

COMMISSION FOR THE PRESERVATION

OF

WILD HORSES

Minutes of the Open Meeting
Reno, Nevada

October 10, 2007

Commission Members Present:

Commissioner Mike Kirk, Chairman
Commissioner Christine Brehm
Commissioner Gracian Uhalde
Cathy Barcomb, Administrator

Others Present:

Allen Biaggi, Director, Department of Conservation and Natural Resources
Nhu Nguyen, Deputy Attorney General
Bob Conrad, DCNR Communications
Susie Stokke, NV BLM
Mike Holbert, NV BLM
Arlan Hiner, NV BLM
Tony Grossman, NDOW
Bobbi Royle, Wild Horse Spirit
Dawn Lappin, WHOA
Bert Lappin, WHOA
Wendy

Dr. Mike Kirk opened the meeting at 12:10pm with three Commissioners present. Those present were Commissioners Brehm, Kirk, and Uhalde. A quorum was present. Allen Biaggi, Director of the Department of Conservation and Natural Resources (DCNR), Cathy Barcomb, Administrator for the Commission, Nhu Nguyen, Deputy Attorney General, and Bob Conrad, Communication Specialist, for DCNR were present.

1) Roll call and Introductions

The Commission and staff introduced themselves, the audience then introduced themselves as well.

2)* Discussion and Action: Approval of the Minutes of the Commission Meeting, June 22, 2007.

Commissioner Uhalde motioned to accept the minutes as written, seconded by Commissioner Brehm, unanimously approved.

3)* Discussion and Action: An update on gathers and issues in the wild horse program, to include but not limited to water and management on the Nellis range, death of horses at the Palomino Valley Corrals, Jackson Mountain HMA gather and management, AML and actual numbers statewide, BLM's budget, budget cuts, position cuts, and upcoming or postponed gathers: BLM

FERTILITY CONTROL:

Susie Stokke, Nevada BLM wild horse and burro lead, gave an update on the fertility control program in Nevada. She explained that they continue to use PZP as the agent, it's a one year vaccine and approximately 90% effective. That its most effective when administered Nov-Feb, prior to foaling season. She explained that they were trying to develop a longer term agent, testing a 2 year drug that would be 70-90% effective. She explained they are on their third year of monitoring field trials. She stated, to be truly effective, BLM must look for a longer term drug. Ms. Stokke explained that the Humane Society of the United States received a 2 million dollar grant to continue to do further research.

AML'S

Ms. Stokke, explained that the Nevada wild horse and burro programs primary goals are to establish the appropriate management levels (AML). She added that in fiscal year 2000, only 60% were done, now, in 2007, 101 out of 102 set. She stated "the 2nd major goal is to achieve AML, we are at AML statewide, however 17 HMA's are above AML and most are significantly above AML. Once we achieve AML we will need to remove approximately 2,600 horses annually to maintain that AML in the future. AML's are shown in a low to high range. To manage for mid range AML we need to be at 10,800 horses statewide versus the total of 13,500, She added that they need to remove approximately 3,500 more plus the increase. BLM removed 4,100 animals in this past fiscal year and made changes to accommodate fire and drought emergencies. She stated that 2007 has been the driest over the last 8 years with very limited water and forage and some places no growth at all. She stated that BLM initiated weekly monitoring of the HMA's.

NELLIS

Ms Stokke noted that 178 horses were removed from Nellis in early July, on an emergency basis due to extreme conditions and had geared up for more horses in the event of a devastating fire season. She added that they worked with livestock operators to adjust livestock use. Ms. Stokke explained that 71 horses died in late July around a

water source that had dried up. She explained that when BLM fenced off the water and provided other water, that horses stopped dying. She added that there is still testing to be completed but all tests showed the cause of death to be nitrate poisoning. That they are looking into the source of the nitrate and added that there were allegations of the de-icing fluid used on airplanes as the cause of the problem, however, that particular de-icing agent hasn't been used since the late 1980's.

Ms. Stokke added that there have been concerns for water availability for years. She stated they were in the early stages of developing long term plans for Nellis. That BLM was working on Cedar and Cactus, that tanks had been ordered but were stuck in procurement. She stated they still need cost estimates, materials lists, and plans to develop other water sources.

Commissioner Brehm questioned why they were concentrating on two water sources that had minimal horses versus those sources where the majority of the horses congregated.

