



Wild Horse Education

**Comprehensive Animal Welfare Program Team Assessment Report – Triple B
Conditions Found to be in Non-Compliance with the CAWP Standards for WH&B Gatherers
Dated: September 30, 2022**

Gather Name: FY2022 Triple B Complex Wild Horse Gather - Nevada

Wild Horse Education: CAWP Team on-site Colette Kaluza, off-site/on-site Laura Leigh

Wild Horse Education Assessment Dates: July 15 – August 25, 2022 (42 days)

Gather Operation: July 15 – August 25, 2022 (42 days)

Bureau of Land Management (BLM) District/Field Office: Ely District Office, Bristlecone Field Office/Elko District Office, Wells Field Office. Titles: (IC) Incident Commander or (PI) Project Inspector; (COR) Contracting Officer's Representative

BLM Incident Commander: Ben Noyes

BLM COR: Rotational – Tyler Reese, Bruce Thompson, Sadie Leyba, Breanna Brokowski and those unknown

BLM Public Affairs: Rotational – Chris Hanefeld, Pat Ryan, Jason Lutterman

Contractor: Cattoor Livestock Roundup, Inc.

Gather Method: Helicopter Drive Trapping

BLM Gather Reason: Excess animals, outside HMA, lack of water, and private land issues

BLM Assessment Dates: July 18-20, 2022

General Notes and Comments from Wild Horse Education CAWP Team:

We submit this report for inclusion in the permanent record for this gather.

Our report serves as a supplement to the “BLM Comprehensive Animal Welfare Program Team Assessment Report” dated July 22, 2022, and shows the need for BLM to include public participation and/or longer on-site observation by the BLM CAWP personnel.

BLM did a (CAWP) assessment over 3 days (July 18-20) and prematurely produced a report on July 22, 2022, even though the gather operation ended August 25. BLM was not specific on dates the CAWP team members were in attendance at any identified location: specific dates spent where the horses were being captured, being temporarily held, being loaded onto semi-trucks, as opposed to office time, and when the non-compliances occurred.

This report was prepared by members of the WHE CAWP Team that have been trained to document, record and assess the handling of wild horses and burros. At least one WHE team member was onsite for the entire (42 days) Triple B gather operation and a trained off-site team member worked on review and archiving.

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BLM is not clear how the CAWP rating system functions. In review, we cannot determine how BLM arrives at the percentage score they give when doing an assessment. BLM arrived at a “96% compliant” rating at 5 violations of policy (some representing repeat violations with the same COR/contractor structure).

Instead of a numeric score, the WHE team simply maintains 4 categories: Compliant (0 infractions), Moderately Compliant (1-5), Deficient (6-10) and Severely Deficient (over 10). WHE does not differentiate noncompliance as “major” or “minor.” Non-compliance is non-compliance.

WHE CAWP Assessment for Triple B: Severely Deficient (13)

WHE CAWP Team Assessment Report:

Facility Design: Loading and Unloading Area: Standard: I.B.7

Stock trailers should be positioned for loading or unloading such that there is no more than 12” clearance between the ground and floor of the trailer for burros and 18” for horses.

Non-Compliance: Stock trailers were too high from the ground for horses, particularly foals, to safely load at many of the trap sites. Trailer height should be adjusted before horses are loaded, instead of after the gather operation has already begun and after multiple attempts to load horses onto trailers that were set at too high and that assessment could even be made from distant observation locations. Too little and too late, BLM and contract staff used shovels to attempt to lower the back of the trailer after multiple difficult loading scenarios.

Transportation: Vehicles: Standard: V.B.11

Surfaces and floors of trailers must be cleaned of dirt, manure and other organic matter prior to the beginning of a gather.

Non-Compliance: Wild horses slipped and fell in trailers on many days. One could be the inefficient cleaning of trailer floor. An example, at the *beginning* of the gather, 8-18-22 at 7:00 a.m., observation of a dirty floor of a trailer (in position to load horses at the trap site) occurred while being rushed through a tour of trap while media was present.

Handling: Willful Acts of Abuse: Standard: IV.A.4

There should be no deliberate slamming of gates and doors on WH&Bs.

