

**MINUTES OF THE  
SENATE COMMITTEE ON NATURAL RESOURCES**

**Eighty-first Session  
March 23, 2021**

The Senate Committee on Natural Resources was called to order by Chair Fabian Donate at 3:35 p.m. on Tuesday, March 23, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Fabian Donate, Chair  
Senator Melanie Scheible, Vice Chair  
Senator Chris Brooks  
Senator Pete Goicoechea  
Senator Ira Hansen

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Policy Analyst  
Allan Amburn, Counsel  
Christine Miner, Committee Secretary

**OTHERS PRESENT:**

Rebekah Stetson, Chair, Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses  
David Parks, Chair, Legislative Committee on Public Lands  
Sherman Swanson, Ph.D., Professor Emeritus, University of Nevada, Reno; Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses  
James Sedinger, Ph.D., Professor Emeritus, University of Nevada, Reno  
Doug Busselman, Executive Vice President, Nevada Farm Bureau  
Larry Johnson  
Colby Prout, Natural Resources Manager, Nevada Association of Counties  
Steve Walker, Eureka County  
J.J. Goicoechea, Chair, Sagebrush Ecosystem Council, State Department of Conservation and Natural Resources  
Dorothy Nylen  
Rory Lamp, Sierra Club  
Martin Paris, Executive Director, Nevada Cattlemen's Association

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Janine Hansen, Chair, Independent American Party  
Kyle Davis, Nevada Conservation League  
Lydia Peri  
William Molini, Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses  
Mary Cioffi, President, Pine Nut Wild Horse Advocates  
Carlo Luri, Bently Family Limited Partnership  
Deniz Bolbol, Vice President, Pine Nut Wild Horse Advocates  
Craig Downer  
Randal Massaro, President, Union Members for the Preservation of Wildlife International  
Judith Conway  
Sheila Schwadel  
Stephenie McCoy, Wild Now  
Deborah Walker, American Wild Horse Campaign  
Louise Martin  
Jennifer Baker  
Erik Molvar, Executive Director, Western Watersheds Project  
Alan Jenne, Administrator of Habitat, Department of Wildlife  
Jacquie Chandler, Executive Director, Sustainable Tahoe

CHAIR DONATE:

We will hear a presentation by the Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses.

REBEKAH STETSON (Chair, Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses):

I will present a slide presentation ([Exhibit B](#)) to spread awareness and history of free-roaming horses and burros and the debilitating impact they have on Nevada lands when not properly managed. I will read from my written testimony ([Exhibit C](#)) representing the visual on Slide 1.

The herd areas depicted on Slide 2 of [Exhibit B](#) illustrate the vast amounts of horses in Nevada compared to neighboring states. Nevada has nearly 60 percent of all free-roaming horses and burros in the U.S. These herd management areas are not limited to areas close to cities but extend to wild parts of Nevada, resulting in the inability for one-size-fits-all management techniques. The green-colored areas on the map are horses and burros, yellow areas are burros, which are closer to Las Vegas, and the purple-colored areas represent horses.

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I will continue to read from my written testimony, [Exhibit C](#), with the history of wild horses and an explanation of the federal Wild Free-Roaming Horses and Burros Act of 1971 depicted on Slide 3 of [Exhibit B](#).

SENATOR HANSEN:

This is an important issue as Nevadans witness the damage happening in the wild. I spend a tremendous amount of time in the backcountry, and it is heartbreaking to see horses starve to death. My suggestions to round up and properly manage wild horses have been criticized as inhumane. Many people residing east of the Mississippi River have highly romanticized images of wild horses in Nevada and make it clear to their U.S. Congressional representatives they 100 percent object to any changes in policy regarding the public domain. Political pressure has allowed the U.S. Congress to ignore this issue, and nothing changes regarding this matter.

Has something changed which allows you to push this idea forward? It was mentioned the Humane Society uses nonlethal methods. Have you done any polling of members of the U.S. Congress on this issue?

MS. STETSON:

There has been no polling on members of the U.S. Congress, but there is a coalition called Free-Roaming Equid and Ecosystem Sustainability Network and a variety of horse advocacy organizations with whom we are collaborating. We are geared up for a considerable education campaign, and this is what it will take. With serious issues such as this, it unfortunately takes starving and dying horses before people shift what they are willing to do. We are at that place. This seems to be the only way for change to take place.