JACKSONS

Susie Stokke stated that another issue was the inaccurate population estimates for the Jackson HMA. She stated the AML is 130-217 horses and when they flew earlier there were in excess of 1,000 horses. She stated Winnemucca BLM did not do a post gather census years ago after the gather, which BLM thinks contributed to inaccurate estimates. She stated that Winnemucca BLM did not have the opportunity to census, that now BLM has a policy requiring census counts to determine actual counts, and post gather census mandatory 4-6 months after gathers. She stated she felt this was an anomaly, not representative of most of the state.

Cathy Barcomb, Administrator, asked how could the BLM not know the numbers of horses on the range...with horse, range, and wildlife specialists all monitoring the ranges, how could BLM not know the condition of the range and that the range and horses were deteriorating?

Ms. Stokke responded that she did not know, but that by not doing a post gather census they under estimated how many horses were on the range, in addition to the fact it was a hard area to monitor. She added that when the horses came in and were in such poor condition, they couldn't adjust to the feed change in addition to a respiratory illness, that they developed salmonella and pneumonia which contributed to the deaths of approximately 160 horses. She added that the BLM closed the Palomino Valley Facility for health concerns that the public could be exposed and either get sick or takes it home to their horses. Ms Stokke assures the Commission that BLM did everything possible to help the sick horses including adding electrolytes to the water and that they were starting to pick up.

ADOPTION IN LAS VEGAS

Ms. Stokke reported that the Mustang Heritage Foundation and BLM had worked together to host a special adoption in Las Vegas in June. She was happy to report that all

39 horses that had been there for adoption were adopted, that this was the first 100% adoption they had hosted.

BLM NEVADA POSITIONS AND BUDGET

Cathy Barcomb, Administrator, asked how many wild horse specialist positions were in Nevada currently versus previous Nevada positions of 15-16 specialists.

Susie Stokke reported that BLM had put together a team to evaluate Nevada and the needs of the horse program for personnel. She stated that the team “felt that now we are at AML on a statewide basis that we do not need as many specialists to maintain the numbers. She added that the report recommended 5 ½ positions for Nevada. That now we will concentrate more on management and developing Herd Management Area Plans.” She added that they need to work on a water plan for Nellis.

HMA’s (Nellis, Jacksons)

Commissioner Brehm stated that she had reviewed the gather plan for Nellis and that there was a reference to research, monitoring, and fertility control data. Ms. Brehm asked “who was doing that work” as she had been out on the range much more than BLM and wasn’t confident that BLM had collected the data referenced.

Ms. Stokke stated they had completed field trials, administered PZP fertility drugs, and flown the HMA to determine number of foals born.

Commissioner Brehm stated that she “knows the Nevada Wild Horse Range has not been done and that the results of the fertility control program were not good at all”.

Ms. Stokke replied that she knows the first year had not been done well but after that she felt they were monitoring. She added that by year three there was “compensatory” reproduction.

Commissioner Kirk asked how often BLM is censusing and monitoring.

Ms Stokke replied that they previously had censused every three years and now plan to do it more often. That they will be doing a post gather census and then again 12-18 months prior to a gather.

Commissioner Kirk asked how many HMA’s are over their AML?

Ms Stokke reported that 17 HMA’s are significantly over AML, approximately 3-400% over AML for approximately 2,600 horses total over AML. She added that they anticipate being over AML until at least 2011-2012.

Commissioner Uhalde stated that “you paint a pretty rosy picture but I see nothing but disaster coming. I have called a few of my neighbors and they don’t agree with what you’ve presented.” He added that “Boone Springs has horses all over the place, that according to permittee observations, horses are places that they have never gone.” He

added that South Shoshone had been postponed 2 years now and the livestock permittee's had taken voluntary non use because the range was so bad". Mr. Uhalde stated "I don't know how the Jackson's could have gotten so far out of hand but what about the rest of the others?"

Cathy Barcomb, Administrator, asked if the other area's in the Winnemucca District that the same horse specialist was watching had been immediately surveyed to determine if other area's were in trouble also? She reminded the Commission of a complete crash in Tonopah years prior where a severe emergency had occurred in Goldfield and when other area's under the management of that horse specialist were censused, they were all in critical condition with dying horses.

Ms. Stokke replied that she agreed, "that horses are moving all over the place due to drought and fires looking for food and water. I don't want to paint a rosy picture but we are making strides in the right direction, and we must maintain our funding level. We have 20% of our HMA's that are significantly over AML by 3-400% which are serious concerns." Commissioner Uhalde agreed.

