

University of Minnesota Research-Dr. Fred Wagner
August 18, 1988
Presented by Wild Horse Organized Assistance
Dawn Y. Lappin

My name is Dawn Y. Lappin, Director for WHOA. WHOA and the general public are appalled by the lack of planning, communication, supervision, and caution regarding the University of Minnesota Mare Fertility Research. In a letter to the Bureau of Land Management (hereafter the BLM) the University of Minnesota Associate Scientist (herein referred to as scientist), implied the BLM, in its' preliminary investigation, attempted to lay the blame solely on the University for the deaths of 48 wild horses in the Clan Alpine Herd Management Area (hereafter referred to as the Clan Alpine HMA). Clearly he is upset that any information pertaining to the deaths will reach the eyes and ears of the public and animal welfare groups, as he states that large sections of the text of the investigative report be deleted and only analyzed by unbiased referees. He also must assume those same people would attribute fault solely on the University. Let me assure the scientist, you, and the BLM, that the federal agencies have not and will not escape the same scrutiny that is being given the University of Minnesota. The very fact that reports, draft or final, or the subsequent investigations which elicited more inconsistencies, even made the light of day speaks for the continued pressure on the agency to acknowledge and correct their portion of the blame and rectify the possibility of reoccurrences.

Having addressed that issue I will proceed to address the purpose of the invitation herd today, my opinion of the University of Minnesota Research. While several individuals reoccur frequently in the text, it is because it is those people who were in the field at the time of the instances; however, I consider the University of Minnesota and the chief proponents of the proposal to be equally responsible due to the lack of supervision of field personnel. The University of Minnesota proposal 1985 (hereafter referred to as the 1985 proposal) indicates the research team would be comprised of Drs. Sinoff, Testor and Plotka. Although Dr. Plotka was to supervise the implantation of fertility control devices in the mares in the field, his name is noticeably absent as to being present during the capture, and field surgery of the Augusta Mountain mares in the Clan Alpine HMA. Nor is Drs. Sinoff or Testor mentioned, whom supposedly carried out all aspects of the field studies on those particular mares. We assume L. Kuecle, although he isn't mentioned, played some role in the fitting of the tight collars, since some of them contained telemetry devices. Confident of the ability of Dr. Peck to perform surgery, we do question whether the laws of the State of Nevada allow for the abrogation of this surgery to another.

The deaths of 48 horses in the Clan Alpine HMA resulted in an investigation, both from BLM, as well as from numerous others. WHOA objected strenuously to the inclusion of the researcher and

the BLM employee being made a part of the investigating team, investigating themselves, both of which had altered research parameters and captured horses outside the Clan Alpine HMA. The BLM employee, reacting to pressure from the subcontractor about the difficulty (which has been a continuous problem), left the Clan Alpine HMA and evaluated horses in the Augusta Mountain HMA. Supposedly he spotted 3-5 collared horses in the Augusta that could have only been collared in Clan Alpine, at the Hole-in-the-Wall Spring. From that evidence he concluded the two populations moved back and forth. Furthermore he alleges 4 gaps in the fence separating the two herd areas, with wellmarked trails. However, investigations not only by BLM, but others as well ascertained there were no gaps in the fence, as alleged, and no repairs had been made in the otherwise continuous fence. The ONLY area where wild horses could have migrated was at the end of the fence, and I repeat could have, not did. If indeed those horses constantly went around that fence to migrate then wouldn't those same horses brought from the Augustas once again go around the end of the fence to the habitat and waters they would have known would be there? The investigations clearly shows the BLM employee lied in the investigative report regarding the gaps in the fence. Based on those inconsistencies and lies it is entirely possible that there were no collared horses at Hole-in-the-Wall spring either, and the decision to go north into another herd area was based on the fact that it was known that insufficient horses remained in Clan Alpine previous to the capture, or for a manner of expediency. My rationale for the former conclusion is as follows. Professor Testor wrote BLM in 1/86 stating "The two areas would be available this summer where sufficient numbers occur (100 mares between 4-15 requires at least 400 horses) are the Black Rock-Warm Springs Canyon area and the Clan Alpine area. These were the most satisfactory choices to all concerned but it would be necessary to plan and coordinate our research and BLM gatherings in these areas." Furthermore Testor agreed in another letter of 1/86, that Sand Springs would be dropped due to the fact sufficient numbers of wild horses would be available in the Clan Alpine HMA for not only the fertility study, but the control areas as well. Subsequently, BLM reduced the Clan Alpine herd by approximately 50% in October of 1986. The Helicopter Round Up Services was the contractor on that reduction. So all three participants, the researcher, the BLM employee and the helicopter contractor knew before the field study even began that insufficient horses were available in Clan Alpine. Please look at the Table below that dates the occurrences.

TABLE

Testor letters regarding sufficient horses---1/86
*Distance dispute with helicopter contractor---7/86
BLM reduction of populations in Clan Alpine---10/86
Research capture and treatment in Clan Alpine---8/87

