Exhibit 11
To: All Field Officials (except Alaska)

From: Assistant Director, Renewable Resources and Planning

Subject: Gather Policy & Selective Removal Criteria for Wild Horses

Program Area: Wild Horse and Burro Program

The fiscal year 2001 appropriations for the Wild Horse and Burro Program provided additional funding to implement a strategy designed to achieve appropriate management levels (AML) on all herd management areas (HMA) by FY 05.

The purpose of this Instruction Memorandum (IM) is to communicate guidance and policy on how BLM will achieve AML on all HMA's by 2005. This will be addressed in two sections: Gather Requirements and Selective Removal Requirements.

Gather Requirements

A. Gather Schedule

To achieve and maintain AML on all HMAs a four year gather cycle will be followed for each HMA. The numbers of animals projected to be removed, based on this four year rotation, was estimated based on the use of the wild horse population model developed by Dr. Steve Jenkins of the University of Nevada Reno. Those numbers by state and year, was first proposed through the Presidents 2001 budget request as “Strategy to Achieve Healthy Lands and Viable Herds, The Restoration of Threatened Watersheds Initiative,” and later approved by Congress are shown in the following table:
Estimate of the Total Number of Animals to be Removed to Achieve AML by 2005

<table>
<thead>
<tr>
<th>State</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
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<td>0</td>
<td>0</td>
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<td>1208</td>
<td>960</td>
<td>301</td>
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</tbody>
</table>

*AWP*- Annual Work Plan

Budget projections for achieving and maintaining AML were based on these removal rates. It is important that each state schedule gathers based on these removal targets as closely as possible so that the overall program will stay within budget projections. All gather requests will be sent to WO-260 (Lili Thomas) for review and a recommendation. The requests will then be forwarded to the Group Manager for WO-260 for approval or referral to AD-200 for approval. Any changes from this schedule will have to be coordinated with WO-260 and approved by the Assistant Director for Renewable Resources and Planning (AD-200.)

B. Achieve AML

The objective is to achieve AML in all HMAs as they are gathered. The selective removal criteria identified in section A under Selective Removal Requirements will be used to achieve this objective. Gathers that will not reduce the population to AML will not be approved except under special circumstances (i.e. emergencies.) Approval for partial gathers must be obtained from WO-260.

C. National Environmental Policy Act (NEPA) Analysis

For every gather, a current NEPA analysis of the proposed action is required. Generally, the use of existing NEPA documents is appropriate when: a current proposed action previously was proposed and analyzed (or is a part of an earlier proposal that was analyzed;) resource conditions and circumstances have not changed; the authorized officer finds it appropriate.
Changes that would dictate preparation of new NEPA documents include improvements in range conditions resulting from the previous gathers, drought, fire, insect infestations or other events that affect resource conditions and circumstances. The age of the document should also be taken into consideration when determining if existing NEPA analysis is adequate. If it is determined that existing NEPA documents can be used, an interdisciplinary administrative review along with documentation through an administrative record, including the Documentation of NEPA Adequacy (DNA) worksheet, should be accomplished prior to each gather action. The DNA worksheet is an attachment to Instruction Memorandum 2001-062, Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy.

The NEPA analysis for each gather must contain, at a minimum the following components along with the standard components regularly required:

- A population modeling analysis will be used to identify the impacts to the population over the next four years. A four year gather cycle will be used.
- Fertility control will be addressed in the population model analysis for all herds. It may be considered from a humane perspective (fertility control for very young or very old mares) or for population growth impacts (fertility control for all age classes of mares.)
- A “do not apply” decision will be justified with rationale.
- The desired age structure and sex ratio for the managed population, post gather, will be identified in the document.
- The collection of blood samples for development of genetic baseline data.

Existing NEPA analyses which do not consider these components must be amended. A NEPA template that will facilitate document preparation is available through the National Program Office. Contact Bea Wade at (775) 861-6625 for information.

D. Population Demographics

Data will be collected on population demographics to facilitate the development of a Population Management Plan prior to the next gather. Attachment 1 identifies the data to be collected.

E. Blood Samples

Blood samples will be collected for genetic analysis on each distinct population. Procedures and protocol for sampling are outlined in Attachment 2.