SENATOR HANSEN:

I salute you for your efforts and fully support your intentions. Count on my involvement if I can help with a solution to the problem. The U.S. Congress should follow its federal laws.

SENATOR GOICOECHEA:

There is a provision for euthanasia in law. We need to understand this is an alternative. If no other alternative is reached, the federal agencies will be taxed with doing what the law requires, and it allows for euthanasia.

CHAIR DONATE:

We will open the hearing on Senate Joint Resolution (S.J.R.) 3.

**SENATE JOINT RESOLUTION 3**: Urges Congress to provide funding to reduce the wild horse and burro populations to appropriate management levels. (BDR R-465)

DAVID PARKS (Chair, Legislative Committee on Public Lands):

I will present S.J.R. 3. The Legislative Committee on Public Lands received testimony regarding overpopulation of wild horses and burros on public lands in Nevada. The Wild Free-Roaming Horses and Burros Act of 1971 authorizes federal agencies to remove excess wild horses and burros from the range to sustain the health and productivity of public lands. Horse populations in herd management areas are on average three times the appropriate management level.

At the September 10, 2020, meeting of the Legislative Committee of Public Lands, the Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses shared how horses are adversely impacting ecosystems, forage, habitat health and water resources.

The Bureau of Land Management's (BLM) 2020 *Report to Congress: An Analysis of Achieving a Sustainable Wild Horse and Burro Program* seeks short-term funding for immediate effectiveness and longer-term funding to successfully reduce excess wild horses and burros to appropriate management levels (AML). The Report outlines strategies for achieving healthy and sustainable populations of wild horses and burros on public lands. More than 88,000 wild horses and burros were estimated to be roaming BLM-managed public rangelands—the highest levels since receiving federal protection 50 years ago in 1971.

Overpopulated herds damage grazing lands, sensitive water sources and wildlife habitat. These issues are expected to worsen as populations continue to grow. The primary features of the BLM plan include nonlethal methods to reduce populations with herd gathering and fertility control treatments. Given the size of the current populations and expected growth rates, it will take a sustained investment from Congress to implement effective strategies to achieve AMLs within a time frame consistent with congressional direction and protecting range and herd health.

The rise in program costs is primarily attributed to inflation, holding additional animals in off-range facilities and efforts to implement fertility control. By doing nothing, the BLM estimates wild horse and burro populations on BLM-managed public lands could reach 2.8 million by 2040. However, well before reaching this level, the population levels would likely become unsustainable. Based on this information and testimony provided by the Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses, the Legislative Committee on Public Lands voted to unanimously draft a resolution calling on the U.S. Congress to provide funding to successfully reduce the number of free-roaming wild horses and burros to AMLs using nonlethal means within six years to protect and restore the health and viability of Nevada's public lands.

SHERMAN SWANSON, PH.D (Professor Emeritus, University of Nevada, Reno; Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses):  
I will read from my written testimony, ([Exhibit D](#)) with my remarks on Slides 3, 4 and 5 of the slide presentation, [Exhibit B](#). I will be sharing some history and providing the basis and need for S.J.R. 3.

JAMES SEDINGER, PH.D (Professor Emeritus, University of Nevada, Reno):  
I will read from my written testimony ([Exhibit E](#)) with my remarks and explanations of Slides 6 and 7 of the slide presentation, [Exhibit B](#). I will talk about the impacts of wild horses and burros on Nevada's native wildlife and summarize the intentions contained in S.J.R. 3.

SENATOR HANSEN:

Are the comparisons between horses and native big game depicted on Slide 6 of the slide presentation, [Exhibit B](#), based on weighted averages? Deer alone have reached a population of 90,000.

Dr. Peter Coates, a wildlife biologist with the U.S. Geological Survey, extensively studied sage grouse and documented that because of anthropomorphic food sources, there are artificially large populations of ravens impacting sage grouse populations. Have you observed, as I have, mountain lion populations being substantially higher where there are large burro populations? I have seen mountain lions in areas not typical for mountain lion habitat, and they live near burro populations. In a case about 10 years ago, BLM rounded up 1,400 horses in the Goldfield area of Nevada, and on Stonewall Mountain, there was a substantial bighorn sheep population. The sheep population disappeared thereafter. I think mountain lions were living off the horse and burro population,

but when the food supply disappeared at once, mountain lions shifted to Stonewall Mountain to live off the bighorn sheep and consequently wiped out that population. Have you done any studies on the relationships of artificially expanded predation numbers based on anthropomorphic-provided food sources like horses and burros?