During the month of August, when the Helicopter Round up Services was capturing wild horses in Gerlach, a dispute arose

over the contractor running horses too far. Dozens of colts in varying stages of hoof separation, hooves worn to the quick, too lame to even walk. His operation was shut down during an investigation and subsequent directions were to limit the distance wild horses were brought to 5 miles. The personnel from the University of Minnesota were also advised at this time to limit the distance. The BLM employee, an employee of the Carson City District, which has the responsibility of managing the Palomino Wild Horse Holding Facility, where the lame colts were being kept also knew of the limitation of distance. So in August of 1986, all three participants, the researcher, the subcontractor for helicopters, and the BLM employee know that the October 1986 capture has reduced the horse population to 50%, leaving approximately 798 horses in the Clan Alpine, requiring almost a 100% removal of the the Clan Alpine horses to obtain the necessary numbers for research; they also knew of the distance restriction. The Sand Springs area had been dropped from consideration. (Testors calculation of requiring approximately 400 horses to obtain 100 test animals) Using the same ratio as Testor, it then would require the capture of 200 horses to obtain the necessary 50 animals for the control group. The sum of both which is 600. So rather than reaccessing the combination of the fertility study area and the control area, or revisiting the use of Sand Springs, the participants opted to vacate the parameters of the research proposal and use the Augusta Mountain herd in the Clan Alpine research study. But in order to use those animals the previous instruction of distance had to be ignored and was. It is my experienced opinion that all three participants were in collusion, the lies in the investigation, the researchers chastisement to BLM, were in laymen's language, an attempt to cover ones fanny. These types of actions indicate the sacrifice of basic research principals for the purpose of expediency.

Had the horses from the Augustas not died, and the investigations notuncovered the lies, the general public would have never known that the Augsusta horses had become a part of the Clan Alpine research study. For any research institute or its' personnel to admit to the running of poor conditioned horses in over 90 degrees and estimated 15 to 20 miles speaks clearly about the insensitivity of the participants. Not only is it clearly in-humane, but violates numerous policies, and State and Federal laws. The fact that no one has ever complained doesn't mean these attitudes have not occurred elsewhere, they just weren't caught. The research scientists questions the ability of DR. Peck to access the stress of the horses during their attempt to return to their range and water is especially insensitive. Several other veterinarians have expressed much the same conclusion as Dr. Peck, including the vertinarian in Susanville, who also received some of the crippled colts, but the sheriff and BL, personnel as well. I must presume the scientist believes that to state an opinion based on years of experience, rather than education, is somehow not professional. The scientists' potential for a Ph.D does not necessarily make him an expert.

The scientist would have BLM silence all questions and critiques of the research project. I dare say the public's trust of a researchers conclusions will be based on how sensitive he is to the animals he is researching.

The researcher was warned that collars had been fitted too tightly in the fall of 1986. I had attended a meeting of BLM personnel in Stone Cabin, ranchers whose complaint was the fitting of the collars. But the refitting of some of those horses did not occur until well into 1988. The suffering, maiming, and deaths of horses by the researcher have been sluffed off and attributed to normal research losses---baloney! He knew insufficient horses were in Clan Alpine, he knew the restrictions on distance, he knew early on about the tight fitting collars, he knew the restriction on combining areas, and no one will ever convince me otherwise.

Of critical concern is the researchers attempt to keep quiet the missing or misplaced animals, implanted or control, of the penned mares in Lovelock. It was my understanding of the research proposal that penned mares data would be used to compare those mares in the field studies, i.e., hormonal dosages, weights, parentage, etc. Are the missing horses mixed in the general population at Lovelock, or were they a part of the fee waived horses that were shipped to Canada for slaughter, or are they in some unsuspecting adopters yard, with the potential for one reason or another, have the potential of being sold. How will the researchers ascertain whether animals implanted with steroids have not entered the food chain. Has the FDA been advised of the possibility of the steroid implanted mares reaching the food chain. How does the disappearance of these animals used to determine the results in the research, affect the data being collected? The conclusions reached in the research are dependant upon the data collected from all the animals, how then does the missing animals skew the conclusions?

To catch up to what we know so far, we have 1) insufficient horses in Clan Alpine HMA BEFORE the field studies began, those numbers had nothing to do with not having helicopters to adequately census, but due to the fact that BLM had captured 50% of the population the previous October, 2) vacated parameters of the research proposal by using animals outside the study area, 3) total disregard for the instructions on the maximum distance animals would be brought, 4) lies in the investigation pertaining to the above, 5) missing, misplaced or unlocatable steroid implanted mares in Lovelock, 6) imbedded collars and the unnecessary delay in refitting, 7) in-humane treatment of animals, and 8) dead horses---still the research continues....

The research project used helicopters without benefit of public hearings in violation of law. No environmental impact was analyzed to access the impact of the research proposal on the population. No communication with anyone other than a substitute

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BLM employee, whether the COR approved of the change in research areas. The foregoing attests to the lack of supervision, planning, coordination, communication, and sensitivity, and opens up yet another entire set of questions.

1) Why were stallions vasectomized when this portion of the research has been completed?

2) How do you separate the affects of the stress of the collars imbedded 2-3 inches into the neck muscle tissue from the affects of the hormonal implants?

3) If a mare aborts due to the stress of repeated captures, imbedded collars, or collars inhibiting sight or hearing; will the absence of a colt be recorded as a successful hormonal implant?

4) How can visually or hearing impaired animals retain their social structure in the band, and what will the affect of the displacement have on the conclusions of the research?

5) How do you know whether the lack of reproduction in the mare was attributable to hormones or the fact the stallion had a collar over his eyes?

6) To what degree does the stress from repeated captures or imbedded collars prevent the animal from reproducing?

7) How is it that the research will allow capture around the implanted mares in the Augusta Mountain HMA, but not allow for the reduction of horses in Stone Cabin? Is this a double standard?

8) Why will the reduction in the Augusta be permitted when it violates the parameters of the research proposal?

9) When studying a methodology from animals' natural state you attempt to alter that natural state as little as possible; if you run horses too far, if you take them from their previous habitat, or have repetitive captures, or improperly fitted collars, you create even more of an unnatural state. How will you evaluate the insensitivity to the methodology?