Selective Removal Requirements

The selective removal criteria described below are in effect for all wild horses to be placed into BLM’s national adoption program or long term holding facilities. These criteria are not applicable to wild burros.
A. Age Classes

Wild Horses will be removed from within HMAs in the following priority order:

1. Age Class Five Years and Younger

Wild horses five years of age and younger may be removed and placed into the national adoption program.

2. Age Class Ten Years and Older

Wild horses ten years of age and older will be removed and placed into long term holding. All stallions to be placed in long term holding will be gelded.

Any animals within this age class that are in the Henneke category of 2 or less and have no chance of timely improvement, should be euthanized. Any euthanasia will be in accordance with Washington Office Instruction Memorandum 2001-165. Older horses that, in the opinion of the Authorized Officer, may survive if released but probably would not tolerate the stress of removal, preparation, and holding should be returned to the range.

3. Age Class Six to Nine Years

Wild horses aged six to nine years old should be removed last and only if the HMA cannot achieve AML without their removal. Wild horses removed within this age class will either be placed in long term holding facilities or made available for adoption. Prior to placement in the national adoption program, stallions will be gelded and receive gentling or training to improve their adoptability. Stallions of special quality need not be gelded or trained. Review WO Instruction Memorandum No.2000-097 “Gelding of Wild Horse Stallions,” for more information.

B. Unadoptable Animals

Wild horses or burros that are deemed 'unadoptable' by the Authorized Officer due to: disease; serious congenital or genetic defects; physical defects due to previous injuries; recent, but not life threatening injuries; or other factors that may prevent adoption will be:

1. Released in an HMA (if defects or disease would not likely compromise existing herd.)
2. Destroyed if the humane destruction criteria (IM No. 2001-165) are satisfied; or placed in long term holding.

Approval for placement of younger animals in long term holding must be obtained from WO-260 prior to removal.
C. Emergency Environmental Conditions

When animals must be removed in response to emergency environmental conditions (i.e., drought, fire, insect infestation, others,) the selective removal criteria may be amended with prior approval of the WO-260. The state where the emergency situation exists will immediately contact WO-260 to jointly develop criteria for removal of the animals, resolve the emergency and address final disposition of all removed animals.

D. Nuisance Removals and Total Removals in Accordance with Land Use Plans

The disposition procedures listed above in section A (Age Classes) will be applied to animals removed from private property as requested by the landowner (nuisance), or when approved land use plan decisions mandate removing all animals from an HA/HMA.

Timeframe: The wild horse and burro gather and selective removal requirements identified in this Instruction Memorandum will be effective for all gathers beginning upon receipt and will expire on September 30, 2003.

Budget Impact: There will be some additional costs associated with the collection of population data during the gathering operations. This represents a minimal increase to the total gathering budget. There will not be any additional costs for the actual gather and removal of animals. Since 1992, the BLM has applied a policy of selective removal for wild horses being gathered from public lands. This policy has been reviewed and revised each year in an effort to balance the need to achieve AML, minimize the time excess animals are held in BLM facilities awaiting adoption and enhance our ability to place those animals into private maintenance and care.

Background: The 1992 Strategic plan for the WH&B program defined criteria for limiting the age classes of animals removed so that only the most adoptable animals were removed. The selective removal criteria from Fiscal Years 1992 through 1995 allowed the removal of animals five years of age and younger. In 1996, because of drought conditions in many western states, the selective removal policy was changed to allow for the removal of animals nine years of age and younger. Fiscal Years 1997 and 1998 saw a decline in our ability to place sufficient numbers of animals into private care in order to achieve our goal of reaching appropriate management levels. Removal policy reverted back to allowing only removal of five years old and younger unless training could be provided or individual states handled the adoption of animals over five within their state. Exceptions were emergencies or total removals directed by Land Use Plans. Numerous factors accounted for the decline in adoption demand experienced in 1997. However, one of the greatest obstacles has been, and continues to be, the reluctance of the public to adopt older wild horses.

As adoption demand decreased facilities reached capacity necessitating a reduction in the numbers of animals being gathered. This resulted in populations expanding beyond the capability of their habitat. A new strategy was needed to reduce all HMAs down to AML and maintain them at these levels. The "Strategy to Achieve Healthy Lands and Viable Herds, The Restoration of Threatened Watersheds Initiative" was developed, funded by Congress and implemented.
Manual/Handbook Sections Affected: The gather and selective removal requirements do not change or affect any section of any manual or handbook.