Ms. Stokke replied that it has been very hard on everybody, its very hard to lose that many animals. She added that a BLM team would be heading to the field next week to actually go on the ground and review the most critical areas and horse condition. She stated they would then come back and set priorities and re-adjust the gather schedule as necessary. She stated that the BLM currently was only allocated 32 million when they really need 40 million to do the job. Ms. Stokke added they were worried about Wheeler Pass down in Vegas, that they feel the horses might be double the AML after the last gather. She stated they were worried as the body condition had dropped severely over the past few months according to District people.

Commissioner Kirk asked how many horses were left in the Jacksons? Ms. Stokke reported approximately 131 horses left. She added that the Winnemucca District would be flying in November but wasn't sure if the Jackson's was on that schedule. Ms. Stokke stated the Jackson's was completely out of water prior to the gather but now the troughs are full.

Commissioner Brehm stated "How could the Jacksons have gotten that way? If it was a census oversight, wasn't there anybody on the ground monitoring?"

Ms Stokke replied that much of the area is in a Wilderness Study Area and impossible to monitor. She added that the permittee's had called in early spring with water concerns and that BLM started to monitor weekly finding that the habitat had really been hit hard. She stated there were numerous reports from the permittee's that there were a lot more horses out there that BLM was realizing. She added that the Nevada Division of Wildlife also reported there were many more horses out there.

Ms Stokke reported that the BLM had just flown the Augusta's and found close to what they expected and that in flying Little Owyhee, there were 90 less horses than they

expected but thinks that was due to a fertility control program there. She added that “we don’t think we have a problem anywhere else, that we haven’t flown Blue Wing but it was just gathered 1 ½ years ago.”

Commissioner Uhalde stated that “I have a solution.....I motion for the Commission to ask the Director of the Conservation and Natural Resources, together with the Resource Departments under him and the Attorney Generals Office to take a serious look at possibly pursuing litigation against BLM or specifically the funding source to provide adequate funding for the program. That Wyoming is the only place they get adequate funding and its because of a court order”

Commissioner Brehm seconded the motion.

DCNR Director Allen Biaggi stated that could appreciate the motion made by Commissioner Uhalde and suggested that the Commission may want to take public comment prior to voting.

DAWN LAPPIN, Director, Wild Horse Organized Assistance (WHOA) stated that she agrees with the drastic action proposed. She felt there wouldn’t be dead horses in the field if there were people in the field doing their jobs. She added that the court action should be directly against the people that decide the budget. She stated how angry she was, that BLM has had a 35 year learning curve and finally getting the message through dead horses. Mrs. Lappin stated that the horse program must get the attention of the people in charge. She added that previously Washington had allocated money for a long term sanctuary program to balance public lands and now that they have the horses they want to pull the money and take them to auction. She asked if Susie could explain how Wyoming got funding through litigation.

Ms. Stokke explained that the Wyoming suit was against BLM to achieve and maintain AML and proper funding to do so. She added that it was a settlement agreement between the Wyoming Governor and BLM. That a court order was issued that BLM must stay at AML. She finished by stating that she felt “the program was at a teeter totter state and could go south very quickly.

JOHN FALEN, Trustee of the Mustang Heritage Foundation, reported on the success of the Extreme Mustang Makeover (EMM) in Ft. Worth, Texas. He suggested that if he and Commissioner Uhalde would adopt 2-3 wild horses that they may start a trend where each rancher would get one mustang. He stated that the EMM had made a tremendous difference in exposure and value of mustangs to the public. He stated that he gets emotional when he thinks about all the progress the program has made and what these trainers were able to accomplish in 100 days. He mentioned many of the individual trainers and different dispositions such as English, jumping, reining, cutting, and western pleasure horses. He also mentioned the variety of trainers that took these horses and came to Ft. Worth to make this event the success it was. He added that 1/3 of the trainers actually bid on and bought those horses back. Mr. Falen stated that after a slow start with the Mustang Heritage Foundation that the Foundation was very fortunate to have gotten

Patti Colbert to agree to join with the Foundation and be the Executive Director, that Mrs. Colbert is just getting warmed up and excited about where she will be taking this program. He added that Mrs. Colbert is already working for the 2008 EMM with already pledged \$50,000 in prize money and 200 horses to be entered. He also informed the Commission that they will be doing a 50 horse EMM in Madison, Wisconsin, in the spring.