10) How can you validate or trust the researchers conclusions on the project if the researcher is insensitive to the needless stress or suffering of the animals they are researching?

11) How will you be able to monitor those animals from which the collar was imbedded and removed?

12) Will you use a magnet as was previously access to locate the steroid rods on ALL wild horses that will be removed

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from the study areas?

13) If not, how will you find the implanted mares whose collars have been removed in order to collect data?

14) What happened to the money saved by dropping Sand Springs as a control area and combining the fertility study with the control study?

15) How, when the research is based on a certain sample size, do you compare the results when significant numbers of animals are missing, misplaced, or unlocatable?

16) How do you evaluate the effectiveness of the fertility control animals when so many are missing?

17) If 48 dead horses represent a mere 5% death loss from the Clan Alpine, what does the 101 animals represent? And is that reasonable considering that 35 more animals are to be sacrificed for necropsy purposes?

18) How many penned, implanted mares died, were any of them the result of ringworm treatment?

19) Has anyone who worked on this research project published any papers pertaining to this research?

20) Was anyone on the NAS committee, who voted in favor of the research proposal, ultimately awarded the contract?

21) Did anyone who made the proposal work on the project?

22) Did anyone on the NAS committee receive subcontracts?

23) Did either of the principal investigators have any background in field surgery or the manipulation of horses?

24) Did the Associate Scientist have any background in field surgery?

25) Did any of the research proposals suggest any method other than hands-on, field surgery, or the use of steroid hormones?

26) Has the researchers submitted, as indicated in the 1985 proposal, any of the 1/86, 3/86, 9/86, 9/87, 10/87, 3/88, or 9/88 progress reports to the BLM?

In conclusion the public is generally aware of the multiple deaths associated with this research project and the potential affects of all of the above will have on the scientific validity of the research. Those incidents not currently known by the public will soon become public. The results of the research will

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be skewed and therefore a waste of taxpayer dollars. And we definitely question who will bear the costs of recapture to refit collars. It is my opinion, based on the foregoing, the research should be terminated immediately.



UNIVERSITY OF MINNESOTA
TWIN CITIES

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January 30, 1986

Mr. Dick Stark
Bureau of Land Management (852)
Washington, D.C. 20240

Dear Dick:

I am writing to confirm a number of issues that were decided at the January 18th meeting in the Nevada State office.

As you know, we have had great difficulty in finding areas that are suitable for our research. In addition, the time period in which gathering could be conducted on our study areas is limited in several ways. Milt Frei raised the question of the possibility of abortions in late-term mares if we implanted our fertility control devices in late winter or spring. This is certainly a valid concern. We are well aware of the public opinion problems that could arise if numerous near-term foals were aborted and then discovered on our study sites.

The possibility of abortions due to gathering alone must also be considered. The BLM policy of not gathering for removal from March through June is relevant to this issue and has a direct bearing on our studies.

Further, areas with enough horses, where gathering would not occur for 3 years, are apparently unavailable for our mare experimental studies until after BLM gathers this summer. The two areas that would be available this summer where sufficient numbers occur (100 mares between ages 4 and 15 requires at least 400 horses) are the Black Rock-Warm Spring Canyon areas and the Clan Alpine area. These were the most satisfactory choices to all concerned, but it will be necessary to plan and coordinate our research and the BLM gathering on these areas.

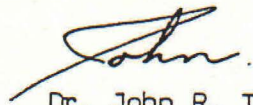
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In consideration of all of these issues, it was mutually agreed at the Nevada meeting that we delay rounding up horses on our mare experimental areas until after June 30, 1986, when most foaling should be completed.

We believe that this schedule will be suitable for our research. However, waiting until July or August to implant the fertility control devices in the experimental mares requires that our contract be extended by one year to allow for evaluation of the implants over two reproductive seasons, as specified in the RFP.

We are agreeable to this extension and actually feel that it will enhance the quality of the research. A budget reflecting this extension is enclosed.

Sincerely yours,



Dr. John R. Tester
Professor

JRT:lg
Enclosure

cc: Fred Wagner

9 December 1987

Les Sweeney
Bureau of Land Management
Nevada State Office

Dear Les:

Although we have discussed the draft of the report concerning the death of wild horses in the Clan Alpine Herd Management Area dated 4 Dec 1987, I feel it would be better for me to write my opinion of the report in this letter. Because I am listed as part of the field investigation team, it is implicitly suggested that I agree with the report. I do not and want to take this opportunity to substantiate my objections.

In many places the text is wordy; however, wordiness may be considered a component of style, and substance, not style is the object of my concern. Among the trivial details that should be addressed is presentation of dates, which is inconsistent throughout.

An important point that is missing in this report concerns the overall scope of our research project and how this one capture effort fit into it. As you well know, this was not the first or only capture of horses we performed. We have captured over 1300 horses in five different areas. In the Flanigan area, where we worked in Dec 1985, we captured 185 horses in poor physical condition; approximately half of the horses came from the west end of the area (near Sugar Loaf and Ft. Sage Mtn.). These horses were moved over a long distance, although not as far as the horses were moved from Hole-in-the-Wall spring, but the terrain was much steeper. We then worked in the Wassuk Mountains the following January and caught 132 horses, which were in good physical condition. Some were moved from one end of the relatively small area to the other. In March 1986 we went up to Oregon to work in the Beaty Butte HMA. Again the 148 horses were in good condition, and approximately 30 were moved from the north end of that area to our trap in the south end, a distance farther than any horses were moved in Sep 1987. In August 1986, when temperatures were at least as high as those we experienced in the Clan Alpine gather, we caught 367 horses in Stone Cabin Valley. Subsequent monitoring in each of these herd areas suggested no serious deleterious effects were experienced by the horses.