Coordination: During the last two National Wild Horse and Burro meetings this selective removal policy was discussed with all of the wild horse and burro specialist in all states. The policy was also sent to all S.O. Wild Horse and Burro Specialist for forwarding to all WH&B Field Specialist for review. This review has been completed and all comments considered. This removal policy has also been presented to the Public through the Wild Horse and Burro Advisory Board. In addition, the policies contained in this memorandum are part of the implementation of the FY 2001 Wild Horse and Burro Gathering Initiative which has been widely communicated to Congress and the general public.

Contact: Questions concerning this policy should be directed to Tom Pogacnik or Ron Hall in the Wild Horse and Burro National Program Office at (775) 861-6583.

Signed by:
Elena C. Daly
Acting Assistant Director
Renewable Resources and Planning

Authenticated by:
Barbara J. Brown
Policy & Records Group, WO-560

2 Attachments
1 - Data Collection needs for Population Management Plan Development (3pp)  
2 - Procedures for collecting blood samples from wild horses and burros for genetic analysis (3pp)
Data Collection Needs for Population Management Plan Development

The Instruction Memorandum to which this is attached directs Field Offices to collect data on horses/burros in each Herd Management Area (HMA), or combinations of HMA’s, as they are gathered beginning Oct. 1, 2001. This information, along with historical data, will be used to prepare Population Management Plans (PMP’s) along with supporting (NEPA) documentation within two years of completing a particular gather. The PMP will detail the population objectives for the herd(s) and the rationale for those objectives.

During the next four to five years all HMA’s will be gathered and data will be collected on the populations. This data will facilitate preparation of PMP’s. If significant interchange exists between HMA’s and the populations are relatively homogenous, then a single plan for several HMA’s may suffice. HMA’s that are geographically separate, contain unrelated animals, or have different objectives, require a separate PMP. The genetic baseline data should be used to make this determination. The following data will be collected during the first gather, beginning October 2001, to assure an adequate data base to prepare a PMP:

1. Blood samples to establish genetic baseline data.
2. Sex and Age
3. Reproduction and Survival
4. Characteristics (Color, size, type)
5. Immuno-contraception data
6. Condition Class
7. Other data

It is recognized that many field offices are already collecting some, or perhaps most of this data. As soon as the data base (WHBIS) is modified to accept this information it should be entered into the system. During the interim the data should be tabulated and stored in the HMA file and used for the development of a PMP.

• Blood Samples

Blood samples will be collected and analyzed to establish genetic baseline data (genetic diversity, historical origins of the herd, unique markers, plus norms for herd) for each distinct population, (HMA or combination of HMA’s). These samples should be collected from release animals by breeding population. Mixing samples from non-interbreeding herds can give misleading estimates of genetic variation. If populations are not known to exchange genetic material, then the samples should be analyzed separately to determine differences/similarities, prior to combining HMA’s for the purposes of population management. Sample size requirements are 25 percent of AML with a minimum sample size of 25 and a maximum of 100 for larger herds.
This requirement applies to both wild horses and burros. It is recognized that other types of samples (hair/fecal as an example), may provide some data, but blood samples are far superior in terms of the quality and quantity of data that can be extracted. A sample of DNA will be preserved (frozen) for each horse/burro tested. If adequate sampling (at least 25 percent of AML or no less than 25 samples per population nor more than 100) has been accomplished in the last 10 years, then a totally new sample may not be necessary. Specific sampling and handling techniques are provided as attachment 2.

- **Sex ratio/Age Structure**

The number of release animals along with their sex and age should be recorded. An estimate of the number, sex, and age of animals that were not gathered, should be determined and recorded. These estimates need to be accomplished using best available data. For burros, where most or all of the managed population may not be gathered, the numbers must be estimated using best available data. It may be prudent to gather most of these populations, on a one time basis, to define population demographics and assess the effects of gate cut gathers. Adjustments to the sex ratio/age structure, to achieve selected management objectives, may be a selected alternative in the PMP. Knowledge of the existing population will be necessary during plan preparation.