DR. SEDINGER:

We have not done that kind of work. We have seen raven issues with sage grouse in central Nevada associated with colonizing and transmission lines. A graduate student at the University of Nevada, Reno, found that a small proportion of mountain lions kill horses. She studied 25 radio-collared mountain lions, primarily females. She followed one large male who was a horse killer. The data is limited but suggests lions are not going to be a solution to the horse issue.

SENATOR HANSEN:

I am not suggesting mountain lions as a solution to the issue. Horses are larger than burros, and mountain lions are aggressive with the burro population. Slide 6 of your visual presentation, [Exhibit B](#), shows as horse numbers went up, wildlife populations went down. One of the factors is predation. If an artificially high animal population is created from feeding off a population of non-native animals, it can impact Nevada's wildlife. Nevada is being destroyed before our eyes and something needs to be done.

DR. SWANSON:

Fortunately, burros are quite adoptable. The Southeast U.S. has large demands for burros. Wild horses four years old or younger are adoptable. If we were at AML with smaller reproducing herds, adoption would be part of the solution.

SENATOR HANSEN:

Is there a backlog of 50,000 wild horses on some pastures in Nebraska? Is it feasible to adopt out existing horses in captivity in addition to surplus populations being harvested by the BLM?

DR. SWANSON:

No, most of the horses on private pastures in the Midwest are older horses and may not be adoptable. The number of horses will decline as they live out their lives. Our proposal is to add substantial numbers of horses quickly to the off-range holding pastures and stop adding to them upon reaching AML. There

are far too many horses, and many are unadoptable. A sustainable program can be achieved once AML is reached.

CHAIR DONATE:

Many letters and opinions have come forward regarding S.J.R. 3. The Opinions application on the Nevada Legislature website reflected 277 opinions in favor and 361 opinions in opposition. Six supportive telephone calls were received and no calls in opposition. We received 19 letters in support and 36 letters in opposition.

DOUG BUSSELMAN (Executive Vice President, Nevada Farm Bureau):

The Nevada Farm Bureau supports S.J.R. 3 and participated in a working group of diverse interests that are mentioned in a 2019 collaborative agreement called *The Path Forward for Management of BLM's Wild Horses & Burros*.

The initiative of those who brought this resolution forward is appreciated. It is important for the Nevada Legislature to encourage the U.S. Congress to provide necessary funding to bring wild horses and burros to AML. The rangeland of Nevada and its multiple uses connected to the federally managed lands cannot continue to be mismanaged and neglected. Exceeding AML levels surpass the caring capacity of our lands. The U.S. Congress needs to provide the necessary short-term and long-term funding for removal of excess horses and burros from the land, along with off-range facilities to house horses and burros that have been removed in order to reach AML in herd management areas.

LARRY JOHNSON:

The Wild Free-Roaming Horses and Burros Act of 1971 and subsequent amendments mandate BLM and the U.S. Forest Service to maintain an ecological balance with all other uses. It mandates removal of excess horses. Each appropriation bill through Congress limits the BLM from performing its lawful duty. Scientific range management reports have shown excess wild horse populations adversely impact range conditions and wildlife populations. The U.S. Fish and Wildlife Service's Sheldon Wildlife Refuge Environmental Impact Statement documents over 75 scientific studies. Wild horses should not be managed as a priority species as they are to the detriment of other uses and to horses themselves. No one wants to see starving animals of any kind. Wild horses are large, strong, dominant animals and outcompete native wildlife for forage and water.

In drought years, it is common to see wild horse bands monopolize springs and chase wildlife away. Wild horse advocates falsely state wild horse populations will regulate themselves. By the time horses reach starvation, the range is so depleted that wildlife populations are severely depleted or extinct.

Wild horses are a beautiful and valuable resource. Like all resources, management is required or other uses will suffer.

