trained burros into good homes as well as provided educational and program assistance. Such assistance has included providing video of animals that are offered for adoption on the Internet.

Currently, there are 26 burros in the training aspect of this program.

### Mustang Heritage Foundation

BLM's partnership with the Mustang Heritage Foundation (Foundation) is the longest standing partnership associated with placement of animals into private care. To date, the Foundation has placed over 1,100 trained animals into private care through its Storefront program.

In addition, the Foundation also operates the *America's Mustang Campaign* which has been very successful in providing educational and marketing assistance to the wild horse and burro program. Currently, there are 325 animals in training under the program.

### Correctional Centers

Under an Assistance Agreement, various correctional centers (facilities) hold and train wild horses and burros, which are offered for adoption. To date, over 300 trained horses have been adopted into good homes. In addition, correctional facilities host open houses and adoption events.

### Mantle Horse Ranch

Under a contract with BLM, the Mantle Ranch trains wild horses for placement into good homes, hosts adoption events, and holds animals. In 2016, the Ranch placed close to 75 trained and untrained animals into good homes.

## *Placement into Private Care*

### Adoption Demand Study

As presented at the Board's April 2016 meeting, *Great Lakes Marketing Research* has completed a review of the agency's adoption and sales program as part of the adoption demand study. The final report from *Great Lakes Marketing Research* is expected to be submitted to BLM later this month.

Following submission of the final report, *Great Lakes Marketing Research* will continue to be available to BLM until October 31 to address questions and needs for clarification.

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<sup>8</sup> In 2015 Family Horses partnered with the BLM to form the Burro Incentive Program. This nationwide program was created to help pair wild burros with qualified trainers to get basic training. The trainers work with the burros to meet training goals and then find qualified homes for placement. Trainers are compensated for the work they do and adopters have the benefit of receiving an animal that has some training.

## Private Care Placement Team

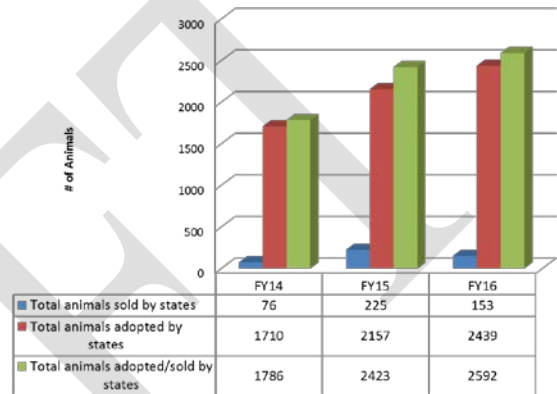
The Private Care Replacement Team (Team) has been and continues to meet to review and address the *Great Lakes Marketing Research* adoption demand study final report as well as policies, procedures, and challenges associated with placing animals into private care. The goal is to submit a final report to BLM leadership within the next six months addressing recommendations for increasing the number of animals placed into private care as well as development of an implementation plan to ensure consistency within the program.

Mr. Woehl expressed the Board's appreciation for being allowed to have a Board member serve on the Team.

## Wild Horse and Burro Placement Trend – FY14 – FY16

Ms. Hooks provided a summary of animals (horses and burros) placed into good homes through adoptions and sales between the period of FY14 – FY16 (as of August 18, 2016) (inset). There is an increasing trend in the number of animals placed and the BLM's goal is to continue the trend in an upward direction.

In closing, Ms. Hooks noted that BLM has been very successful in working closely with its numerous partners and the Board concerning placement of animals into private care. There are several successful efforts such as the *America's Mustang Campaign* and *Live Stream* event that took place as part of the America's Mustang Celebration Expo in Sedalia, Missouri on July 14 – 16, 2016, that have contributed significantly to the success of the program.



Following the presentation, Mr. Bolstad asked Ms. Hooks to verify the number of animals identified on the second slide of her presentation, which show 41,482 animals in holding. Mr. Bolstad suggested the number should be closer to 45,000 animals. Ms. Hooks indicated that she will verify the numbers displayed on the second slide, which were taken from the August 26, 2016, Deputy Director report.

Ms. Sewing asked how the extra space in the off-range pastures will be utilized. She asked if the space would be used for animals transferred from holding corrals or to accommodate animals removed from the range and how that might correlate with funding targeted for gathers. Ms. Hooks indicated that the 6,000 spaces (5,400 spaces that potentially could be acquired by April 2017 and the 600 spaces acquired through the 2015 solicitation) will be used to transfer animals from the off-range corrals. There are no plans at this time of increasing the number of animals to be removed from the rangelands. Mr. Bolstad added that the animals being moved from the off-range corrals are older animals, which have little chance of being adopted.

Mr. Masters asked how the finances associated with the eco-sanctuaries and how those finances compare to the off-range corrals. Ms. Hooks indicated that the eco-sanctuaries are operated under assistance agreements while off-range corrals are under contract, which provide a per head per day cost. The eco-sanctuaries are not operated on a per head per day basis but more in line with the educational and other services provided. Mr. Masters asked a follow up question concerning the length of time contracts are offered for off-range pastures. Ms. Hooks explained that the agency's appropriation language authorizes the agency to enter into multi-year cooperative agreements and contracts up to a period of ten years. Several of the holding pasture contracts are for 5 and 10 years.

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## **Mustang Heritage Foundation Update**

*Kali Sublett, Executive Director, Mustang Heritage Foundation*

*Bryon Hogan, Program Director, Mustang Heritage Foundation*



**Kali Sublett**

Ms. Sublett and Mr. Hogan provided an overview of several different cooperative efforts the Mustang Heritage Foundation (Foundation) has ongoing with BLM. In its decade-long partnership, the Foundation has taken on several projects in three major areas – adoption, education, and awareness.



**Bryon Hogan**

In summary, the mission of the Foundation is to increase the adoption and awareness of excess mustangs and burros in holding. Since 2007, Foundation has placed over 7,000 BLM held wild horses into private care through training and gentling programs. Ms. Sublett expressed the Foundation's thanks to BLM's national, state, and local offices and staff for their continued support.

The organization's bylaws were created and adopted on June 3, 2002. From 2001 to 2005, the Foundation worked on selecting a comprehensive and effective Board of Trustees. In 2006, the Foundation entered into a continuing Financial Assistance Agreement with the BLM's Wild Horse and Burro program., under which the first training program, Extreme Mustang Makeover (EMM) took place in 2007 with 100 trainers and 100 mustangs. The Trainer Incentive Program (TIP) was also launched in 2007.

In 2013, the Foundation produced the richest, wild horse training event, Mustang Million, adopting out over 500 animals in three weekends and attracting over 5,000 spectators.

In 2015, the Foundation created and launched a national awareness campaign, Americas Mustang.

In 2016, the Foundation continues to work with and expand its TIP Storefront program across the United States.

Ms. Sublett briefly touched on the Foundation's Board of Trustees as well as the organization's eight-person staff, which includes a few contractors.

### ***Training & Adoption Programs***

The Foundation facilitates its mission primarily through training and adoption programs – Extreme Mustang Makeover, Mustang Million, Trainer Incentive Program, and the Storefront Program.

#### **Extreme Mustang Makeover**



Publicly, the Foundation is most well-known for the EMM program, which has visited 30 cities and 22 states and hosted 83 national events resulting in the adoption of over 3,764 animals since its inception in 2007.

In celebrating its 10-Year anniversary in 2016, the Foundation adopted a theme "10 Years. 10 Cities. 10 Times The Extreme", which involved hosting ten EMM events that resulted in the adoption of 271 animals<sup>9</sup> and 33 animals being sold. While the EMM doesn't result in adoption of large number of animals, it does provide substantial media attention and support. When the Foundation began in 2007, the primary focus was 3-year old gelding from Nevada. Over the past decade, other programs have been added and now involves horses of all ages from across the BLM.

Beginning in 2016, the Foundation has been working within the sales program as part of the EMM to facilitate placing animals in good homes and reducing BLM's financial obligations. Sale eligible mares were part of 3 of the 10 2016 EMM events.

During most EMM events, BLM is invited to and provided space for a booth to provide opportunity for increasing the public's awareness of the wild horse and burro program. In addition to the booth, BLM and the Foundation work cooperatively to conduct adoption events during the EMM event.

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<sup>9</sup> Mostly mares and geldings between the ages of 5 and 7 years.



Over the past couple of years, the average attendance for the Saturday night finale show has gradually increased to approximately 2,000 people. The average adoption fee paid for an animal has been approximately \$1,300 with the most successful event occurring in Florida where 24 mares were adopted at an average price of \$3,150 per animal. The 33 sale eligible mares brought an average price of \$1,000.

### Tentative 2017 Extreme Mustang Makeover Events

*Mustang Magic (Fort Worth, Texas).....January 19 – 21*  
*Jacksonville, Florida ..... May 18 – 20*  
*West Springfield, Massachusetts ..... June 15 – 17*  
*Lexington, Kentucky ..... July 6 – 8*  
*Monroe, Washington.....August 10 – 12*  
*Fort Worth, Texas .....September 14 - 16*

Ms. Sublett noted that BLM receives \$125 from the purchase price of an animal after which the trainer receives 50 percent of the remaining balance and 50 percent being used to offset BLM’s expense associated with the EMM program. Ms. Sublett highlighted some areas associated with the 2016 EMM events including an increase in the number of first time trainers, increased educational outreach efforts through demonstrations and seminars, and increased

spectator involvement particularly through the *Meet the Mustang* event, which involves spectators interacting with trainers.

Six EMM events are tentatively scheduled for 2017 (inset) where there will be a strong focus to increase the number of trainers as well as increasing educational opportunities.

### Trainer Incentive Program



The Trainer Incentive Program commonly referred to as TIP was started in 2007 and continues to grow in every aspect! In 2016, 861 animals have been placed in good homes through TIP, which is a 43 percent increase over 2015. Of the 861 animals, 155 horses between the ages of 18 to 24 months have been placed through the youth programs, 124 horses through the Storefront program as well as 41 burros and 9 sale authority horses finding good homes.



A new interact map (inset) has been placed on the [www.mustangheritagefoundation.org](http://www.mustangheritagefoundation.org) website, which allows potential adopters to locate TIP trainers in their local area. TIP trainers serve as the Foundation’s “boots on the ground” marketing individuals who establish relationships with many different equine-related businesses and organizations such as feed stores, riding clubs, etc.

Currently, TIP has 440 approved trainers, which is close to a 100 percent increase over 2015. In the continental United States, there are only three states (North Dakota, South Dakota, and Vermont) which do not have TIP trainers. Most TIP adoptions occur in Florida while California has the largest number of trainers.

TIP is more of a gentling program as compared to the EMM, which produces saddle-trained animals. In addition to serving as a training program, TIP serves as a marketing program where trainers bring an animal home as their own cost, gentle the animal, and then market the animal to the public for adoption. When an animal is adopted at a cost of \$125, the trainer receives an incentive payment. There are gentling requirements that must be achieved prior to the trainer receiving the incentive payment.

TIP has a new Facebook page, which allows trainers to advertise the gentled animals for adoption.

Mr. Woehl indicated that he has been a TIP trainer for over 10 years and stays engaged with every animal that he has trained. Mr. Woehl encourage everyone who is a trainer to become part of the TIP program, which would greatly assist in finding good homes for these animals. Mr. Hogan indicated that many TIP trainers adopt one or two animals per year, which when considering there are 440 trainers, is a significant number of animals finding good homes. Through the TIP program alone, the Foundation is on track to adopt over 1,000 animals. The Foundation is excited about the TIP program and continues to explore new avenues to improve the program.

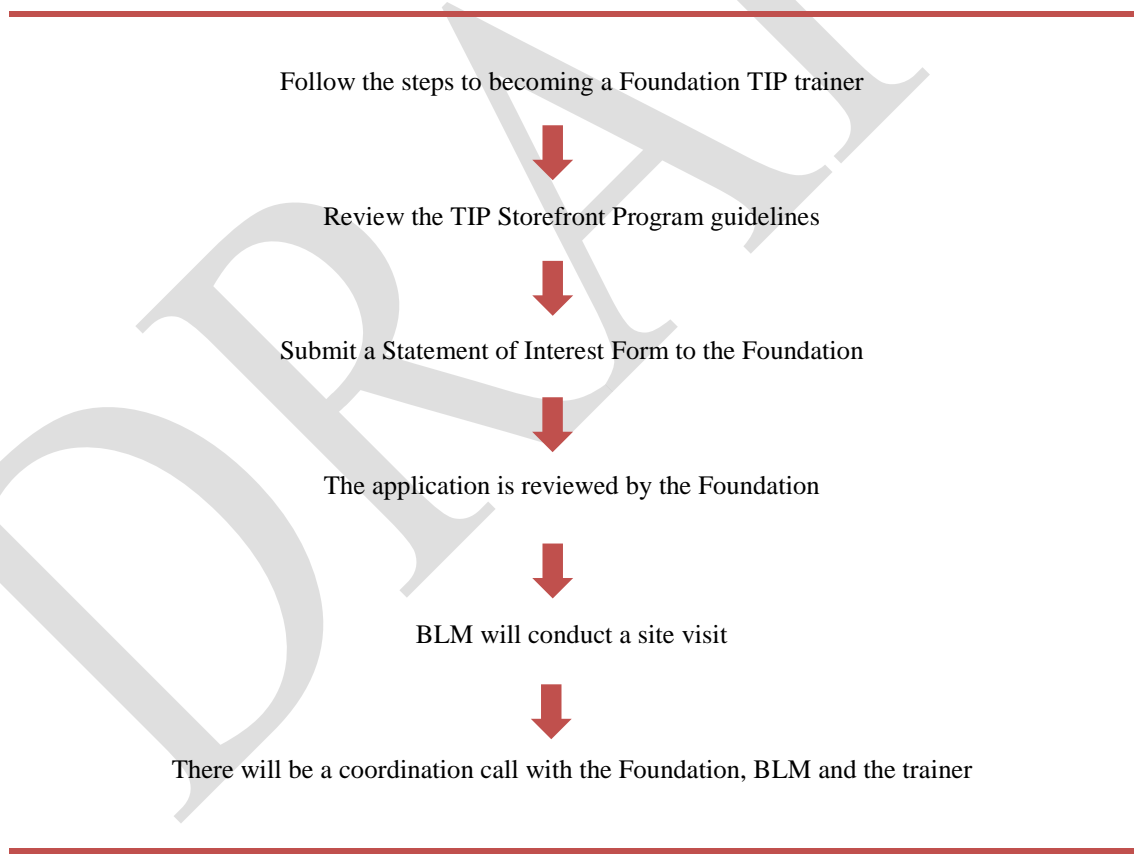
Mr. Masters asked how the sale authority horses were included as part of the TIP program. Mr. Hogan explained that the process is the same for a sale authority animal except the adopter has the option of receiving title and a bill of sale at the time of adoption. In a follow up question, Mr. Masters asked if there has been feedback from trainers as to their preference of the adopter going through the 12-month titling process or having sale authority animals. Ms. Sublett indicated that in general she has received limited feedback from TIP trainers; however, there is a Storefront trainer who has had success with sale authority horses and continues to request them. Feedback from adopters indicated that the sale authority process is more similar to the customary approach in the equine industry where a person receives title when an animal is purchased.



The purpose of the Storefront program is to (1) increase the number of animals TIP trainers are allowed to take into training at any given time, (2) increase the availability of animals for TIP trainers, (3) increase the overall availability of wild and gentled horses and burros in the eastern United States, and (4) provide additional locations for picking up animals adopted over the Internet.

While there was an increase in the number of Storefront facilities in the western United States, the primary goal is to expand the Storefront program in the eastern United States. Currently, there have been 124 adoptions through the program in 2016. There are 11 approved and active facilities<sup>10</sup> with an additional 5 facilities pending approval.<sup>11</sup>

The process for establishing a Storefront trainer/facility is outlined below:



<sup>10</sup> Located in Alabama, California, Colorado, Florida, Idaho, Indiana, New Mexico, Oregon, Pennsylvania, and Washington.

<sup>11</sup> In Arizona, California, Missouri, Virginia, and Wyoming.

A video of the Great Escape Mustang Sanctuary, which is a 2016 TIP Storefront facility was shown. Following the video, Mr. Woehl noted that last year the Board encouraged BLM to increase the number of Storefront facilities. The Board appreciates the efforts of the BLM and the Foundation to make the Board's suggestion become a reality.

### ***Non-BLM Funded Program***

#### Veterans & Mustangs

The *Veterans & Mustangs* program, which is a contribution-based program funded strictly through private donations was started as a pilot in 2013. Each veteran adopts a mustang which they train over an eight-week period at the Foundation's facility. Typically, there are five to ten veterans per session who participate at no cost to themselves (other than the adoption fee) or to the BLM.

Over the past three years, the goal is to have the *Veterans & Mustangs* program be science-based. Most programs involve therapeutic riding, which is not possible with wild horses. The Foundation has found that the program is experiential in nature and is more focus on building a relationship and connection with the animal, which offers the veteran opportunities to find peace, comfort, and increased value in their relationships with others.

The program also offers significant benefits to the Foundation staff by having wild horses at their facility and being part of the adoption process. The program offers the veteran an opportunity to understand the difference between being a citizen and having citizenship and increased productivity in their lives. To date, the program has involved 30 veterans.

#### America's Mustang Campaign



Developed in 2015, the *America's Mustang Campaign* is an effort to provide opportunities for more Americans to discover the mustang; learn about their special characteristics; where they are located; what they need as a breed; and how we can all help manage, care for, adopt or purchase one of our own.

Through the *America's Mustang Campaign* events, the Foundation uses many different activities such as off range corral tours, HMA tours, live demonstrations, eco-sanctuary tours, and seminars to allow the American public to experience wild horses and burro as well as learn about the many aspects of BLM's program.

#### America's Mustang Expos

In 2016, the Foundation hosted three *America's Mustang Expo* events – one each in Arizona, Missouri, and Virginia. In the Sedalia, Missouri event on July 14 - 16, the Foundation did a "live stream" for arena classes and several demonstrations. Over the course of the 3-day event, there were over 1,100 live stream views as well as 13,000 website/page views.

In addition to the "live steam", the Foundation explored the use Facebook Live to increase participation in the three *America's Mustang Expo* events, which included 5 to 10 live sessions and over 7,000 Facebook Live views. The live sessions included BLM discussing its adoption process and a freeze branding demonstration.

A goal for the 2017 Expo events is to increase the number of educational opportunities for the public.

### ***2016 In Review***

As 2016 begins to come to a close, the Foundation projects adopting 1,200 animals through the EMM and the TIP programs, which translates to an annual savings to the American taxpayer and BLM of \$57,600,000, which is the cost of providing lifetime care for the animals adopted. As of September 9, 2016, the Foundation has 125,000 Facebook fans as well as over 600 active and very passionate trainers.

## ***Looking Forward***

Looking forward to 2017, the Foundation has set a target of finding homes for 2,000 wild horses and burros. Efforts will continue to build a national network of mustang and burro adopters, trainers, and enthusiasts. The Foundation will be working to improve the wild horse and burro selection process for all Foundation training and gentling programs as well as increasing the placement of animals through development of partnerships with individuals, corporations, veteran groups, youth groups, and others who have the desire and ability to either train, adopt or support the Foundation's programs.

Having been involved with the Foundation's programs over the past 10 years, it is very encouraging to Ms. Sublett that the programs have continued to evolve and grow. The Foundation realizes that they are an active part of one component of BLM's overall wild horse and burro program and enjoy seeing progress being made in placing animals in good homes. She looks forward to the next ten years.

Following the presentation, Ms. Sewing indicated that she attended the EMM event at the Reno Rodeo, which was very successful. She inquired as to why there was not a similar event or another event identified to be held in Nevada in 2017. Ms. Sublett indicated that the Foundation is in discussion with appropriate parties for an event in California as well as one in Nevada. The Foundation is hopeful the discussions will be fruitful and an event will be held in Nevada in 2017.

Dr. McDonnell asked if there were professional therapists involved with the veteran programs. Mr. Hogan indicated that the *Veterans & Mustangs* program started as with a vocational training/train-the-trainer focus. The Foundation is working to develop a partnership with an Austin, Texas-based group that can provide professional therapy.

Mr. Masters expressed his appreciation for Ms. Sublett's efforts and those of the Foundation to promote and move the BLM's wild horse and burro program forward. While there is tremendous controversy surrounding the program, the Mustang Heritage Foundation is a "beacon of hope." Mr. Master's asked if there were things the Board and/or BLM could do to increase the number of animals adopted by the Foundation on an annual basis. One issue Ms. Sublett expanded on was the selection of horses for adoption and/or training. Ms. Sublett stressed the importance of continuing to work together to ensure that everything is being done to set the program up for success. She believes it important that quality, highly adoptable animals are provided for high profile events. Continued support for the Foundation's efforts from the Board as well as the BLM is very important. Lastly, continued funding support is also important. The Foundation will do the most it can with the funding received.

## **Working Group Reports**

Due to changes in the meeting's agenda, the Board addressed the Resources Working Group report prior to the lunch break. The remaining Work Group reports were addressed later in the afternoon of Day 2.

While waiting for the Board members to return to the podium, Mr. Woehl cited the following poem.

There's nothing like a mustang between your knees;  
One that's light to the rein and willing to please;  
Together as one until the day is done on a mustang you'll find your way home;  
The world is brighter when I'm up on this throne that's strapped to the topside of muscle and bone;  
Beneath me a friend on whom I depend;  
On a mustang I'll find my way home;  
You know luck is fickle and the day is long danger is quick and the cattle is strong but married in movement,  
purpose, and song;  
On a mustang I'll find my way home;  
When my trail has ended on this earthly plain and the angels above they call out my name;  
Please carry me home on a good honest grey;  
On a mustang I'll find my way home.

### ***Resources Working Group***

Membership of the Resources Working Group include Dr. Robert Cope (Chair), Steve Yardley, Dr. Julie Weikel, and Ben Masters.

Dr. Cope opened the discussion by indicating the working group's discussion raised several issues observed on the Board's field tour on Wednesday, September 7<sup>th</sup> and addresses by individuals providing public comment yesterday. In particular, the crisis situation with the excessive number of wild horses that is causing significant resource damage and degradation in many areas. The time for recognizing the issue has passed and the time for action has come. The emergency situation is real with rangeland degradation and loss of resources are very apparent.

Dr. Cope indicated that the four Working Group recommendations will be unpopular and controversial; however, the Working Group believes all options must be considered when addressing the rangeland degradation and loss of resources emergency.

#### Proposed Recommendation 1

BLM should follow stipulations of WHB Act by offering all suitable animals in long and short term holding deemed unadoptable for sale without limitation or humane euthanasia. Those animals deemed unsuitable for sale should then be destroyed in the most humane manner possible.

The Board recognized that BLM cannot remove excess animals from the rangeland as there is no holding capacity available and the agency cannot afford to maintain the animals currently in holding. The Board also recognized the rider on the Interior Appropriations bill makes it impossible to implement the Board's recommendation at this time.

