

COMMISSION FOR THE PRESERVATION

OF

WILD HORSES

Minutes of the Open Meeting
Las Vegas, Nevada

December 7, 2006

Commission Members Present:

Commissioner Jim Evans, Vice Chairman
Commissioner Christine Brehm
Commissioner Gracian Uhalde
Cathy Barcomb, Administrator

Other Present:

Allen Biaggi, Director, Department of Conservation and Natural Resources
(via phone conference call)
Nhu Nguyen, Deputy Attorney General
Susie Stokke, BLM Wild Horse and Burro Lead, Nevada
Lori Howard, wild horse advocate
Billie Young, wild horse advocate
Patti Colbert, Mustang Heritage Foundation
Allen O'Neil, Outside Las Vegas

1:20pm Commissioner Jim Evans, opened the meeting with Commissioners, Brehm, and Uhalde present. A quorum was present with 4 of the 5 Commissioners in attendance. Cathy Barcomb, Administrator, was present. Allen Biaggi, Director of the Department of Conservation and Natural Resources (DCNR) was present via phone conference call later in the meeting, as well as the Commission's legal counsel, Nhu Nguyen, Deputy Attorney General.

1) *Discussion and Decision: Approval of the Minutes of the Commission meeting held on August 21, 2006.

After discussion of one change to the draft minutes, Commissioner Uhalde motioned to approve the minutes, seconded by Commissioner Brehm, unanimously approved.

2) *Discussion and Decision re: Morning workshop recap. The Commission may or may not take a vote on wild horse adoptions.

During the morning hours the Commission had attended a workshop with the Mustang Heritage Foundation, Nevada BLM, and National BLM representatives. We discussed the adoption program, issues surrounding the "unwanted horse" in the United States, and possible opportunities to improve the adoption program. Discussions on the unwanted horse produced alarming numbers, and this is for all horses, not just mustangs. Patti Colbert of the Mustang Heritage Foundation reported that currently there are approximately 80 million baby boomers in the US. The boomers are getting to the age where they want to enjoy life more, some not wanting to be tied down to property and animals, and others ending up as first time horse owners. The new "Gen X" generation is going to be approximately 40 million and they have a different set of ideals, not agriculturally based, more fast paced, electronic age. Yes, there are those that are still in the horse world, however, very soon, we will be dealing with ½ the populous in this market as before. ½ and much less demand for horses.

Some of the other issues were urban sprawl reducing the ranch areas and making boarding horses in cities or outlying areas prohibitive and very expensive. This is cutting down on the number of people that are getting horses and also those that are able to keep the horses they have, resulting in selling more horses into the market.

Another issue is the cost of hay and transportation, going up every year. Especially for an area such as Las Vegas where everything must be transported in, Las Vegas is not an agricultural area where hay can be produced. There are many other similar cities nationwide.

We all became fully aware that placing horses in homes is not just a mustang issue but all around horse issue, the unwanted horse. Patti Colbert announced that the Mustang Heritage Foundation Trustees had just voted to approve the Foundation become a member of the National Coalition that has been formed to look into the "unwanted horse"

and what could possibly be done. The Foundation will be the only mustang organization on that Coalition representing the mustangs.

There were a few suggestions such as getting the feed companies such as Purina, etc, to offer coupons for feed, 75% off or something like that to offer an incentive to people that adopt mustangs. Also suggested was contacting the drug companies for donations or coupons for medicine, or wormer, more adoption incentives. This was compared to “lunch money every day vs. a large grant”.

All in the entire workshop was a good opportunity to share ideas and information. Commissioner Uhalde complimented the BLM and “our own Susie Stokke” for all the work they are doing and plans they presented for future adoption promotions. Mr. Uhalde also complimented the Mustang Heritage Foundation and all the work they are doing to enhance the adoption program and promote wild horses, he added that he felt they were doing an incredible job and looked forward to this Commission working with them.

3) *Discussion and Decision re: Review of the accomplishments and recommendations of the Commissions Strategic Plan for the Management of Wild Horses in Nevada published in 1999 and endorsed by the Nevada State Legislature.

Commissioner Uhalde discussed the past years and the fact that we all need to remember the number one priority is the rangeland resource, because if we don't protect that resource there is nothing for all the users. That must continue to be the number 1 priority. Mr. Uhalde noted that he felt over the years there have been many issues that have caused detours along the way, however, we have all kept the end goal in mind and stayed the course. Mr. Uhalde stated that he felt we have come a long way in this program and that we are on the right track.

Commissioner Brehm noted that in the past years the Commission has traveled throughout the state and that we need to endeavor to continue rural travel.

Commissioner Evans stated that he felt that we have all learned along the way and adjusted to meet the needs of the program.

4) Discussion re: Update from the BLM, Las Vegas, on the Red Rock Learning Center Project in Southern Nevada.

Commissioner Brehm noted that the Environmental Education Center has not come along as a project and that she thought everybody should try to get continued support for the Learning Center.

Cathy Barcomb, Administrator, reminded the group that the Learning Center was a project that the BLM had been investigating and had previously toured the area. She added that at the last Commission meeting touring the location and subsequent discussions at the Commission meeting it was made clear that water rights would be the main issue in developing this center, that BLM did not have the water rights to go

forward and that purchasing water rights in the Clark County area is almost impossible. The Commission had been informed previously that if water could not be obtained, there would be no center. In addition, the SNPLMA monies could be used to “build” the center, however could not be used to run it. The other large stumbling block would be for a private entity to take on such an endeavor fully knowing it would be a money losing project, that running it would have to be subsidized or funded in some other way. A private organization would have to be able to get continued funding to run such a center.