COLBY PROUT (Natural Resources Manager, Nevada Association of Counties):

The Nevada Association of Counties (NACO) supports S.J.R. 3. In October 2019, NACO took formal action and endorsed *The Path Forward for Management of BLM's Wild Horses & Burros*. This plan was the result of collaboration of over a dozen diverse stakeholders including the Eureka County Board of Commissioners, the Humane Society Legislative Fund and the American Society for the Prevention of Cruelty to Animals. The Nevada Association of Counties has shared its support of the plan and S.J.R. 3 urging sufficient and sustained funding for implementing the plan with each member of the Nevada Congressional Delegation. Nevada is home to 50 percent of the Nation's wild horses and burros with estimates of 51,000 on our lands. This is well above BLM zones to determine AML which is the maximum number of horses consistent with maintaining a thriving ecological balance as mandated by the Wild Free-Roaming Horses and Burros Act of 1971. As Nevada enters another drought cycle, the effects of populations over AMLs on sensitive ecosystem species such as sage grouse will be more pronounced and intense. Overpopulation of horses affects public health and safety in counties where horses regularly wander onto roadways and other public rights-of-way. According to the Nevada's Department of Transportation, 240 horse-related vehicle accidents with 45 human injuries occurred from 2017 to 2019.

STEVE WALKER (Eureka County):

Eureka County supports S.J.R. 3 which promotes and endorses efforts to achieve AMLs, and supports the diverse stakeholder-developed *The Path Forward for Management of BLM's Wild Horses & Burros*. Eureka County supports federal funding for reaching AMLs while avoiding unconditional sales and lethal management of wild horses and burros.

In the past, the Eureka County Board of Commissioners has requested BLM be given the full suite of tools authorized in the Wild Free-Roaming Horses and



Burros Act of 1971, as amended. Local plans and policies in Eureka County call for implementing this Act.

The Eureka County Board of Commissioners fully and firmly stands behind *The Path Forward for Management of BLM's Wild Horses & Burros* and has formally and unanimously voted on three occasions to support the proposal. The Board Chair, J.J. Goicoechea testified at a U.S. Senate committee hearing on behalf of Eureka County supporting *The Path Forward for Management of BLM's Wild Horses & Burros*. While we have policies stating support of full implementation of the Act, we have a strong bias toward solutions that bring excess horses to levels conducive to rangeland health without using unconditional sales and lethal management. *The Path Forward for Management of BLM's Wild Horses & Burros* is the only proposal seen by the County that takes this approach and actually models the ability to reach AML.

Nevada's rangelands continue to take more than their fair share of adverse impacts from wild horse and burro populations that far exceed what the resources can sustain for healthy horses and healthy, working rangelands. Nevada cannot continue on the current path. It is imperative that action is taken now to conserve and restore the health of the rangelands negatively affected by excess horses. Funding and implementation of *The Path Forward for Management of BLM's Wild Horses & Burros* is the right thing to do to help address the issues.

J.J. GOICOECHEA (Chair, Sagebrush Ecosystem Council, State Department of Conservation and Natural Resources):

The Sagebrush Ecosystem Council (SEC) supports S.J.R. 3. The SEC is a legislatively authorized body that oversees the Nevada Sagebrush Ecosystem Program. It is comprised of nine Governor-appointed members representing local government, wildlife, agriculture, conservation and environment, general public, tribal nations, energy, mining, ranching and six ex officio members including the Department of Wildlife (NDOW), BLM, U.S. Forest Service, U.S. Fish and Wildlife Service, Natural Resources Conservation Service and the State Department of Agriculture.

The program is housed within the State Department of Conservation and Natural Resources as per *Nevada Revised Statutes* 232.162. The Council shall consider the best science available in its determinations regarding conservation of the greater sage grouse and sagebrush ecosystems. The SEC shall establish and

carry out strategies for the conservation of the greater sage grouse and sagebrush ecosystems in this State. Wild horses and feral horses are having negative impacts on fragile ecosystems in Nevada. Nevada has over half of the Nation's range population with well over 50,000 wild horses.

Species rely heavily on riparian areas where overuse is negatively impacting many areas. Dr. Peter Coates has provided the Council with data showing a direct correlation between excessive horse populations and a decline in sage grouse numbers. This data is supported by land health monitoring showing declining and often irreversibly impacted ecosystem health due to overuse by wild horses in some areas.