Mr. Falen finished by relating the story of the horse that was purchased for \$50,000 that will be the town mascot of the City of Norco, the Horse Capital of the US. He relayed that the City Counsel and the Mayor of Norco had attended the horse to buy it back for the City. Mr. Falen explained that the BLM, the Foundation, and the City of Norco would be partnering together to promote the horse "Hail Yeah" to expand adoptions for wild horses.

Mr. Falen also discussed a proposal he was working on, an incentive program for ranchers to take one mustang each. He reported that if every rancher took just one horse each, that we could clean out the sanctuaries. But, he said there needed to be an incentive financially but in the long run would be much less than what is being spent on them in sanctuaries. He stated that he understands the motion made by Commissioner Uhalde and the frustration of all involved, however, he is not sure it the high road, maybe more pressure on BLM and on ranchers to adopt with incentives and then the saved money to go for land management.

Commissioner Kirk stated that the rancher incentive program sounds exciting and if the Commission can do anything to help that we would be happy to work with the ranchers and BLM on this.

Mike Holbert, Deputy Director Nevada BLM, stated that he previously was a field manager in Wyoming and that the stipulated settlement worked well for Wyoming to get the funding they needed to run their program.

Commissioner Uhalde was asked to re-read the motion which he did. Chairman Kirk called for a vote. Both Christine Brehm and Commissioner Uhalde voted yes to move forward, that was a quorum, motion passed.

Cathy Barcomb, Administrator, expressed her concerns over the number of horse specialists projected to be working in Nevada.

Susie Stokke stated that 2 years ago a BLM team looked at staffing needs, looked at ways to be more efficient and effective and how much in the way of funding is needed to do the job. She stated there was a projection of 8 field positions and 1 ½ positions for Snows holding corrals which someday would go away. She expressed her frustration that the empty positions had not been published, that the priority had not been elevated and she didn't know when they would be posted.

Commissioner Brehm asked “when” was BLM going to be looking at water developments which have been promised for many years and nothing has been done.

Susie Stokke replied that the tanks had been ordered and had expected them to be put in by October or November. She added they were stuck in procurement but it looks like we will get more tanks but don’t know when.

Commissioner Brehm questioned why they would be doing Cedar over Silver Bow?

Ms. Stokke replied that it was much more complicated drawings, lists, etc. and no record on what is there. She said from a simplicity standpoint that Cedar could be first and stagger in Silver Bow and Rose. She added that with the December gather coming up that the numbers will be way down and the pressure eased.

Commissioner Brehm stated that BLM needs to put together a time line to get this done.

Mike Holbert stated he would contact the field manager and get a time line commitment.

4)* Discussion and Action re: Fertility Control Programs in Nevada, past implementation on herds and the need for reports showing the results of the Fertility Control Program, BLM

Cathy Barcomb, Administrator, questioned the success of the fertility control programs in Nevada and that the Commission has continually asked for reports showing monitoring and success or failures of programs implemented.

Susie Stokke reported that studies are being completed, statistics compiled that will analyze results and when those reports are finalized we will provide the Commission with the reports. She added that the one year study results are on the BLM website and the 2 year study results are not done yet.

5) Discussion: Extreme Mustang Makeover in Texas, recap by the Mustang Heritage Foundation

Mr. John Falen from the Foundation had already left to drive home. Chairman Kirk stated that he felt the report had been presented earlier in the meeting.

6) Public Comment Period

Wendy? , previously a USDA/Natural Resources Conservation Planner, explained to the Commission that she has been hired as a resource consultant and planner by an organization out of England. She explained that they purchased 88,000 conservation easements in Humboldt/Pershing County to develop an alternate energy wind farm. They felt that you don’t necessarily have to have coal, that Nevada is rich in wind and solar energy options. She explained that this group also wanted to do “something” else with the property, something environmentally positive and helpful. She reported that she and they understand the frustration with the ranchers and horse advocates over the wild horse program and that they want to create a wild horse sanctuary on the wind farm acres that could possibly hold 1,000 wild horses. She explained they would use rest rotation in a

management practice for grazing, that they would create a visitor center, and create positive programs to enhance the public's awareness of wild horses. She explained they were in the initial stages meeting with Senator Reid's office and others to garner support for this project. She finished by saying she would keep the Commission informed as they were progressing.

7)* Set Next Meeting Date

After discussion, the Commissioners requested Cathy Barcomb to work to set up a Commission meeting in Las Vegas around the second week of December.

