

United States Senate

WASHINGTON, DC 20510

April 28, 2016

COMMITTEES:

FINANCE

BANKING, HOUSING, AND
URBAN AFFAIRS

COMMERCE, SCIENCE, AND
TRANSPORTATION

VETERANS' AFFAIRS

SPECIAL COMMITTEE ON AGING

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C St. NW
Washington, DC 20240

Dear Secretary Jewell,

I write to express my strong concerns with Department of the Interior's management of wild horses in the state of Nevada. As you know, more than half of all wild horses in North America are found in Nevada alone. That overpopulation has resulted in significant impacts on the health of Nevada's economy, wildlife, rangelands, riparian areas, and the horses themselves.

As I travel throughout Nevada, I continuously hear from ranchers, sportsmen, outdoor enthusiasts, horse advocates, and other concerned citizens alike that conditions on the range are deplorable. As a sportsman, I am strongly concerned resource degradation is causing irreparable damage to some of our cherished outdoor areas while negatively impacting Nevada's wildlife, including threatened species like the greater sage-grouse, as well as big game species like mule deer, elk, pronghorn and bighorn sheep. I think we can all agree that the status quo is not serving the state well.

In an effort to collect information and identify ways Congress can be helpful, I sent a letter alongside 19 of my Western Congressional colleagues on November 4, 2015, to the BLM requesting specific information laying out the gravity of the issue in Nevada and across the west, as well as specific strategies that could address overstocked Herd Management Areas (HMAs). I am disappointed the Department has not provided us a response nearly six months later. I have attached that correspondence to this letter as it is important we get a response so that together we can solve this important problem facing the west.

It is my understanding that the Bureau of Land Management (BLM) recently contacted a number of Nevada ranchers and informed them that animal unit months (AUMs) could be reduced or eliminated in some areas due to the damage incurred on rangelands by the overpopulation of wild horses. Over the past few years, many ranchers have already taken reductions in their grazing allotments; yet horse populations have only increased, not decreased, over that time. It is unfair for local ranchers to be penalized for the BLM's inaction. Additionally, it is important to note that horse impacts are just as bad, if not worse, on rangelands where little-to-no grazing occurs as they are on public lands where Nevada ranchers operate.

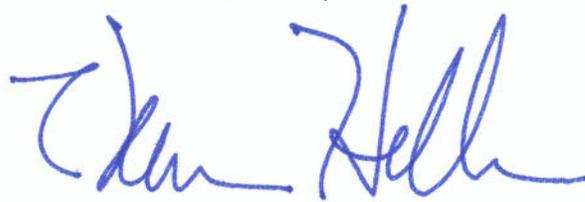
Earlier this week, Governor Brian Sandoval announced that the state is exploring legal options aimed at improving wild horse management in Nevada. I support the governor's efforts and agree that any strategy that will effectively deal with the problem in Nevada will require additional

attention. With that said, the solution to this problem is much larger than simply more federal resources. I remain concerned that the BLM has no clear strategy for addressing this issue.

I recognize this issue is complicated and that interested parties have widely different opinions on wild horses. My office has had many positive conversations with State Director John Ruhs on this problem, and I appreciate the honest and transparent approach he has taken with local stakeholders. It is important that the people on the ground in our western states receive appropriate support from headquarters. Collaboratively, measures should be taken to reduce herd sizes and improve rangeland conditions.

Thank you for your attention to this matter. I look forward to receiving the Department's response to the letter dated November 4, 2015, no later than May 12, 2016. My colleagues and I stand ready to assist in alleviating this urgent situation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean Heller". The signature is fluid and cursive, with the first name "Dean" and the last name "Heller" clearly distinguishable.

DEAN HELLER
U.S. Senator

cc: Neil Kornze, Director of the Bureau of Land Management

Congress of the United States
Washington, DC 20515

November 4, 2015

Mr. Neil Kornze
Director
U.S Bureau of Land Management
U.S. Department of the Interior
1849 C Street NW, Room 5665
Washington DC 20240

Dear Mr. Kornze:

Across the West, management strategies of the wild horse and burro populations have been largely unsuccessful, resulting in significant rates of overstocking in both designated Herd Management Areas (HMA) and holding facilities, poor herd health, and established herds in non-HMA locations. Almost half of the 100,000 horses under the purview of the Bureau of Land Management (BLM) are located in holding facilities off the range, and adoptions have fallen almost 70 percent in the last ten years. Your agency has estimated a lifetime cost of \$50,000 per horse that remains in long-term holding after failure to be adopted. These are unnecessary costs, costs which are the clear result of poor management of populations that have exploded and recent Congressional actions that have limited agency purview.

Your agency estimates that the wild horse and burro populations have grown by more than 18 percent in the last year alone, resulting in significantly overstocked HMAs and overflow into non-HMA locations. Overstocking combined with failure to dispose of horses and burros has resulted in significant ecological damage to riparian areas, overgrazing, and compromised water resources. Efforts to return HMAs to sustainable, appropriately stocked levels have resulted in costly litigation which diverts valuable resources from the animals that require immediate active management. Delays in desperately needed agency action jeopardize not only the health of wild horses, but other wildlife that rely on these land and water resources.