Ms Barcomb ended stating that she felt the concept of the Desert Learning Center was a very good one, however, the Commission would have to reserve movement until the BLM was able to determine if it was a feasible operation and even if they were going forward with it or not. She added that over a year ago an environmental assessment was to have been published analyzing the project and that still hadn’t been produced.

5) Discussion re: Report on the recent meeting in Las Vegas on Nov 6th, 2006, on the adoption program and enhancement for southern Nevada. Christine Brehm, Commissioner, and Susie Stokke, BLM

Commissioner Brehm reported that Alan O’Neil from Outside Las Vegas was asked by BLM to bring together various interest groups to discuss options for the SNPLMA funds that were available to Clark and Lincoln Counties. Ms. Brehm reported that there had been two meetings and she felt they were very positive in bringing all the interests together.

Cathy Barcomb, Administrator noted that she had discussed options for SNPLMA monies with Pam Wilcox, Administrator for State Lands in Nevada and also on the committee overseeing use and expenditure of these funds. She reported that Ms Wilcox had made some suggestions as to “how” monies were able to be spent and not just through a tunnel vision approach, that there was a wide range of opportunities to explore. Ms. Barcomb then relayed these suggestions to Patti Colbert at the Mustang Heritage Foundation who then worked with Susie Stokke at BLM Nevada to develop a list of suggestions for the meeting. Ms. Barcomb stated that she felt all the suggestions were well received and would be a great opportunity to use the funds to help the wild horse program.

Some of the program proposals presented jointly by the Foundation and BLM are:

- 1) Nevada Mustang Gentling and Adoption Program
- 2) Sister City Mustang Adoption Proposal
- 3) Nevada “High Stakes” Mustang Futurity Proposal
- 4) Southern Nevada WH&B Volunteer Program Proposal
- 5) Public Education and Outreach Proposal(s)
- 6) Virtual Adoption Program Proposal

Ms. Barcomb reported that Christine Brehm had attended the first meeting representing the Commission and that both she and Christine had been at the recent meeting. She added that the Commission would continue to work with the group to enhance and promote the adoption program.

6) *Commissioner Brandsness: Discussion and Decision regarding possible request for an Attorney Generals Office Opinion on whether the Heil Trust funds are being spent appropriately for the Mustang Heritage Foundation. Action may be taken by the Commission.

Commissioner Evans explained that this agenda item was requested by Commissioner Brandsness, who is not present, to discuss her concern if the Heil Trust funds had been spent approximately for the creation of the Mustang Heritage Foundation. Commissioner Evans expressed his frustration that this subject had been ongoing for the past several meetings, that all the Commissioners have seen Leo Heil's last will and testament, they have all looked at memo's, the past Attorney General Office's Opinions and letters, the letter Commissioner Brandsness sent to the Attorney General's Office, and the authority given to administer the trust by the Nevada Legislature, that the other Commissioners had expressed their feelings on this, and that it was still coming up again.

Commissioner Brehm informed the Commission that Commissioner Brandsness had contacted her and given her a written note that she wanted given to the Commissioners. The Commissioners took a few minutes to be able to read the note. (The note is attached at the end of these minutes.)

Commissioner Evans noted that in the minutes of the August Commission meeting, that Commissioner Brandsness had stated she had more information on which she was basing her inquiries. He noted that she had been requested by the Commission and the Attorney Generals Office to supply that added information so all involved would have the opportunity to review what she was looking at to determine if it was relevant. Mr. Evans asked if Commissioner Brandsness had supplied any information as he hadn't received any. Cathy Barcomb, Administrator, responded that information had been requested on three separate occasions and there had been nothing supplied.

Commissioner Evans expressed his frustration again, that there had been three months to supply the requested information and for the Commission to receive a memo, with a personal opinion, during a commission meeting and no actual back up information at the 12th hour was inexcusable. Mr. Evans asked if any of the Commissioners needed further information. The reply was no.

Commissioner Evans stated that the Nevada Legislature approved this expenditure, the Attorney Generals Office had completed an Attorney Generals Office Opinion on the expenditure that stated it was within the scope of the will, and that he, personally, doesn't feel any action needs to be taken. "The Legislature and the Attorney Generals Office authorized and approved the legality of this expenditure and they are the experts."

Commissioner Brehm stated that the Foundation has come very far and that she was confident in Patti Colbert going further. She noted that in the future the Foundation needs to identify other ways to be self supporting.

Commissioner Uhalde motioned that the Commission take no action with regard to this agenda item. Seconded by Commissioner Brehm, unanimously approved.

7) Public Comment Period

Laurie Howard with the American Wild Horse Advocates stated she concurred with the comments Commissioner Brehm had made regarding the Desert Learning Center.

Cathy Barcomb, Administrator, explained the water availability issues again. She added that at previous Commission meetings, the Commission has always supported the concept of a desert learning center, however, this may or may not be a viable location and other options may need to be sought. She also added that the BLM was scheduled to issue an Environmental Assessment and Environmental Impact Statement which still had not been issued. She explained that the Commission could not take any action on something that hasn't been presented. She noted that the Commission would work together with BLM on that or any other project when they are ready.

8) *Set Next Meeting Date

The Commissioners discussed the possibilities of a meeting in Winnemucca in March and possibly in Elko in June.

9) *Adjournment

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