The Board believes the intent, letter, and spirit of the *Wild Free-Roaming Horses and Burro Act of 1971*, clearly states that the Secretary is mandated "to achieve and maintain a thriving natural ecological balance on the public lands and to protect the natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species". It also specifically states "should 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; [PRIA 10/25/1978] and,
- 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.

It goes on to say "an excess animal that meets either of the criteria in Paragraph 1 shall be made available for sale without limitation including auction to the highest bidder at local sale yards or other convenient livestock sale facilities until such time all excess animals are offered."

The Board understands that its recommendation cannot be fulfilled until the under the Interior Appropriations bill is removed but believes the recommendation is an option that needs to be considered in the future. The Board believes the

Secretary of the Interior, BLM Director and Congress should be made aware of the severity of the problem and the resource degradation occurring on the rangeland.

Ms. Kathrens indicated that she does not believe the creators of the *Wild Free-Roaming Horses and Burro Act of 1971* intended what Dr. Cope described. Dr. Cope indicated that one purpose of the recommendation was to gain enough attention that Congress would allow some type of solution to be reached. With the current rider on the Appropriations act, Dr. Cope does not believe the BLM has any option other than keeping horses in long-term holding, which consumes two-thirds of their budget. Removing 3,500 animals annually while the population increase from 10,000 to 20,000 animals annually on the rangeland will just not work. It is necessary to make room to remove the excess animals from the rangeland.

Ms. Sewing asked if it would be possible modify the recommendation to include a statement that BLM should request more funding for removal of the excess animals. She recognized that removing additional animals would increase the funding required to hold the animals but removing the animals would relieve the pressure on the rangeland.

Dr. Cope indicated there are currently approximately 40,000 excess animals on the rangeland which would require approximately \$1.6 billion to hold the animals in long-term pastures for the life of the animals.

Mr. Woehl noted that it takes a year or more to complete the solicitation for acquiring holding pastures. Mr. Woehl wasn't opposed to adding language that BLM should provide adequate off-range facilities to care for the horses but it will require a significant amount of time to accomplish.

Mr. Yardley indicated that with the sheer number of animals that are in danger of starvation on the rangeland, something has to be done with the animals that are currently held in corrals and pastures. To do nothing is possibly the cruelest thing that could be done for the horses on the rangeland. Mr. Yardley suggested moving forward with the recommendation with the hopes that it will get Congress's attention to remove the rider to the Appropriations act.

Dr. Cope indicated that Ms. Sewing's suggestion to modify the recommendation or create a separate recommendation might not be necessary as the Board has indicated that something must be done with the excess animals. The proposed recommendation may stimulate Congress to indicate that the recommendation is not acceptable and ask what else could be done. At that time, Congress may be more amenable to appropriating more dollars for removing excess animals.

Ms. Sewing emphasized that the Board's focus as well as the input received from the public has been the viability of the rangeland and that it is important to relieve the grazing pressure caused by the excess animals. Dr. Cope emphasized that it is critical to reduce the number of animals on the rangeland, which was observed during the Board's tour.

Dr. Weikel noted that the federal government's budget process is a 2-year process and the agency is already working on its FY18 budget. There will not be additional money included in the FY17 budget to address the issues. As the Board heard in the Off-Range program update, there are pending long-term pasture contracts for an additional 6,000 animals which is a long way from the space required to hold the excess animals currently on the rangeland. Dr. Weikel indicated that the Working Group wrestled with many different alternatives or options to address the on-the-ground rangeland health issues, which resulted in the proposed recommendation. Rangeland health is the bedrock on which the wild horses and burro as well as all species depend.

Ms. Sewing agreed with Dr. Weikel concerning the amount of space required for holding animals but felt making a request for more funding would be a start to a very long process.

Dr. Cope indicated that the Working Group came to the conclusion that the on-the-ground situation is so dire that all options no matter of distasteful or socially unacceptable must be considered.

Mr. Woehl asked Ms. Sewing if such a recommendation might stimulate private entities to adopt more animals. Ms. Sewing wasn't sure of if more entities would be willing to adopt animals but was open to any option that would help.

Mr. Bolstad indicated that there are approximately 6,000 spaces available through the 2015 and 2016 solicitations. Moving 6,000 older animals out of the corrals into long-term pastures would create a savings of approximately \$4.3 million, which currently is targeted for on-range management activities. If additional animals were removed from the rangeland, Mr. Bolstad estimated the \$4.3 million cost savings would feed approximately 2,300 more animals in holding corrals, which would not be nearly enough to make progress toward addressing the 40,000 excess animals currently on the rangelands.

Dr. Weikel noted the proposed recommendation addresses all suitable animals in short-term corrals and long-term holding pastures, which would translate to a cost saving of \$17 million based on BLM's budget projections. Mr. Bolstad indicated that he was only addressing the cost savings to BLM by acquiring 6,000 additional spaces in long-term holding pastures and moving 6,000 animals out of holding corrals.

Mr. Yardley noted the proposed recommendation would provide opportunity for wild horse advocates to acquire pasture space to accommodate animals that might be euthanized, which would make additional federal funding available for on-the-ground rehabilitation and restoration efforts.

Ms. Sewing noted that 2,300 wild horses wouldn't significantly impact the issues being faced but would demonstrate that BLM is trying to address the issues. Ms. Sewing indicated that her organization has purchased 20 eleven-year-old or older wild horses from short-term holding corrals, which created a \$36,500 savings per year to the agency. She stressed that every little bit helps.

When asked for his input, Mr. Masters stated that he is 27-years old and will be dealing with public land management issues for the next 60 years. Mr. Masters is upset that he has inherited or been given a number of "messes" such as the rangeland conditions observed during the Board's tour, which, in his opinion, is one of the biggest ecological disasters his generation will face. Invasive species dominating the landscape reducing biodiversity making it difficult for native plants and animals to survive. Mr. Masters would like to adopt ourselves out of this disaster but recognizes that isn't realistic. His goal would be to have a wild horse and burro population that is controlled by birth control techniques to slow the population growth so that when gathers are necessary, they would equal the adoption demand. While it is very difficult for him to accept, he believes the proposed recommendation is necessary. The end goal cannot be reached when BLM spends two-thirds of their budget feeding animals in holding. If BLM is able to focus the funding currently being spent on short-term corrals and long-term pastures on rangeland management and improvement, 20 to 40 years from now, future generations will appreciate being given properly managed rangeland more than if we do nothing at this time.

Mr. Woehl asked if knowing the proposed recommendation cannot be implemented if there was a benefit to making such a recommendation. Dr. Cope indicated that there has already been discussion in Congress to rescind the rider on the Interior Appropriations bill. If the proposed recommendation gets enough attention, it is possible some Congressional delegations could act to rescind the rider, appropriate more funding to BLM, change laws, etc., which is the overall objective of the proposed recommendation at this time. Dr. Weikel suggested the proposed recommendation is a way of taking the public, Congress, and others on the Board's field tour. It is a way to tell everyone that this is an extremely serious situation and an emergency that must be addressed.

Mr. Yardley indicated that much of the discussion addressed cost savings and getting animals off the rangeland; however, less discussion has focused on the cost of rangeland degradation that has already occurred, which money alone will not repair, may be impossible to repair.

In a split vote of seven in favor and one opposed,<sup>12</sup> the Board approved Proposed Recommendation #1 as presented.

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<sup>12</sup> Ms. Ginger Kathrens.

Later in the Board's discussion, Ms. Sewing clarified her vote above by stating that she does not agree with euthanasia in a random, undocumented way. When considering the welfare of the animals, there is a difference between allowing an animal to suffer a tragic death from starvation or lack of water as compared to a humane way of euthanasia.

### Proposed Recommendation 2

BLM should prioritize designated sage-grouse habitat for removal of excess animals. BLM should also use the degree of range degradation as a criterion for prioritization for removal of excess animals and consideration should be given to those rangelands that are most amenable to rehabilitation.

Dr. Weikel indicated that BLM has a clear mandate to address wild horse and burro conflicts in SFAs. The intent of the proposed recommendation is to address all designated sage brush habitat; not just SFAs. The Board has recommendations concerning compatibility with the sage-grouse law but, specifically, BLM has limited the wild horse and burro protections to SFAs. Many degraded rangelands in Nevada are located in PHMAs and GHMAs.

Mr. Woehl indicated that BLM has until 2020 to demonstrate management actions being taken are appropriate and protect sage-grouse habitat. Mr. Woehl is of the opinion that it better to take action now rather than have someone force the agency to take action at some point in the future.

Dr. Weikel indicated that there is a recognition in the last sentence of the proposed recommendation that some rangelands are beyond recovery or rehabilitation. The proposed recommendation is requesting BLM to save what can be saved.

After additional discussion addressing the number of animals and herds as well as the potential effect on the genetic viability and diversity of herds that might be impacted by the proposed recommendation; the importance of preserving the sagebrush steppe habitat for the hundreds of species that depend on that habitat; and the intent of the proposed recommendation in providing direction to BLM in terms of habitat restoration and preservation for sage-grouse, the proposed recommendation was modified to read as follows (language highlighted in bold were added to the proposed recommendation while language removed has been struck through).

BLM should prioritize designated sage-grouse habitat for removal of excess animals. BLM should use degree of range degradation as a criterion for prioritization for removal of excess animals, **i.e., and** consideration should be given to those rangelands that **can be restored and maintained in a healthy status** ~~are most amenable to rehabilitation.~~

In a roll call vote of seven in favor and one abstention,<sup>13</sup> the Board approved Proposed Recommendation #2 as revised.

### Proposed Recommendation 3

BLM should develop partnerships with economic agencies and/or departments to conduct an analysis of socio-economics effects on communities with reduced AUM's on HMA's due to range degradation resulting from over-population of wild horses and/or burros. Further analysis could be conducted regarding the effects of the potential removal of all livestock from all HMAs.

The intent of the proposed recommendation is to determine the effects on western communities of reducing grazing use due to rangeland degradation and/or removing all livestock from HMAs.

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<sup>13</sup> Ms. Ginger Kathrens indicated that she was not knowledgeable enough to understand what the proposed recommendation will entail to make a determination.



After a short discussion addressing the NEPA mandate for socio-economic analysis; the continual frustration of addressing the conflict between livestock grazing and wild horse and burro use on rangelands; use of the suggested socio-economic analysis in future BLM NEPA efforts; compensation alternatives for livestock removed from the HMAs; and the importance of wild horse and burro as an economic driver in local communities, the proposed recommendation was modified to read as follows:

BLM should develop partnerships with economic agencies and/or departments to conduct an analysis of socio-economics **and environmental** effects on communities with reduced AUMs on HMA's due to range degradation resulting from over-population of wild horses and/or burros. Further analysis could be conducted regarding the effects of the potential removal of all **domestic** livestock from all HMAs.

In a roll call vote, the Board unanimously approved Proposed Recommendation #3 as revised.

#### Proposed Recommendation 4

BLM should encourage state agencies and BLM RACs to develop and submit for consideration their plans for herd management and range rehabilitation tailored to their specific areas and HMAs based on local knowledge and expertise.

After a short discussion addressing the reason for including state agencies in the proposed recommendation; the importance of local expertise and input into management of public land resources; to whom the information requested should be submitted; and ensuring the recommendation is feasible, realistic, and can be accomplished, the proposed recommendation was modified to read as follows:

BLM should encourage ~~state agencies and~~ BLM RACs to develop and submit for consideration their ~~plans~~ **ideas** for herd management and range rehabilitation **strategies** tailored to their specific areas and HMAs based on local knowledge and expertise.

In a roll call vote, the Board unanimously approved Proposed Recommendation #4 as revised.

### **Recognition Ceremony**

Ms. Bail recognized the service of three Board members – Dr. Robert Cope, Mr. Fred Woehl, and Dr. Sue McDonnell – whose terms are expiring by presenting each with a plaque representing a small token of BLM's gratitude and acknowledgement of the work, sacrifice, and advice given to BLM's wild horse and burro program.



**Dr. Robert Cope Recognition**



**Mr. Fred Woehl Recognition**



**Dr. Sue McDonnell Recognition**

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## **Greater Sage Grouse Habitat Management Update**

*Gordon Toevs, Senior Resource Advisor, BLM Washington Office*

Mr. Toevs provided an overview of the fundamentals of BLM's rangeland health program particularly as it applies to Greater Sage-Grouse and wild horses and burros. In summary, Mr. Toevs' presentation set the stage for understanding rangeland health; the legislation, regulations, and science underpinning rangeland health; an inter-agency effort in the western United States to collect range-wide data; turning data into usable information; identifying desired future conditions, and how a determination is reached that the rangelands are (or are not) meeting those desired future conditions.

The information presented addressed three critical questions.

- What is the condition of the land relative to the desired and/or reference condition?
- What is the condition of the land relative to the desired and/or reference condition for sage-grouse?
- What is the condition of the land relative to the desired and/or reference condition for wild horse and burro management?

### ***Legislation***

There are a number of laws and regulations (below) that are the basis for answering the questions above.

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Taylor Grazing Act of 1936  
Wild Horse and Burro Act of 1971  
Federal Land Policy and Management Act of 1976  
Public Rangeland Improvement Act of 1978

Land Health Fundamentals  
Record of Decision documents for the Greater Sage-Grouse and Bi-State Sage Grouse  
planning processes approved in September, 2015, and May, 2015, respectively

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#### Wild and Free-Roaming Horses and Burros Act of 1971

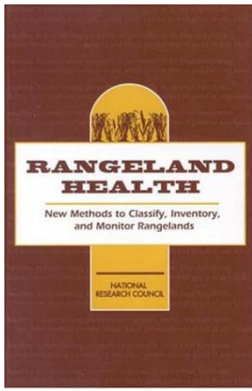
*The Wild and Free-Roaming Horses and Burros Act of 1971* requires federal agencies maintain a thriving natural ecological balance and multiple-use relationships, protect the natural ecological balance of all wildlife species, maintain a current inventory of wild horse and burro populations, determine if an over population exists, and achieve AML.

#### Federal Land Management Policy and Management Act of 1976

*The Federal Land Management Policy and Management Act of 1976* requires federal agencies to (1) conduct periodic and systematic inventories, (2) identify goals and objectives of managing the public lands based on the principals of multiple use and sustained yield, manage public lands in a manner that protects values and provides services, (3) prepare and maintain an inventory, and (4) prevent undue and unnecessary degradation.

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## Science



Following passage of the *Federal Land Policy and Management Act of 1976* many federal agencies worked to (1) understand what it meant to have a periodic and systematic inventory of America's rangelands and (2) to define rangeland health. In 1994, the National Research Council published *Rangeland Health – New Methods to Classify, Inventory, and Monitor Rangelands*, which indicated that the rangeland profession is “hampered in the ability to make decisions because of inability to answer questions about the condition or quality of our rangelands.” This publication precipitated a body of science that included indicators of sustainability, which are recognized and accepted by several agencies and other entities. The report identified three essential processes of rangeland health – soil stability and watershed function, nutrient cycle and energy flow, and presence of a recovery mechanism.

The conclusion of the report included a charge to the rangeland profession – “The committee offers it to the profession of rangeland management and to society as a whole with this challenge: test it and change it, but do it in the same cooperative manner that this committee used to produce the strategy recommended in this report.” (Frank E. “Fee” Busby, Chair)

## Regulations

With the information provided in the *Rangeland Health – New Methods to Classify, Inventory, and Monitor Rangelands* report and the underpinnings of ecological processes critical to sustaining rangelands, the Code of Federal Regulations 4180 was developed. These regulations include four basic principles (below) that serve as BLM's drivers for managing the public rangelands.

- Watersheds, uplands, riparian and aquatic habitats are in properly functioning condition;
- Ecological processes support a healthy biota;<sup>14</sup>
- Water quality complies with state standards; and,
- Habitats are maintained for threatened and endangered species.

Based on the four basic principles, the Rangeland Advisory Council developed generic standards that are addressed in the 4180 regulations. There are many indicators that can be chosen to measure the basic fundamentals. Many of the indicators were identified by locally-based RACs as well as an inter-agency team.

## Ecological Process

Ecological processes within terrestrial habitats address four basic characteristics – soil and site stability, hydrologic function, biotic integrity, and landscape pattern. Landscape patterns that recognize movement of species from place to place was later added as a basic characteristic of ecological processes.

From the aquatic standpoint, ecological processes include geomorphic function, hydrologic funding, biological integrity, biogeochemical processes, and connectivity.

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<sup>14</sup> the animal and plant life of a particular region, habitat, or geological period.

## ***Indicators***

Indicators are monitored to provide the information necessary to determine if the ecological processes are functioning in a manner that will sustain the landscapes and rangelands.

### Terrestrial Indicators

- Bare ground
- Vegetation Composition
- Nonnative invasive plant species
- Plant species of management concern
- Vegetation height
- Proportion of soil surface in large inter-canopy gaps
- Soil aggregate stability

### Aquatic Indicators

- Acidity
- Salinity
- Temperature
- Residual pools
- Streambed particle size
- Bank stability and cover
- Floodplain connectivity
- Large woody debris
- Micro invertebrates
- Riparian vegetation

One criterion for identifying an indicator is that it must be part of a national survey. Not all indicators will apply or be used at every site; therefore, it is important to match the indicators to the site.

For riparian and wetland habitats, BLM is in the process of developing a technical reference, which will address 17 riparian indicators.

## ***West-wide Data***

Once the ecological processes and indicators are identified for a particular area, the next step is to collect appropriate data (indicators) that will determine if rangeland health standards are being met.

The goal of BLM's *Assessment, Inventory, and Monitoring* (AIM) strategy, which is a structured systematic approach to collecting information, is to (1) report on the status and trends of public rangelands at multiple scales, (2) report on the effectiveness of management actions, and (3) provide the information necessary to implement adaptive management.

BLM's AIM strategy has five core principles (inset). If indicators are to be valid across all rangelands, they must be measured consistently in all locations of the country, which includes substantive training of individuals, continual calibration throughout the year, and correlating each site to the soils. It was stressed that the same indicators are collected on all BLM-administered lands, private, state, Tribal lands using the same methods.

### *AIM Core Principles*

- *Core indicators and methods*
- *Statistically valid sample design*
- *Integration with remote imagery*
- *Electronic data capture and management*
- *Timely information – adaptive management*

To use the data across large landscapes it is important to have a sample design. Currently, for terrestrial habitats, there is one sample point for every 80 acres of BLM-administered lands. For aquatic habitats, there is a sample point for every kilometer of active stream within the western United States.

Not all sample points will have data collected but if there is need to address issues in a very small area, sample points for that area have been identified. If a sample draw is necessary, an iteration based on the area to be sampled and a subset of the sample points will be identified based on the ecological site, vegetation community, elevation, slope, aspect, etc.

## ***Integration with Remote Imagery***

Collection of data over large areas is practically impossible; therefore, it is necessary to use data that has been verified on the ground to train remote imagery.

### ***Data Management***

BLM has an active data management process, which allows anyone including the public to find a data collection point and retrieve the data collected at that point.

During the presentation, Dr. Cope asked if Mr. Toevs was familiar with the Rangeland Vegetation Simulator, which is associated with Landfire data. Mr. Toevs indicated that he was not familiar with the simulator but recognized Landfire as a key component of the data used by BLM.

### ***Land Health Assessments***

Land health assessments are a mechanism for turning collected data into information that can be used to make a determination and, eventually, a management decision. Knowing the soil type(s), a site's potential can be determined, which when combined with the identified sample design, it is possible to infer the condition of broad areas. Using data sets collected over time, it is possible to identify how a landscape has changed over a specific time period using quantifiable data. It is also possible to determine the departure of a site from its desired or reference condition.

The data can be reviewed and assessed in relation to specific land uses or users such as sage-grouse and wild horse and burros. Examples of how the data could be used to assess the condition of sage-grouse seasonal habitats were provided but are not summarized in the minutes. Likewise, examples pertaining to the wild horse and burro program were also presented.

### ***Desired Future Conditions***

Desired future conditions are established by identifying the (1) standards to be met, (2) indicators used to collect the appropriate information/data, (3) benchmarks to be achieved, and (4) amount of deviation from the benchmark would be tolerable before a management change is required. It is important to understand that every resource in a particular area cannot be monitored; therefore, the focus of monitoring efforts should be on those resources that are most sensitive to change thus ensuring the resources are properly managed (assuming the resources are a significant component of the landscape).

### ***Determination and Management Action***

Natural systems are complex so it is important to consider the preponderance of the evidence available. Using many different data sets, a determination may be made if an area is (or is not) meeting the established desired future conditions. Overlaying areas that are not meeting the desired future condition with uses of that area can determine if there is a use(s) causing the area to not meet the future desired condition(s). And, subsequently, are there management actions that should be taken to reverse that trend.

### ***Summary***

In closing, Mr. Toevs summarized that land health is not only regulatory but essential to sustain productivity of America's rangelands. It is important to understand the condition and trends of the land, and make management decisions when desired conditions are not being met.

Areas not meeting land health must develop an action plan to make progress toward desired future conditions.

Land health provides BLM and the public with a process to adaptively manage the rangelands to sustain productivity using consistent, high quality data, which provides the framework to determine changes over time and the opportunity to adjust management in a timely manner.

Dr. Cope indicated that many FS land use plans identify future desired conditions and are managing toward those conditions using adaptive management. What Dr. Cope hasn't seen is a strategy or plan if an agency's initial efforts are unsuccessful in reaching the desired conditions. Dr. Cope suggested that management plans should identify more than one alternative for reaching the future desired condition. Mr. Toevs summarized a new IM that addresses adaptive

management, different triggers, and the goal of incorporating several different management options into NEPA environmental analyses, which, subsequently, can be implemented without future NEPA analysis. Mr. Toevs stressed that adaptive management changes cannot be based on annual (unless it is a catastrophic event such as wildfire) events but should be based on long-term data.

Dr. Weikel asked when BLM’s Planning 2.0 will be released. Ms. Bail indicated that BLM is working on the final regulations, which will undergo a clearance process; therefore, it is not possible to identify a date when the final regulations will be released.

Mr. Bolstad indicated that one reason he asked Mr. Toevs to address this topic was the NAS’s report, which included a chapter and several recommendations pertaining to BLM’s process for reviewing, setting, and adjusting AML. The AIM strategy, which involves a significant amount of science focuses on a significant piece of the process for setting and adjusting AMLs.

**On-Range and Corral Operations Branch Update**

*Jared Bybee, Acting On-Range Branch Chief, Wild Horse and Burro Program, BLM*



Jared Bybee

In summary, Mr. Bybee’s presentation addressed FY16 population estimates; gather, removal, and fertility control; escalating problems, Sage-Grouse, litigation, and Freedom of Information Act (FOIA) requests.

**Wild Horse and Burro FY16 On-Range Statistics**

Mr. Bybee estimated the on-range population as of March 31, 2016, to be 67,000 animals excluding the 2016 foal crop. Nationally, BLM’s AML for its 177 HMAs is 26,715 animals. To date, approximately 2,500 animals have been removed from the rangeland in FY16.

**Wild Horse and Burro FY16 and FY17 Gathers and Removals**

In order to remain fiscally solvent, removal numbers are based on the number of animals leaving BLM’s holding system through adoptions, sales, and natural mortality, which is approximately 3,500 animals annually.