The above paragraph discusses instances where we moved horses in physical conditions ranging from excellent to poor; we moved horses over long distances; we moved horses over rugged terrain; and we moved horses when it was hot and dry. Horses we captured have died, as anyone who has handled wild animals expects. Mortality rates due to capture were less than 2% before the Clan Alpine gather, and with the 48 deaths from that experience

included, total mortality rate is still less than 5%. From this information one can clearly see that our research project, in total, has been conducted in a professional manner with much consideration given to the welfare of the horses we have captured. This is a point sadly lacking in the report, and, as the footnote on page 16 clearly illustrates, quite the reverse is suggested.

My strongest objection is that the report is inflammatory. This inflammatory nature arises from half-truths and innuendo, and I will address specific examples of these.

P. 3, para. 3. (It was BLM's intent to utilize an observation helicopter ...) The practice of using an observation helicopter to monitor capture procedures began (or was reinforced) early in the summer 1986 following problems with sore-footed horses captured during operations conducted under the Gerlach contract. Use of observation helicopters was instituted prior to our capture operations in Stone Cabin Valley, Aug 1986. BLM did not use an observation helicopter during that capture effort, and at no time communicated to any of the University's personnel that they intended to do so. It was only on 21 Aug 1987, at a meeting at the Carson City District office, that BLM indicated they intended to use an observation helicopter for the Clan Alpine operations. The University could not be expected to assume that BLM intended to use an observation for the Clan Alpine capture effort when it had not done so for other captures. It is apparent that lack of communication between the University and BLM concerning operations for the research project has been a problem since the beginning of the project. This problem is due to the lack of specified channels of communication and identification of local personnel within BLM who had the responsibility of making decisions concerning the wild horses involved in the research. The blame for this lack of communication has been shared jointly by the University and BLM; it is not the result of negligence on the part of the University only as this paragraph clearly suggests.

P. 4, para. 3. (A veterinarian was present only on ...) Although this sentence is almost correct (the dates are wrong), it is far from "the whole truth". The following paragraph more accurately reflects the entire story.

A veterinarian, on contract with BLM to provide health care to horses held at the facility in Lovelock, Nev., worked with University research personnel to develop drugging and surgical protocol for implanting fertility control capsules in feral mares. This veterinarian was present at the capture site on 24, 25, and 26 August. After observing that procedures for handling and

immobilizing the horses and for performing the surgery were satisfactory, he departed on the afternoon of 27 August.

Table, bottom of p. 4. Inclusion of the capture rate adds nothing to the context of the table; however, only the means are presented for the first three capture sites are presented, but daily rates are presented for the final trip to Shoshone Meadows. From this I get the feeling you are trying to say that too many horses were handled in one day (86), and the horses suffered accordingly. Our experience in Aug 86 shows that we could handle that many (and even more) horses in a day (on our last day in Stone Cabin Valley we handled more than 90 horses, all of which had been held in the corral overnight). In May 1987 two radio-tagged (implanted) mares of the 101 mares on which surgery was performed in Stone Cabin Valley were dead; the remaining 99 were alive and running with bands.

P. 5, para. 2 (Neither the BLM nor the University of Minnesota personnel were able to verify ...) Not only were we not able to verify the subcontractor's contentions, we had no reason to do so. This was the fifth capture effort that Helicopter Round-up Services had conducted for the research effort. In the four previous efforts the subcontractor performed well, and subsequent aerial survey of the previous study areas confirmed that observations made by the subcontractor, concerning availability of horses, were correct. I understand also that there have been disagreements between NSO and Helicopter Round-up Services and suggest this sentence could be misinterpreted by wild horse interest groups, influenced by the earlier disagreement; thus, I recommend its omission.

P. 5, para. 2 (The horses at the spring were in very poor condition ...) This paragraph is included in the portion of the report where factors contributing to the decision to go north of the fence is explained. Inclusion of the fact that the horses were in very poor condition at this point suggests that we knew the horses were poor and considered that in our decision. That suggestion is not true; we did not know the horses were in poor condition until we looked at the first ones (86) to reach the trap. At that point we were committed to processing these horses.

P. 7, para. 1 (Considering both the condition of the horses ...) This sentence should be omitted. I have already read a letter to the editor in the Reno Gazette-Journal claiming that the horses we captured were run for miles at speeds of 70 mph. Although this suggestion is absurd, it illustrates that including "long or fast run" in the report could be easily misinterpreted.

P. 12, para. 1 (... it seems likely that they tried at great effort ...) Although this sentence is included in the veterinarian's statement, it should not be excluded from critical review. I have great respect for Dr. Peck's "best professional opinion [see preceding sentence]" in matters concerning physiology, anatomy, or disease of wild horses, but I do not think his training at veterinary school gives him the qualifications to assess how hard these horses tried to do anything. This especially true when the evidence he examined included only the month-old carcasses of the dead horses, and some tracks or trails along a fence line.

P. 12, para 3 (1. Although sanctioned by a BLM employee ...) The University did not unilaterally abrogate an agreement. The University and BLM reached a new agreement, during what we considered conditions of emergency, that superceded the older agreement. If the BLM representative did not have the authority to make such an agreement, that limit should have been made clear to the University before the research effort took place, not in retrospect. Furthermore, evidence is presented, in the portion of this report discussing the decision process, that we were not considering two different populations. Collared horses, captured at Shoshone Meadows between 24 and 26 August, were seen at the Hole-in-wall spring, and several well-used trails between the two HMA's were located. Thus, we (University and BLM personnel) concluded that the horses we went north of the fence to capture were among individuals that regularly crossed the fence. I also point out that it was the BLM representative who suggested that we capture the horses north of the fence rather than University personnel requesting such permission.