*The 2019 Nevada Greater Sage-grouse Conservation Plan*, adopted as amended and maintained by the SEC, has a section for wild horse and burro management. It reads:

4.1 Goal: Support, promote, and facilitate full implementation of the Wild Free-Roaming Horses and Burros Act of 1971, as amended, including to preserve and maintain a thriving natural ecological balance and multiple-use relationship, without alteration of its implementation by subsequent Congresses or Presidential administrations.

Recognizing that if action is not taken until herd health has become an issue, the range and water resources are likely to be in a highly degraded and potentially irreversible state. Non-active management (e.g. let nature take its course, wait until horse health or resource conditions are critical) is not acceptable management. Non-management will negatively impact or potentially create irreversible habitat impacts within the Service Area.

The SEC applauds the Legislative Committee on Public Lands for this resolution. At a meeting on March 16, the SEC unanimously voted to support S.J.R. 3 after a presentation by Council members representing conservation, the environment and the general public. The SEC stands ready to assist in any way. *The Path Forward for Management of BLM's Wild Horses & Burros* is a collaborative effort and resulted from years of discussions in often contentious meetings. An endorsement by the Nevada Legislature will send a strong message to our partners in Washington, D.C., to aggressively manage the wild horse

populations and no longer allow our fragile ecosystems to be irreversibly damaged due to mismanagement of wild horses.

DOROTHY NYLEN:

None of the presenters represent active Nevada long-term wildlife advocacy groups. The effects of climate change have not been considered. Wild horses are used as scapegoats for a range problem. Advocacy groups do not support the lack of management. The website <<https://wildhorsepl.org>> addresses some of the issues. There should be a more equitable approach to the issue.

RORY LAMP (Sierra Club):

The Sierra Club and its members support S.J.R. 3. Inadequate management of wild and free-roaming horses and burros is causing long-term damage to public lands in Nevada that support native wildlife and multiple uses. The present path for managing wild horses and burros is unsustainable ecologically and economically. A lack of adequate management is allowing for uncontrolled population growth causing significant impacts to the health of public lands. This negatively impacts our wildlife, horses and burros, livestock and other uses on the lands.

The problem can only be corrected at the federal level by adequately funding management efforts. The Sierra Club supports maintaining horse and burro populations at sustainable levels somewhere near or below AML. Horses and burros are part of the multiuse fabric of public lands, and everyone enjoys seeing them. No one wants to witness the continued destruction of our public lands with the current excess horse and burro populations.

MARTIN PARIS (Executive Director, Nevada Cattlemen's Association):

Politics, limited funding, lack of long-term holding and wild horse and burro populations doubling in size every three to five years has led to Nevada's herd management areas being 300 percent over AMLs. This has created a dire situation for the health of rangelands and health and well-being of wild horses and burros. The current population of wild horses and burros in Nevada is not sustainable.

Unlike cattle or other livestock, horses and burros cannot be managed on the range or moved to another area temporarily for rest and have no rotational grazing systems. The grazing timing and seasons of use for horses and burros cannot be changed—they are on the land 24 hours per day year-round. This

factor is taken into consideration when the AMLs are established and is why maintaining levels is critical. An increase in funding is needed to implement a removal strategy of excess wild horses and burros followed by an aggressive fertility control management strategy and finding long-term holding solutions for removed animals.

The Nevada Cattlemen's Association supports S.J.R. 3 in urging Congress to uphold the intent of the Wild Free-Roaming Horses and Burros Act of 1971. Time is of the essence, and delays will be more costly and make it harder to address the problem.

JANINE HANSEN (Chair, Independent American Party):

I will read my submitted written testimony ([Exhibit F](#)) in support of S.J.R. 3.

KYLE DAVIS (Nevada Conservation League):

The Nevada Conservation League supports S.J.R. 3. Unchecked populations of feral horses in Nevada are causing big impacts on our native ecosystems and wildlife. Overpopulated areas with wild horses ruin the scenic vistas. The solutions outlined in S.J.R. 3 are the paths forward to solve some of the problems occurring since the implementation of the Wild Free-Roaming Horses and Burros Act of 1971. These issues need to be dealt with for the environmental health of Nevada.

LYDIA PERI:

I have spent time in the backcountry of Nevada and see horses each time. The horses are afraid of humans, and it is horrifying to see the horses in areas with degraded health conditions. Many groups with different opinions are coming together for a common cause. We want horses on a healthy landscape with healthy populations. Please support S.J.R. 3.