Non-Compliance: Gates were deliberately slammed on WH&Bs, for example, on 7-24-22.

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Handling: Willful Acts of Abuse: Standard: IV.A.5

There should be no excessive noise (e.g., constant yelling) or sudden activity causing WH&Bs to become unnecessarily flighty, disturbed or agitated.

Non-Compliance: A minor (child) participated in handling of wild horses, rode an ATV right next to corralled wild horses and even spun a 360, which all appeared to have adversely affected wild horses, as indicated by their behavior. BLM CAWP Team report stated that staff was compliant with required training in CAWP. A minor at the trap is non-essential personnel (probably not trained in CAWP Standards).

Handling: Handling Aids: Standard: IV.C.2

Electric prods must not be used routinely as a driving aid or handling tool. Electric prods may be used in limited circumstances only if the following guidelines are followed:

- c. Must only be used after 3 attempts using other handling aids...have been tried unsuccessfully to move the WH&Bs.
- d. Must only be picked up when intended to deliver a stimulus; these devices must not be constantly carried by the handlers.
- e. Space in front of an animal must be available to move the WH&B forward prior to application of the electric prod. (major)
- f. Must never be applied to the face genitals, anus, or underside of the tail of a WH&B.

Non-Compliance in all 4 categories noted above: While we could only observe these semi-truck loadings animals on the final day (since loading times conflict with the gather times), it is likely the electric prods were being used frequently throughout this gather and not in conformance with the guidelines, for example, on 8-25-22. Figure 2



Figure 2

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Wild Horse and Burro Care: Dust Abatement: Standard: III.B.2.a.

Dust abatement by spraying the ground with water must be employed when necessary at the trap site and temporary holding facility.

Non-Compliance: When dust abatement was done, it was done early in the day and not repeated as needed. This is one example of as the wild horses are run into the trap, the entire gather area disappears in dust. Figure 3



Figure 3

Capture Technique: Helicopter Drive Trapping: Standard II.B.4.

When WH&Bs are herded through fence line en route to the trap, the Lead COR/COR/PI must be notified by contractor. The Lead COR/COR/PI must determine the appropriate width of the opening that the fence is let down to allow for safe passage through the opening. The Lead COR/COR/PI must decide if existing fence lines require marking to increase visibility to WH&Bs.

Non-Compliance: 7-15-22 WHE was allowed to inspect the trap and noted that BLM has, once again, allowed barbed wire fencing be part of the wing of the trap. This same issue arose at the next trap location and a wild horse flipped over the unmarked wire. Gates wild horses were driven through were also not flagged or marked, repeatedly, throughout this operation (admittedly).

Leaving this to COR discretion creates repeated and unnecessary risks to WH&Bs. Figures 4 & 5

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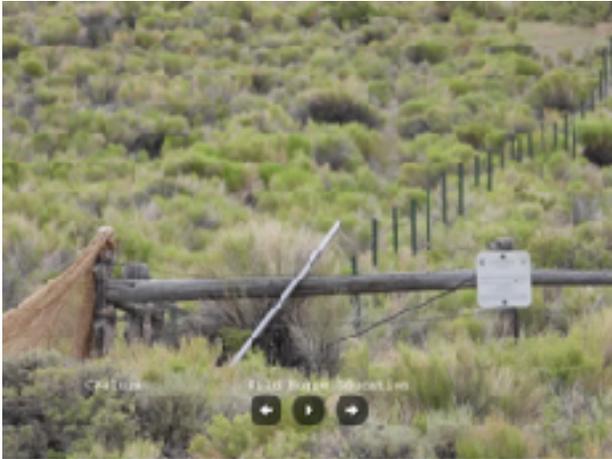


Figure 4



Figure 5

Capture Technique: Helicopter Drive Trapping: Standard II.B.2.b.

The appropriate herding distance and rate of movement must be determined on a case-by-case basis considering the weakest or smallest animal in the group (foals, pregnant mares, or horses that are weakened by body condition, age, or poor health) and the range and environmental conditions present.