P. 15, no. 1. Who should prepare the capture plan and environmental assessment?

P. 15, no. 2. I agree that the project inspectors should have been appointed at the beginning of our research project, and I welcome their involvement. Has anyone suggested to Lakeview, Ore., that such appointments are considered proper? Whose responsibility is that task?

P. 15, no. 3. When we monitor the treated herd areas, we do an aerial survey in a helicopter, and horses move, often for several miles. That movement is not the expressed purpose of the research activity, but it does occur. Are you suggesting that an observation helicopter follow our monitoring efforts each time we conduct one? I can assure you that there is not room enough for a third person in the helicopter we use after radio-telemetry equipment and maps are loaded.

P. 16, para. 1 (... a research gather is no different than a removal gather.) We have discussed this sentence and, I thought agreed, that there is a difference between the two types of gathers. The procedures for capture are the same, but disposition of the horses is different. In our research gathers we release the horses at the trap site, whereas during a removal gather horses are not released.

P 16, footnote. Unless similarities between the two situations are presented, this should be eliminated. Although I am not familiar with the effort in Caliente, I suspect that a few horses were captured at some distant location, then moved to Caliente for the purpose of adding them to an existing herd. The situation in the Clan Alpines was somewhat different. We moved 133 horses across a fenceline with the intent of releasing them at the trap site. Due to the evidence presented earlier, we suspected that many, if not all, were familiar with the northern part of the Clan Alpines; thus, acclimating them was considered (by BLM and University personnel as well as the gathering subcontractor, whose well-known success at capturing and moving wild horses attests to his working knowledge of practical horse behavior) unnecessary. Are you suggesting in this footnote that the 133 horses we caught should have been corralled at a spring location until they were accustomed to the area? Omit the footnote.

P. 17, no. 7. Who should make such an evaluation?

P. 17, no. 8. I can think of no instance where the capture of an animal for research purposes can be considered favorable to that animal's welfare. People actively engaged in research on wild animals acknowledge that a few animals will suffer some deleterious effects, whether mild or extreme, due to activities designed to develop techniques that will be beneficial to or allow humane management of entire populations. Can you suggest any condition under which it would be favorable to a horse's welfare to capture it for research purposes?

P. 17, no. 9. This action seems to be included in recommendation no. 2.

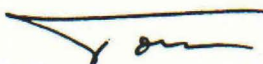
P. 17, no. 10. The PI from Oregon, assuming one is appointed, should be invited to the meeting.

Although most of the report presents facts, a few instances, which I have discussed, give the report an inflammatory tone; therefore, I am disappointed with the report in its present form. The instances I have discussed suggest some antagonism between the University and BLM, when in fact, we agreed at the meeting on 2 Nov 1987 that none existed.

Due to the sensitive nature of events regarding wild horses this report should be subjected to critical review by unbiased referees similar to the process used for scientific literature. It is apparent that I, as a representative of the University of Minnesota, am not unbiased; nor are the personnel from the Renewable Resources Division of NSO. I, therefore, suggest you send this report to one or more unbiased reviewers before it is released to the public. It seems counter-productive to try to rush the release of this document, which could have tremendous impact on the general public through misinterpretations (caused by imbedded half-truths and innuendo) by the media, when it has already been over a month in preparation.

Normally when I write a review of a paper, especially one with which I disagree strongly, I let my review sit for several days then read it again to ensure my thoughts are clear and my points are documented strongly, but fairly. Because you have expressed a desire to release the report in the next couple of days, I am delivering this to you today for its consideration before you finalize the report. Therefore, some ambiguity or lack of clarity may result; for these I apologize.

Sincerely,



Tom Eagle
Associate Scientist
University of Minnesota

cc: Don Siniff
John Tester
Ed Plotka
Dick Stark
Fred Wagner

TOM COLVIN
Post Office Box 1047
Tonopah, NV 89049

November 21, 1986

Mr. Robert Burford
Director, BLM
1800 C Street, NW
Washington, DC 20240

STONE CABIN WILDHORSE EXPERIMENT

Dear Mr. Burford:

On September 3, 1986 I sent you a letter protesting the Bureau of Land Management activities concerning wild horses in the Stone Cabin Allotment. A copy of that letter is enclosed.

TONOPAH MEETING

On November 13, 1986 I met with: The Tonopah BLM Resource Area staff, including the Area Manager; Joe and Roy Clifford, the other grazing permittee in the Stone Cabin Allotment; and Dawn Lappin, Wild Horse Organization of America, "WHOA". The Tonopah BLM requested the meeting for the purpose of responding to my September letter of protest.

EXPRESSED CONCERNS

The concerns of Cliffords and WHOA were expressed at the meeting to be the same as mine. Our concerns were:

1. The commitment of BLM to maintain the wild horse herd at the agreed level of 575 head.
2. The mishandling of the horses in the corrals during the gathering.
3. The intensive management and experimental program being imposed on the horses.
4. Details and procedures of the experimental study.
5. Future implications of the study to the Stone Cabin Wild Horse Management Plan, Coordinated Resource Management Plan Agreement, and wild horse management in general.

The Tonopah BLM staff discussed their limited understanding with respect to our concerns during the course of the two hour meeting.

