

National Wild Horse and Burro Advisory Board Meeting  
Denver, CO

August 29, 2005

Board Members Present: Robin Lohnes, Renee Taylor, Gary Zakotnik, Dr. Wayne Burkhardt, Bill Higham, Larry Johnson and Dr. Boyd Spratling. Board Members Absent: Dr. Vernon Dooley and Hilleary Bogley. In addition, former Board member Jay Merriam was absent. Washington Office and BLM Staff: Tom Dyer, DAD, Renewable Resources and Planning, WO, Jeff Rawson, Don Glenn, Sally Spencer, Dean Bolstad, Lili Thomas and Ramona DeLorme. Eastern States: Steve Gobat. Colorado State Office: Ron Wenker, State Director, and Fran Ackley, Wild Horse and Burro Specialist. USDA, Forest Service Representative: Toni Strauss.

Robin Lohnes opened the meeting at 8:00 a.m., August 29, 2005. She introduced the Advisory Board members, along with the newly appointed member, Dr. Boyd Spratling, Veterinarian Medicine representative. Robin also noted that she and Bill Higham had been re-appointed to their positions as representatives for Wild Horse and Burro Advocacy and Public at Large, respectively.

Robin introduced Tom Dyer, DAD, Renewable Resources and Planning, WO. He welcomed the public to the Advisory Board meeting in Denver, Colorado. He gave a summary of various Bureau of Land Management (BLM) activities, including the lawsuit filed in Idaho regarding the new grazing regulations and the Pleasant View Allotment in the Upper Snake River. He added that BLM is working on supplemental information pertaining to the recently published grazing regulations. He also mentioned that implementation of the new Energy Bill will be a large workload for BLM field personnel.

Ron Wenker, State Director, Colorado welcomed the Advisory Board. He noted that Colorado has four wild horse and burro herd management areas: Sand Wash, Little Book Cliffs, Spring Creek, and Piceance East Douglas. There are approximately 900 wild horses in the state. The gather was completed in Spring Creek and 51 head were removed. Approximately 200 head will be removed from the Sand Wash area this fall. Cost is kept down because of the assistance from highly motivated volunteers that help with each of the herd management areas. He added that the prison program at Canon City has been in place 18 years and has proven to be highly successful.

**May 2005 Minutes**

Board approved the May 2005 minutes.

### **May 2005 Recommendation/Response**

1. The National Wild Horse and Burro Advisory Board recommends that BLM review its present policy of gelding six year old and older horses and consider lowering the gelding age of stallions to one year and older, keeping in mind that special animals may be left ungelded because of their uniqueness. The Board would like a report of the review at the August 2005 Meeting,

### **BLM Response**

The BLM conducted a review of its current gelding policy and practices (Gelding Policy Issue Paper, June, 2005). This review considered costs, customer preferences, animal adoptability, and short-term holding facility capability.

Based on this information, BLM has concluded that the best course of action is to modify the current gelding policy to include the following:

- Geld all excess wild horses aged four years and older with the exception of animals exhibiting extraordinary conformation or color, or that come from highly popular herd management areas.
- All animals pastured at long-term holding facilities will continue to be gelded.
- Horses younger than four years old may continue to be gelded as funding and facility capability allow and in response to adoption market preferences and demand.
- Gelding vouchers in the amount of \$50 will be issued to adopters of two and three year old stallions. Vouchers would not be issued for yearling horses or burro jacks.

The increase in cost to implement this change in fiscal year 2006 will be about \$20,000. This additional expense considers animals in captivity now and that will be captured during the remainder of fiscal year 2005 and during 2006.

The BLM is open to further discussion on this issue and looks forward to the Board's comments.

2. The National Wild Horse and Burro Advisory Board recommends that the DOI Solicitors Office review its Bill of Sale for the Sale Authority. The Board believes the Bill of Sale is unenforceable and there may be inconsistencies between the Bill of Sale for Sale Authority animals and the Certificate of Title for adoption animals.

### **BLM Response**

The BLM has undertaken the sale of certain excess wild horses and burros with the goal of selling the animals to groups or individuals that intend to provide humane care to the animals while in their ownership. The bill of sale does not preclude the purchaser from reselling or transferring ownership of the animal; however, it does express an expectation that the individual that originally purchases the animal from BLM would not knowingly

i.e., intend, transfer ownership of the animal to anyone who had the intention, at the time of transfer of ownership, to sell the animal for slaughter.

The initiation of enforcement actions would be based on a determination that the original purchaser of the animal (from BLM) made a false statement to BLM, as per language on the bill of sale. While prosecution may be difficult, the wording goes towards providing a common understanding between BLM and the purchaser at the time of sale. The BLM does not see a need at this time to modify the current language in the bill of sale.