Gather priorities for FY16 and FY17 are public health and safety, private property conflicts, court orders, animal health, Greater Sage-Grouse SFAs, research, contraceptive retreatments, and selective removal of adoptable animals.

There are six remaining FY16 gathers scheduled to be initiated (Table 3).

Table 3 Remaining FY16 Gather Schedule						
State	HMA	Anticipated Start Date	Gather	Remove	Fertility Control	Purpose
California	Devil’s Garden	Sept. 17, 2016	250	200		Private Property Concerns
Oregon	Cold Springs	Sept. 15, 2016	150	100	50	Selective Removal
Arizona	Various	Ongoing	250	250		Public Safety
Arizona	Lake Pleasant	To be determined	70	70		Research/Public Safety
Colorado	Sand Wash	Oct. 1, 2016	350	100	200	Fertility Retreatment
California	Various	Ongoing				Public Safety

(The remainder of this page was left blank intentionally.)

There are nine gather efforts currently scheduled for FY17 (Table 4).

State	HMA	Anticipated Start Date	Gather	Remove	Fertility Control	Purpose
Colorado	Sand Wash	Oct. 1, 2016	350	100	200	Fertility Retreatment Darting
Wyoming	Adobe Town, Salt Wells, Divide Basin	Oct. 15, 2016	1,338	893		Consent Decree Sage-grouse SFAs
Nevada	Owyhee, Rock Creek, Little Owyhee	Nov. 1, 2016	1,480	1,100	300	Sage-grouse SFAs
Wyoming	Little Colorado, White Mountain	Nov. 1, 2016	567	212		Research
Utah	Bible Springs	Nov. 29, 2016	100	50	25	Court Order State Lands
Utah	Frisco	Jan. 9, 2017	100	100		Return for research
Utah	Cedar Mountain	Feb. 1, 2017	700	200	200	Retreatment
Utah	Muddy Creek	August 1, 2017	50	50		Court Order State Lands
	Various				227	Field Darting

### *Contraception Efforts*

In FY16, it is anticipated that 399 doses of Zonastat-H, 304 doses of PZP-22, and 12 doses of Gonacon will be administered.

Approximately, 800 contraception applications are projected for FY17.

### *Escalating Problems*

BLM continues to monitor 72 escalating problems, which are defined as situations that deteriorate over time and may result in negative impacts to animal condition and rangeland health in Oregon, California, Nevada, Arizona, Utah, Colorado, Idaho, and Montana.

### *Greater Sage-Grouse Habitat*

A landscape-scale recovery effort is underway for the Greater Sage-Grouse, which involves 105 HMAs that contain SFAs, Priority Habitat Management Areas (PHMAs), and General Habitat Management Areas (GHMAs) (inset to right).

Type	# HMAs	Acres of Habitat	Estimated WHB population	Removals to reach High AML
SFA	22	2 million	7,265	3,056
PHMA	65	6.5 million	26,556	14,615
GHMA	18	6.5 million	5,464	2,946
<b>TOTAL</b>	<b>105</b>	<b>15 million</b>	<b>39,285</b>	<b>20,617</b>

Category	States	HMAs	SFA/PHMA Acres	Planned Removed
FY16	OR	Beatty Butte	617,000 SFA	1,074
FY17	WY, NV	Divide Basin, Salt Wells, Adobe Town, Little Colorado, White Mt. Owyhee, Little Owyhee, Rock Creek	392,000 SFA 974,000 PHMA	2,454
FY18	WY	Red Desert Complex	890,000 SFA	2,450
FY19	NV	Owyhee Complex	292,000 SFA 155,000 PHMA	800
FY20	WY, CA, ID	Lander Complex, Nut Mountain, Bitner, Massacre Lake, Challis	491,000 SFA	1,750
<b>TOTAL</b>	<b>5 States</b>	<b>24 HMAs</b>	<b>2,390,000 SFA 974,000 PHMA</b>	<b>8,528</b>

The wild horse and burro program has received direction to prioritize gathers and removals beginning with the highest priority sage-grouse habitat in SFAs. To meet that direction, BLM has developed a tentative 5-year removal strategy (inset below) to reach AML in 25 HMAs. It was stressed that no gathers would occur in HMAs that contain only PHMAs or GHMAs until FY21. It is projected that by FY20 there will be an estimated 60,000 animals in sage-grouse habitat outside of SFAs.

### ***Litigation***

Currently, there are 21 active litigation cases against BLM's wild horse and burro program that are in various states of resolution.

### ***Freedom of Information Act Requests***

Currently, there are 23 FOIA requests being addressed by the Wild Horse and Burro Division.

### ***Guidance for Marking Animals***

Mr. Bybee indicated that BLM will be issuing guidance addressing marking of animals including use of microchips when animals are removed from the rangelands as well as when selected animals are returned to the rangeland. A major challenge to developing the guidance is the difference in State brand laws.

Use of microchips will be used to supplement; not replace the current freeze brand marking system.

### ***Sinbad Burro Situation***

The Sinbad Burro study conducted in the Sinbad HMA in southern Utah involves the collection of data on survival, fertility, fecundity, and recruitment rates; movement patterns; range use; habitat selection; and social behavior of wild burros. In addition to five burro found dead in the HMA, an additional 25 animals died while being held at the Axtell, Utah facility. An investigation into the unexpected deaths was completed, which tentatively identified the cause of death as an unusual form of pneumonia.

Ms. Kathrens asked if the Sinbad Burro situation been seen before or was it an unusual situation. Dr. Al Kane, a veterinarian from the U. S. Animal and Plant Health Inspection Service (APHIS) indicated that this is an unusual situation. The pathology samples examined during the investigation found the virus to be an Asinine variant of the herpes virus. Dr. Kane indicated that the virus is not an EHV-1 or EHV-4 STRAIN, which are the common domestic horse herpes viruses. The BLM has requested genetic sequencing to try to identify the specific virus. An asinine herpes virus associated with this type of pneumonia has been identified in domestic horses and donkeys for over 20 years. It is an unusual type of pneumonia which is a chronic infection with takes months if not years to develop. There was no relation between the mortality that occurred and the research project. Ms. Kathrens asked a follow up question if stress was a factor. Dr. Kane indicated that elements occurring during any gather of which stress in one could be factors in the development of the disease. Other factors could include dehydration or dust both of which affect pulmonary clearance. Dr. Kane did not believe the stress of handling the animals in the research project would have been a significant factor.

### ***Research Update***

#### ***Paul Griffin, Research Coordinator, Wild Horse and Burro Program, BLM***



**Paul Griffin**

Dr. Griffin indicated that BLM's and the Department of the Interior's goal is to participate in research of the highest possible caliber to provide the best possible information to address and solve issues being faced in the wild horse and burro program. To achieve this goal, BLM is currently financially supporting and/or has approved 32 research projects, which are summarized in the Board's notebook under Tab 12.

Dr. Griffin's presentation addressed 21 research projects that are part of BLM's wild horse and burro research initiative; however, the 11 additional research projects were approved in 2015.

BLM has a long-standing commitment to wild horse and burro research, which received increased emphasis in 2014 to address the agency's need for long-range tools for on-range management, particularly in slowing population growth. A key to BLM's success in managing wild horses and burros will be effective, long-term contraception methods that slow population growth; however, it is recognized that contraception alone cannot reduce the population levels to AML.



BLM continues to support research in spay and neutering of animals for several reasons, including Congressional direction provided in the *Wild Free-Roaming Horses and Burros Act of 1971* and guidance received from the Board for several years. In writing the 1971 Act, Congress clearly planned for the use of sterilization as a tool for managing wild horse and burro populations. Other reasons for investing in research include developing more accurate population survey methods, modern planning tools for projecting population sizes, understanding reasons for wild horse and burro mortality on highways, and to better understand wild horse and burro demography, movement, genetics, and behavior.

Dr. Griffin indicated that feral horses are different than other endemic native species that exist in isolated populations. Biologically, wild horses are feral as they come from different genetic stock and have a higher genetic diversity than some native species that have been isolated for many thousands of years. BLM supports one population genetics research study by conducted by Texas A&M University; however, Dr. Griffin did not have a specific update on that project. BLM does expect the study to produce an analysis of the relatedness of different existing populations based on patterns of genetic diversity within each population. The analysis will help answer genetic questions such as the number of genetic wild horse populations that exist today and how such information could be used in management planning.

Dr. Griffin noted that the 21 numbered research projects provided in Tab 12 are those that were included in the 2015 Research Initiative. Unnumbered research projects fall under the guidance provided by the Board to seek collaboration and cooperation with other entities. In several unnumbered projects (Table 5), the BLM has leveraged its research funding to increase the amount of research and knowledge that can be gained.

**Table 5  
Cooperative Research Projects**

		Funding Provided	
		BLM	Cooperator
Applicability and Efficacy of ZonaStat-H on Wild Burros in Northwestern Arizona	Humane Society of the United States	\$ 64,975	\$ 350,000
Adobe Town HMA Wild Horse GPS Collar Study Support	University of Wyoming	\$ 40,000	\$ 120,000
Development of next-generation anti-fertility vaccines for horses	Purdue University	\$ 78,375	\$ 375,000
Evaluation of burro movements and collisions along roads near Lake Pleasant herd management area	Arizona Game and Fish Department		\$ 200,000

### **Research Study Update**

#### Request for Application Research Projects

Dr. Griffin provided an update on eight research projects that focus on some aspect of contraception, which were reviewed by the National Academy of Sciences before being funded in September 2015.

#### **Oregon State University**

BLM Oregon issued a Record of Decision to move forward with three Oregon State University research studies<sup>15</sup> that will assess three spaying methods; however, the ROD has been appealed and several law suits have been filed. Until the appeal and law suits are resolved, the studies are on hold.

#### **University of Kentucky**

The *Tubo-ovarian ligation via colpotomy as a method for sterilization of mares* (Project #4) will determine the effectiveness of a custom-designed instrument for placement of a nylon cable tie around the ovarian pedicle and oviduct of mares via colpotomy for tubo-ovarian ligation. While the five surgeries were uneventful and the nylon cable tie

<sup>15</sup> Project 1: Functional assessment of ovariectomy (spaying) via colpotomy in wild mares; Projects 2 and 3: Evaluation of minimally invasive methods of contraception in wild horse and burro mares.

worked well, results from the study are not promising. During post-operative monitoring, the animals experienced more pain than the expected. Surgery protocols were revised after the first two surgeries to increase the post-operative pain medication to include long-lasting opioid.

Mr. Woehl inquired as to the where the surgeries were performed. Dr. Griffin indicated that the surgeries were performed in an operating room at the University's College of Veterinary Medicine.

In addition to the increased pain experienced by the animals, there was evidence of adhesions in the vicinity of the ovaries that were a cause of concern. Dr. Griffin explained that there was post-operative growth around the ovary, which lead to fever and weight loss in the animal. Eventually, the five mares were euthanized and necropsied to allow the researcher to have a complete and early understanding of the problems encountered. No further surgeries will be conducted until an investigation to determine the reason(s) for the adhesions is completed. After BLM receives the investigation final report, it will confer with the researchers to determine if the study should continue. Dr. Griffin noted that Dr. McDonnell will participate in those discussions between BLM and the researchers.

Dr. Griffin indicated that the conduct of this study is an example of why such research should be encouraged by reputable universities who have accomplished veterinary surgeons and highly conscientious institutional animal care and use committees providing oversight. The actions taken by the University of Kentucky demonstrate a conscientious concern where deliberate steps were taken to address the issues, which involved close communication with BLM throughout the process. It was noted that the researchers intend to publish their findings. Dr. Griffin indicated that he believes we need this type of research conducted under the process followed so that BLM can obtain reliable and independent results to answer questions being posed.

Mr. Woehl indicated that the majority of the Board agrees that research is an important aspect of the wild horse and burro program. In the effort to place as many tools as possible in the tool box, we won't know if something will (or will not) work unless we try it. Mr. Woehl was saddened by the euthanasia of the five animals and is not something he takes lightly but it was necessary to look at the big picture.

Ms. Kathrens asked if five mares were euthanized in this study. Dr. Griffin indicated that in total seven domestic horses were euthanized during the study, which were provided care and oversight by veterinarians.

### Colorado State University

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The *Re-immunization of Free-Ranging Horses with GonaCon Immunological Vaccine* study (Project #5) being conducted in the Theodore Roosevelt National Park in North Dakota involved administration of GonaCon to three study groups in September 2015 (2-year booster, 6-month primer, 1-year primer) with the 6-month booster dose administered to one of those groups in March 2016. By late September 2016, groups of mares will have received GonaCon booster six months, one, two, and four year boosters after the initial dosage. The hypothesis being tested is if there is a long-term effect of applying a GonaCon booster and, if so, the timing of the booster that works most effectively.

Field crews have finished the majority of foaling observations for 2016, which included weekly monitoring of pregnancy status and foaling for every treated and control mare. Control mares foaled rates near 100 percent, while mares re-treated with GonaCon four years after the initial dose had a 0 and 12 percent foaling rate in 2015 and 2016, respectively.

Mr. Masters asked if the results were obtained with GonaCon being applied annually. Dr. Griffin explained that the animals received a primary dose and then a booster dose four years later. While the mares may have had a foal in 2014 when the booster was given, 2015 and 2016 were the first two years where the GonaCon booster would be effective. This study will address the effectiveness of administering a booster 6-month, 1 year, 2 years, and 4 years after the primary dose.

The *Effect of Immunization against Oocyte Specific Growth Factors in Mares* study (Project #6) is exploring the use of a new vaccine that would cause sterility after a single dose. The vaccine would inoculate two proteins into the mare causing her produce a large number of eggs at one time, which is hypothesized to make the mare sterile. There are 30 mares in the

trial, which includes one control and two study groups. Membership in each group is unknown to the researchers, but is recorded elsewhere. Oocyte follicle development is monitored at least once per week using an ultrasound examination. Initial results indicated that approximately one-third of the mares are exhibiting the predicted oocyte development. In addition, weekly blood samples are taken for analysis of reproductive hormones and titer levels of antibodies specific to the antigens in the vaccine. A booster vaccine is planned for February 2017.

With one-third of the animals having the predicted oocyte development, the initial results of the study are promising in supporting the hypothesis that at least one of the two proteins may be effective.

### Ohio State University

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The *Electrospun delivery to enhance the effectiveness of immune-contraception strategies in equids* study (Project #7) is exploring use of a new delivery vehicle for PZP that would increase the duration of the vaccine's effectiveness. In general terms, the delivery system is a capsule inside a polymer, which would inject the capsule under the skin of the animal. The rate of capsule degradation is being tested in the laboratory, which will be followed by testing in rabbits.

### Louisiana State University

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Due to unexpected flooding conditions in Baton Rouge, Louisiana and other reasons, Dr. Griffin has not received a recent update on the *Use of Membrane disrupting peptide/peptoid LHRH conjugates to control wild horse and burro populations* study (Project #8).

### Oklahoma State University

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BLM funded a trial year for the Oklahoma State University-led *Evaluating the efficacy and safety of Silicone O-ring intrauterine devices as a horse contraceptive through a captive breeding trial* study during which researchers inserted six different models of silicone ring inter-uterine devices (IUD) into mares that are attended by stallions. Weekly monitoring of the retention rate and uterine health is occurring using ultrasound. The initial evaluation period is through the fall of 2016. Several of the IUDs have fallen out.

### USGS-Led Projects

There are 14 research projects that are being led by the U. S. Geological Survey (USGS) Science Center in Fort Collins, Colorado. Dr. Griffin addressed seven projects as summarized below.

#### Project #9: Developing a suitable radio collar or radio tag for feral horses and burros

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This project tested four radio collar designs and two designs for mane and tail radio tags. Dr. Griffin noted that all BLM projects involving radio collars will use one of the designs tested in this study. The collars have two drop-off mechanisms – one that is a timed release and, secondly, a drop-off at will, which allows an individual (manager, volunteer, researcher) to manually activate the drop-off mechanism.

#### Project #10: Evaluating behavior and ecology of geldings among a breeding populations

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The aim of the study is to determine the behavioral and demographic effects of having a portion of a herd gelded male (neutered) wild horses. The study is occurring in the Conger HMA in Utah. The initial gather has occurred during which some animals were radio collared. Gelding of the male animals will occur in 2017.

#### Project #11: Evaluating behavior and ecology of spayed free-roaming mares

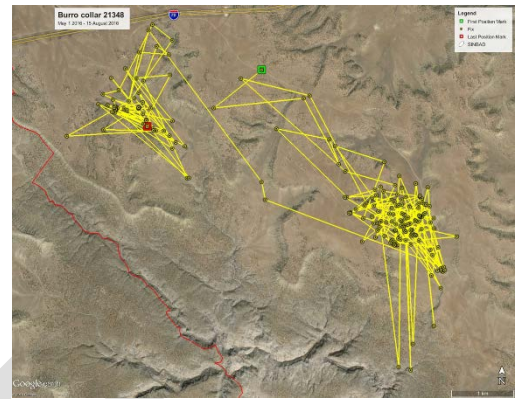
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The aim of the study is to determine the behavioral and demographic effects of having a portion of spayed mares in a wild horse population. A draft environmental assessment is being prepared, which will be released for public comment in the near future.

## Project #14: Demography of two wild burro populations in the western USA

As discussed earlier in the meeting (page 51), a demography study in the Sinbad HMA in Utah is ongoing with weekly radio monitoring and recording of other animals in close proximity to the radio-collared animals. The animals returned to the HMA were branded on the hip to facilitate identification.

Dr. Griffin provided an example of the information being received from radio-collared animals (inset).



## Project #15: Developing and testing aerial survey techniques for wild burros

This project will test two new population survey methods for wild burros in the Sinbad HMA in Utah. The first will use infrared cameras and accurate measures of distance from the transect to each burro group. The second will use information from radio collared burros to inform statistical models that estimate the number of burros not seen by observers in aerial surveys.

The USGS has completed two infrared surveys and has conducted two double observer surveys. Data analyses on these surveys will begin in the winter of 2016/2017.

The Sinbad HMA study is scheduled to be replicated in the Lake Pleasant HMA in Arizona assuming the NEPA review process is completed in a timely manner.

### *Inventory Update*

The BLM continues to aggressively complete aerial inventories of wild horse and burro populations with 66 HMAs surveyed in 2016 primarily using fixed-wing aircraft and helicopters. The surveys are designed to allow BLM to statistically approximate the number of animals not seen. The agency is currently on schedule to achieve its goal of inventorying approximately one-third of the HMAs annually.

Having completed inventories over the past three years using the new survey techniques, BLM will be able to establish a trend of the apparent population growth by HMA. Over time, such growth rates will be correlated with other actions such as land health indicators previously discussed.

USGS is hiring a new trainer who will serve as an advisor and provide assistance to BLM in collecting its inventory data.

Ms. Kathrens inquired as to the purpose of placing microchips in animals. Dr. Griffin explained that the primary purpose is to facilitate identification of individual animals in captivity. Ms. Kathrens indicated that microchips are more effective as a short-range tool; rather than a tool used at a distance. Dr. Griffin indicated that there are long-range RF identification chips, which require batteries and don't have a long-term life span or large effective range. Microchips are different than other radio telemetry devices such as radio collars.

Ms. Kathrens asked a follow up question if there was the technology to use microchips in identifying animals from a long distance. Dr. Griffin indicated that there are some ranches that place microchips in their animals and have an array of towers across their property to aid in identifying animals. Such an approach is not realistic in large HMAs across the west.

Mr. Masters asked if a volunteer would be able to read a microchip in the field if they were to get within 100 yards of the treated animal. Dr. Griffin indicated that the arrangement of the RF chip must be within a certain polarity relative to the reading device to be effective. Mr. Bybee agreed that the primary use of microchips was associated with making a positive identification of animals both on the range as well as aiding in identification during fertility treatments and research. For the microchip to be effective, a person must either get close enough to the animal for a reading or the

animal may need to be gathered. The microchip would allow the agency to know when that animal had been gathered and when the primary dose was applied, which is a more efficient when compared to placing markings on the animal. When animals coming off the range have a microchip inserted, it will eliminate current issues with reading freeze brands. Dr. Weikel provided insight as to her experience of using microchips on the Sheldon National Wildlife Refuge from 2007 through 2014. Dr. Weikel indicated that one of the primary benefits of using microchips is the information is electronic and once placed in the agency's database is immediately accessible.

Dr. McDonnell noted that the NAS indicated that past wild horse and burro populations were underestimated by survey methods used by the BLM at that time. Dr. McDonnell asked if based on the new survey methods it was possible to determine the percentage of the populations that was under estimated. Dr. Griffin indicated that it was not possible to determine the percentage because the new methods would have to be employed at the same time as the original surveys. The new surveys provide an estimate of population size relative to the actual number of animals observed. From that information it's possible to determine the estimated percentage of animals missed during the survey. It is recognized that the estimated percentage of animals missed from statistical and theoretical standpoint also may underestimate the percentage missed. Without tools such as radio collars, it is difficult to calculate the percentage missed. Studies such as the Sinbad HNM study in Utah will produce an independent measure of the percentage of animals missed by aerial survey that would not be correctly accounted for in the analysis of observational data alone.

Mr. Bolstad indicated that the NAS report cited in any one HMA the underestimate could range between 10 and 50 percent depending on topography and other factors. On a national basis, the NAS report indicated that BLM was underestimating its population by 20 to 35 percent. Mr. Bolstad is pleased that BLM has completed the third year of using the new inventory techniques and should have a better accounting of the estimation of the animals on the range. BLM has accomplished its goal of inventorying nearly all HMAs using the new techniques and now will begin over to refine the information even more.

Dr. Griffin indicated that BLM now uses a method for planning aerial survey flight lines that is very thorough and meticulous to ensure the entirety of the HMA is included, as well as areas outside the HMA that should be surveyed to estimate the abundance of animals that are part of the population.

Mr. Masters inquired as to the status of the spay methods research at Oregon State University, which has received three appeals and three law suits. Mr. Bolstad indicated that BLM does not comment on ongoing litigation.

### **BLM Response to Advisory Board Recommendations**

*Dean Bolstad, Wild Horse and Burro Division Chief, BLM*

Mr. Bolstad addressed BLM's response to the eight recommendations made by the Board during its April 13 – 14, 2016, meeting.

Recommendation #1: The National Wild Horse and Burro Advisory Board asks the BLM to continue to work toward full implementation of previously accepted recommendations of the Board and prioritize according to BLM's matrix of meeting AML.

#### *BLM Response*

Mr. Bolstad indicated that, in BLM's view, removing horses is not the only thing that contributes towards accomplishing AML. Other actions such as supporting and enhancing the adoption program, research, reducing off-range costs, etc., are also important aspects of achieving AML. Off-range activities contribute to the agency being able to do on-range work.

The BLM accepts this recommendation and will conduct work within the limitations of available resources that contributes to the achievement of AML in the highest priority areas. Priority work includes (1) continuing to conduct gathers to achieve AML in all Greater Sage-grouse habitat Sagebrush Focal Areas by 2020; (2) continuing research to develop more effective contraception methods and implementing them as they become available; (3) reducing off-range holding costs by acquiring more pastures to reduce corrals numbers freeing up funds for on-range management; (4) increasing the number of trained animals offered for adoption; (5) piloting an adoption incentive program; (6) increasing

animal availability to adopters through new storefronts with emphasis in the East; (7) developing and implementing new internet adoption capability; and (8) procuring the services of a professional marketing firm.