CONSENSUS CONCLUSIONS

At the end of our meeting in Tonopah we presented the following conclusions to the BLM staff as a consensus opinion of the two ranches and WHOA:

1. We don't know what the horse population is or projected to be now, or how many horses BLM counted in their 1985 aerial census.
2. We don't know specific details or planned activities with respect to the ongoing horse research study.
3. We don't know how or if BLM is going to maintain the Stone Cabin horse herd at 575 head as per the Wild Horse Management Plan.
4. We do know significant horse relocation is occurring with movement of horses into Stone Cabin Valley from the adjacent Nellis Bombing Range.
5. We do know that the Tonopah BLM office claims; No significant knowledge and no control over the study; That they are not sure of their ability to meet commitments of the Wild Horse Plan with respect to horse population control; and, That

they have no knowledge or effective communication with federal agencies controlling the Bombing Range.

6. We have not identified a responsive contact with which to: Communicate our concerns; Receive information from; or Receive assurance the Wild Horse Management Plan will be adhered to.

7. We do not feel that the five concerns listed above in the third paragraph of this letter have been responded to.

SUMMARY

The two grazing permittees had five principal concerns which they anticipated would be adequately responded to in the November meeting with BLM in Tonopah. The meeting failed to satisfy our concerns, expressed in the meeting or expressed in my letter of protest.

We understand the Tonopah office had been directed to meet with us and were to report conclusions of the meeting to the Washington D.C. office.

We offer our above consensus of conclusions directly to your office to avoid any further misunderstanding.

Thankyou.

Sincerely,

Tom Colvin, Jr.

Enclosure: September 3, 1986, letter to Burford
cc:

Terry Plummer, District Manager, Battle Mountain BLM
Les Monroe, Area Manager, Tonopah BLM
Joe and Roy Clifford, Tonopah, NV 89049
Dawn Lapin, Wild Horse Organization of America
The Honorable Paul Laxalt, U.S. Senate
The Honorable Chic Hecht, U.S. Senate
The Honorable Barbara Vucanovich, U.S. Congress

D R A F T

(12/4/87)

D R A F T

INVESTIGATION REPORT
INTO THE
DEATHS OF WILD HORSES
IN THE
CLAN ALPINE HERD MANAGEMENT AREA

INTRODUCTION

The purpose of this report is to present findings and conclusions regarding investigations into the cause of death of 48 wild horses in the North end of the Clan Alpine Herd Management Area (HMA) of the Carson City District. The death of a portion of these wild horses was discovered initially on 17 September 1987. Further field review revealed additional dead horses and the full field investigation into the cause of death was concluded on 30 Oct. 1987. Members of the field investigation team included the following:

Andy Anderson, Carson City District Office
Len Sims, Nevada State Office
Milt Frei, Nevada State Office
Jerry Peck, Carson-Tahoe Veterinary Hospital
Tom Eagle, University of Minnesota
Tim Reuwsaat, Carson City District Office

BACKGROUND INFORMATION

In Fiscal Year 1985, as a part of the Appropriation Act for the Bureau of Land Management, Congress directed the BLM to expend one million dollars in the research of wild horses on public lands. Pursuant to that Congressional

text not included



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

NEVADA STATE OFFICE

850 Harvard Way

P.O. Box 12000

Reno, Nevada 89520-0006



IN REPLY REFER TO:

4700

(NV-931.3)

MEMORANDUM

DEC 18 1987

To: State Director, Nevada

From: Deputy State Director, L & R R

Subject: Investigation Report Into Deaths of Wild Horses in the Clan Alpine HMA

Attached, please find the subject report. This report is based upon the best information available to the investigation team and contains conclusions which to the best of the team's knowledge, provide a true representation of the facts and circumstances surrounding the deaths of the Clan Alpine wild horses. The report also contains recommendations which the team believes will prevent similar situations from occurring in the future as well as improve overall administration of the Wild Horse and Burro Program in Nevada.

Daniel E. B. Fella

Attachment - 1

1 - Investigation Report (18 pp.)

copy not included

(12/17/87)

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INTO THE
DEATHS OF WILD HORSES
IN THE
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INTRODUCTION

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added

Field Investigative Team deleted.

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Text not included

MemorandumDEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Susanville, CaliforniaIN REPLY REFER TO:
4700 (CA-020)

To : District Manager, Winnemucca, NV

FROM : District Manager, Susanville

SUBJECT: Report on horses received at the Litchfield Facility
from Winnemucca District, Nevada 7/07/86 - 7/21/86

Date: AUG 1 1986

Enclosed is a report by Jerry Bonham, Litchfield Wild Horse & Burro Corral Manager, about horses received from the Winnemucca District, Nevada from 7/07/86 to 7/21/86. Also enclosed is a report from the Lassen Veterinary Hospital about treatment of sore-footed foals and a copy of our Receiving Log.

Robert J. Shewe
Acting

Attachments (3)

- (1): Report - Horses Received at Litchfield Facility
From Winnemucca District
- (2): Report from Lassen Veterinary Hospital
- (3): Wild Horse Receiving Log

cc: Milt Frei
Fred Wyatt
Connie Kingston
Dawn Lappin

REPORT

HORSES RECEIVED AT LITCHFIELD WILD HORSE & BURRO FACILITY
July 7, 1986 to July 21, 1986
FROM
WINNEMUCCA DISTRICT, NEVADA

On July 7, 1986 I started receiving horses gathered from the Buffalo Hills area of the Winnemucca District. The horses arriving had ample room on the trucks and were in good shape health-wise.

On the 9th there was one colt down on the truck that was very sore-footed. As the loads during the next few days arrived from Buffalo Hills, I noticed a few more colts with sore feet. In all, a dozen of them were pretty bad.