As we return to our states, we see firsthand the necessity of immediate action to address deficiencies in the management strategy. Improper management compromises equine health, habitat conservation efforts, and allows for resource degradation and encroachment by invasive species that will affect wildlife, livestock producers, and recreationalists for decades to come. As such, we ask that the Bureau of Land Management (BLM) provide information regarding the following items:

- How many HMAs are currently stocked at rates greater than appropriate management level (AML)?
 - How many horses or burros would need to be removed to meet range-wide AML?
 - How many horses or burros would need to be removed to meet range-wide Low AML?

- The BLM has reported that adoption rates in recent years have decreased from historic highs more than a decade ago. Over the past five years:
 - How many horses and burros have been adopted through the program?
 - How many of these have been over five years of age?
 - How many horses and burros have been placed in short- and long-term holding facilities?
 - How many have been placed in refuges or paid-for long-term holding facilities controlled by entities other than the agency?
- Is the agency currently utilizing technological platforms to facilitate adoptions?
- Within the context of management and conservation of sage grouse habitat, wildfire prevention, and general land health:
 - What would the agency require to achieve Appropriate Management Levels (AML) in 3-, 5-, and 10-year time frames?
 - What would the agency require to achieve the Low level of AML in currently overstocked HMAs within the existing tools and authorities in 3-, 5-, and 10-year time frames?
 - At the agency level, what changes can be made to address pervasive overstocking, population explosion, and environmental degradation?
 - What Congressional action could be taken to provide additional flexibility to facilitate effective management?
- It is our understanding that fertilization suppressants like Porcine zona pellucida (PZP) immunocontraception has been largely ineffective in limiting reproduction on a perennial basis. If this is indeed the case, what other reproductive suppressants is the BLM currently considering?
 - If chemical castration/neuter alternatives to PZP do not exist, what action will the agency take in the interim until novel, more effective products exist?
- In the most critical situations, what barriers exist to the effective utilization of pilot population control products to return HMAs to AML?
 - Do/will these pilot programs include a combination of sterilization, fertility suppression, humane euthanasia, and genetically-based herd selections to impede future population escalation that would result in surpassing AML?
 - To this point, what combination of the above strategies has been most effective, and are there more effective options?

- Going forward, what potential roles does the agency identify for Governors of states where wild horses and burros currently exceed AML?
 - Will the agency commit to engaging with state officials to devise and implement strategies for return to AML?

In addition to the above, we ask that you compose and provide us with 4-6 options, with various time frames, and the costs associated with each that would effectively curb the overarching trend of overstocked HMAs. Included in these various action plans should be an accounting for impacts to the range that have already been incurred due to overstocking and the estimated time required to return these lands to healthy conditions for horses, wildlife, and livestock. These impacts should include loss of forage due to overgrazing by wild horse and burro herds, treatments for invasive species, wildfire damage – where applicable –, and other costs related to good range management.

At least one of these options should be a baseline. This baseline should represent the current path of the agency in which populations are increasing dramatically year on year, long-term holding facilities serve as permanent homes, and gathers have been postponed or halted. This option should clearly delineate the number of horses and burros that will be on the range and in the holding facilities if current management practices are maintained, as well as financial and environmental costs of this approach.

At least one of the options should include actions required to achieve Low AML for range-wide HMAs to allow for range recovery. It is our hope that the agency has already identified various ways to address the critical situation facing the wild horse and burro population. We also hope that the agency will rectify internal policy to allow for increased use of fertility controls including sterilization and fertilization suppressants, depending upon long-term efficacy.

We believe it is clear that the current management strategy of wild horses and burros has proven ineffective. Wildfire, drought, and invasive species exacerbate poor range conditions caused by overstocked HMAs. Across the 10 western states where the BLM manages wild horses and burros, every state exceeds AML. In some cases, like Arizona, there are HMAs that surpass the agency-determined AML by more than 9 times the allowable herd size. We understand long-term fertility control methods take time to develop, and once implemented will maintain horse populations at more appropriate levels. In the interim, however, steps must be taken to decrease herd sizes to allow for rangeland recovery and effective management of future populations. As such, we ask for your thorough and timely consideration of these issues so that wild horses and burros do not continue to damage natural resources that are vital to ecological stability. We thank you for your review and timely response to this inquiry.

Sincerely,

John Barrasso

Synthia M. Lummis

Steve Davis
Tom Hill

Don Hatch

Mike Cross

John Fitch

Jim Kinch

William B. E.

Michael B. Enji

Ch Stewart

John McLean

Steve Ponce

Steve Chaffetz

Adrian Smith

Raul R. Labrador

Leo Bhave

Paul A. Lyons, MS

Paul V. Lewis

John