WILLIAM MOLINI (Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses):

I was a field biologist for NDOW from 1968 to 1972 and can affirm there were few horses on rangelands. This was before the Wild Free-Roaming Horses and Burros Act of 1971 was enacted and implemented. The main goals were horse recognition and ensuring humane treatment. Having the tremendous number of wild horses on our rangeland today was not the goal. The Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses is supportive of the BLM. The

BLM knows what needs to be done and how to do it. Financial and political support for the BLM can allow for reaching AMLs.

Wild horses have demonstrated the ability to double their populations every four to five years. By 2025, Nevada could have 100,000 wild horses. This will put rangeland dependent wildlife at peril. Declines in wildlife species and land resources will injure the production and sustainability of water, vegetation and wildlife resources. Recovery potential will be lost for generations.

MARY CIOFFI (President, Pine Nut Wild Horse Advocates):

Local residents of Carson Valley have enjoyed the historic bands of wild horses for as long as local memories can recall. The Pine Nut Wild Horse Advocates worked with the local district BLM office to provide humane birth control to herds east of our town. The reproduction rate of these bands was reduced by 81 percent in 2020 and success continues. None of our wild mares appear to be in foal on the Fish Springs Range this year. Our horses are in excellent health. Wild horses can be managed successfully on many ranges with good results at lower costs to taxpayers.

Wild horses are not the negative impact solely responsible for the conditions of our public lands. Off-road vehicles affect our ranges. Senate Joint Resolution 3 does not reflect the opinions of the majority of Nevadans in Douglas County. Those of us in opposition to S.J.R. 3 wish for a postponement of a Senate Committee on Natural Resources decision until opinions in opposition are heard. Many options are being implemented to solve the issues and could be successful on a greater scale.

Wild horses provide tourism, and advocates have given tours to people from many areas of the Country and the world. Tourists stay in our hotels, dine in our restaurants and shop in our stores.

Our community strongly supports leaving wild horses on the ranges where they were born. The community is willing to manage its horses on the range, including labor and funding the costs of birth control. Pine Nut Wild Horse Advocates opposes S.J.R. 3 and the one-size-fits-all program intended to remove starving and water-deprived wild horses for humane reasons. The horses in our community are not starving or dying of thirst. Our range has never had any restoration after decades of numerous fires.

CARLO LURI (Bently Family Limited Partnership):

I will read a statement from Christopher and Camille Bently, owners of Bently Ranch and Bently Heritage Estate Distillery in opposition to S.J.R. 3:

This is a clear case of throwing good money after bad. Science has provided a better solution, a more-humane, more-effective solution that does not spend millions in taxpayer dollars. Are we going to ignore it just for the sake of making the same mistakes over and over? The BLM's roundup and holding facilities expenses have skyrocketed. A science solution is being ignored. The PZP program being carried out by the American Wild Horse Campaign and their partners offers a real long-term solution. All that is required is collaboration between the BLM and the volunteers. We need our Legislators to be willing to embrace the solutions of today instead of clinging to yesterday's mistakes.

Members of the Bently Family, LLC consider themselves environmentalists and care about the health of the range. They do not oppose population management of wild horses but are concerned S.J.R. 3 is too narrowly focused on removing horses from the range. I have visited the holding facilities and according to the BLM, the costs for feeding the horses is \$5,000 per year. It is typical for a horse to be in captivity for ten years. This amounts to \$50,000 per horse. Fifty-thousand horses in captivity would raise those costs exponentially.

The old paradigm is to remove horses and put them in holding, —why, when the populations can be controlled by effective birth control solving the problem at much lower costs to taxpayers?

DENIZ BOLBOL (Vice President, Pine Nut Wild Horse Advocates):

Please postpone voting on S.J.R. 3 until the Committee receives presentations with data from the other side of this issue. A biased one-sided presentation is what your decision will be based on. A two-minute public comment period is not enough time to address the issues raised. The basis of S.J.R. 3 is BLM's AML system.