As we ran these horses through the chute to give them their initial strangles vaccination, we would give the worst of sore-footed colts 10cc of penicillin and then turn them out with the rest of the wet mares and colts into a big pen, as we did not know which mare went with which colt yet.

From July 7 to July 15 I received 348 horses total from the Buffalo Hills area. Most all of the grown horses were in good shape except for one old stud that was really banged up and stiff.

Out of these Buffalo Hills colts three were found dead in the field within a couple of days of arrival and two more were euthanized because of their condition which was extremely bad feet and weak.

On July 17 I started receiving horses from the Donnelly Mountain (Calico Mountain) area of the Winnemucca District. From 7/17/86 to 7/21/86 I received 214 horses from the Donnelly Mountain area.

The grown horses were arriving in good shape; however, about 2/3 of the colts were sore-footed.

On the 18th there was a dead mare on the truck; however, it was not due to overcrowding. There was no definite known cause. On the 21st there was a dead colt on the truck which I was told had been kicked at the trap before loading him. There wasn't any outward visible injuries. One mare was found dead in the pen the next morning from this same load. There wasn't any outward sign of injuries. On the 23rd one colt from the Donnelly Mountain area was found dead in the pen. It had real bad feet.

On July 24th I had the vet come out to treat the worst of these sore-footed colts. (See attached report.)

On about July 22 I called the sore-footed problem to the attention of Dick Wheeler of the Winnemucca District. Symptoms sometimes did not show until a day or two after arrival, so it took some time to see the total scope of the problem.

In summary, from July 7, 1986 through July 21, 1986, 562 horses from the Winnemucca District were received at the Litchfield Facility. Also, in addition to these, there was one adult and one foal dead on the truck on arrival.

Of the 562 horses received, the following losses have occurred as of July 28, 1986:

1 adult died
5 foals died
3 foals were euthanized
9 in total

We are continuing treatment on the sore-footed colts.

Jerry Bonham

LASSEN VETERINARY HOSPITAL

THEATRE ROAD
P.O. BOX 564
SUSANVILLE, CALIFORNIA 96130
BUS. (916) 257-6311

7/29/86

REPORT ON BLM SORE-FOOTED FOALS

Called out on July 24th, 1986 to the BLM Wild Horse Corrals at Litchfield to check on sore-footed foals. Examined the eight worst (lamest)--three from Buffalo Hills, Nevada, four from Calico Mountain, Nevada, and one from Fox Mountain, California.

The first Buffalo Hills foal's hooves were separating from his feet at the coronary band, and seeping blood and pus. He also had a purulent nasal discharge, and was so painful he could hardly stand. This foal was euthanized with T61.

The second Buffalo Hills foal died from the stress of handling.

The remaining six foals had hooves worn down to the quick, swollen ankles, (one to three), and were bleeding from the sole, white line, and/or the coronary bands. Several had sections of hoof wall separating from the foot at the coronary band or at the white line.

Treatment consisted of penicillin injections (IM), opening and cleaning pus pockets, and nitrofurazone spray. Prognosis for foals with separating hooves is guarded.

ASSESSMENT: These lesions are consistent with a diagnosis of having been run too hard for too long over rough terrain in dry hot weather.

RECOMMENDATIONS:

Treatment---Soak hooves in cool water to soften hoof walls and ease inflammation. (If no water is available, mud will do).

Penicillin and Nitrofurazone to control infection.

Prevention---The best prevention would be to gather foals later in the year when the weather is wetter and the foals are older. If necessary to drive young foals long distances in dry hot weather, they should be driven slowly, and penned in a wet or muddy area as soon as possible.

Signed,



Jona Jordan DVM

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Susanville, California

IN REPLY REFER TO:
4700 (CA-020)

TO : District Manager, Winnemucca

FROM : District Manager, Susanville

SUBJECT: Sore-Footed Foals

Date: AUG 22 1986

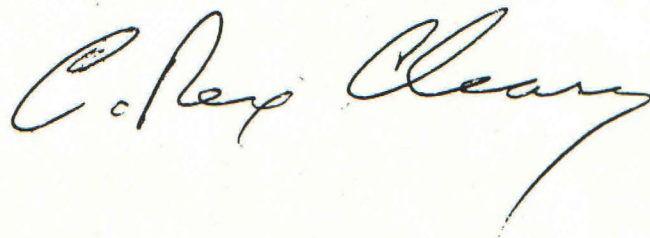
This is a follow-up to the earlier reports transmitted to you by memo dated 8/01/86.

I have enclosed a letter from the Lassen County Sheriff which summarizes the results of his staff's investigation of the sore-footed foal situation. The investigation was prompted by two anonymous phone calls to the Sheriff's Office complaining about the condition of the colts.

We are following up on determination No. 2 and recommendation No. 1 which pertain to the management of the animals at the Litchfield facility.

I understand you have taken steps to prevent reoccurrence.

I'm pleased we can be of assistance in processing your excess animals.