8)* Adjournment

Commissioner Uhalde motioned to adjourn the meeting, seconded by Commissioner Brehm, unanimously approved.

Wild Horse and Burro Program



Bureau of Land Management
October 2007

Fertility Control



- ❖ Porcine Zona Pellucida (PZP)
 - ✓ One year vaccine
 - ✓ Two year vaccine
- ❖ Unapproved and not available commercially
- ❖ 1,750 mares treated/42 HMAs Bureau-wide
- ❖ Of these, 1,224 mares/27 HMAs in Nevada
- ❖ 3-4 year vaccine research ongoing

Establishing Appropriate Management Levels (AMLs)

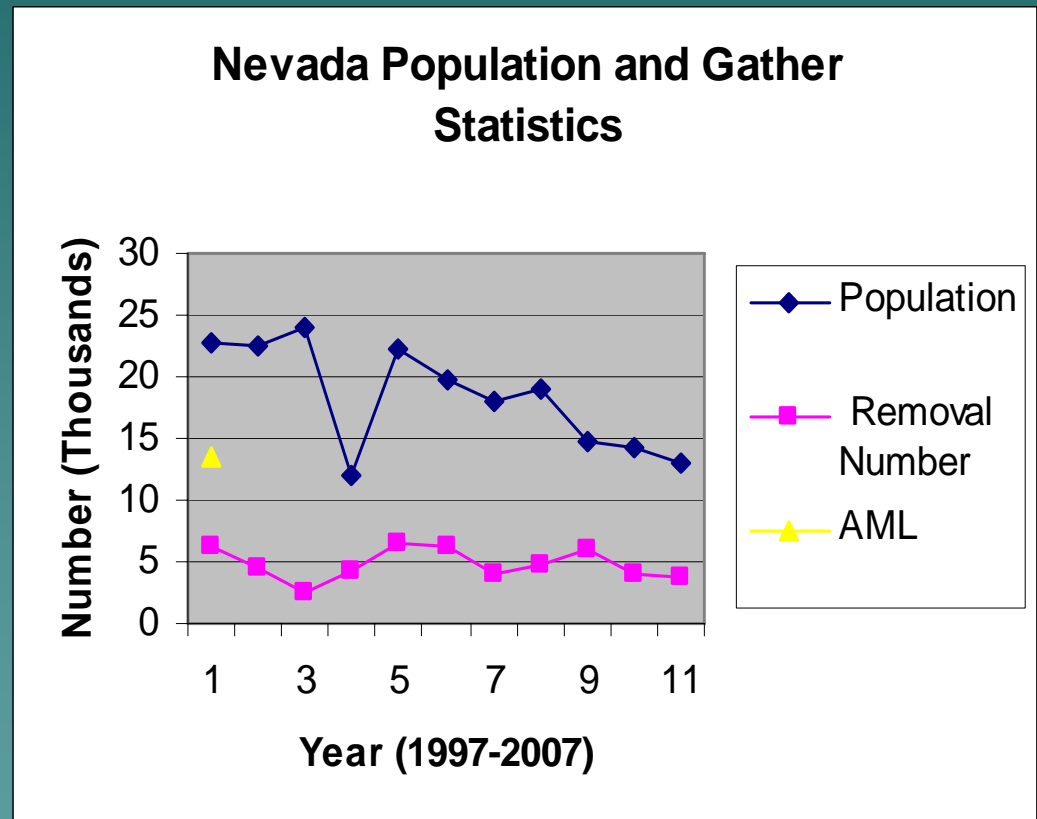


◆ HMAs w/ AML Set:

- FY2000 -- 60
- FY2003 -- 78
- FY2004 -- 83
- FY2005 -- 99
- FY2007 -- 101

◆ AML Pending: Montgomery Pass HMA (USFS Lead)

Achieving AML on the Range



Estimated AML = 13,500

Feb. 2007 Population Estimate = 13,000

Status of FY2007 Gathers

- ❖ Fall/Winter Gathers (2616 animals)
 - Spring Mountains, Stone Cabin, Wilson-Deer, and Lake Mead Complexes, Fire Emergencies
- ❖ Summer Gathers (about 1,480 animals)
 - Jakes Wash, Powell Mtn, Jackson Mtns, Moriah HMAs, Drought/Nuisance Removals