Recommendation #2: The National Wild Horse and Burro Advisory Board recommends BLM create a crisis/emergency plan in case of severe drought or natural disaster that necessitates removal of either over 1,000 horses or over the amount BLM can hold in short-term holding facilities. The situation would be triggered by a BLM determination that animals are 'imperiled'.

*BLM Response*

The BLM accepts this recommendation. In fiscal year 2016, \$500,000 was held in reserve for the removal of imperiled animals. In addition, fire rehabilitation funding has been available for the removal of animals from wildfire areas. To date about 200 imperiled animals have or are being removed. Larger scale removals will begin compromising the ability to conduct priority removals to achieve AML in Greater Sage-Grouse/Sagebrush Focal Area habitat; conduct court ordered removals; mitigate public safety and health issues; remove from private lands outside of HMAs; and initiate field research.

Mr. Bolstad added that Assistant Director Bail requested and received approval from BLM's Deputy Director today to remove an additional 300 imperiled animals in Nevada.

Recommendation #3: The National Wild Horse and Burro Advisory Board recommends BLM make it easier for trusted trainers or MHF or other organizations to acquire sale eligible and 'riding desirable' (based on age and adoptability) horses.

*BLM Response*

BLM accepts this recommendation in part due to the Board's suggestion during the development of the recommendation to reduce or eliminate the paperwork requirements for reliable or "trusted" trainers who purchase horses. The requirements for purchasing an animal involve the completion of an Application to Purchase and a signature on a Bill of Sale that commit the buyer to provide humane care. BLM doesn't anticipate reducing these requirements but greater efforts will be made to increase the availability of "riding desirable" sale eligible animals for enrollment into programs administered by BLM's two partnership organizations, the Mustang Heritage Foundation and Family of Horses, who utilize reliable trainers for training and placement into private care.

Recommendation #4: The National Wild Horse and Burro Advisory Board support efforts by BLM to engage professional marketers to identify and attract appropriate demographic segments in order to increase mustang adoptions.

*BLM Response*

The BLM accepts this recommendation and recognizes the need for a comprehensive and consistent marketing strategy that effectively supports the placement of animals into private care and raises awareness of wild horse and burro on-range management. The BLM has issued a solicitation to procure the services of a marketing firm and plans to issue a contract by October 1, 2016. The contractor will assist BLM to build on the existing brand; develop a marketing strategy; create marketing and communication products; and provide professional guidance based on recent market research acquired by BLM under a different contract.

Recommendation #5: The National Wild Horse and Burro Advisory Board recommends BLM create and pilot a Mustang Mentoring program consisting of a two-week on-site training conducted by a qualified trainer at a short-term holding facility for up to 10 horses and 10 adopters.

*BLM Response*

The BLM accepts this recommendation and would like to develop this concept through additional work with the board.

Mr. Bolstad asked the Board to identify a member to assist BLM in developing the pilot program. Mr. Woehl volunteered to be the Board's representative.

Recommendation #6: The National Wild Horse and Burro Advisory Board urges BLM to institute the volunteer strategy as soon as possible (September 2015 Recommendation # 10 which states "Develop strategy to train and use more qualified volunteers to support wild horse and burro activities, off-range and on-range.)

*BLM Response*

BLM accepts this recommendation. A formalized process and strategy for a volunteer program has been discussed and will be developed when personnel are hired to lead this initiative. In the interim, field offices will be encouraged to continue using and expand the use of volunteers for both on-range and off-range management activities. The Washington Office will consider offering financial incentives through a "Division Chief Challenge" to encourage and support field offices who initiate new programs to engage community groups and/or volunteers to advance on-range population management endeavors such as those recommended in the following recommendation.

Mr. Woehl indicated that it is important individuals interested in volunteering should ensure that they are capable of and able to accomplish what needs to be done. In addition, Mr. Woehl would like to ensure that people who are reliable, capable, and qualified to accomplish volunteer work are given opportunity to do so. Mr. Bolstad indicated that there has been some success associated with working with partners and volunteers such as development of the Stakeholder Engagement/Partnership Toolkit and a field guide addressing field darting is being developed. Mr. Woehl appointed Ben Masters to be the Board's point-of-contact concerning any darting-related efforts.

Recommendation #7: The National Wild Horse and Burro Advisory Board encourages state and local BLM offices to embrace volunteers to document wild horses with photography, work with local offices to create a sustainable management plan, and enable qualified volunteers to participate in the implementation of the sustainable plan including the use of reversible contraceptives.

*BLM Response*

The BLM accepts this recommendation and will provide encouragement to BLM field offices as per BLM's response to the preceding Recommendation #6. BLM retains its authority and responsibility for the development of herd management plans. Volunteers and other members of the public can contribute to the development of management plans through the NEPA process. Once management plans and implementation actions are determined, local offices can engage volunteers and community groups to assist in their implementation.

Recommendation #8: The National Wild Horse and Burro Advisory Board would encourage aggressive use of all tools in the tool box as addressed in the Board's September 2015 Recommendation #16, which reads "Prioritize use of currently available tools in the field to reduce population growth **right now** and implement promising new tools as quickly as they become available."

*BLM Response*

The BLM accepts the recommendation and recognizes the need to implement an aggressive fertility control program utilizing available tools and new methods as they become available.

Mr. Bolstad noted that use of such tools and new methods will be dependent on the availability of financial resources.

**Working Group Reports (continued)**

***Adoption Working Group***

Membership of the Resources Working Group include Ben Masters (Chair), Fred Woehl, and June Sewing.

Mr. Masters opened the discussion on a positive note that over the past few years' adoption numbers have been increasing especially through events such as the EMM, which has increased the public's awareness of the wild horse and burro program. Mr. Masters is also excited to receive the results and recommendations from the Great Lakes Research group on avenues to improve the agency's advertising, branding, and marketing of the program as well as the new website for Internet adoptions. There is hope that through the many different and exciting changes the number of adoptions will continue to increase into the future.

### Proposed Recommendation

Advertise and conduct frequent adoption events at off-range corrals to make more sale eligible horses that are riding desirable age.

Mr. Woehl indicated that there are several off-range corrals that conduct regular adoptions, which are not advertised very well and that he had trouble counting them as adoption events. Mr. Woehl does not want anyone to think that the animals are being rushed through the adoption process but there are many animals that have been in off-range corrals for several years. Conducting more frequent adoption events would provide the animals more exposure that could lead to an adoption. If an animal is not adopted at a corral event, it is possible for the animal to be involved in a Mustang Heritage Foundation event and have another opportunity to be placed in a good home.

After a short discussion addressing a concern with the term “riding desirable” and the purpose of the proposed recommendation, the proposed recommendation was modified as depicted below.

Advertise and conduct **more** frequent adoption events at off-range corrals to ~~make~~ **enable** more ~~sale eligible~~ horses and burros **to reach sale eligible status** ~~that are riding desirable age.~~

In a roll call vote, the Board unanimously approved the Proposed Recommendation as revised.<sup>16</sup>

Mr. Woehl suggested the Board include the first recommendation (below) from the April 2016 meeting as a recommendation for this meeting.

The National Wild Horse and Burro Advisory Board asks the BLM to continue to work toward full implementation of previously accepted recommendations of the Board and prioritize according to BLM matrix of meeting AML.

No action was taken on Mr. Woehl’s suggestion at this time.

### ***Population Growth Suppression Working Group***

Members of the Population Growth Suppression Working Group include Dr. Sue McDonnell (Chair), Ginger Kathrens, Dr. Julie Weikel, and Dr. Robert Cope.

Dr. McDonnell indicated that as of the first day of the meeting the Working Group did not have a recommendation to propose to the Board; however, with information presented during the research update, the following recommendation was proposed for discussion.

### Proposed Recommendation

The Board requests that the BLM extend an invitation to all Board members to attend spay trials when they might occur.

After a short discussion addressing the need to be open and transparent, the Board’s long-term desire to attend spay trials, costs incurred to attend the trials, first-hand observations and knowledge of such trials would address and quell

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<sup>16</sup> Fred Woehl was given proxy to vote for Steven Yardley and Dr. Robert Cope both of whom were not able to attend this portion of the meeting.



misinformation presented by the media, the institution's animal care and use protocols and procedures for allowing visitors to attend such trials, the proposed recommendation was modified to read as shown below.

~~The Board requests that the BLM extend~~ **facilitate** an invitation to all Board members to attend spay trials when they might occur, **if allowed by protocols governing the trial.**

In a roll call vote, the Board unanimously approved the Proposed Recommendation as revised.

### ***Volunteer Working Group***

Membership of the Volunteer Working Group includes Jennifer Sall (Chair), June Sewing, Fred Woehl and Ben Masters. In Ms. Sall's absence, Mr. Woehl served as the Chair.

Mr. Woehl indicated that two individuals were invited to the Working Group meeting to discuss darting of animals. In summary, the Working Group would like to encourage the use of volunteers in all aspects of BLM activities associated with the wild horse and burro program including darting. In past Board meetings, similar recommendations have been made and the Working Group does not wish to be redundant. Mr. Woehl indicated that following the Working Group meeting a roundtable discussion was held with several wild horse advocates and interested parties, which was beneficial in building communication bridges and making new friends.

Mr. Masters indicated that one of the frustrations felt by passionate volunteers who have the resources, time, knowledge, and experience to volunteer is they feel unwelcome by the local district office or they receive pushback which is discouraging and prevents them from implementing PZP fertility control. There are many herds that are being successfully managed using PZP. Mr. Masters suggested the National office encourage the State and local offices to embrace the use of volunteers.

### Proposed Recommendation

BLM will create a guide for DO to work with volunteers who want to apply fertility control.

After discussion addressing Recommendations 6 and 7 from the April 2016 Board meeting (below), it was agreed to withdraw the proposed recommendation from consideration.

### April 2016 Recommendation #6

The National Wild Horse and Burro Advisory Board urges BLM to institute the volunteer strategy as soon as possible (September 2015 Recommendation # 10 which states "Develop strategy to train and use more qualified volunteers to support wild horse and burro activities, off-range and on-range.")

### April 2016 Recommendation #7

The National Wild Horse and Burro Advisory Board encourages state and local BLM offices to embrace volunteers to document wild horses with photography, work with local offices to create a sustainable management plan, and enable qualified volunteers to participate in the implementation of the sustainable plan including the use of reversible contraceptives.

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## Herd Area Repopulation Working Group

Membership of the Herd Area Repopulation Working Group include Ginger Kathrens (Chair), Dr. Sue McDonnell, June Sewing, and Steven Yardley.

Ms. Kathrens indicated that the Working Group does not have any recommendations to forward to the Board for consideration. The Working Group's discussion, which included Jared Bybee, was very educational as Mr. Bybee has an extensive knowledge of the land use planning process. The Working Group will be exploring the possibility of placing wild horses currently held in short-term corrals in herd areas as non-reproducing herds.

Ms. Kathrens suggested that it would be beneficial to have BLM identify a knowledgeable person to work with the Working Group to ensure they address and recommend feasible options. Ms. Sewing indicated that Mr. Bybee had mentioned the information was more in depth than what's on the BLM website to provide information as to where and why different areas had been zeroed out as well as areas that could be considered for placement of non-reproducing herds. Mr. Bybee indicated that such information is available and he would be willing to make it available to the Working Group either as a hard copy or by e-mail. **ACTION:** Ms. Kathrens indicated that the Working Group will decide on how it would like to receive the information and contact Mr. Bybee.

Mr. Woehl suggested that Working Group meetings should be open to all who would like to attend by including a statement in the Federal Register Notice announcing each Board meeting. Ms. Sewing indicated that if someone wanted to make a presentation at a Working Group meeting, the person would have to contact BLM in advance of the meeting.

Dr. Weikel indicated that working groups accomplish a lot of hard work in a very short period of time. Participants would need to understand that they are welcome to attend; however, there isn't much time for extensive participation. Mr. Bolstad added that the protocol for Working Group meetings would be the same as for Board's meeting. The meetings are for the Working Group and are not a public participation time period. The Working Group may engage a member of the audience in the discussion; however, the audience is there to observe and listen to the Working Group's discussions.

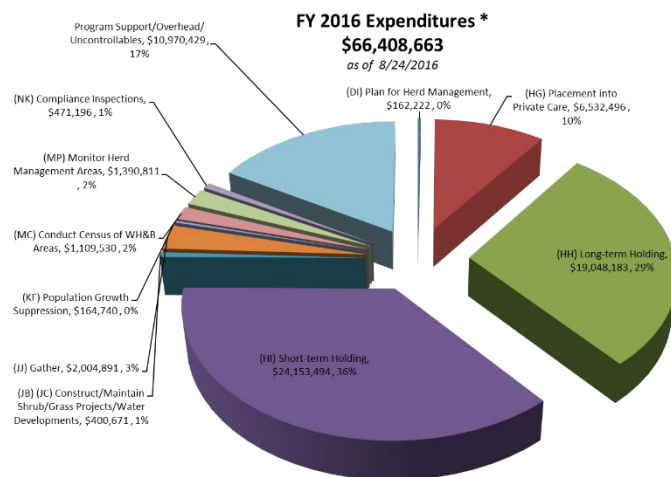
Ms. Sewing thanked Dr. McDonnell for her efforts to organize the working group meetings, which has increased their efficiency and ability to get work done.

## Budget Update

### Michael Reiland, Budget Specialist, Wild Horse & Burro Program, BLM

The wild horse and burro program is at a strategic point not only from on- and off-range operations but from a budget standpoint as well. Based on recent Congressional discussions and discussions by the Board, Mr. Reiland believes there may be opportunity for additional funding in the near future in terms of restricting part of the program's budget (i.e., transferring animals from corrals to pastures) to reach its goals.

Mr. Reiland's two major passions are numbers and writing, which lend themselves to identifying trends of various items such as unit costs. Over the past few years, the amount of funding and percentages spent for various components of the wild horse and burro program have not changed significantly. Corral and pasture holding costs (HI and HH in the inset) will likely decrease a few percentage points over the past few years due to the recent contract award for long-term pasture holding capacity.



\* Total expenditures includes L1110 (Sage Grouse), L5210, L5220, L1920, and L9830, as well as L1060 (WHB Program), funding expended in FY2016.

The increase in funding spent on fertility control application is also a positive note for the program. Over the past three years, funding allocated for fertility control application has increased from \$80,000 in FY14 to \$171,000 in F16 and is expected to increase further in FY17.

Unfortunately, some FY16 unit costs have increased significantly. In particular, the amount of money spent per horse per day (known as a feed day) at a corral will increase because some federal facilities have a fixed cost which remains the same regardless of the number of animals being held at the facility. As animals are moved from corrals to newly acquired pastures, the revenue paid to the facility remains the same thus increasing the feed day cost. However, from an overall holding cost standpoint, the cost of holding animals is decreasing as animals are moved from higher cost corrals to lower cost pasture facilities.

Mr. Reiland noted that the information provided to the Board were expenditures; not obligations. Obligating funding is a promise to pay while expenditures is funding actually spent. In addition to the funding received for the wild horse and burro program, the expenditures figures also include funding received in the wildlife program for sage-grouse, which was targeted for gathers in Sage-grouse SFAs and to feed the animals that were gathered.

Program accomplishments were also provided to the Board noting that updated figures will be available through the agency's Management Information System after September 30, 2016.

Mr. Woehl noted that he did not observe a line item for salaries. Mr. Reiland indicated that salaries are addressed in the *Program Support/Overhead/Uncontrollables* line item, which includes salaries not directly contributable to one of the specific line items.

In closing, Mr. Reiland emphasized that he is willing to provide any information the Board requests.

### **Advisory Board Discussion and Recommendations to the BLM**

**DECISION:** The Board reviewed their proposed recommendations previously crafted resulting in a consensus decision to forward the following recommendations to the BLM.

Recommendation #1: The National Wild Horse and Burro Advisory Board recommends BLM follow the stipulations of the Wild Horse and Burro Act by offering all suitable animals in long- and short-term holding deemed unadoptable, for sale without limitation or humane euthanasia. Those animals deemed unsuitable for sale should then be destroyed in the most humane manner possible.

Recommendation #2: The National Wild Horse and Burro Advisory Board recommends BLM prioritize designated sage-grouse habitat for removal of excess animals. BLM should use degree of range degradation as a criterion for prioritization for removal of excess animals i.e., consideration should be given to those rangelands that can be restored and maintained in a healthy status.

Recommendation #3: The National Wild Horse and Burro Advisory Board recommends BLM develop partnerships with economic agencies and/or departments to conduct an analysis of socio-economic and environmental effects on communities with reduced AUMs on HMAs due to range degradation resulting from over-population of wild horses and/or burros. Further analysis should be conducted regarding the effects of the potential removal of all domestic livestock from all HMAs.

Recommendation #4: The National Wild Horse and Burro Advisory Board recommends BLM encourage BLM RACs to develop and submit for consideration their ideas for herd management and range rehabilitation strategies tailored to their specific areas and HMAs based on local knowledge and expertise.

Recommendation #5: The National Wild Horse and Burro Advisory Board recommends BLM advertise and conduct more frequent adoption events at off-range corrals to enable more horses & burros to reach sale eligible status.

Recommendation #6: The National Wild Horse and Burro Advisory Board recommends BLM facilitate an invitation to all Board members to attend spay trials when they might occur, if allowed by protocols governing the trial.

Recommendation #7: The National Wild Horse and Burro Advisory Board asks the BLM to continue to work toward full implementation of previously accepted recommendations of the Board and prioritize according to BLM matrix of meeting AML. Note: This is the first recommendation from the Board's April 13 – 14, 2016 meeting.

### **Closing Remarks**

In closing the meeting, each Board member, Ms. Bail, and Mr. Bolstad was asked to make a closing statement.

Ms. Bail notified the Board that BLM had decided not to move forward with proposed research efforts at the Hines, Oregon wild horse and burro corrals to due complications from litigation. BLM remains committed to finding new tools to ensure the agency has healthy horses and burros on healthy rangelands.

Mr. Masters closed by recalling a question asked of him the night before as to why he was sitting on the Board. Mr. Masters' response was that this is an opportunity and ability to influence management on 30 million acres of land, which will be passed along to future generations. If the landscape is in better condition as when it was inherited, then our generation did its job. Or, if generation leaves it in a worse condition that will be on us as well. We have more of an opportunity to make a change than the biggest landowner in the United States (Ted Turner). It is important to recognize that the decisions made now are not for this year or for this Administration but will reach out for the next 5, 10, or 100 years and are crucial for conservation efforts in the United States.

Dr. Weikel indicated that she has always enjoyed "big picture" events, which result in productive change. She also likes things to be measured and monitored and not just be opinions about what does and doesn't work. Serving on the Board is frustrating but is about meeting a person's obligation in life of taking care of the places that sustain and support each of us. She believes working on wild horse and burro issues and healthy rangelands is relatively simple as compared to managing a planet with 7 billion people.

Ms. Sewing has seen many changes during her tenure on the Board as to what is happening in the program and BLM's responses to the Board's recommendations but also the public comments becoming more helpful in providing possible solutions. Ms. Sewing expressed her appreciation for those people in the audience who stayed to the end of the Board meeting when so many others left early.

Ms. Kathrens indicated that it is clear that she has a different point of view on certain issues as compared to other Board members. With that being said, she believes it speaks well of the Board and its individual members that at the end of the day everyone can speak coherently, intelligently, and kindly to each other. Ms. Kathrens indicated that she is proud to be a member of the Board and that we should not lose sight of the fact that wild horses and burros belong to the American public.

Dr. McDonnell indicated that the Board made some difficult recommendations at this meeting and that it will be difficult for some Board members to answer to their constituents. Dr. McDonnell indicated that the Board was very thoughtful in its deliberations. She admires the courage it took each of her colleagues and is proud of them.

Mr. Bolstad thanked Mr. Woehl, Dr. Cope, and Dr. McDonnell for their service to the Board and he hopes to see their applications for the Board in the future. Mr. Bolstad indicated that as of August 3, 2016, he has 41 years of service of which all has been with BLM. In line with Mr. Masters' closing statement, Mr. Bolstad faced the decision about a year ago to retire. He decided not to retire and remains committed to the American public and the wild horse and burro program. Mr. Bolstad is thankful for the guidance provided by the Board, which has always been given in a positive

manner. Mr. Bolstad acknowledged and thanked the wild horse and burro staff both at the Washington and field levels of the organization for the work they've accomplished during a very difficult time for the program.

Ms. Bail also thanked the Board for their participation and service, which has always been caring and given after thoughtful and committed conversation, which embodies the best in public involvement. BLM is fortunate to have the Board as well as the members of the audience who care for the public lands.

Mr. Woehl thanked Kathie Libby for her efforts to facilitate the meeting. He indicated that if he is not reelected to the Board this will be his last Board meeting. He has enjoyed and likes working with the Board as well as the BLM leadership. Mr. Woehl closed the meeting by reciting the following poem.

Grandpas, they have a special job they've had since days of yore;  
To teach their children's children things that parent's may ignore;  
Like how to whistle or how to spit;  
Carve their initials in a tree, the value of an empty can, and why some things aren't free;  
How do birds fly;  
Why do dogs run together;  
Why Grandma's always right;  
How to tie a square not and when to stand and fight;  
But, if Grandpa's a cowboy and that kid is so inclined, the horn of wisdom empties out to fill his little mind;  
He's has him on a horse as soon as mama will allow and he fills his head with stories of the old days punching cows;  
And how when he was just his age he rode those rough strings;  
Never hesitate Grandpa said that's how I learned to ride so when the horse the kid was riding tossed him to the ground;  
Grandpa said get up from there don't let him keep you down;  
See Grandpa knew the lesson to be learned;  
One of us must ride that horse he said his voice real stern;  
Well, wisdom passed from old to young;  
You're right that kid said true;  
You want me to let these stirrups out Grandpa one hole or two?

### **Meeting Adjournment**

The meeting was formally adjourned at 4:46 PM.

### **Summary of Board Decisions and Actions**

A summary of decisions made by the Board and actions committed to during the meeting is provided in Attachment 2.

(The remainder of this page was left blank intentionally.)

