



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Nevada State Office  
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**AUG 31 2007**

In Reply Refer To:  
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NAME REMOVED  
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NV, 89032

Dear NAMED REMOVED

As part of the comments entered into the record for the Bureau of Land Management (BLM) Nevada helicopter hearing held May 16, 2007 you asked: *"Will you please explain why the BLM still uses a contractor that pled guilty and was sentenced for horse hunting with an aircraft in 1990? Isn't that a felony? Even if it's not, what in the world can BLM be thinking by employing someone who has been convicted of the very thing BLM is suppose to be protecting wild horses and burros from?"* In thoroughly investigating this matter, the record shows Dave Cattoor pled guilty to a misdemeanor count of "Use of Aircraft to Capture Wild Horses" on May 22, 1992. Mr. Cattoor was fined \$500.00 and placed on supervised probation for a period of 1 year with conditions, which were fully met.

Capturing wild horses with an aircraft under contract to BLM or other agencies/entities is Mr. Cattoor's normal business. The incident in question stems from work performed for the Duckwater Indian Tribe in which Mr. Cattoor's helicopter pilot (Cliff Heaverne) crossed the boundary line between the reservation and BLM lands in order to capture the horses which had left the reservation. When unbranded and unclaimed horses are on Indian tribal lands, they are considered Indian horses. However, when they are on BLM lands in/near Herd Management Areas, they are considered wild horses protected under the 1971 Wild Free-Roaming Horses and Burros Act.

The record shows Cattoor and his pilot, Mr. Heaverne, were performing work at the specific direction of the Duckwater Indian Tribe. They did not deliberately violate the 1971 Wild Free-Roaming Horses and Burros Act, and were not doing anything to harm or harass wild horses. Rather, they were performing work under contract to the Indians in the same manner they do for the BLM.

Both before, and since that time, Cattoor Livestock Roundup has consistently demonstrated their ability to safely, effectively, and humanely capture and handle wild horses and burros. This record is substantiated by the fact that over the past three years, of the nearly 18,000 animals BLM Nevada has captured, mortality has averaged only one-half of one percent. More than half these animals were captured and handled by Cattoor Livestock Roundup.

BLM's national gather contract was awarded in 2006 following an in-depth technical program review of the proposals received from the prospective contractors. Among the key elements of the technical program review was evaluation of the prospective contractor's knowledge, skill and ability to capture and handle wild horses and burros in a safe, effective and humane manner. Cattoor Livestock Roundup continues to demonstrate the knowledge, skill and ability to capture and handle these animals safely, effectively and humanely.

Prior to the passage of the 1959 Wild Horse Annie Act, mustangers used fixed wing aircraft to roundup wild horses and burros; this practice often resulted in cruel and inhumane treatment. With the passage of the 1971 WFRHBA, BLM relied on capturing excess horses and burros from horseback (without the assistance of helicopters) or via bait and/or water trapping. However, these methods were so inefficient in capturing/removing excess animals that rangeland conditions rapidly deteriorated. To address this issue, Congress amended the Act in 1976, providing BLM (and the Forest Service) with a practical means to gather and remove excess horses and burros — through the use of helicopters and motorized vehicles. Before using helicopters or motorized vehicles in the management of wild horses and burros, the BLM authorized officer is required to conduct a public hearing. In accordance with this requirement, BLM Nevada's helicopter hearing was held May 16, 2007.

Today all capture and handling activities are conducted in accordance with established Standard Operating Procedures (SOPs). The use of helicopters and motorized vehicles has proven to be a safe, effective and practical means for the gather and removal of excess wild horses and burros from the range. Further, to assure humane treatment of captured animals, BLM staff is on-site throughout capture and handling operations. BLM Nevada also invites representatives from humane groups and media to observe wild horse and burro gather operations.

Thank you for your interest in Nevada's wild horse and burro program. I hope the above information helps to address your concerns.

Sincerely,

Ron Wenker,  
State Director,  
Nevada