

National Wild Horse and Burro Advisory Board Meeting
Washington, DC

February 26, 2007

Board Members Present: Robin Lohnes, Renee Taylor, Larry Johnson, Gary Zakotnik, Dr. Vernon Dooley, Dr. Boyd Spratling, Melissa Scott, and Richard Sewing. Board Member Absent: Dr. Wayne Burkhardt. Washington Office Bureau of Land Management (BLM) Staff: Jim Hughes, Acting Director; Bud Cribley, Acting Deputy Assistant Director, Renewable Resources and Planning; Don Glenn, Division Chief; Sally Spencer, Sharon Kipping, Dean Bolstad, Ramona DeLorme, and EK James. USDA, APHIS: Dr. Albert Kane. USDA, Forest Service: Ralph Giffen. BLM, Eastern States Office: Alan Barron Bail, Associate State Director and Karen Malloy, Wild Horse and Burro Program Lead.

Robin Lohnes opened the meeting at 8:11 a.m., February 26, 2007. She introduced the Advisory Board members to the public.

Jim Hughes, Acting Director, welcomed the Board to Washington, DC. He stated that the BLM is operating on a continuing resolution for FY07 and discussed the new Healthy Land Initiative. The \$15 million Initiative will focus on broad landscapes instead of smaller planning units. Mr. Hughes said the BLM is committed to the Board and thanked the members for their support of the program.

Bud Cribley, Acting Deputy Assistant Director, Renewable Resources and Planning, thanked the Board for coming in early to attend a half day ethics training and program orientation. He re-emphasized the importance of the Board to the Wild Horse and Burro program in making the program successful. Bud noted that this is a difficult program to manage and that the Board has made significant contributions to the care and health of the animals and to helping the BLM work towards achieving Appropriate Management Level (AML). He also noted the importance of the adoption program and the challenge we face during a time when the horse market seemed to be going down. He also said there are a lot of challenges in front of the BLM, but we need to make the program a success. The Board meetings are a good venue for public comments.

Karen Malloy, Eastern States Wild Horse and Burro Program Lead gave an overview of the Eastern States Wild Horse and Burro Program. She said that the Eastern States Office is responsible for 31 states east of the Missouri River. There are two offices: one in Milwaukee, WI and the other in Jackson, MS. The Ewing, IL Facility is now open to the public 6 days a week for adoptions. She noted that they placed 150 animals through their Fostering Volunteer Program in Fiscal Year (FY06). They are exploring using small adoption contracts to place additional animals. An Internet Adoption is scheduled every eight weeks. She noted that Eastern States plans to expand the Ewing Facility's adoptions by placing photos of all animals at the Facility on the Internet. Eastern States is adapting the electronic application to allow the public to submit an application for walk up adoptions at the Ewing Holding Facility.

Robin Lohnes asked how many of the 24 Eastern States evaluation recommendations had been implemented. Karen responded that 18 had been completed and they are working on 4 others.

Approved: 07/30/07

The Board asked what the limiting factors for adoptions were in the past two years. She responded that more adopters are looking for special horses. They are looking for color, size, and good conformation. Many adopters already have their first mustang and are looking for a special horse to add to their herd. There are also many low/no cost domestic horses available that are saturating the market.

Alan Barron Bail, Associate State Director, welcomed the Board and gave an update on other programs in the Eastern States Office.

December Minutes

The Board approved the December 2006 minutes after making one correction. On page 4, under Adoption Program, "FY07" was changed to "FY06".

Charter and Bylaws Operating Procedures

Don Glenn discussed the Board's Charter and Bylaws. The Bylaws now contain a provision providing for Board members whose terms have expired to continue to serve until new appointments are made. During the discussion, the Board decided to submit a two year report. A draft of the report will be available by the July 2007 Advisory Board meeting.

Recommendations/Responses

U.S. Forest Service Wild Horse and Burro position remain in Reno, NV

Ralph Giffen presented the U.S. Forest Service response. He stated that the Forest Service is reviewing its Washington and Regional Offices' organization to determine the most appropriate level of staffing and placement of staff.

BLM review and update Wild Horse and Burro Strategic Plan

Don Glenn presented the BLM response. During the discussion it was pointed out that a Futuring Team has been appointed to look at future management of the Wild Horse and Burro program. Don agreed that the Bureau would furnish the Board a copy of the Futuring Team's Report. Also, Don noted that the 2004 Report to Congress is the Program's current strategic plan and that it will be updated every few years. A copy of the new Report will be made available to the Board when it is ready to be made public.

FY07 Units of Accomplishment

Don Glenn explained the names of the program elements in the FY07 Unit Targets/Progress chart and noted that they will remain a part of the chart. There will be progress reports for each of the program elements at each upcoming meeting.