## Acronyms

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

<u>Acronym</u>	<u>Meaning</u>
AML.....	Appropriate Management Level
BLM.....	Bureau of Land Management
EMM.....	Extreme Mustang Makeover
FOIA.....	Freedom of Information Act
FS.....	U. S. Forest Service
FWS.....	U. S. Fish & Wildlife Service
FY.....	Fiscal Year
GHMA.....	General Habitat Management Area
HA.....	Herd
HMA.....	Herd Management Area
IM.....	Instruction Memorandum
IUD.....	Inter-Uterine Device
MHF.....	Mustang Heritage Foundation
MOU.....	Memorandum of Understanding
NAS.....	National Academy of Sciences
NEPA.....	National Environmental Policy Act
NNCC.....	Northern Nevada Correctional Center
OHMA.....	Other Habitat Management Area
PHMA.....	Priority Habitat Management Area
PZP.....	Porcine Zona Pellucida
RAC.....	Resource Advisory Council
ROD.....	Record of Decision
RMP.....	Resource Management Plan
SFA.....	Sagebrush Focal Area
SOP.....	Standard Operating Procedure
TAPP.....	Trainer Ambassador Pilot Program
TIP.....	Trainer Incentive Program
TPEC.....	Technical Proposal Evaluation Team
USGS.....	U. S. Geological Survey

**Attachment 1 – Wild Horse and Burro Advisory Board**

**National Wild Horse & Burro Advisory Board**



**Fred T. Woehl, Jr.**

Chair

Public Interest

Term Expires: April 3, 2017



**Dr. Sue McDonnell**

Co-Chair

Wild Horse & Burro Research

Term Expires: April 3, 2017



**Ginger Kathrens**

Humane Advocacy

Term Expires: March 28, 2019



**Ben Masters**

Wildlife Management

Term Expires: March 28, 2019



**Steven Yardley**

Livestock Grazing

Term Expires: March 28, 2019



**Jennifer Sall**

Public Interest

Term Expires: March 30, 2018



**Dr. Julie Weikel**

Veterinary Medicine

Term Expires: March 30, 2018



**June Sewing**

Wild Horse & Burro Advocacy

Term Expires: March 30, 2018



**Dr. Robert Cope**

Natural Resource Management

Term Expires: April 3, 2017

## Attachment 2 – Summary of Decisions Made and Committed Actions

The following is a summary of the decisions by the Board.

General Topic	Decision	Page of Meeting Minutes
Approval of Previous Meeting Minutes	The Board unanimously approved a motion made by Dr. Cope and seconded by Mr. Yardley to approve the April 13 – 14, 2016, meeting minutes as presented.	17
Board Recommendations to BLM	<p>The Board reviewed their proposed recommendations resulting in a consensus decision to forward the following recommendations to the BLM.</p> <p><u>Recommendation #1:</u> The National Wild Horse and Burro Advisory Board recommends BLM follow the stipulations of the Wild Horse and Burro Act by offering all suitable animals in long- and short-term holding deemed unadoptable, for sale without limitation or humane euthanasia. Those animals deemed unsuitable for sale should then be destroyed in the most humane manner possible.</p> <p><u>Recommendation #2:</u> The National Wild Horse and Burro Advisory Board recommends BLM prioritize designated sage-grouse habitat for removal of excess animals. BLM should use degree of range degradation as a criterion for prioritization for removal of excess animals i.e., consideration should be given to those rangelands that can be restored and maintained in a healthy status.</p> <p><u>Recommendation #3:</u> The National Wild Horse and Burro Advisory Board recommends BLM develop partnerships with economic agencies and/or departments to conduct an analysis of socio-economic and environmental effects on communities with reduced AUMs on HMAs due to range degradation resulting from over-population of wild horses and/ or burros. Further analysis should be conducted regarding the effects of the potential removal of all domestic livestock from all HMAs.</p> <p><u>Recommendation #4:</u> The National Wild Horse and Burro Advisory Board recommends BLM encourage BLM RACs to develop and submit for consideration their ideas for herd management and range rehabilitation strategies tailored to their specific areas and HMAs based on local knowledge and expertise.</p> <p><u>Recommendation #5:</u> The National Wild Horse and Burro Advisory Board recommends BLM advertise and conduct more frequent adoption events at off-range corrals to enable more horses &amp; burros to reach sale eligible status.</p> <p><u>Recommendation #6:</u> The National Wild Horse and Burro Advisory Board recommends BLM facilitate an invitation to all Board members to attend spay trials when they might occur, if allowed by protocols governing the trial.</p> <p><u>Recommendation #7:</u> The National Wild Horse and Burro Advisory Board asks the BLM to continue to work toward full implementation of previously accepted recommendations of the Board and prioritize according to BLM matrix of meeting AML. Note: This is the first recommendation from the Board’s April 13 – 14, 2016 meeting.</p>	59



The following is a summary of actions committed to during the meeting.

General Topic or Action	Action	Party Assigned Action	Page of Meeting Minutes
Rangeland Health	Investigate what an emergency declaration would entail and do for the agency, which will allow the Board to discuss the possibility of making such a recommendation. Mr. Woehl indicated that he would like feedback within 30 days.	Dean Bolstad	21
U. S Forest Service Update	Look into Dr. Cope's question relating to the level of planning (project versus Forest level) being used to address the various planning efforts and provide a response to the Board.	Hope Woodward (U. S. Forest Service)	24
Adoption Incentive Pilot Program	Evaluate the approach of limiting the Adoption Incentive Pilot Program to horses seven years or older and burros nine years or older.	BLM Washington Office	29
Working Group Reports	Determine how it would like to receive information as to where and why different areas had been zeroed out as well as areas that could be considered for placement of non-reproducing herds and contact Mr. Jared Bybee.	Herd Area Repopulation Working Group	58



# Off-Range Branch Update

(As of October 2, 2017)

**The following items are a few of the notable efforts that have occurred to increase the placement of animals into private care since the prior Advisory Board meeting:**

- **WHB Public Comment Card** (*Sample on next page.*) – In response to the findings from the National Academy of Sciences Report issued in June 2013, BLM initiated two socio-economic research projects. One of the two projects was an Adoption Demand Study to assess the current and future demand for wild horses and burros removed from the range and evaluate the placement and off-range care components of the program. To further evaluate the placement component, a public comment card was developed to gather data from the public attending satellite events and off-range corrals. The survey includes the following key categories: interest in trained or untrained animals; age of animals; willingness to travel to an event, such as mileage, particular days, or times of day; interest in adopting or purchasing animal; and how they learned about the event. The survey will be implemented through the distribution and collection of the OMB approved comment card. (Example on next page.) The use of the comment card began September 14, 2017 and will continue through approximately July 31, 2018, at all WHB events where animals are presented, including partner events and off-range corrals. Great Lakes Marketing, Inc., will analyze all data and provide final recommendations to the BLM by September 30, 2019.
- **Private Care Placement Team** - The Private Care Placement Team was initiated to conduct a comprehensive review of the adoption and sales program and identify inconsistencies, issues, and barriers to placing more animals into private care and develop recommendations for program improvement. The team has finalized the first action plan (Phase 1) for addressing and improving consistency and communication within the adoption and sale programs. Phase 1 consists of immediate actions and improvements that can be implemented immediately, regardless of FY18 program direction. The team is currently awaiting approval of Phase 1 from leadership.
- **Partnership Update** – The **Mustang Heritage Foundation** was approved for a new five-year Assistance Agreement and will be in place through October 1, 2022. The partnership continues to reflect a growth in the placement of trained wild horses and burros into private care. In the past two years, they have coordinated with the BLM to increase their footprint in the east and it has resulted in contributing to over 50% placement increases in the placement of animals into private care. Their expansion of the storefront program has provided the BLM with additional locations for the public and other TIP trainers to access animals that they normally wouldn't be able to reach without driving significant distances.

The **Time to Ride** partnership focuses on increasing and revitalizing participation in the equine industry; therefore; helps build the BLM brand awareness. The membership represents groups such as the American Horse Council, US Equestrian, AAEP, Purina, Mustang Heritage Foundation, and various national equine media which provides the BLM with a positive network.

The approval of the **Equi-Center, Inc. Memorandum of Understanding (MOU)** is in the final stage and

anticipates starting by late October, 2017. Equi-Center, Inc. is an internationally recognized equine therapeutic center in upstate New York. The MOU will facilitate the coordination and cooperation between the two parties for a two-year pilot project that will incorporate the use of wild horses and burros into Equi-Center's wounded veterans programs. The final outcome is to develop a model by which Professional Association of Therapeutic Horsemanship International (PATH) accredited equestrian centers, and others, can use to increase the integration of gentled or wild horses and burros into their therapeutic programs, while helping to improve the mental health challenges of veterans suffering from PTSD, TBI, and other physical and mental injuries. Many individual centers have incorporated wild horses and burros and veterans into local centers, but there is a larger need for this type of service and this does not have any significant budget impact. The development of the formal model will provide interested parties with actual tools to expand the use and awareness of wild horses and burros into their programs and help reintegrate wounded veterans into society. The MOU also offers additional marketing, outreach and placement opportunities for both partners.

The continuation of our partnerships with **prison training programs** is evolving into contracts, but will maintain the availability of trained animals for placement into private care.

The continuation of our partnerships with the three **wild horse eco-sanctuaries** continues to provide outreach and education to the public through their daily tours and annual events.

The local offices also continue to develop new partnerships with various groups to provide assistance with things like animal training, darting, and placement into private care.

# Comment Card Example

WHB Comment Card – 1004 - FORM APPROVED OMB NO. 1090-0011 (Expires: 08/31/2018)

## Bureau of Land Management - Wild Horse and Burro Program

### Please tell us a little about yourself...

Event Location (City/State) and Date

1. How did you learn about this event today? (Please check all that apply and describe)

- Direct mail       Friends/family       Radio: \_\_\_\_\_  
 Flyer               Internet               WHB Staff: \_\_\_\_\_  
 Publication: \_\_\_\_\_  News: \_\_\_\_\_       Other: \_\_\_\_\_  
 TV Interview: \_\_\_\_\_  
 Social Media: \_\_\_\_\_

2. Why did you come today? Was it to ... (Please check all that apply)

- Adopt an animal       Meet past adopters/talk to trainers       See other events (not adoption related)  
 Purchase an animal       Pick up animal (from Internet event)       Other: \_\_\_\_\_  
 Learn about program       See the animals

3. Have you adopted or purchased a wild horse or burro before?

- Yes → Was it     Adopted     Purchased       No → Have you owned a domestic horse or burro?     Yes     No

4. How far are you willing to travel to attend an event like this? \_\_\_\_\_ Miles or \_\_\_\_\_ Hours

5. When is it convenient for you to attend?  M  Tu  We  Th  Fri  Sa  Su     Morning  Afternoon  Evening

6. Are you in your:     Teens     20s     30s     40s     50s     60s and older

7. Are you:     Male     Female      Zip Code: \_\_\_\_\_

8. IF YOU DID NOT ADOPT/PURCHASE AN ANIMAL TODAY: Why not? (Please check all that apply)

- Did not come to buy or adopt       Too expensive  
 Did not see what I wanted; I wanted a:  
 Sale horse       Burro       Different colored horse       Smaller horse or pony  
 Trained horse       Bigger horse       Younger horse       Other



WHB Comment Card – 1004 - FORM APPROVED OMB NO. 1090-0011 (Expires: 08/31/2018)

## Bureau of Land Management - Wild Horse and Burro Program

### Please tell us a little about yourself...

Event Location (City/State) and Date  
 Fort Worth, TX - 9/15/17

1. How did you learn about this event today? (Please check all that apply and describe)

- Direct mail       Friends/family       Radio: \_\_\_\_\_  
 Flyer               Internet               WHB Staff: \_\_\_\_\_  
 Publication: \_\_\_\_\_  News: \_\_\_\_\_       Other: \_\_\_\_\_  
 TV Interview: WFAA-ABC  
 Social Media: FB

2. Why did you come today? Was it to ... (Please check all that apply)

- Adopt an animal       Meet past adopters/talk to trainers       See other events (not adoption related)  
 Purchase an animal       Pick up animal (from Internet event)       Other: Mustang Magic pick-up  
 Learn about program       See the animals

3. Have you adopted or purchased a wild horse or burro before?

- Yes → Was it     Adopted     Purchased       No → Have you owned a domestic horse or burro?     Yes     No

4. How far are you willing to travel to attend an event like this? 150 Miles or \_\_\_\_\_ Hours

5. When is it convenient for you to attend?  M  Tu  We  Th  Fri  Sa  Su     Morning  Afternoon  Evening

6. Are you in your:     Teens     20s     30s     40s     50s     60s and older

7. Are you:     Male     Female      Zip Code: 73072

8. IF YOU DID NOT ADOPT/PURCHASE AN ANIMAL TODAY: Why not? (Please check all that apply)

- Did not come to buy or adopt       Too expensive  
 Did not see what I wanted; I wanted a:  
 Sale horse       Burro       Different colored horse       Smaller horse or pony  
 Trained horse       Bigger horse       Younger horse       Other



## OFF RANGE - FACILITY REPORT - SEPTEMBER 2017

Off Range Corrals				9/21/2017	9/21/2017
State	Facility Name	Facility Code	Facility Capacity	Horses	Burros
Arizona	Florence Prison	AZF80	1,000	333	102
California	Elk Grove	CAF83	20	25	0
California	Litchfield	CAF52	1,000	236	22
California	Redlands	CAF57	20	1	4
California	Ridgecrest	CAF56	1,000	240	83
Colorado	Canon City/Mens Training	COF87	50	62	1
Colorado	Canon City Prison	COF85	3,000	981	24
Idaho	Boise	IDF51	200	121	14
Idaho	Bruneau	IDF52	3,500	1,452	0
Idaho	Challis	IDF54	150	1	0
Illinois	Ewing	ESF59	300	258	21
Kansas	Hutchinson Prison	NMF85	350	298	3
Montana	Britton Springs	MTF52	20	0	0
Nebraska	Elm Creek	WOF54	500	211	39
Nevada	Carson City Prison	NVF83	2,000	1,262	7
Nevada	Fallon	WOF56	3,200	1,947	120
Nevada	Palomino Valley	WOF53	1,850	287	12
Oklahoma	Pauls Valley	NMF56	600	330	35
Oregon	Burns	ORF52	800	513	0
Utah	Axtell/Burro	UTF58	1,200	0	396
Utah	Axtell/Horse	UTF59	1,000	850	0
Utah	Delta	UTF54	300	196	25
Utah	Salt Lake Staging	UTF52	0	9	0
Wisconsin	Mequon	ESF56	20	0	0
Wyoming	Chugwater Training	WYF55	200	154	6
Wyoming	Rock Springs	WYF54	800	95	0
Wyoming	Riverton Prison	WYF83	170	106	43
	<b>Total</b>		<b>23,250</b>	<b>9,968</b>	<b>957</b>
Off Range Pastures				9/1/2017	9/1/2017
State	Facility Name	Facility Code	Facility Capacity	Horses	Burros
Iowa	Lotts Creek/Mares	ESF92	350	385	0
Iowa	Mt Ayr/Geldings	ESF90	400	415	0
Kansas	Cassoday/Geldings	NMF96	2,011	2,004	0
Kansas	Grenola/Mares	NMF93	2,600	2,622	0
Kansas	Matfield Green/Mares	NMF76	606	550	0
Kansas	Teterville East/Geldings	NMF98	1,720	1,572	0
Kansas	Teterville East/Mares	NMF97	550	663	0
Kansas	Wallace/Mares	NMF65	1,242	184	0
Missouri	El Dorado Springs/Mares	ESF91	465	513	0
Montana	Ennis/Geldings	MTF95	1,150	919	0
Nebraska	Atkinson/Mares	WYF90	800	852	0
Oklahoma	Bartlesville/Geldings	NMF94	2,175	2,109	0
Oklahoma	Catoosa/Geldings	NMF95	2,000	2,016	0
Oklahoma	Davis/Mares	NMF61	200	207	0
Oklahoma	Foraker/Geldings	NMF91	1,400	1,439	0
Oklahoma	Foster/Mares	NMF71	750	751	0

Oklahoma	Gray Horse East/Mares	NMF72	1,735	1,808	0
Oklahoma	Gray Horse West/Geldings	NMF73	1,015	879	0
Oklahoma	Hickory/Mares	NMF79	1,600	1,650	0
Oklahoma	Hominy/Mares	NMF74	1,059	1,093	0
Oklahoma	Hulah/Geldings	NMF92	2,648	2,380	0
Oklahoma	Nowata/Mares	NMF78	900	927	0
Oklahoma	Pawhuska/Mares	NMF90	2,800	2,677	0
Oklahoma	Ringling/Mares	NMF63	1,164	278	0
Oklahoma	Stratford/Mares	NMF62	100	105	0
Oklahoma	Strohm/Mares	NMF70	850	848	0
Oklahoma	Tishomingo/Mares	NMF75	600	657	0
Oklahoma	Vinita/Geldings	NMF77	200	199	0
South Dakota	Vale/Geldings	MTF94	1,000	899	0
South Dakota	Whitehorse/Geldings	MTF93	400	348	0
Utah	Fountain Green/Mares	UTF90	700	348	0
	<b>Total</b>		<b>35,190</b>	<b>32,297</b>	<b>0</b>
	<b>Eco-Sanctuaries</b>			9/1/2017	9/1/2017
		Facility Code	Facility Capacity	Horses	Burros
State	Eco-Sanctuary Name				
Oklahoma	Coalgate/Mares	NMF60	150	150	0
Wyoming	Centennial/Geldings	WYF91	300	315	0
Wyoming	Lander/Geldings	WYF92	150	126	0
	<b>Total</b>		<b>600</b>	<b>591</b>	<b>0</b>
	<b>SubTotal</b>		<b>35,790</b>	<b>32,888</b>	<b>0</b>
	<b>Grand Total</b>		<b>59,040</b>	<b>42,856</b>	<b>957</b>

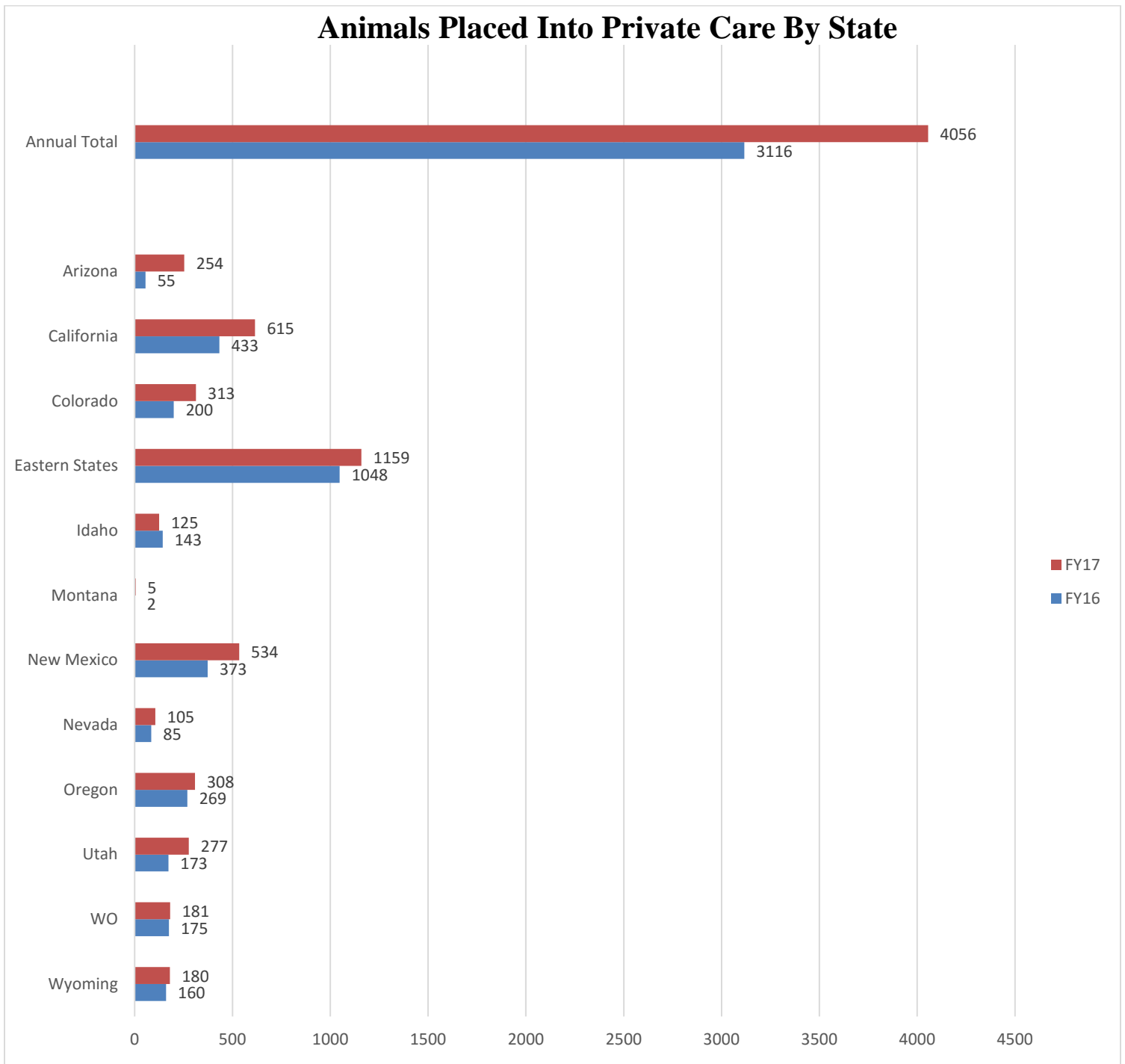
The numbers listed are based on the invoices received as of the date listed on the top of the Long-Term Holding Facilities section on this report.

Numbers that are listed in *italics* represent contractor numbers from the previous month that have not submit invoices as of the date listed on the top of the Off-Range Pasture section on this report.



# Placement into Private Care for FY16 & FY17\*

\* - FY17 numbers are as of 10.2.17 and do not include the full FY17 year.