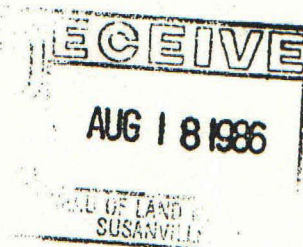


Enclosure
Sheriff's letter 8/18/86

cc: State Director, CA
State Director, NV
Ronald Jarrell
Dawn Lappin

Ronald D. Jarrell**SHERIFF**

COURTHOUSE, SUSANVILLE, CALIFORNIA 96130-4393 TELEPHONE: 916-257-6121



August 18, 1986

Rex Clearey
Bureau of Land Management
705 Hall Street
Susanville, CA 96130

Dear Rex:

In reference to the investigation conducted by my staff concerning sore footed foals at the BLM Corrals, we have made the following determinations:

1. The seriously effected animals came primarily from gatherings outside your district, and accomplished by an independent contractor.
2. There was some delay in treatment of the animals by a veterinarian after arrival at the corrals, in spite of a veterinarian's presence each day. (It's our determination that this probably occurred as a result of deligent effort by your staff to address other medical concerns such as blood tests, strangles vaccinations, etc., which diverted attention from existing medical problems.)
3. Method of gathering is the primary cause of the "sore footed" problem and prevention techniques should be applied during gathering in order to maintain minimum incidents.

Our recommendations are as follows:

1. Protocol should be established for new arrivals to receive inspections to include specific attention for potential medical problems associated with sore feet. This would facilitate not only prompt treatment but also notification and implementation of corrective procedures at gathering sites.

(It should be noted that the medical treatment rendered by your staff was certainly acceptable when the problem was discovered.)

2. Consistent with the language in your contractual agreements, gatherers, especially independent contractors should be required to gather in such manner and over only distances and terrain that will prevent the occurrence of the problems. I feel the conduct such as Mr. Gene Nunn's decision to terminate the gathering when it was discovered that some animals had developed sore feet as a result of having to be caught twice from a spilled trap, is responsible conduct and should be encouraged.

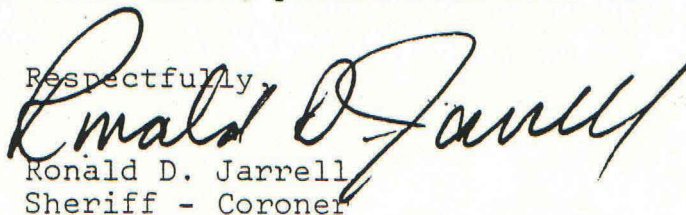
I also feel that the accountability for humane gathering lies principally with the Project Inspector and each of them should be aware of the consequences of less than diligent monitoring of independent contractors, who may be motivated by production placing at risk the medical well being of the animals.

I am aware of the efforts in the Winnemucca district to increase the mobility of the Project Inspector which should facilitate closer scrutiny of the contractors in that area. This is indicative of the attitudes we have found prevalent in the BLM staff to conscientiously protect the animals from unnecessary harm.

I compliment you and your staff for their total cooperation and assistance during the investigation. It is our sincere desire to assist you in the maintenance of a humane program for which you have the responsibility.

If I may be of further assistance, please feel free to contact me.

Respectfully,

A handwritten signature in cursive script that reads "Ronald D. Jarrell". The signature is written in dark ink and is positioned above the typed name and title.

Ronald D. Jarrell
Sheriff - Coroner

RJ/md



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
NEVADA STATE OFFICE

850 Harvard Way
P.O. Box 12000
Reno, Nevada 89520

IN REPLY REFER TO:

4700
(NV-931.3)

August 25, 1986

Instruction Memorandum No. NV-86-546

Expires: 9/30/87

To: District Managers, Nevada

From: State Director, Nevada

Subject: Wild Horse and Burro Removal Plans

In order to eliminate problems recently encountered in the removal of excess wild horses and burros, certain items are required for incorporation into removal plans. Therefore, effective immediately, the following provisions will be contained in all WH&B removal plans:

1. Provisions for providing direct supervision of the project helicopter, including but not limited to utilizing an additional helicopter on site to monitor all aspects of the roundup.
2. Provisions for compensating for lack of an additional helicopter to supervise the project helicopter in the event that an additional helicopter cannot be obtained.
3. Provisions for pre-contract evaluation of the contractor's equipment/capabilities and gathering area for the purpose of determining the following as a minimum:
 - a. Contractor's ability to perform
 - b. Adequacy of contractor's equipment such as traps, trucks, trailers, water troughs, helicopter, handling facilities, etc.
 - c. Type of terrain involved at gathering area
 - d. Condition of animals
 - e. Condition of roads
 - f. Potential trap locations in relation to animal distribution
 - g. Presence of fences and other dangerous barriers.

Ronald D. Jarrell**SHERIFF**

RECEIVE

AUG 18 1986

BUREAU OF LAND
SUSANVILLE

COURTHOUSE, SUSANVILLE, CALIFORNIA 96130-4393 TELEPHONE: 916-257-6121

August 18, 1986

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

NEVADA STATE OFFICE

850 Harvard Way
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IN REPLY REFER TO:
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(NV-931.3)

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 - e. Condition of roads
 - f. Potential trap locations in relation to animal distribution
 - g. Presence of fences and other dangerous barriers.

4. Provisions for assuring BLI's authority is not abrogated as a result of stipulations which were inadvertently worded loosely. Examples include contract termination for convenience of the Government when contract disputes cannot be resolved and defaulting contractors who do not perform properly.

In order to incorporate the above provisions into removal plans yet to be completed in FY 1986, specific instructions by removal effort are as follows:

Removal Effort

Instructions

Winnemucca Checkerboard
Clan Alpine
Pine Nut

Incorporate provisions 1-4 into Removal Plan during finalization of Plan.

Antelope/Goshute
Cherry Creek

Do not incorporate provisions 1-4 into Removal Plan but assure that they are analyzed and followed when conducting the removal operation.



Robert G. Steele
Acting State Director

Distribution

Director (250) 1 Rm 909, Premier Bldg
SCD (D-470) 1
DM (CA-020) 1
Ms. Dawn Lappin 1