FY08 Budget

Don Glenn said that in FY08, the BLM proposes to reduce the Program's budget by \$4.8 million. As a result, the BLM will reduce gathers, focusing funds on caring for 31,000 animals in short- and long-term facilities and maintain the adoption program. Gathers in Wyoming will be completed to stay in compliance with the Consent Decree that requires BLM to maintain AMLs in Wyoming.

Don reviewed the impact the funding decrease will have on the wild horse and burro populations in FY08-09. He stated that by the end of FY08 there would be more than 36,000 animals on the range. In response to a question from the Board as to what that would do to the future gather numbers beyond FY08, Don responded that on the range numbers would be back to where they were in 2004. This would require gathering approximately 10,000 animals per year for at least three years after that to get the population on the range back to where it is today. The cost to conduct these additional gathers will be greater than in the past because of the higher number of animals in long-term holding and anticipated increases in gather costs due to rising fuel prices and inflation. During discussion, the Board estimated that the effort to save \$5 million in FY08 will result in an increase of at least \$15 million per year for the next three years to get back to where the numbers are today. Additional impacts identified and comments from the Board included: impact on range conditions, added numbers of animals gathered, violation of the Wild Free-Roaming Horses and Burros Act, and apparent contradictions with the Healthy Land Initiative.

Pending Litigation

Don Glenn provided an update on lawsuits and Interior Board of Land Appeals (IBLA) cases.

1. America's Wild Horse Advocates and Wild Horses 4 Ever filed an emergency motion requesting a preliminary injunction enjoining the BLM from removing wild horses from the Spring Mountain Complex in Nevada. The Judge denied the emergency motion. An amended motion was filed in the U.S. District Court. The Judge denied the Plaintiff's request for injunctive relief. The gather was completed.
2. An appeal was filed with the IBLA requesting a stay to prevent the BLM from dispersing the Clark Mountain, California animals through the adoption program. The stay was denied and the case is closed.
3. Litigation in the U.S. District Court is still pending regarding gathers in West Douglas and Piceance/East Douglas, Colorado last fall.
4. Litigation is still pending in the U.S. District Court regarding removal and fertility control of animals in the Pryor Mountain Herd Management Area, Montana last summer.

The Board would like to continue to have an overview of new and pending litigation at each meeting.

USDA, U.S. Forest Service

Robin Lohnes complimented the Forest Service for providing the listing of their Territories. Ralph Giffen gave an overview of the status of the animals on the Forest Service Territories and an accounting of the funds paid to the BLM. They intend to keep a Wild Horse and Burro position located in Reno, Nevada; however it will be subject to a review of all positions within the Forest Service.

Facility and Pipeline Report

Dean Bolstad provided an update on short- and long-term holding facilities. On February 12, 2007, there were 9,620 horses and 924 burros in short-term holding facilities that have a total capacity of 12,535 animals. Long-term holding facilities contain 19,330 animals and have a 19,700 head capacity. He also reported on the ages of animals in short-term and long-term holding facilities.

An Environmental Assessment (EA) for a long-term holding facility in Wyoming for 1,500 head is being done. A solicitation for additional 750-1,500 head long-term holding facilities closed on February 8, 2007. Proposals that were submitted are being evaluated.

Dean reviewed the Pipeline Report and explained that it is a snap shot in time for gathers and adoptions.

2007 Gather Schedule

Dean Bolstad discussed the 2007 Gather Schedule. He stated that the gather schedule is a tentative plan projected as much as one year in advance and emphasized that the dates and estimated numbers for removal would change throughout the year. He said that the schedule is a way to organize and schedule work for the two national gather contractors and that it is a tentative plan of upcoming gathers. Changes will occur to the schedule due to funding availability, new census data, and changing priorities due to such things as wildfire and drought. He said that there has been public concern about the changes that are made periodically to the gather schedule that is presented to the Board at their meetings. He requested that the Board, when talking to their constituents about the schedule, help explain why changes are made from time to time.

He acknowledged that the BLM will provide the Board an update of numbers of animals removed and left on the range twice a year for gathers completed.

Fire Ecology in Herd Management Areas

Mike Pellant, Great Basin Restoration Initiative Coordinator, BLM Nevada State Office stationed in Boise, ID, gave an overview of fire ecology in great basin and hot desert habitat types, and how fires and rehabilitation efforts may affect horse and burro management in Herd Management Areas (HMAs).

Research Update

Dr. Albert Kane, USDA, APHIS, gave an update on the ongoing wild horse and burro research projects. There have been no new initiatives since the December, 2006 Advisory Board meeting. The research portion of census flights in McCullough Peaks and Adobe Town/Salt Wells HMAs were cut short due to weather and are being rescheduled. A test flight in the Pryor Mountain Wild Horse Range is being scheduled for March, 2007.

Dr. Kane reported there were fewer applications of fertility control in the Adobe Town/Salt Wells HMA than planned due to bad weather that cut the gather short. This application may be continued if this gather is rescheduled for completion.