TENTATIVE  
 FY 2017 Wild Horse and Burro Removal by Date  
 as of September 28, 2017

State	Herd Management Area (HMA) or Herd Area (HA)	Start Date	End Date	Animals Proposed to be Gathered	Animals Proposed to be Removed	Animals Actually Removed	Mares/Jennies Treated with Fertility Control	Gather Method	Species	Rationale
NV	Maverick Medicine/Cherry Springs	10/1/2016	10/1/2016	23	23	16	0	Bait or Water	Horse	Water Concerns
NV	Stone Cabin	10/1/2016	10/1/2016	100	31	36	23	Bait or Water	Horse	Selective Removal
	Nuisance	10/1/2016	9/30/2017	0	0	21	0	Bait or Water	Both	
AZ	Lake Pleasant	10/1/2017	9/30/2017	70	0	21	0	Bait or Water	Burro	BLM Research Collar Study
AZ	Lake Pleasant Outside	10/1/2017	9/30/2017	70	0	23	0	Bait or Water	Burro	AZG&F Collar study
NV	Pancake	10/2/2016	10/16/2016	253	253	245	0	Bait or Water	Horse	Water Concerns
CA	Slate Range HA	10/2/2016	10/21/2016	75	75	22	0	Bait or Water	Burro	Public Safety
CA	Clark Mtn HA	10/6/2016	7/11/2017	120	120	13	0	Bait or Water	Burro	Public Safety
CA	Outside Chemehuevi HMA	10/6/2016	10/30/2016	20	20	53	0	Bait or Water	Burro	Public Safety
NV	Goshute/Tunnel Springs	10/10/2016	10/18/2016	60	60	62	0	Bait or Water	Horse	Water Concerns
CO	Sand Wash Basin	11/3/2016	12/10/2016	300	50	42	150	Bait or Water	Horse	Selective Removal/PZP Retreat
NV	Rock Creek (Owyhee Complex)	11/2/2016	11/15/2016	450	325	395	45	Helicopter	Horse	Sage Grouse Focal Area
NV	Owyhee (Owyhee Complex)	11/4/2016	12/25/2016	230	125	273	49	Helicopter	Horse	Sage Grouse Focal Area
NV	Little Owyhee (Owyhee Complex)	11/18/2016	12/25/2016	920	650	764	105	Helicopter	Horse	Sage Grouse Focal Area
NV	Marietta Burro Range	11/10/2016	11/10/2016	13	13	13	0	Bait or Water	Burro	Health & Human Safety
OR	South Steens	11/11/2016	4/13/2017	200	140	115	0	Bait or Water	Horse	Resource Issues/Burn Damage/Sage Grouse Focal Area
UT	Chloride Canyon	11/16/2016	11/16/2016	12	12	12	0	Bait or Water	Horse	Health & Human Safety
AZ	Black Mountain	11/21/2016	9/30/2017	110	110	64	0	Bait or Water	Burro	Nuisance
NV	Outside Eagle & Silver King	12/20/2016	12/29/2016	100	100	88	0	Helicopter	Horse	Health & Human Safety
UT	Frisco*	1/7/2017	3/9/2017	150	90	50	0	Helicopter	Horse	Research
UT	Sulphur	1/18/2017	1/31/2017	800	400	497	80	Helicopter	Horse	Adopt/Sale Demand
CA	Twin Peaks	1/18/2017	2/9/2017	30	30	30	0	Bait or Water	Burro	Nuisance
OR	Murderers Creek	1/28/2017	4/3/2017	12	12	21	0	Bait or Water	Horse	Nuisance
NV	Reveille	1/29/2017	2/2/2017	145	80	83	30	Helicopter	Horse	Court Order
WY	Abobe Town	2/1/2017	4/1/2017	300	0	0	0	Bait or Water	Horse	Collar 20-30 mares
UT	Cedar Mountain	2/11/2017	2/19/2017	800	400	301	104	Helicopter	Horse	Selective Removal/PZP Retreat
ID	Challis	3/14/2017	4/30/2017	150	50	9	6	Bait or Water	Horse	Sage Grouse Focal Area



UT	Conger	5/1/2017	9/30/2017	75	75	8	0	Bait or Water	Horse	Research
NV	Antelope Valley	5/8/2017	5/32/17	96	95	98	0	Bait or Water	Horse	Pvt Land/water issues
UT	Outside Chloride Canyon	5/10/2017	6/1/2017	15	15	28	0	Bait or Water	Horse	Health & Human Safety
NV	Outside Calico	6/1/2017	8/1/2017	15	15	0	0	Bait or Water	Horse	Health & Human Safety
NV	Outside Caliente HAs	6/1/2017	9/30/2017	26	26	0	0	Bait or Water	Horse	Private Property
NV	Marietta Burro Range	7/10/2017	8/4/2017	125	125	129	0	Bait or Water	Burro	Contract minimums
OR	Stinkingwater	7/19/2017	7/19/2017	9	9	9		Bait or Water	Horse	Nuisance
AZ	Black Mountain	8/1/2017	9/30/2017	110	0	0	0	Bait or Water	Burro	HSUS PZP Study
UT	Bible Springs Complex - Four Mile	8/14/2017	8/15/2017	62	62	62	0	Helicopter	Horse	Court Order/State Lands
UT	Bible Springs Complex - Outside Four Mile	8/14/2017	8/16/2017	63	63	63	0	Helicopter	Horse	Court Order/State Lands
AZ	Outside Lake Havasu	8/14/2017	9/30/2017	75	75	80	0	Bait or Water	Burro	Nuisance
NV	Antelope (Water Canyon)	9/1/2018	9/30/2017	65	40		15	Bait or Water	Horse	GonaCon pilot
AZ	Lake Pleasant	8/14/2017	9/30/2017	50	50		0	Bait or Water	Burro	Nuisance/pvt land
CO	Piceance/East Douglas	9/15/2017	9/21/2017	100	100	86	0	Helicopter	Horse	Pvt Land
OR	Stinkingwater	9/20/2017	9/20/2017	20	20	20	0	Bait or Water	Horse	Pvt Land
WY	Salt Wells Creek	9/21/2017	9/30/2017	574	574		0	Helicopter	Horse	Consent Decree
<b>TOTAL</b>				<b>6,993</b>	<b>4,513</b>	<b>3,852</b>	<b>607</b>			
CA/USFS	Outside Devils Garden Territory	10/1/2016	10/2/2016	250	200	54	60	Helicopter	Horse	Private Property
NM/USFS	Jarita Mesa	5/4/2016	10/31/2017	70	70	19	0	Bait or Water	Horse	Bait Trap Zone 6
NM/USFS	Jicarilla/Carracas Mesa	5/15/2015	10/31/2016	100	100	19	0	Bait or Water	Horse	Bait Trap Zone 6

### Darting Fertility Control and Research Schedule by Date as of September 12, 2017

State	Herd Management Area (HMA) or Herd Area (HA)	Start Date	End Date	Animals Proposed to be Gathered	Animals Proposed to be Removed	Animals Actually Removed	Mares/Jennies Treated with Fertility Control	Gather Method	Species	Rationale
WY	McCullough Peaks	1/1/2017	9/30/2017	0	0	0	52	None	Horse	
CO	Spring Creek Basin	2/1/2017	5/30/2017	0	0	0	22	None	Horse	
CO	Sand Wash Basin	2/1/2017	5/30/2017	0	0	0		None	Horse	
MT	Pryor Mtn	2/1/2017	8/31/2017	0	0	0	65	None	Horse	
ID	Challis	2/1/2017	9/30/2017	0	0	0	35	None	Horse	
CO	Little Book Cliffs Wild Horse Range	3/1/2017	7/30/2017	0	0	0	20	None	Horse	
UT	Onaqui	3/1/2017	5/31/2017	0	0	0	40	None	Horse	
<b>TOTAL</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>234</b>			
<b>GRAND TOTAL</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>841</b>			

Completed Helicopter Removals		<b>2,451</b>
Completed Bait Trap Gathers		<b>810</b>
Completed Fertility Control Treatments		<b>436</b>
Completed PZP darting		<b>0</b>
Gathers in Progress		<b>271</b>

Completed Removals and PZP treatments to Date			
	Helicopter	Bait Trap	Fertility Control Treatments
AZ	0	0	0
CA	0	105	0
CO	0	42	0
ID	0	9	0
MT	0	0	0
NV	1,603	470	252
NM	0	0	0
OR	0	136	0
UT	848	48	184
WY	0	0	0
<b>TOTAL</b>	<b>2,451</b>	<b>810</b>	<b>436</b>

TENTATIVE  
 FY 2018 Wild Horse and Burro Removal by Date  
 as of September 29, 2017

State	Herd Management Area (HMA) or Herd Area (HA)	Start Date	End Date	Animals Proposed to be Gathered	Animals Proposed to be Removed	Animals Actually Removed	Mares/Jennies Treated with Fertility Control	Gather Method	Species	Rationale
WY	Salt Wells Creek	10/1/2017	11/30/2017	296	296	0	0	Helicopter	Horse	Court order
WY	Adobe Town	10/1/2017	10/30/2017	656	616	0	0	Helicopter	Horse	Court order
WY	Great Divide Basin	10/1/2017	10/30/2017	386	386	0	0	Helicopter	Horse	Court order
AZ	Black Mtn	10/1/2017	9/30/2018	125	125	0	0	Bait or Water	Burro	Health/Safety/pvt land
AZ	Lake Pleasant	10/1/2017	9/30/2018	65	65	0	0	Bait or Water	Burro	Health/Safety/pvt land
AZ	Cibola-Trigo	10/1/2017	9/30/2018	60	60	0	0	Bait or Water	Burro	Health/Safety/pvt land
ID	Challis	11/1/2017	3/30/2018	150	75	0	30	Bait or Water	Horse	priority habitat
UT	Conger	11/27/2017	12/3/2017	100	0	0	0	Helicopter	Horse	Research
<b>Total</b>				<b>1838</b>	<b>1623</b>	<b>0</b>	<b>30</b>			

Darting Fertility Control and Research Schedule by Date  
 as of September 11, 2017

State	Herd Management Area (HMA) or Herd Area (HA)	Start Date	End Date	Mares/Jennies Treated with Fertility Control (Target)	Mares/Jennies Treated with Fertility Control (Actual)	Species	Notes
WY	McCullough Peaks	1/1/2018	9/30/2018	52		Horse	
AZ	Black Mountain	1/1/2018	9/30/2018			Burro	
CO	Spring Creek Basin	2/1/2018	5/30/2018	22		Horse	
CO	Sand Wash Basin	2/1/2018	5/30/2018			Horse	
ID	Challis	2/1/2018	9/30/2018	35		Horse	
MT	Pryor Mtns	2/15/2018	7/30/2018	70		Horse	
CO	Little Book Cliffs Wild Horse Range	3/1/2018	7/30/2018	20		Horse	
UT	Onaqui	3/1/2018	5/31/2018	40		Horse	
<b>TOTAL</b>				<b>239</b>	<b>0</b>		
<b>GRAND TOTAL</b>				<b>269</b>	<b>0</b>		

Completed Helicopter Removals			
Completed Bait Trap Gathers			
Completed Fertility Control Treatments			
Completed PZP darting			<b>0</b>
Gathers in Progress			

Completed Removals and PZP treatments to Date			
	Helicopter	Bait Trap	Fertility Control Treatments
AZ	0	0	0
CA	0	#REF!	#REF!
CO	0	#REF!	0
ID	0	Helicopter	0
MT	0	0	#REF!
NV	#REF!	#REF!	#REF!

NM	0	0	0
OR	0	#REF!	0
UT	#REF!	#REF!	#REF!
WY	0	0	#REF!
TOTAL	#REF!	#REF!	#REF!

## Wild Horse and Burro Research and Related Projects

Research Entity; Project Name	Dates; Budget	Description and Status
<b>BLM-funded, ongoing WHB research and related projects</b>		
<b>Colorado State University;</b> Re-immunization of Free-Ranging Horses with GonaCon Vaccine	2015–2020; \$287,884	Determine the optimum re-vaccination schedule; the duration of effectiveness; and safety and physiological side-effects (if any) in feral horses following booster vaccination with GonaCon. <u>Status:</u> Field crews observed foaling rates for 2017, and will continue in 2018-2020. Control mares foaled at rates near 100%. The foaling rate for mares re-treated with GonaCon 4 years after initial dose appeared to be 0 in 2015, 16% in 2016, and 16% in 2017. Publications are forthcoming on early results and dart-based GonaCon delivery.
<b>Colorado State University;</b> Effect of Immunization against Oocyte Specific Growth Factors in Mares	2015–2019; \$1,222,197	Test vaccines against two proteins in domestic mares. They may result in permanent sterility through premature oocyte depletion. Long-term goal is to develop a vaccine that can cause permanent sterility after a single dose. <u>Status:</u> Initial results suggest that one of the two vaccines led to reduced ovulations. Weekly blood samples are being analyzed for reproductive hormones and titer levels of antibodies specific to the antigens in the vaccine. Oocyte counts from excised ovaries is ongoing. A booster vaccine injection was given in early 2017; behavioral and ultrasound observations continued through the summer. BLM added funding for year three of the 4-year study.
<b>Ohio State University;</b> Electrospun delivery to enhance the effectiveness of immunocontraception strategies in equids	2016–2020; \$799,565	Develop and test polymer capsules that will be a new delivery vehicle for porcine zona pellucida (PZP) that would increase the duration of the vaccine's effectiveness. <u>Status:</u> The research team tested the burst-mechanical strength of trial capsules made from various surgical grade polymers, to determine optimal thickness of implantable capsules. Capsules were implanted in domestic mares in summer 2017, with antibody titer monitoring ongoing.
<b>Louisiana State University;</b> The use of membrane disrupting peptide / peptoid LHRH conjugates to control WH&B populations	2016–2019; \$850,002	Develop and test an injectable agent that would decrease female and male gonad viability. The drug would destroy the cells that control spermatogenesis in the male and follicle growth, oocyte development, ovulation and cyclicity in the female. <u>Status:</u> The research group identified peptide conjugates that were most effective at targeting LHRH receptor cells, while at the same time not destroying blood cells. In late spring 2017, the group began <i>in vivo</i> trials of the D-and L-peptide conjugates in 6 ponies, to determine necessary doses to suppress estrus activity.
<b>Humane Society of the United States;</b> Applicability and efficacy of ZonaStat-H on wild burros in northwestern Arizona	2015–2019; \$64,975 ( <i>HSUS matched \$350K</i> )	BLM-HSUS collaborative to test whether ZonaStat-H (a PZP vaccine) can be effectively darted to wild burros in the vicinity of Oatman, Arizona. <u>Status:</u> At least 26 jennies have been enrolled in the study as either treatment or control animals, including all of the available burro jennies in Oatman. HSUS has begun work to attempt to deliver booster doses via dart to those jennies that only received a primer dose.

Research Entity; Project Name	Dates; Budget	Description and Status
<b>BLM-funded, ongoing WHB research and related projects (continued)</b>		
<b>University of Wyoming;</b> Adobe Town HMA Wild Horse GPS Collar Study	2016-2021; \$40,000 ( <i>\$120K matching from WY Dept. of Ag.</i> )	Assess habitat use, and movement in / out of checkerboard lands, and potentially across state lines, in Adobe Town HMA. <u>Status:</u> 14 mares were captured via bait tapping in early 2017 and fitted with radio collars, but 5 of those were removed due to collar failure or poor fit. Additional trapping for radio collar placement is taking place in fall 2017, via helicopter-gather.
<b>Purdue University;</b> Development of next-generation anti-fertility vaccines for horses	2016-2019; \$78,375 BLM ( <i>\$375K matching from HSUS</i> )	Develop and test new PZP-type vaccines for use in mares, including a water-soluble adjuvant, and recombinant ZP proteins. <u>Status:</u> One experiment identified promising new adjuvants for vaccine, based on in vitro testing to determine optimal formulation of a new adjuvant. The new vaccine, with recombinant rZP proteins, caused a strong immune response in mice. The other experiment, testing the antibody response of mares injected with rZP and the new adjuvant, started in late spring 2017, with antibody titer monitoring ongoing.
<b>Arizona Game and Fish;</b> Evaluation of burro movements and collisions along roads near Lake Pleasant HMA	2016-2021; <b>\$0</b> BLM ( <i>~\$200K AZ Dept. of Trans. funding</i> )	Use GPS collars on wild jennies, to determine movement patterns near roads; to identify key crossing points and to make inferences about what types of highway fencing could prevent burro-vehicle collisions better. <u>Status:</u> In December 2016, trapping began near the Lake Pleasant HMA, where USGS burro demography work is also ongoing. Less than 30 burros have been collared, due to BLM staff time demands; BLM aims to capture the full number (~60 total) this fiscal year.
<b>USGS;</b> Developing a suitable radio collar or radio tag for feral horses and burros	2014–2016; \$139,248	Develop and tested four radio collar designs and two designs for mane and tail radio tags. Assess behavior and monitor for any injuries caused. <u>Status:</u> Fieldwork was completed March 2016. No substantial injuries were observed in mares, stallions, or jennies. The collars went over the ear of several stallions, so USGS will recommend relying on radio tags braided into the tail for stallions. Field testing is ongoing as a part of other USGS studies. Manuscript is in preparation for submission to a peer-reviewed journal.
<b>USGS;</b> Population demography and ecology of wild horses in two sentinel herds in the western United States	2015–2022; \$1,287,654 <sup>1</sup>	Study: survival, fertility, fecundity, and recruitment rates; movement patterns; range use; habitat selection; and social behavior of wild horses. <u>Status:</u> About 95 horses were captured at Frisco HMA via a helicopter gather in summer 2016, with more captured in January 2017. Horses for the study were fitted with radio collars, or radio tags, and released back to Frisco HMA. Field data collection began after radio marking. In Wyoming, the draft EA is in preparation, and the project has not started.

Research Entity; Project Name	Dates; Budget	Description and Status
<b>BLM-funded, ongoing WHB research and related projects (continued)</b>		
<b>USGS (At Oklahoma State University);</b> Evaluating the efficacy and safety of Silicone O-ring intrauterine devices as a horse contraceptive through a captive breeding trial	2016–2020; \$253,980 in 2016; \$183,122 in 2017	Determine the efficacy and effects on mare health resulting from the long-term presence of a silicone O-ring IUD. <u>Status:</u> A pilot year of research in 2016 led to results that ring-shaped IUD models fell out at rates that are not acceptable. In 2017 researchers are testing whether a new IUD shape has higher retention rates.
<b>USGS;</b> Demography of two wild burro populations in the western USA	2015–2020; \$717,081 <sup>1</sup>	Study survival, fertility, fecundity, and recruitment rates; movement patterns; range use; habitat selection; and social behavior of wild burros. <u>Status:</u> At Sinbad HMA, 30 burro jennies were captured and returned to the range with GPS radio collars in 2016. Field work to monitor their welfare, movements, behavior, survival, and foaling took place May-September in 2016 and 2017, with monthly welfare checks in winter. Collars were not the cause of death for any of 5 dead jennies found in the HMA; a veterinary investigation implicated an unusual form of pneumonia that may be related to an Asinine Herpes Virus. The 2017 aerial survey at Sinbad HMA will take place in fall. At Lake Pleasant HMA, Trapping and collaring began in December 2016. Observations are ongoing, as at Sinbad. An aerial survey took place in June 2017.
<b>USGS;</b> Developing and testing aerial survey techniques for wild burros	2015–2018; \$185,139 <sup>1</sup>	Test two new population survey methods for wild burros: use of infrared cameras; and using information from radio collared burros in double-observer surveys. <u>Status:</u> In the Sinbad HMA, USGS and BLM completed 2 infrared surveys and has conducted 3 double observer surveys, 2 using the radio collared animals. A survey will take place in fall 2017. A June 2016 survey at the Lake Pleasant HMA in Arizona coincided with extreme heat, so conditions were not suitable for data collection using radio collared animals. In 2016 and 2017 BLM helped with burro aerial surveys at Fort Irwin NTC (Dept. of Defense), which will contribute data to the double-observer sightability modeling.
<b>USGS;</b> Evaluating behavior and ecology of geldings among a breeding population	2015–2020; \$826,099 <sup>1</sup>	Determine the behavioral and demographic effects of having a portion of a herd be gelded male (neutered) wild horses. <u>Status:</u> Helicopter and bait/water trapping was completed at Conger HMA in 2016. 30 mares were fitted with radio collars. 29 studs were fitted with radio tags, but 13 of 14 GPS tail tags had firmware issues and were redeployed in spring 2017. Behavior data collection started in March 2017. A second year of aerial surveys was conducted in spring 2017.

<b>Research Entity; Project Name</b>	<b>Dates; Budget</b>	<b>Description and Status</b>
<b>Texas A&amp;M University;</b> BLM Wild Horse and Burro genetic testing	2015–2020; \$45,000	Analyze genetic diversity for wild horse and burro populations, based on hair samples taken during capture operations. <u>Status:</u> This study is ongoing, with analyses of hair samples provided to the researcher provided to BLM as reports.
<b>BLM-funded, ongoing WHB research and related projects (continued)</b>		
<b>USGS;</b> Non-invasive (fecal) genetic sampling of free-roaming horses to estimate population size, genetic diversity, and consumption of invasive species	2014–2015; \$178,538	Collect and analyze fecal DNA as a noninvasive method to determine genetic diversity and estimate population size. Also test for presence of invasive species, and seed germination. <u>Status:</u> Feces collection and analysis concluded in 2015. This seems to be a suitable method for population estimation in small areas, though the costs are very high. USGS is preparing three manuscripts: on environmental degradation of horse fecal DNA; on using mark-recapture techniques to estimate population size; and on diet analysis from microhistology vs from plant DNA.
<b>Ipsos Public Affairs;</b> Assessing knowledge, attitudes, preferences, and non-market values regarding WH&B populations and mgmt.	2014–2018; \$236,943	Improve understanding of public perceptions, values, and preferences regarding the management of wild horses and burros on public rangelands. <u>Status Update:</u> BLM is continues to work with the Department of the Interior on finalizing package to seek approval from OMB to conduct focus groups. Pending OMB approval, the next step of the project will be to convene the focus groups. Information from those focus groups will then inform a set of candidate questions for the national survey of the general populace; those questions will also need OMB approval.
<b>USGS;</b> Development of a population model and cost analysis for managing wild horses (WinEquus II)	2016–2021; \$459,859	Update the existing model used by managers for wild horse population projections. The update will compare population outcomes and costs resulting from PZP, removals, spaying, gelding and other population growth suppression tools. <u>Status:</u> Development began in fall 2016, and is ongoing. No software is yet available.
<b>BLM-funded WHB projects that haven't yet started or were cancelled</b>		
<b>USGS;</b> Evaluating behavior and ecology of spayed free-roaming mares	2018–2022; \$772,151 <sup>1</sup>	This project would determine the behavioral and demographic effects of having a portion of spayed (ovariectomized) mares in a wild horse population. <u>Status:</u> NEPA documents (Environmental Assessment) are in preparation; the project has not yet started.
<b>USGS;</b> Testing efficacy of contraceptives for female burros (under consideration)	4 year project idea. ~\$425,000	Test the efficacy of the PZP vaccine and GonaCon-Equine vaccine in burros. <u>Status:</u> This project is on hold, pending funding availability and proposal revision.
<b>Oregon State University;</b> Functional assessment of	2015–2016; \$8,834 spent before closeout	Researchers would have determined whether ovariectomy via colpotomy can be safely and effectively performed on pregnant and non-pregnant wild horse mares.