The Board inquired if the BLM was looking into entering into a new Memorandum of Understanding (MOU) with the existing three commercial processing plants prohibiting them from taking any sale animals. BLM responded that they have existing MOUs for the adoption program. Animal and Plant Health Inspection Service (APHIS) inspects any animals with the freeze mark to make sure they are titled. However, plant managers, on their own incentive, are taking steps to stop animals coming through, and there has been a drop in the number of freeze marked animals going to the plants. BLM is not pursuing any new MOUs with them.

#### **Update Pending Litigation**

The BLM noted that there was no new litigation. In 2005, the Fund for Animals filed a law suit over the 2000-2001 Strategy to Achieve Healthy Lands and Viable Herds. The court's decision was in the BLM's favor and the Fund for Animals appealed the decision. Oral arguments from Department of Justice are scheduled for the end of September, 2005.

#### **FY05 Gather Schedule**

Lili Thomas updated the Board on the FY05 Gather Schedule. It was noted that Arizona is conducting census in several HMAs and has observed foals in its burro herds. The census work will continue through September 3, 2005. It was also noted that Arizona is currently at Appropriate Management Level (AML). Depending on final census results, planned removals may be decreased or not conducted during the remainder of FY05. There was a discussion regarding the Buck and Bald gather. There were 760 animals removed. An additional gather may be conducted in FY 06 pending further census. Jason Ransom (United States Geological Survey-Bureau of Reclamation Department, USGS-BRD,) will meet with Nevada to discuss census techniques this winter. A gather was conducted in Fish Creek in July, and a follow up gather of approximately 300 is planned for this winter.

A question was asked about the Hicks Station, Forest Service gather. The animals that were removed were outside of the Forest Service territory. In addition, an emergency gather was conducted at Saylor Creek, ID due to a large fire.

### **FY05 Adoptions**

Dean Bolstad updated the Board on the adoptions. There were 4,982 animals adopted through August 24, 2005, with 81 events held to date and 14 more events scheduled for FY05. Total projected adoptions for FY'05 have been adjusted to 6,000, down from the target of 6,945. The Board inquired as to why the numbers were down. Some of the potential reasons offered were because the web site has been down, the price of gas has increased, and there has been confusion between the sales and adoption program. The BLM is looking at different ways of increasing the number of successful adoptions including coordinating the national adoption schedule and looking at using contracts and assistance agreements to increase the number of successful adoptions. The Board noted that summary event evaluations need to be completed and reviewed so you know what had happened at the adoptions. BLM is encouraged by increasing interest from volunteers and will continue to work with them. BLM will continue to expand marketing, looking at different options.

The BLM National Adoption Plan and Instructional Memorandum were distributed to Board Members.

### **Facility Report**

Dean Bolstad also gave the Board an update on the Facility Report. There are 7,887 in short-term holding as of August 15, 2005; and 15,611 in long-term holding as of August 1, 2005. One long-term holding contract was not renewed. The Board inquired as to the whereabouts of those animals and it was confirmed that BLM had transferred approximately 1,300 animals to the other holding facilities. The Board asked why there was an increase in the number of horses, from May to August, at the long-term holding facilities. It was noted that shipments to long-term holding facilities have been made to make room for the incoming gathers.

### **Selective Removal**

Dean Bolstad reviewed with the Board the new Instruction Memorandum of Gather and Selective Remove policy which achieves two goals: 1) to remove younger, more adoptable animals, and 2) maintain healthy sustainable herds on the range. The Board requested an analysis of the revised selective removal criteria as it relates to the summer gathers. The BLM noted that older animals will continue to be removed from Herd Management Areas (HMAs) that are significantly over AML.

### **Buddy, Previous Adopter Reward**

Dean Bolstad discussed the Instruction Memorandum pertaining to the Wild Horse and Burro Adoption: Buddy, Previous Adopter Reward and Promotion Animal Programs policy.

### **Research Update**

Dean Bolstad also distributed three documents: the Strategic Research Plan; Field Trial Plan Wild Horse Fertility Control; and the Aerial Population Estimation Techniques for Wild Horses and Burros Work Plan, as well as the Instruction Memorandum implementing these documents. The BLM noted that fertility control will be applied to about 450 mares in FY05. In addition, the 3-4 year agent study is on-going at Canon City, CO. It was also noted that the second year monitoring of the Nellis fertility control application is encouraging. In regard to census research, the Forward Looking Infra-Red Trial has been completed and trials for other techniques (mark resight and simultaneous double count with sightability correction factor) are continuing. If the results have been analyzed, the Board requested that Jason Ransom report on the infra-red trial at the next meeting.

### **Forest Service Update**

Toni Strauss from the Forest Service provided an update on Forest Service territory gathers, current AMLs, and censusing for Nevada. It was noted that the budget looks good for FY06, and that the Forest Service will be doing a general update of their manuals and regulations which will include parallel language regarding sale authority.