- **Reproduction and Survival**

Information on reproduction and survival should be, and probably has been, routinely collected on most populations. Estimates of survival can be extrapolated from age data. This information is required in the “Population Model” and modeling runs will be necessary to estimate the affect of various management strategies on the population. These data should be routinely collected as they are density and weather dependent.

- **Characteristics**

Color and size of the animals should be recorded. The type of horse may be noted if it can be determined. Perhaps, a general impression of the type of horse in an HMA is more useful information. The blood analysis will provide a comparison with domestic breeds and other wild populations that have been tested. If objectives in the PMP target phenotype, then these factors need to be identified and supporting rationale presented. If this is not the case, then the method of selecting horses for release will need to be described and rationale presented in the PMP.

Incidence of albinism, parrot mouth, club feet, severely crooked legs or any other negative trait believed to be genetic, should be recorded along with the disposition of that animal. Statements will need to be made regarding the incidence of these traits and managers will need to identify how they propose to deal with these problems.
Immuno-contraception

Immuno-contraception, or the decision to not apply immuno-contraception, will need to be discussed in the PMP. If a herd is having contraception applied during this gather the rationale should have been identified through the NEPA process. Upon the finalization of 4710-Management Considerations- these criteria will need to be identified and explained in a PMP. These decisions (apply or not apply) will require the support of population modeling and sound rationale. If the manager believes there are additional data needed to support these decisions, then the data should be collected.

- Condition Class

Condition class should be recorded using the Henneke System.

- Other data

Managers should collect any other data they believe essential to the Population Management Planning effort. This may include parasite load, disease (from blood samples), percentage of pregnant mares (from blood, fecal samples, or observation), or other data.

Data will be collected on the first gather of an HMA after October 1, 2001. PMP’s and supporting NEPA documentation will be required within 2 years of completing a gather. These plans will be separate from gather plans and will be appealable. The rationale for completing these plans two years ahead of the anticipated gather, is to allow time for the appeal process as necessary.
Procedures for Collecting Blood Samples from Wild Horses and Burros for Genetic Analysis

During the next four to five years all HMA’s will be gathered and data will be collected on Wild Horse and Burro populations to facilitate preparation of Population Management Plans (PMP’s). A portion of this process involves the collection of blood samples for genetic baseline data. This attachment outlines procedures to be used for collecting blood samples for genetic analysis.

Blood samples for establishing baseline genetic data should be collected from horses and burros in each HMA as gathers are accomplished. These samples should be collected from release horses/burros except where gate cut gathers are used. They will be collected by breeding population. If the breeding populations are not clearly defined, then samples from adjacent herds should be kept separate for initial analysis. The geneticist can answer the question of interbreeding between the populations. This testing should be accomplished and results compared prior to making decisions on combining HMA’s for management purposes. Mixing samples from non-interbreeding herds can give misleading estimates of genetic variation.

Minimum sample size is 25 per cent of AML or a minimum of 25 samples and not more than 100 per population. A sample is defined as the collective blood for an individual animal. (i.e., two tubes for horses—one tube for burros). Blood should be drawn from both mares and studs in a ratio similar to the sex ratio released, or in the case of partial gathers the estimated sex ratio. Animals of any age class may be sampled.

The test will consist of looking at 29 systems (17 typing and 12 DNA). For burros, only the DNA will be analyzed because some of the typing tests are species specific to horses. The data will be compared to similar data from both domestic and other wild horse/burro populations. The primary value of this initial data is a baseline against which future samples can be compared to identify genetic drift and any narrowing of diversity through inbreeding. In the short term diversity can be determined, herds may be separated or combined for management based on the data, rare alleles identified and a determination of founders (historical origin of herd). A sample of DNA will be preserved (frozen) for each horse tested. A report on the analysis will be provided by Dr. Gus Cothran of the University of Kentucky.

Procedures:

Two tubes of blood need to be collected from each horse (One red top and one yellow top vacutainer of blood). One sample needs to be collected from each burro (One yellow top vacutainer of blood-only DNA is analyzed for burros). The red is the clot sample and the yellow contains an anticoagulant and needs to be inverted several times to mix the anticoagulant with the blood. The sample needs to be drawn directly into the vacutainer. Training will be provided at the Compliance/Animal Health Course (4700-05) or any veterinarian can draw the sample.