<b>Research Entity; Project Name</b>	<b>Dates; Budget</b>	<b>Description and Status</b>
ovariectomy (spaying) via colpotomy in wild mares		<u>Status:</u> This project was cancelled. BLM withdrew its decision to support this research project on September 9, 2016.
<b>Oregon State University;</b> Evaluation of minimally invasive methods of contraception in WH&B mares	2015–2016; \$498 spent before closeout	The project would have evaluated two procedures, tubal ligation and hysteroscopically-guided laser ablation of the oviduct papilla in standing sedated mares. <u>Status:</u> This project was cancelled. BLM withdrew its decision to support this research project on September 9, 2016.
<b>BLM-funded WHB projects that have concluded</b>		
<b>University of Kentucky;</b> Tubo-ovarian ligation via colpotomy as a method for sterilization in mares	2015–2018; \$120,228 spent before closeout	This project ended early. The project aimed to help determine the effectiveness of placing a polyamide (nylon) cable tie around the ovarian pedicle and oviduct of mares via colpotomy for tubo-ovarian ligation. Initial trials on mares showed that the new instrument was effective for ligature placement. Several mares in the study, however, developed adhesions in the vicinity of the ovaries that are a cause for concern. The project ended 1/31/2017. Researchers will publish results.
<b>University of Toledo;</b> Development of a 3-4 year controlled release PZP contraceptive vaccine for wild horses	2010-2017; \$2,165,000	Produce PZP-22 pellets for use by BLM. Development and test a 3-year or 4-year PZP pellet vaccine. PZP-22 did not provide the second year of contraception that was expected. <u>Status:</u> PZP-22 pellets seem to provide only 1 year of reliable contraception, but are convenient for providing the PZP booster dose without needing to re-capture or dart a horse. In the final year of the project, the researchers studied the PZP-release profile of a new design of 12-month pellets, in vitro; those pellets degraded by month 10, over the course of 3-4 weeks. The grant agreement ended March 31, 2017. BLM will procure PZP-22 through a contract with University of Toledo.
<b>USGS;</b> Second pen trials of the SpayVac PZP vaccine	2014–2015; \$127,379	Repeated an earlier trial of SpayVac, to test for long-lasting effects. SpayVac is a PZP-based immunocontraceptive with liposome technology. <u>Status:</u> This “SpayVac II” pen trial was discontinued in spring 2015, after initial results indicated that the SpayVac vaccine did not lead to the expected long-lasting contraception in captive mares.
<b>Great Lakes Marketing Research;</b> Analysis and evaluation of demand for off-range wild horses and burros	2015–2016; \$109,300	Assessed future demand for wild horses and burros through adoption and sales and to develop strategies for placing more animals into private care. <u>Status:</u> The contractor prepared analyses, presented final reports to the BLM, and led webinars on the implications.
<b>University of Idaho;</b> Focus on Impact of Wild Horses on Riparian Areas	2014–2015; \$19,999	Used wildlife cameras to record use of riparian areas by wild horses, livestock, and wildlife, and vegetation measures in those areas. <u>Status:</u> The masters student defended in spring 2016. Results suggested that wild horse presence influenced riparian streambank conditions and herbaceous stubble height to a

<b>Research Entity; Project Name</b>	<b>Dates; Budget</b>	<b>Description and Status</b>
		greater degree than livestock presence, which also had an effect. The study found no statistical relationship between wild horse presence and wildlife presence, though the sample size of the study was limited.
<b>WHB projects funded entirely by BLM partners or other sources</b>		
<b>USGS; Testing the Accuracy of High-definition Infrared Imaging for Wild Horse Aerial Surveys</b>	2015–2016; \$0 <i>(funded by Wyoming Dept. of Agriculture)</i>	Tested the use of distance-based analysis along with infrared aerial surveys, in an area with known horse population size. <u>Status:</u> Two infrared aerial surveys were conducted at the McCullough Peaks HMA: one in fall 2015 in the daytime and the other in summer 2016, at night. Estimated population sizes from that survey compared favorably to known population sizes, but the method is not ideal. Costs are high, and it may not be suitable for many environmental conditions. A manuscript is in revision in a peer-reviewed journal.
<b>USGS; Modeling Carrying capacity of free-roaming horses</b>	2014–2017; \$0 <i>(funded by USGS)</i>	Develop a coarse model to evaluate changes in animal carrying capacity in response to changes in vegetation production. <u>Status:</u> USGS received data from various sources including BLM and remote sensing. The carrying capacity model was developed at Colorado State University. After final input using range health data to ground truth the statistical model, USGS is revising its analysis in light of feedback from BLM received February 2017.
<b>University of California Agricultural Extension</b>	Ongoing <i>(funded by USFS)</i>	Use camera-traps to document interactions between wildlife, livestock, and wild horses. <u>Status:</u> Photo analysis is ongoing; no publications yet. This study is documenting use and habitat quality at water sources.
<b>Brigham Young University / US Army Dugway Proving Grounds</b>	Multi-year <i>(funded by DoD)</i>	Use camera-traps to monitoring springs on the Dugway proving grounds, southeast of Salt Lake City, to assess WH – wildlife interactions. <u>Status:</u> This research group has published work demonstrating that native wildlife are negatively affected by the presence of wild horses near water sources.
<b>Arizona State University</b>	2014-2016; <i>(not BLM-funded)</i>	Use camera traps to monitor burro behaviors near water sources. <u>Status:</u> No publications yet. The study documented burros digging out water sources in sandy washes, creating ‘wells’ of water that are then available for other wildlife species.
<b>University of Nevada, Reno</b>	Ongoing <i>(not BLM-funded)</i>	Use veg monitoring and camera traps to document riparian habitat use by livestock, wildlife, and wild horses. Status unknown.

Research Entity; Project Name	Dates; Budget	Description and Status
<b>WEST, Inc.;</b> Testing double-observer plus distance methods for aerial surveys	2016; <b>\$0</b> <i>(funded by Wyoming Dept. of Agriculture)</i>	Tested a distance-based aerial survey method that is similar to those now used by BLM (“double-observer” method), but is based on an incomplete sample of the surveyed areas. <u>Status Update:</u> The contractor completed aerial surveys over areas including the North Lander complex and Red Desert complex in 2016. In a report sent December 2016, the contractor’s method estimated lower horse abundance for the North Lander complex than was counted visually by BLM staff on a 2016 helicopter survey there.

<sup>1</sup> Costs of aerial surveys are not included in the USGS project budgets. Those aerial surveys will be led by BLM.

## **Litigation Update**

(As of September 27, 2017)

### **Bureau of Land Management**

#### **Colorado**

*Friends of Animals v. Jewell, No. 1:15-cv-01500-CRC (D.D.C.) (filed September 18, 2015)*. The Plaintiff challenges the West Douglas Herd Area Wild Horse Gather and Removal Decision Record and Final Environmental Assessment and Piceance-East Douglas Herd Management Area Decision Record and Documentation of NEPA Adequacy. The Plaintiff argues that the decisions violated the National Environmental Policy Act by not considering the physical, behavioral, and social implications of the gather to the wild horses, including the cumulative effects of helicopter gathers on horses over the long term. The case was fully briefed by July 5, 2016. On February 21, 2017, the court ruled that the decision was not ripe for adjudication and dismissed for lack of jurisdiction. Because a future removal decision would be subject to new NEPA review, public notice, and administrative or judicial challenge, the issues over future gathers were not best fit for judicial consideration at this time. The Plaintiffs filed a notice of appeal on February 23, 2017.

*Friends of Animals v. Zinke, No. 17-5036 (D.C. Cir.) (filed February 23, 2017)*. In this appeal of *Friends of Animals v. Jewell, No. 1:15-cv-01500-CRC (D.D.C.)*, a briefing schedule was ordered May 15, 2017, which provided for briefing to be complete by August 9, 2017. But the case was referred for mediation and those deadlines were stayed. Ultimately, the parties negotiated a settlement agreement, under which BLM agreed to certain notice and procedures before issuing a new gather decision that are already provided for in BLM guidance. The settlement was signed September 20, 2017.

*Front Range Equine Rescue v. BLM, No. 1:16-cv-00969-REB (D. Colo.) (filed April 29, 2016)*. The U.S. issued a final Decision Record and associated EA on July 28, 2015, to remove all horses from the West Douglas Herd Area. The plaintiff filed a Notice of Appeal to the IBLA on August 28, 2015, followed by a Statement of Reasons for its appeal on September 25, 2015. The U.S. filed a motion to dismiss the plaintiffs appeal for lack of standing on November 25, 2015. The IBLA issued an order granting the Motion to Dismiss on March 31, 2016. Plaintiffs filed this Complaint for Declaratory Relief after the Plaintiff filed a notice of appeal to the IBLA (see IBLA 2015-235) which was dismissed by the Court. Plaintiffs allege that the BLM violated the WFRHBA, NEPA, and would continue to inflict economic harm to the plaintiffs if the decision to zero out the West Douglas Herd Area is carried forward. The case is fully briefed and the parties are waiting for oral argument to be scheduled or a decision.

#### **Idaho**

*American Wild Horse Preservation Campaign, The Cloud Foundation, Return to Freedom, and Virginia Marie Hudson v. DOI et. al., Case No.: 1:16-cv-00001-EJL (D. Id.) (filed Jan. 4, 2016)*. Plaintiffs filed a Complaint for Injunctive and Declaratory Relief in the Idaho District Court concerning Idaho's Jarbidge Resource Management Plan approved on September 2, 2015. The RMP includes a decision to manage the Saylor Creek HMA as a non-reproducing herd because the HMA has no natural water sources and wild horses rely solely on extensive pipelines and

troughs. The groups allege BLM violated NEPA, APA, WHA, TGA, and FLPMA by conducting inadequate analysis of any significant impacts and failure to fulfill statutory obligations. The groups' allege BLM did not adequately analyze the impact of a non-reproducing status on the health of the individual horses and the herd as a whole, the potential effects on behavior and physiology, the impact to the range as a result of managing a non-reproducing herd, any relative cumulative impacts on horses from sterilization, and the claim that BLM did not consider a reasonable range of alternatives to sterilization. The DOJ filed a "Reply in Support of their Cross-Motion for Summary Judgment" on July 26, 2017. This completed the briefings and we are awaiting a ruling from Judge Lodge (Idaho District Court).

## **Montana**

*Jerri Joette Tillett v. Bureau of Land Management; Interior Board of Land Appeals; and Department of Interior, Case No. CV 16-148-BLG-SPW (D. Mont.) (filed September 30, 2016).* Plaintiff challenges BLM's plan to use multi-year prescribed fires on approximately 6,200 acres in the northern portion of the Pryor Mountain Wild Horse Range. Plaintiff alleges that BLM's authorization of the plan violated NEPA. In earlier litigation, the District Court ruled that BLM failed to take a hard look at the impacts of the prescribed burns on sensitive species in the area, in particular the Clark's Nutcracker. The Court remanded the matter back to BLM to address the issue. BLM prepared a supplemental EA and issued a new decision adopting the prescribed fire plan. Summary judgment briefing was completed in May 2017.

*Jerri Joette Tillett v. Bureau of Land Management; Interior Board of Land Appeals; and Department of Interior, Case No. CV 15-48-BLG-SPW (D. Mont.)*. Plaintiff, a pro se litigant, filed this complaint after the IBLA denied her stay petition (See IBLA 2015-133). At issue is whether BLM's updated 5 year fertility control plan and the darting of several wild horses constitutes "malfeasance" behavior. The U.S. filed an answer to the complaint on August 7, 2015. On August 26, 2015, the Court consolidated this case with CV 15-61 (challenge to 2015 gather, described below). The U.S. filed its summary judgment brief on December 7, 2015 and the Plaintiff filed her response brief on January 15, 2016. The U.S. moved, and the Court granted, a motion to strike the brief and ordered the Plaintiff to file a new brief complying with local court rules by February 16, 2016. The U.S. reply brief was filed on March 1, 2016. The Court issued a judgment in favor of the federal defendants on May 18, 2016. On June 3, 2016, Plaintiff appealed the judgment to the Ninth Circuit (Docket No. 16-35465). On August 17, 2017, the Ninth Circuit affirmed the district court's summary judgment in favor of BLM.

*Jerri Joette Tillett v. Bureau of Land Management; Interior Board of Land Appeals; and Department of Interior, Case No. CV 15-61-BLG-SPW (D. Mont.)*. The Plaintiff, a pro se litigant, seeks to stop through injunction, BLM's decision to gather and remove 15 to 20 young wild horses from the Pryor Mountain Wild Horse Range. On June 16, 2015 BLM decided to gather and remove 15-20 young wild horse from the PMWHR starting in early August. The Plaintiff, who also filed an IBLA appeal, alleges that the BLM is engaging in ongoing and systematic malfeasance. On August 4, 2015 the U.S. Magistrate issued findings and recommendations that the injunctive relief be denied. On August 26, 2015 the Court consolidated this case with CV 15-48-BLG-SPW (see above). The U.S.' answer to the complaint was filed September 4, 2015. The excess wild horses were all adopted in the early fall of 2015. The U.S. filed summary judgment brief on December 7, 2015 and the Plaintiff filed a

response on January 15, 2016. The U.S. moved, and the Court granted the motion, to strike the Plaintiff's brief and ordered her to file a new brief complying with local rules by February 16, 2016. The U.S. reply brief was filed on March 1, 2016. The Court issued a judgment in favor of the federal defendants on May 18, 2016. On June 3, 2016, Plaintiff appealed the judgment to the Ninth Circuit (Docket No. 16-35465). On August 17, 2017, the Ninth Circuit affirmed the district court's summary judgment in favor of BLM.

*Friends of Animals v. James Sparks and Bureau of Land Management. Case No. 1:15- CV-00059-BLG-SPW (D. Mont.) (filed June 26, 2015).* On June 16, 2015, BLM issued a decision authorizing the gather and removal of 15-20 young wild horses on the Pryor Mountain Wild Horse Range after finding that there was an excess of horses. The population was at 170 and the AML is 90-120 horses. On June 26, 2015, the Plaintiff filed a complaint and request for injunctive relief. At issue is whether the gather and removal of 15-20 excess wild horses from the Pryor Mountain Wild Horse Range violates NEPA and the Wild and Free Roaming Horse and Burros Act. A hearing on the injunction was held on July 29, 2015. The Court denied the injunction, and gather operations commenced on August 3, 2015. BLM's answer was due August 31 and the AR was lodged on September 30. The excess wild horses were all adopted in the early fall of 2015. Plaintiff's summary judgment brief was filed on December 18, 2015 and the U.S.' summary judgment brief was filed January 29, 2016. Plaintiff's reply brief was filed February 26, 2016 and the U.S. reply was filed March 25, 2016. The Court heard oral arguments on the cross-motions for summary judgment on June 17, 2016. On July 29, 2016, the Court found that the AML was outdated. Therefore, the Court enjoined BLM from taking further action to remove horses until it recalculated AML. BLM recalculated and reaffirmed AML in January 2017.

## **Nevada**

*Nevada Association of Counties & Nevada Farm Bureau Federation v. DOI et al., Case No. 3:13-cv-00712-MMD-WGC (D. Nev.) (filed Dec. 30, 2013).* Plaintiffs allege that the BLM has failed to take mandated actions under the Wild Horse and Burro Act to maintain wild horse populations in Nevada at AML. The complaint also alleges this failure to act adversely affects private property water rights, livestock grazing and public safety. Plaintiffs further claim that the BLM has no authority to "stockpile" or "warehouse" wild horses in short- and long-term holding, and that BLM has failed to destroy or sell wild horses without limitation where adoption demand for excess wild horses is insufficient. On January 26, 2014, Laura Leigh filed a motion to intervene and on February 27, 2014, the Wild Horse Preservation Campaign (WHPC) filed a motion to intervene (in support of the Government). The District Court granted the motions to intervene on April 2, 2014. On May 29, 2014, the WHPC filed a motion to dismiss Plaintiffs' lawsuit and on June 14, 2014, the Government filed its motion to dismiss Plaintiffs' lawsuit. On March 12, 2015, Judge Du dismissed P's complaint with prejudice, finding that P's complaint failed to specify any particular agency action or failure to act which might fall with the APA's cause of action, and also rejected the Fifth Amendment claims. On March 30, 2015, Plaintiffs filed a Notice of Appeal from the District Court's decision and filed their Opening Brief on November 23, 2015. The Government and Intervenors filed their Answer on February 12, 2016. No reply brief was filed. On March 31, 2017, the Ninth Circuit affirmed the dismissal in an unpublished opinion. This case is now CLOSED.

Eureka Co. v. BLM; Borba Land and Cattle et al. v. BLM, IBLA 2015-102 (filed February 19, 2015). BLM issued the Fish Creek HMA Gather Plan on February 9, 2015, which provides for a phased approach and multiple gathers to reach AML and for repeated applications of fertility controls. BLM gathered a total of approximately 424 wild horses from the Fish Creek HMA between February 13-18, 2015. Over 230 of these wild horses were removed to be offered for adoption and the remaining 183 horses were to be released back into the HMA following application of fertility controls. Appellants are eight ranchers and Eureka County who oppose release of the gathered horses back into the HMA before AML is reached. They have appealed from, and requested an expedited stay, from the portion of the gather decision that allows for the treatment and release of horses. BLM agreed to place the horses to be released in short-term holding pending resolution of the stay petition. A Motion for Expedited Ruling on the issue of whether gathering for fertility treatment can be implemented as a full force and effect decision and Motion to Dismiss the stay petition because it seeks relief that falls outside the Board's jurisdiction was filed on February 25, 2015. BLM's Motion to Dismiss the Appellant ranchers for lack of standing (since they failed to participate in the decision making process) along with BLM's Response (and opposition) to the Stay Petition was filed on March 2, 2015. Appellants filed a Response to the Motion to Dismiss, along with a Motion to Strike BLM's Response to Stay Petition on March 16, 2015. On March 30, 2015, the IBLA granted BLM's motion to dismiss all appellants, except Eureka County, for lack of standing. The IBLA also denied Eureka County's petition for stay, finding that Eureka County was not likely to prevail on the merits of its appeal. The IBLA did not address Appellant's claim that BLM cannot gather wild horses for purposes of fertility controls under a full force and effect decision pursuant to 43 C.F.R. § 4770.3(c). Eureka County filed its Statement of Reasons on April 23, 2015. BLM filed its Answer on June 26, 2015. This appeal is fully briefed and awaiting ruling by the IBLA.

## **Oregon**

Front Range Equine Rescue (FRER) v. BLM, IBLA 2015-173 (Kiger and Riddle Mountain Gather). On May 4, 2015, BLM issued a Decision Record approving the proposed action of implementing a wild horse gather in the Kiger and Riddle Mountain Herd Management Areas (HMAs) to return wild horse levels to the low ends of the respective HMA's Appropriate Management Levels. On June 8, 2015, BLM received a Notice of Appeal and on July 8, 2015, received a Statement of Reason from Appellant (no Stay Petition filed). FRER alleges BLM's plan to gather all horses within the HMAs and selectively return animals to the range based on color and conformation is a violation of the 1971 WHBA "minimum feasible management" standard, claiming this is breeding program for BLM to generate profits from. FRER also claims artificially low AMLs result in reduced genetic viability of both herds. On July 16, 2015, BLM filed a motion to dismiss with IBLA asserting that FRER lacked standing. From 8/31/15 – 9/6/15 BLM conducted the Kiger and Riddle Mountain gathers. On January 16, 2016, IBLA issued an order dismissing the appeal based on lack of standing. On January 27, 2016, FRER filed a complaint in United States District Court (District of Oregon) challenging IBLA's order dismissing their appeal based on lack of standing (FRER v. BLM IBLA Case 3:16-CV-00149-AC). On July 18, 2016, BLM filed its administrative record with the court. On March 13, 2017, Magistrate Judge Acosta issued a Findings and Recommendation (F&R), in which he recommended granting the BLM's motion for summary judgment. FRER did not file any objections to the F&R. On April 23, 2017, Judge Hernandez adopted the F&R, granting the

BLM's motion for summary judgment, denied FRER's motion, and affirmed the IBLA decision. FRER did not appeal that decision.

*Friends of Animals v. BLM*, (Case 2:16-cv-01670-SI) District of Oregon (Three Fingers Gather). Filed August 22, 2016. Plaintiff filed complaint and request for temporary restraining order in district court to halt the Three Fingers Helicopter Gather scheduled to begin August 23, 2016. However, on August 21, 2016, the Cherry Road Fire burned over 30,000 acres within and adjacent to the same pasture in which this gather was scheduled to occur. In response, the Vale District vacated its previous gather decision and issued an emergency gather decision to respond to this situation, resulting in the gather of all horses present on the burned pasture. Plaintiff amended its complaint to challenge the emergency gather decision after the fact. We are now briefing the merits of those claims.

*Friends of Animals v. Jewell*, (Case 1:16-cv-01570-CKK) District of Columbia (Spay Research). Filed August 2, 2016. Plaintiffs filed a complaint in federal district court challenging the BLM's June 2016 Decision Record to implement pen trial research on 3 methods of mare sterilization at the Hines, Oregon wild horse corrals. Specifically plaintiffs allege that: 1) BLM violated the WFRHBA, claiming the Act does not authorize BLM to conduct research on wild horses within holding facilities; 2) BLM violated the NEPA by not preparing an Environmental Impact Statement (EIS) for this research project; and 3) BLM violated the 2016 Consolidated Appropriations Act by initiating experiments which will result in the destruction of healthy wild horses. BLM voluntarily vacated the decision, and the parties stipulated to a dismissal of the case. The court dismissed the case on September 12, 2016.

*Ginger Kathrens, et. al (Cloud Foundation, American Wild Horse Preservation Campaign) v. Jewell, et. al.* (Case 2:16-cv-01650-SU) District of Oregon. Filed August 15, 2016. Plaintiffs filed a complaint and request for preliminary injunction in federal district court against the BLM's decision to deny plaintiffs the ability to observe in person or live stream video feed the implementation of the research investigating 3 methods of mare sterilization planned to occur at the Hines, Oregon wild horse corrals. Through two separate letters to plaintiffs council, BLM denied plaintiffs request to observe or live stream these procedures citing impacts to animal, veterinarian, and employee safety. Plaintiffs alleged a violation of their First Amendment rights, claiming that they have a First Amendment right to observe "all aspects" of the research trials. BLM voluntarily vacated the decision, and the parties stipulated to a joint dismissal of the litigation. The court dismissed the case on September 9, 2016.

*Front Range Equine Rescue v. Jewell, et. al.* (Case 1:16-cv-01521-CKK) District of Columbia (Spay Research). Filed July 26, 2016. Plaintiffs filed a complaint in federal district court challenging BLM's June 2016 Decision Record to implement pen trial research on 3 methods of mare sterilization at the Hines, Oregon wild horse corrals. Specifically plaintiffs alleged that: 1) BLM violated the WFRHBA's "minimum feasible level" mandate, suggesting PZP was already available to use; 2) BLM should have prepared an EIS for this research; and 3) BLM's decision was arbitrary and capricious. BLM voluntarily vacated the Decision Record, and the parties stipulated to dismissal of the litigation. The court dismissed the case on September 12, 2016.

*Citizens Against Equine Slaughter, et. al. v. BLM* (IBLA 2016-243) Interior Board of Land Appeals (Spay Research). Filed July 29, 2016. Appellants filed an administrative appeal and stay petition challenging BLM's June 2016 Decision Record to implement pen trial research on 3



methods of mare sterilization at the Hines, Oregon wild horse corrals. Specifically, appellants allege this research is inhumane, violates the WFHBA, and is illegal under state animal cruelty laws. Appellants further allege BLM failed to consider impacts to genetic viability and natural behaviors in wild herds. The BLM asked the IBLA to remand the decision back to BLM, so that BLM could vacate the decision. On September 9, 2016, the IBLA remanded back to BLM, closing the appeal.

*Susan Carter v. BLM (IBLA 2016-242)* Interior Board of Land Appeals (Spay Research). Filed July 29, 2016. Appellant filed an administrative appeal and stay petition challenging BLM's June 2016 Decision Record to implement pen trial research on 3 methods of mare sterilization at the Hines, Oregon wild horse corrals. Specifically, appellant alleges this research is inhumane and BLM did not fully consider impacts to genetic viability to wild herds. BLM filed a motion to dismiss based on lack of standing. The IBLA dismissed the appeal for lack of standing on September 7, 2016..