Non-Compliance: In many instances bands were driven and foals lagged behind; this did not just occur in the final push into the trap wings. This was documented again and again as bands were repeatedly driven through the valleys more than a mile from trap.

Capture Technique: Helicopter Drive Trapping: Standard II.B.3.

WH&Bs must not be pursued repeatedly by the helicopter such that the rate of movement and distance travelled exceeds the limitation set by the Lead COR/COR/PI. Abandoning the pursuit or alternative capture methods may be considered by the Lead COR/COR/PI in these cases.

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Non-Compliance: During many runs there were multiple, aggressive, attempts to drive horses to trap. These multiple attempts included bands with very small foals. In one instance, the bands escape capture at trap and then were pursued for more than 40 minutes continuously before the next attempt resulted in capture and a lame horse roped.

Continued engagement in this activity shows the CAWP guidance inadequate. The Lead COR/COR/PI forsake this directive for animal safety for the sake of reaching capture number goal quicker, or other unknown purposes, even though this is a major infraction of the policy.

Capture Technique: Helicopter Drive Trapping: Standard II.B.2.a.

WH&Bs that are weak or debilitated must be identified by BLM staff or the contractors. Appropriate gather and handling methods should be used according to the direction of the Lead COR/COR/PI.

Non-Compliance: Instances where injured wild horses were brought into trap demonstrated no deviation from capture techniques employed for non-injured. In one instance, a foal visibly became injured during a very lengthy drive to the trap and completely became severely lame. The drive of adults continued as routine. It took more than 16 minutes for wranglers to arrive. The foal, more than a mile from trap, was then roped and walked (agonizingly) back to trap where it was euthanized. The foal was not trailered or euthanized in place; instead the foal made an 18 minute walk back to trap before any assessment and euthanasia occurred.

Transport Animals: Loading Procedures Standard V.C.2

WH&Bs should be sorted prior to transport to ensure compatibility and minimize aggressive behavior that may cause injury.

Non-compliance: Wild horses are not sorted by sex at trap and multiple bands are captured simultaneously. Multiple band stallions were loaded with mares into the front compartment together. In several instances foals were loaded into the rear compartment. Loading mares and competing stallions onto the same trailer increases risk of injury. Fighting was observed and personnel response time, even when a horse went down on the trailer, was excessive.

Facility Design: Trap Site and Temporary Holding Facility: Standard: I.A.5.b.

WH&Bs in pens at the temporary holding facility should be maintained at a proper stocking density such that when at rest all WH&Bs occupy no more than half the pen area

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Non-Compliance: Pushing higher capture numbers at trap caused overstocking of facility on multiple days where more than 50% of the area of the holding pen held wild horses overnight. These instances also consisted of rushed and aggressive tours of temporary holding by personnel for the public.

Facility Design: Trap Site and Temporary Holding Facility: Standard: I.A.8

Padding must be installed on the overhead bars of all gates and chutes used in single file alleys.

Non-Compliance: At every trap site horses go through 4'-wide gates to load onto trailers, and there is single-file alley in between that should have padding installed on the overhead bars at gates, but never do. The padding at trap and holding was often ratty duct tape, ripped or hanging.

ACCESS AND TRANSPARENCY: These documents should be read with consideration of the limited access afforded the WHE Team observers impacting the ability to observe all aspects of the gather. Separation of mares and foals remains a concern for WHE; particularly during operations occurring during physical foaling season on the range. Our team observed foals at trap for more than 3 hours and do not know how much longer that separation continued once transport ensued (exceeding the 4 hour time frame outlined in CAWP). Due to limited observation opportunities we do not include this finding in our assessment.

CONCLUSION: BLM Nevada CAWP Team gave a final CAWP Assessment Rating of Excellent and that 96% of applicable CAWP standards were met. This is after observing perhaps one day of capture at trap, one day at temporary holding, and one day meeting in the office. The BLM assessment does not include any notations of repeat offenses. Based on the WHE CAWP Team documentation of 42 days of the gather operation, we have shown the BLM CAWP Team Assessment rating is insufficient and request it update and downgrade its "excellent" rating of this gather operation.