### **Nevada Adoption Strategy**

The Nevada Wild Horse and Burro State Lead, Susie Stokke, presented a program update, including current population numbers, and status of AML setting, census, removals and monitoring within the State of Nevada. Also reviewed was the analysis of Nevada's adoption program and future adoption strategy. Nevada projects removals of about 4,000 animals per year in both FY06 and FY07, and 2,500 animals thereafter. Nevada strives to census a minimum of 1/4-1/3 of the HMAs and to monitor about 2/3 of the HMAs annually. As Nevada nears AML on the range and removal numbers decrease, the need for additional short-term holding capacity will decrease; therefore, Nevada is considering closing the Fallon holding facility in about 2007. It was noted that for the past several years, Nevada has supported a large number of adoption events with relatively low adoption success per event. Nevada will re-focus on adoptions at the Palomino Valley Center, sponsor 1-2 satellite or trap-site adoptions each year around the state, continue to be a strong partner in the prison training program and with WH&B shows, and will pursue the opportunity to implement private adoption or training contracts. The strategy is intended to be fluid and dynamic, and Nevada plans to monitor and evaluate results and to adjust the strategy, as needed, to achieve adoption goals.

### **Unit of Accomplishment**

Don Glenn presented a table showing targets and current units of accomplishments for all program elements. The Board requested that this become a standard part of the program update for future meetings.

An update on sale authority was also given. To date 1,519 animals have been sold. BLM is considering sales at our short-term holding facilities and looking at ways to accommodate individuals interested in purchasing one or two animals. BLM will continue to interface with the Steering Committee regarding its sale authority strategy.

### **Colorado Program Report**

The Colorado Wild Horse and Burro State Lead, Fran Ackley, provided an overview of Colorado's program. He reviewed land use plan initiatives involving HMA establishment and AML review, fertility control in Little Book Cliffs, the prison training programs, and their volunteer program. Regarding the inmate gentling program at Canon City, he reported that 37 saddle horses and 42 halter broken animals had been adopted via competitive bid this year. Colorado is also working with a volunteer group through a cooperative agreement to place animals in the adoption program.

### **Take Pride in America/Save the Mustang**

Justin Hall, representative from the Take Pride in America/Save the Mustang, presented an overview of the Take Pride in America volunteer program and Save the Mustangs Program. The Save the Mustangs Program is a collaborative effort between Ford Motor Company, Take Pride in America and the BLM. To date \$15,775 has been donated to the Program. Justin presented three alternatives for distribution of this money and future contributions: individual grants, upfront payment to individuals purchasing horses, and buy out of Long-Term Holding Facility contracts. Take Pride In America is looking for ways to distribute money in a manner that will generate more donations. The BLM asked the Board for suggestions on distribution of the money.

The Board asked if the Save the Mustangs Program could also be used for the adoption program and virtual adoptions of animals on Long-Term Holding. The Board concluded that the BLM and Take Pride in America do not have the budget or mechanism necessary to launch a major fund raising campaign. A successful fund raising campaign should be led by the private sector and involve corporate sponsors. The Board will continue to think about an approach for this initiative and defer discussion until a later meeting.

### **Euthanasia Policy**

Lili Thomas reviewed with the Board the Draft Euthanasia of Wild Horses and Burros Instruction Memorandum. The memorandum combines the expired euthanasia policies for both long-term holding facilities and gathers, and includes the euthanasia policy for short-term holding facilities.

### **Gelding Policy**

Dean Bolstad also reviewed the Gelding Policy Issue Paper prepared in response to the Board's recommendation to review existing gelding policy.

### **2005 Reno Wild Horse and Burro Expo**

Cathy Barcomb, Commission for the Preservation of Wild Horses, Carson City, Nevada, gave an update on the Western State Wild Horse and Burro Expo held in Reno, Nevada, August 19-21, 2005. The participation in the Horse Show doubled from last year, with 144 horses shown. Several horse rescue groups in Nevada and the prison trained Comstock horses were offered for adoption, with 38 horses placed. Five clinicians put on gentling demonstrations. All groups shared in the expense in putting on the show. The event was supported by donations and funding from various groups. Larry Johnson commended their efforts.

### **Recommendations**

The Board made no recommendations.

### **Follow-up Items**

The National Wild Horse and Burro Advisory Board requested an analysis of summer removals in relation to the selective removal criteria.

The National Wild Horse and Burro Advisory Board requested that Jason Ransom report on the infra-red trial at the next meeting if the results have been analyzed.

The National Wild Horse and Burro Advisory Board requested that the Unit Accomplishment table become a standard part of the program update for future meetings.

The National Wild Horse and Burro Advisory Board requested contact information for key BLM staff in the Washington DC Office and Reno National Program Office.

BLM will send copies of the meeting minutes for May 2005 and August 2005, once approved, to the public who signed in at the Denver meeting.

The next meeting will be held November 7, 2005, in Washington, DC.

Public comments began at 4:08 pm.

Meeting adjourned at 5:00 pm.