The Board asked if there is still reluctance in the field to use fertility control. Dr. Kane replied that overall it is much more widely accepted, but it is a big program and some field offices may still be reluctant. It was pointed out that until the focus of gathers is on maintaining AML rather than achieving it, the opportunity for fertility control is limited by the number of animals that can be captured.

The Board asked when the BLM will know the ultimate results of the fertility control research. Dr. Kane stated that some preliminary results and behavioral results from the individual level studies will be available within the next one or two years. Study of 2-3 year agents takes a few additional years beyond the expected duration of the agent to examine for return to fertility. Final results of the population based studies will likely not be available for several more years. The cost of fertility control applications was also discussed.

Adoption Program

Sally Spencer discussed the current adoption program. As of February 23, 2007, 1,431 animals have been adopted in FY07. This includes 1,247 horses, 177 burros, and 7 mules. In comparing this year and last year, adoptions are down by 172 animals, with two fewer satellite adoption events. However, adoptions at facilities are up by 95 adopted animals due to the November and December specials at facilities.

Sally reported that the December 2006 Gelding/Stud Adoption Promotion was a success because it brought interest to the facilities participating and helped place 120 animals in good homes. Of the 120 animals adopted, 57 were geldings and studs for reduced fees of \$25. In December 2005 only 39 animals were adopted from the participating facilities.

During the discussion, the Board asked if the BLM knew how many reduced fee horses are returned and how many adopters of reduced fee horses adopt additional horses. Sally said she would look at the Wild Horse and Burro computer system and provide details at the next meeting.

Sally told the Board that the Wild Horse and Burro logo has been trademarked. She also showed the Board the new look for www.wildhorseandburro.blm.gov and discussed several activities the BLM is using to promote the program.

Sale Authority

Sally Spencer presented an overview on Sale Authority. As of February 23, 2007, 2,321 animals have been sold. There is very little interest in sale animals at the moment.

Save the Mustangs Fund/Take Pride in America

Sally Spencer gave an update on the Save the Mustangs Fund. There have been 386 donations totaling \$217,661.74. There has been \$62,600 distributed from the Fund to 501(c)(3) groups. The Funds' balance is \$155,061.74. The BLM, Take Pride in America, and Ford Motor Company have discussed alternatives ways to use the Fund to educate the public about the program and to find good homes for animals currently not in the adoption pipeline.

Public Comments

Each speaker was asked to provide a written copy of their presentation so that their comments can be included in the meeting's record. Public Comments started at 3:00 pm.

Mustang Heritage Foundation

Patti Colbert gave an update on the Mustang Heritage Foundation's activities. She discussed the status of the Extreme Mustang Makeover and sponsors of the event. Patti also reviewed plans for additional activities including pilot projects in Nevada and surveys that will be sent out in the New Mexico Region and Nevada.

Anza Borrego Desert State Park

Don Glenn gave a history of the actions taken with the Coyote Canyon/Anza Borrego Desert State Park. At present, this is a State of California issue and beyond the scope of the BLM jurisdiction and the Advisory Board's responsibilities.

Gather Methods Review

Dean Bolstad responded to the Board's request that the BLM look into concerns expressed by the public about methods used by the gather contractors. The BLM's contracting officer and APHIS veterinarians have attended several recent gathers and reported that they were conducted in a safe and humane manner, in accordance with contract specifications and with concern for the well being of the animals.

Board Recommendations

There were no recommendations; however, the Board disagrees with the BLM's request for a \$4.8 million reduction to the Wild Horse and Burro Budget for FY08.

After years of effort by the BLM and the National Wild Horse and Burro Advisory Board, the Bureau will have essentially reached AML in 2007 for the first time ever. The \$4.8 million

reduction will destroy any possibility of maintaining this landmark achievement. The Board expressed the following:

- By not maintaining AML, the BLM will violate the mandates of the law.
- A \$4.8 million savings in FY08 is not cost-effective because it results in a \$15 million additional cost increase per year for several subsequent years to again achieve AML.
- It increases the number of horses gathered in the out years from approximately 6,000 per year to over 10,000 per year which will result in additional holding costs because the adoption program will not be able to handle the number being gathered.
- It contradicts the Healthy Land Initiative by negatively impacting range conditions.
- It is the desire of the Board that the BLM reconsider this funding reduction.

Recognition

The Board will send a letter of appreciation to Toni Strauss to commend her for outstanding service as the U.S. Forest Service National Wild Horse and Burro Coordinator.

The Board reaffirmed their position that the U.S. Forest Service should maintain a position solely dedicated to Wild Horse and Burro issues in Reno, Nevada.

Other

The Board tentatively scheduled their next meeting for July 16, 2007 in Elko, Nevada. Several Board members are interested in attending a gather.

The meeting adjourned at 5:25 pm.