*Janet Lynch v. BLM (IBLA 2016-238)* Interior Board of Land Appeals (Spay Research). Filed July 25, 2016. Appellant filed an administrative appeal and stay petition challenging BLM's June 2016 Decision Record to implement pen trial research on 3 methods of mare sterilization at the Hines, Oregon wild horse corrals. Specifically, appellant alleges this research is inhumane and BLM did not consider safer methods of fertility control, and there is no evidence supporting the need to reduce populations on the range. BLM filed a motion to dismiss based on lack of standing. The IBLA dismissed the appeal for lack of standing on September 7, 2016.

## **Utah**

*Beaver County, Utah v. United States Department of the Interior (Case No. 2:17-cv-88-CW) (D. Utah).*

On February 6, 2017, Beaver County filed a complaint and motion for preliminary injunction regarding a gather of wild horses within the Sulphur Herd Management Area (HMA) in southwestern Utah. BLM completed the gather on January 31, 2017, which resulted in the removal of 463 horses and the treatment & release back to the HMA of 192 horses, of which 112 were stallions and 80 were mares treated with PZP-22, a fertility control vaccine. Plaintiff withdrew its motion for preliminary injunction after they were notified of the completion of the gather. The Plaintiffs' complaint was not moot however, because it alleged that BLM should have removed more horses than it did. On March 28, 2017, Return to Freedom, American Wild Horse Preservation Campaign, and the Cloud Foundation jointly moved to intervene in this matter as defendants. Beaver County filed a brief opposing the intervention.

BLM filed a Motion to Dismiss on May 03, 2017, alleging lack of subject matter jurisdiction. The Plaintiffs filed an opposition to BLM's motion to dismiss on May 31, 2017.

Judge Waddoups held oral arguments on BLM's motion to dismiss on July 19, 2017. The U.S. Attorney's Office, arguing for the DOI, asserted that the court was without jurisdiction to hear the County's appeal because the County had failed to show that BLM's action/inaction caused an injury to the County's tax base sufficient to establish standing. It was also argued that the County had waived their right to make claims that the 6-10 year Sulphur gather plan is arbitrary and capricious under APA section 706(2) because the County had failed to raise any such arguments during the public comment period and had in fact supported the proposed plan.

Judge Waddoups focused specifically on whether the County's complaint sufficiently pled an actual, non-speculative injury. Judge Waddoups also asked whether the County's claims that BLM had unreasonably delayed in gathering excess horses could actually be redressed by the court, particularly in light of Judge Parrish's recent ruling in *Western Rangeland Conservation Association (WRCA) et.al. v. Jewell et. al.*, 2:14-cv-00327 (D. Utah). As of September 14, 2017, Judge Waddoups' ruling is still pending.

*Friends of Animals v. U.S. Bureau of Land Management, No. 1:17-cv-00136 (D.D.C.)*

On January 20, 2017, plaintiff filed a complaint alleging BLM failed to make an appropriate excess determination as required by the Wild and Free-Roaming Horse and Burro Act (WHBA) and challenging BLM's determination of NEPA adequacy issued in support of its decision to gather, treat, and release wild horses in the Cedar Mountain HMA from February 8-22, 2017. Plaintiff filed a motion for preliminary injunction and/or temporary restraining order on January 26, 2017, which BLM successfully opposed. The gather, treat, and release was conducted and concluded in February 2017, and the United States filed a motion to dismiss on March 31. On May 3, the parties filed a joint stipulation of voluntary dismissal, requesting that plaintiff's claims be dismissed, with prejudice, and that each party pay its own attorneys' fees and costs.

*Western Rangeland Conservation Association (WRCA) et.al. v. Jewell et. al.*, 2:14-cv-00327 (D. Utah). On April 30, 2014, Plaintiffs, livestock grazing permittees in Utah, filed a complaint alleging that BLM had unlawfully withheld and unreasonably delayed fulfilling its duty to immediately remove all excess wild horses from HMAs and private lands in violation of Sections Three and Four of the WHBA.

On April 11, 2017, the district court held oral argument on the merits. On July 11, 2017, the district court denied Plaintiffs' demand for mandatory injunctive relief under the Administrative Procedures Act and issued an order dismissing the action.

The court first found that the WHBA does not impose a specific deadline for the removal of excess horses from HMAs or private lands, and therefore instead evaluated whether BLM had "unreasonably delayed" removal in areas where the duty to remove had been triggered.

The court concluded that although BLM's phased-in multi-year approach to achieving appropriate management levels (AML) in HMAs where excess and removal determinations had been made was not sufficiently "immediate" under the WHBA, the delay in BLM's removal actions was nevertheless reasonable in this case because of the limited administrative tools at BLM's disposal and the complexity of its overall management of wild horses in the West. Additionally, the court concluded that when BLM determines that a specific number of excess horses must be removed from an area in order to achieve AML, BLM's duty to remove those horses remains until that specific number of horses has been removed.

The also court found that BLM has no responsibility to prevent wild horses from re-entering private lands once removed, and that Plaintiffs had failed to show that BLM had unreasonably delayed in fulfilling its duty to remove horses from the private lands at issue because Plaintiffs

failed to point to “any tangible delay, let alone unreasonable delay” in BLM’s response to requests for removal or any evidence that the completed attempts to remove were unsuccessful.

*State of Utah, School and Institutional Trust Lands Administration (SITLA) v. Jewell, et al. (Case 2:15-cv-00076-BCW) (D. Utah).* On February 3, 2015, the State of Utah school trust lands administration (SITLA) filed suit in federal district court against Interior Secretary Jewell, BLM Director Kornze, and BLM State Director Palma (in their official capacities) for failure, under Section 4 of the WHBA, to remove wild horses from “privately owned land” following SITLA’s several demands to remove from various state-owned school-trust parcels across the State of Utah within HMAs and outside HMAs where wild horses have moved onto these lands. Plaintiffs claimed that the Defendants’ failure and refusal to immediately remove the wild horses is unlawful and is arbitrary and capricious. Plaintiffs sought a declaratory judgment from the court requiring removal of the wild horses from the SITLA school-trust lands, as well as an award of reasonable costs, litigation expenses, attorneys’ fees, etc.

On February 3, 2016, the parties filed and on February 4 the court granted a stipulated motion for dismissal following the parties’ adoption of an agreement reflecting BLM and SITLA’s mutual commitment to working cooperatively to manage wild horses that have entered onto SITLA lands. In an unprecedented effort to work collaboratively on the issue and avoid a lengthy and expensive courtroom struggle, both parties met numerous times to come up with an acceptable solution. As a result of these efforts, the agreement provides for a mutual commitment to work cooperatively to manage wild horses that have entered onto SITLA lands. The agencies will meet annually to identify priority removal areas, ensure environmental review, conduct aerial population surveys jointly, and monitor rangeland resources and improvements.

The agreement, which is subject to congressional appropriations, places priority on managing BLM herd areas (HAs) and HMAs in the south central and south west areas of state, where the law suit was specifically aimed. However, the agreement also calls for additional efforts in the rest of the state where other issues relating to SITLA lands and BLM management of wild horses arise.

## **Wyoming**

*State of Wyoming v. USDOJ, No. 14-CV-248-J (D. Wyo.)*

On April 21, 2015, the U.S. District Court, Wyoming granted the United States' and intervening wild horse advocacy groups' motions to dismiss for failure to state a claim upon which relief can be granted. The State of Wyoming filed a Petition for Review of Final Agency Action on December 8, 2014, that sought review of a “decision” not to remove wild horses from seven herd management areas within the state upon finding that horse populations exceeded the appropriate management levels. The State contended that by failing to remove an overpopulation of wild horses, the Department violated mandatory, non-discretionary duties under the Wild Free-Roaming Horses and Burros Act (WHA), 16 U.S.C. §§ 1331-1340, and challenged agency inaction under the Administrative Procedure Act (APA), 5 U.S.C. §§ 702 and 706(1). The motions to dismiss argued that the APA does not allow for a broad programmatic challenge, and that there was no non-discretionary duty under the WHA to remove wild horses merely upon finding that an overpopulation of horses. Rather, action is required under the WHA only after overpopulation exists and the BLM determines action is necessary to remove animals to preserve

a thriving natural ecological balance. The court agreed, finding that under the WHA “action is mandatory if necessary to achieve and maintain a thriving natural ecological balance on the public lands, BLM is still left with a great deal of discretion in deciding how to achieve this Congressional objective. Therefore, ... the State's petition fails to set forth a discrete agency action that BLM is required to take.” The State filed a notice of appeal on June 19, 2015.

*State of Wyoming v. USDOJ, 15-8031* (10th Cir.) (filed June 19, 2015)

Appeal of 14-CV-248-J (D. Wyo.), that ruled that the Department did not violate any mandatory, non-discretionary duties under the Wild Free-Roaming Horses and Burros Act (WHA), 16 U.S.C. §§ 1331-1340, or unlawfully withheld agency action under the Administrative Procedure Act (APA), 5 U.S.C. §§ 702 and 706(1). The District Court held there was no non-discretionary duty under the WHA to remove wild horses merely upon finding that an overpopulation of horses. The case was fully briefed by February 29, 2016, oral argument was held September 19, 2016. On October 11, 2017, the Court of Appeals issued a decision that affirmed the District’s Court decision that ruled in BLM’s favor.

*American Wild Horse Preservation Campaign, v. Jewell, No. 14-CV-152-NDF* (D. Wyo.)

On March 3, 2015, the U.S. District Court, Wyoming ruled that the BLM, Wyoming, Rock Springs Field Office, violated the National Environmental Policy Act (NEPA) by relying on a categorical exclusion (CX) for September 2014 gather and removal of wild horses. The gather removed all wild horses from portions of the Wyoming “checkerboard” (interspersed public and private lands), as provided for in the consent decree entered in *Rock Springs Grazing Association v. Jewell*, 11-CV-263 (D. Wyo.). The petitioners, three wild horse advocacy groups and three individuals, argued that BLM’s gather and removal violated, in addition to NEPA, the Federal Land Management and Policy Act (FLPMA) and the Wild Free-Roaming Horses and Burros Act (WHA). The Court found no violations of FLPMA or the WHA, and that BLM reasonably interpreted its CX to apply to checkerboard lands, even though it referred only to removal of strayed wild horses from private lands. But, the Court concluded that BLM did not take into account the full breadth of its discretion and the unique circumstances of this gather and removal. Therefore, its basis for relying on the CX, that the gather would not have an individual or cumulative significant impact on the environment, was not supported. The court remanded “the NEPA violation” with instructions to remedy the identified violations. On April 6, 2015, the Petitioners filed a motion for entry of judgment on their claims under the WHA and FLPMA. The Court granted petitioners' motion and entered final judgment on those claims on May 14, 2015. Petitioners filed a notice of appeal of those claims May 18, 2015.

*American Wild Horse Preservation Campaign v. Jewell, No. 15-8033* (10th Cir.)

In this appeal of the March 3, 2015 order in 14-CV-152-NDF (D. Wyo.), Appellants sought review of the District Court’s ruling that BLM complied with the Federal Land Management and Policy Act (FLPMA) and the Wild Free-Roaming Horses and Burros Act (WHA or Act) when removing all wild horses from checkerboard portions of three Herd Management Areas in Wyoming. The case was fully briefed by March 1, 2016 and oral argument was held September 19, 2016. On October 14 and 28, 2016, the Appeals Court issued, respectively, an order and opinion finding that the BLM had violated the WHA by relying on its authority under Section 4 of the Act to remove horses from the public land sections of the checkerboard, and violated the WHA and FLPMA by removing horses below the appropriate management levels.

*Friends of Animals v. BLM, 16-cv-199-NDF* (D. Wyo.)

On July 19, 2016, Friends of Animals filed a complaint in U.S. District Court, Wyoming, challenging the BLM, Lander and Rawlins Field Offices' June 7, 2016 decision to gather wild horses from the Red Desert Herd Management Area Complex, treat mares with fertility control, and remove excess wild horses to achieve appropriate management levels. The petitioners argue that the decision violated the National Environmental Policy Act for 1) inadequately analyzing the effect on the contraceptive (porcine zona pellucida) on herd dynamics or behavior, and 2) failure to prepare a full environmental impact statement. The case was fully briefed by March 8, 2017. On March 20, 2017, the Court found in BLM's favor on most claims, but vacated the decision and remanded the NEPA document for further analysis of the potential impacts to, and actions that may be necessary to preserve, the uncommon genetics of some of the herds at issue.

*Wild Horse Observers Association, IBLA 2017-0048*

The BLM Rawlins Wyoming Field Office authorized a gather via bait trapping of wild horses in the Adobe Town Herd Management Area. The gather would allow the University of Wyoming to proceed with a research study that would involve placing radio collars on 30 mares, which would track horse movements and habitat use. On December 8, 2016, Wild Horse Observers Association, with Citizens Against Equine Slaughter and Oregon Wild Horse and Burro Association, filed an Appeal, Statement of Reasons and Petition for Stay of the decision. The BLM's Opposition for Petition for Stay was filed December 19, 2017. The Board denied the stay and dismissed Citizens Against Equine Slaughter and Oregon Wild Horse and Burro Association from the appeal for lack of standing on January 23, 2017. The BLM filed its answer to the statement of reasons on February 8, 2017. On February 11, 2017, Appellants sought reconsideration of the denial of stay and dismissal of the two groups. The BLM objected to that motion on March 7, 2017. The motion for reconsideration was denied April 12, 2017. The parties are waiting on a decision on the merits.

## **U.S. Forest Service**

### **California**

*American Wild Horse Preservation Campaign, et al. v. Vilsack, et al. 1:14-cv-00485-ABJ (DC)*. Plaintiffs filed suit on March 24, 2014 against the Secretary of Agriculture and U.S. Forest Service (FS) alleging that the agency violated the Administrative Procedure Act (APA), National Forest Management Act (NFMA), National Environmental Policy Act (NEPA), Wild Free-Roaming Horses and Burros Act (WFRHBA), and the implementing regulations for those Acts by modifying the territory boundary for the Devil's Garden Wild Horse Territory (WHT) and adjusting the existing Appropriate Management Levels (AMLs) to new upper and lower limits. The District Court ruled in favor of the Forest Service on September 30, 2015. Plaintiffs filed a notice of appeal to the D.C. Circuit on November 25, 2015.

*Update:*

*American Wild Horse Preservation Campaign, et al. v. Purdue, et al. No. 15-15332 (D.C. Cir)*. On August 4, 2017, a panel of the Court of Appeals found that the FS 2013 decision to eliminate

the Middle Section of the WHT was arbitrary and capricious under the APA (and violated NEPA), and remanded that decision. The appellants did not pursue their argument as to the AMLs on appeal. Appellants' petitioned for a panel rehearing to clarify the remedy, and the FS responded to that petition. On September 29, 2017, the panel filed an amended judgment, which vacated the FS exclusion of the Middle Section and the related Finding of No Significant Impact, and remanded the case.

# Wild Horse and Burro Advisory Board Meeting

A Notice by the [Land Management Bureau](#) on 10/02/2017

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## DOCUMENT DETAILS

**Printed version:**

PDF (<https://www.gpo.gov/fdsys/pkg/FR-2017-10-02/pdf/2017-20935.pdf>)

**Publication Date:**

10/02/2017 (/documents/2017/10/02)

**Agencies:**

Bureau of Land Management (<https://www.federalregister.gov/agencies/land-management-bureau>)

**Dates:**

The Advisory Board will hold a public meeting on Wednesday and Thursday, October 18 and 19, 2017, from 8 a.m. to 5 p.m. Mountain Time (MT) each day. A field tour will be held on Tuesday, October 17, 2017, from 8 a.m. to 5 p.m. MT.

**Document Type:**

Notice

**Document Citation:**

82 FR 45883

**Page:**

45883-45884 (2 pages)

**Agency/Docket Number:**

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**Document Number:**

2017-20935

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## DOCUMENT DETAILS

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## PUBLISHED DOCUMENT

**AGENCY:**

Bureau of Land Management, Interior.

**ACTION:**

Notice of advisory board meeting.

**SUMMARY:**

In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management's (BLM) Wild Horse and Burro Advisory Board (Advisory Board) will meet as indicated below.

**DATES:**

The Advisory Board will hold a public meeting on Wednesday and Thursday, October 18 and 19, 2017, from 8 a.m. to 5 p.m. Mountain Time (MT) each day. A field tour will be held on Tuesday, October 17, 2017, from 8 a.m. to 5 p.m. MT.

## ADDRESSES:

The Advisory Board will meet at the Grand Vista Hotel, 2790 Crossroads Blvd., Grand Junction, CO 81506; hotel Web site: <http://www.grandvistahotel.com/> (<http://www.grandvistahotel.com/>); hotel phone:

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970-241-8411 or 1-800-800-7796. The field tour will depart from the hotel lobby.

Written comments pertaining to the October 18-19, 2017, Advisory Board meeting and written statements that will be presented to the board can be mailed to the National Wild Horse and Burro Program, WO-260, Attention: Ramona DeLorme, 1340 Financial Boulevard, Reno, NV 89502-7147, or emailed to:

[whbadvisoryboard@blm.gov](mailto:whbadvisoryboard@blm.gov) (<https://mail.google.com/mail/?view=cm&fs=1&tf=1&to=whbadvisoryboard@blm.gov>). Please include "Advisory Board Comment" in the subject line of the email.

## FOR FURTHER INFORMATION CONTACT:

Ramona DeLorme, Wild Horse and Burro Administrative Assistant, at 775-861-6583, or by email at [rdelorme@blm.gov](mailto:rdelorme@blm.gov) (<https://mail.google.com/mail/?view=cm&fs=1&tf=1&to=rdelorme@blm.gov>).

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the above individual during normal business hours. FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

## SUPPLEMENTARY INFORMATION:

The Advisory Board advises the Secretary of the Interior, the BLM Director, the Secretary of Agriculture, and the Chief of the U.S. Forest Service on matters pertaining to the management and protection of wild, free-roaming horses and burros on the Nation's public lands. The Advisory Board operates under the authority of 43 CFR 1784 (/select-citation/2017/10/02/43-CFR-1784). The tentative agenda for the meeting is:

### I. Advisory Board Public Meeting

#### Tuesday, October 17, 2017 (8 a.m.-5 p.m.)

Field Tour of the Little Book Cliffs Herd Management Area.

The field tour is open to limited public attendance on a first-come, first-served advance sign up. Attendees must provide for their own transportation (high-clearance vehicle recommended) and personal needs. To sign up, contact Dorothea Boothe by email at [dboothe@blm.gov](mailto:dboothe@blm.gov) (<https://mail.google.com/mail/?view=cm&fs=1&tf=1&to=dboothe@blm.gov>).

#### Wednesday, October 18, 2017 (8 a.m.-5:00 p.m.)

Welcome, Introductions, and Agenda Review

Advisory Board September Meeting Minutes Review/Approval



## BLM Responses to Advisory Board Recommendations from September 2016 Meeting

Wild Horse and Burro Program Overview and Status

Science Presentations

Public Comment Period (3 p.m.-5 p.m.)

Adjourn

### **Thursday, October 19, 2017 (8 a.m.-5 p.m.)**

Welcome, Introductions, and Agenda Review

What are the Key Elements of a Sustainable Wild Horse and Burro Program?

Advisory Board Discussion and Recommendations to the BLM

Adjourn

The meeting will be live-streamed at [www.blm.gov/live](http://www.blm.gov/live) (<http://www.blm.gov/live>). The meeting site is accessible to individuals with disabilities. An individual with a disability needing an auxiliary aid or service to participate in the meeting, such as an interpreting service, assistive listening device, or materials in an alternate format, must notify Ms. DeLorme 2 weeks before the scheduled meeting date, see the **FOR FURTHER INFORMATION CONTACT** section above. Although the BLM will attempt to meet a request received after that date, the requested auxiliary aid or service may not be available because of insufficient time to arrange for it.

## **II. Public Comment Procedures**

On Wednesday, October 18, from 3 p.m. to 5 p.m., members of the public will have the opportunity to make comments to the Advisory Board on the Wild Horse and Burro Program. Persons wishing to make comments during the meeting should register in person with the BLM prior to 3 p.m. on October 18, at the meeting location. Depending on the number of commenters, the Advisory Board may limit the length of comments. At previous meetings, comments have been limited to 3 minutes in length; however, this time may vary. Speakers are requested to submit a written copy of their statement to the address listed in the **ADDRESSES** section above, or bring a written copy to the meeting. There may be a webcam present during the entire meeting and individual comments may be recorded.

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

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask in your comment that the BLM

withhold your personal identifying information from public review, the BLM cannot guarantee that it will be able to do so.

**Authority:** 43 CFR 1784.4 (/select-citation/2017/10/02/43-CFR-1784.4)-2

Kristin Bail,

Assistant Director, Resources and Planning.

[FR Doc. 2017-20935 (/a/2017-20935) Filed 9-29-17; 8:45 am]

BILLING CODE 4310-84-P

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**PUBLISHED DOCUMENT**

## Important Web Resources for New Advisory Board Members

*Links active as of October 2, 2017*

### WEBSITE

BLM Website: [www.blm.gov](http://www.blm.gov)

BLM Policy, Manuals and Handbooks: [www.blm.gov/media/blm-policy](http://www.blm.gov/media/blm-policy)

BLM Press Releases: [www.blm.gov/news](http://www.blm.gov/news)

WHB Website: [www.blm.gov/whb](http://www.blm.gov/whb)

WHB Data and Statistics: [www.blm.gov/programs/wild-horse-and-burro/about-the-program/program-data](http://www.blm.gov/programs/wild-horse-and-burro/about-the-program/program-data)

WHB Myths and Facts: [www.blm.gov/programs/wild-horse-and-burro/about-the-program/myths-and-facts](http://www.blm.gov/programs/wild-horse-and-burro/about-the-program/myths-and-facts)

WHB Adoption and Sale Events: [www.blm.gov/programs/wild-horse-and-burro/adoption-and-sales/events](http://www.blm.gov/programs/wild-horse-and-burro/adoption-and-sales/events)

WHB Gather Schedule: [www.blm.gov/programs/wild-horse-and-burro/herd-management/gathers-and-removals](http://www.blm.gov/programs/wild-horse-and-burro/herd-management/gathers-and-removals)

BLM WHB Library: [www.blm.gov/learn/blm-library/subject-guides/wild-horse-and-burro-subject-guide](http://www.blm.gov/learn/blm-library/subject-guides/wild-horse-and-burro-subject-guide)

U.S. Geological Survey: [www.fort.usgs.gov/WildHorsePopulations/](http://www.fort.usgs.gov/WildHorsePopulations/)

National Academy of Sciences Report: [www.nap.edu/catalog/13511/using-science-to-improve-the-blm-wild-horse-and-burro-program](http://www.nap.edu/catalog/13511/using-science-to-improve-the-blm-wild-horse-and-burro-program)

### SOCIAL MEDIA

Facebook: [www.facebook.com/BLMWildHorseandBurro/](http://www.facebook.com/BLMWildHorseandBurro/)

Twitter: [www.twitter.com/BLMWHB](http://www.twitter.com/BLMWHB)

YouTube: <https://youtu.be/E4hMYsKr0m0>