Drought/Fire Emergencies



- ◆ Nevada Wild Horse Range (Nellis) – 178 head


Population Census

◆ Jackson Mountains HMA

- AML = 130-217
- Projected 2007 Population = 377 animals
- June 2007 count = 1,017 animals



Changes in 2007 Summer Gathers

- ◆ Roberts/Whistler and South Shoshone delayed to Fall/Winter FY2008 (this fall/winter).
 - ◆ Bald Mountain postponed to FY2009 to be gathered in conjunction with Callaghan.
 - ◆ New Pass/Ravenswood and Augusta Mountains moved up from FY2009 to FY2008 (due to fire).
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Nevada Wild Horse Range



Temporary Closure Palomino Valley Center



2008 Proposed Gathers

◆ Fall/Winter

- ❖ New Pass/Ravenswood and Augustas (Fire)
- ❖ Nevada Wild Horse Range
- ❖ Roberts/Whistler Mountains
- ❖ South Shoshone (Fire)

◆ Summer

- ❖ Owyhee

FY2007 Adoptions

Extreme Mustang Makeover

Trainer Incentive Program

Adoption Incentives
(Futurity) Program

Virtual Adoption Program

Assistance Agreement
w/ NWAHA



- ◆ Target = 240
- ◆ # Adopted = 271

BLM's WH&B Budget (FY2008)

Unit	Prop'd Removal No.	Proposed Budget
Arizona	220	\$664
California	623	\$2,872* %
Colorado	100	\$1,685*
Eastern States	0	\$2,558*
Idaho	250	\$491
Montana	30	\$204
New Mexico	52	\$2,817*
Nevada	2,599	\$4,963
Oregon	475	\$1,243
Utah	548	\$2,386 %
Wyoming	882	\$2,031
WO	0	\$12,799 %
Misc.	0	\$5,573*
Total	5,779	\$40,322

WH&B Staffing

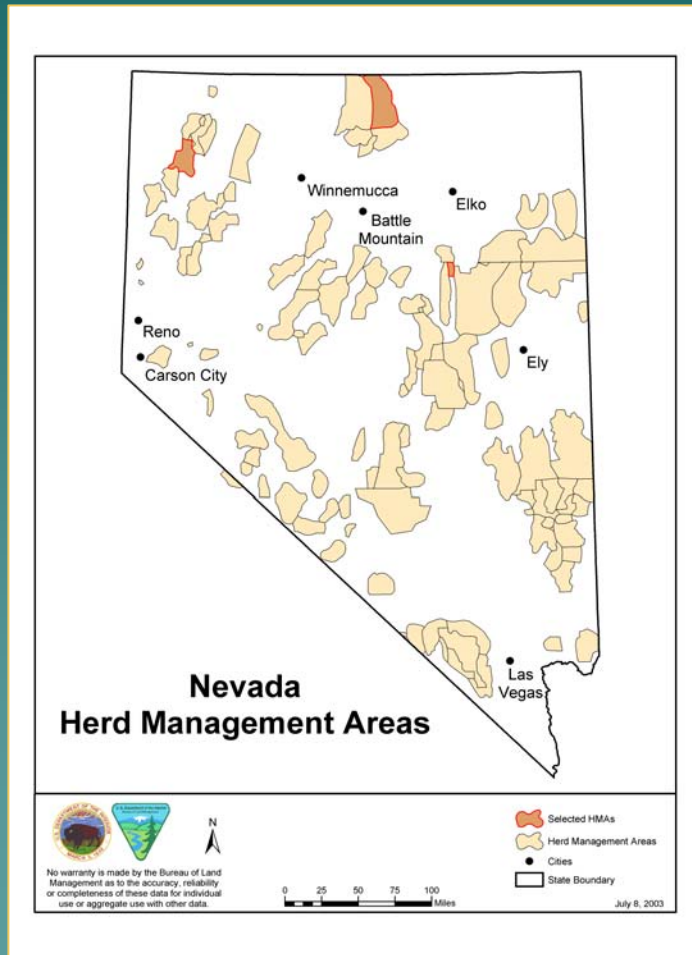


2003 On Board Positions = 15.5

Target Positions = 7.5-8.0

Currently On Board = 7.0
(includes 1.5 positions at Fallon)

Herd Management Area Planning



Establish Population
Management Objectives

Age Structure
Sex Ratio
Genetic Diversity
Fertility Control
Population Mgt
Selective Removal Criteria

Establish Habitat
Management Objectives

Range/Riparian Issues
Forage/Water Issues/Opportunities

Any Questions?