The National Academy of Sciences (NAS) is a premier independent, scientific body and provides the U.S. government with balanced fact-based information and data. The BLM paid NAS to conduct a review of its wild horse program. The study claimed there is no science-based rationale used by the BLM to allocate

forage and habitat resources to various uses, and AML is not supported by scientific information. The report stated AMLs must be adapted or changed to reflect changes in societal values, public attitudes and preferences. The report indicated wild horses account for just 5 percent of consumption of forage on BLM lands, and livestock grazing accounts for 95 percent of consumption. Eighty percent of the forage BLM allocates in the designated wild horse habitat is given to livestock. Livestock is responsible for widespread destruction of rangeland.

CRAIG DOWNER:

I am a wildlife ecologist and a multigenerational descendent of Nevada pioneers. I grew up on a horse, and I wrote a book entitled *The Wild Horse Conspiracy*. Based on the information heard today, wild horses and burros are being blamed for much that is wrong in the State. It is a distraction from the root cause of the problems. I resent the prejudiced views against wild horses who are a deeply rooted North American native species.

Horses are miserable and starving when their niche in the ecosystem is not recognized. I do not agree with using a fertility drug to turn them into domesticated animals. When horses have mature social units, they self-stabilize their populations. I am an advocate of reserved design where an area is contained and allows the horses with mature social units to fill their niche, and there are ways to keep them in commensurate, viable populations.

RANDAL MASSARO (President, Union Members for the Preservation of Wildlife International):

The Union Members for the Preservation of Wildlife International represent our brothers and sisters within the Native American community in opposing S.J.R. 3. This resolution is a smoke screen. Cattle outnumber horses ten to one. Cattle-ranching communities have affected the Native American community and sheepherders by providing free range for their cattle.

As a retired law enforcement officer working on investigations, I am willing to help the Native American community and fellow animal rights activists with video footage needed to testify in the event of lawsuits. The banding together of the unions, animal rights activists and the Native American community to take on the cattle industry and the BLM is indicative of activation needed for the war on our wildlife.

The decisions of the Nevada Legislature set the example, and many are looking to see if the right decisions will be made. Does Nevada have enough money to take on legal cases? Three to four times more funds are produced by ecotourism than killing wildlife.

JUDITH CONWAY:

I observe horses often looking for food and water in my Silver Springs residential area. Accidents often occur, and more fences on U.S. Highway 50 and USA Parkway might be a solution. Why has building development been allowed to destroy the water hole on USA Parkway? Why was the water not protected under the Wild Free-Roaming Horses and Burros Act of 1971? Birth control for horses does not sound like the only or best option to address the problem. I oppose S.J.R. 3, and it should be adjusted in favor of horses instead of cattle and buildings. The roundup and holding areas cost more than humane and realistic solutions.

SHEILA SCHWADEL:

A press release dated September 16, 2014, on the Public Employees for Environmental Responsibility website titled "BLM Weighs Wild Horse Impact Much More Heavily than Cattle" states:

The method used by the U.S. Bureau of Land Management to assess range conditions is seriously skewed toward minimizing impacts from domestic livestock and magnifying those from wild horses and burros, according to an appraisal by Public Employees for Environmental Responsibility (PEER). As a result, the BLM's approach to range management targets scattered wild horses and burros while ignoring far more numerous cattle.

A PEER appraisal of the methodology found –

- BLM calculates the "area of influence" of wild horses and burros on sage grouse habitat based merely on their presence within Herd Management Areas in sage grouse habitat, while it considers livestock impact to have occurred only when livestock grazing allotments fail the agency's Land Health Status (LHS) standard for wildlife;
- If the agency used the same approach for calculating the area of influence of livestock within BLM grazing allotments on sage grouse habitat as it did for wild horses and burros,



the area of influence for livestock would be roughly 14 times that given in the report and more than six times that of wild horses and burros; and

- Within BLM's own grazing allotment LHS database records, livestock grazing is cited as a cause of failure to achieve a land health standard 30 times more often than are wild horses and burros.

The BLM has been skewing its numbers in favor of cattle and blaming the wild horse population.

STEPHENIE MCCOY (Wild Now):

Wild Now was set up in 2019 to help wild horses. There is a problem, and wild horses are not protected. There are competing interests, and bands of horses removed from the rangeland to long-term holding are not protected. Horses on the range are not properly managed. I approve of the porcine zona pellucida (PZP) vaccine program. I am trained in it and intend to dart with PZP in the Fish Creek Herd Management Area. Before making a decision on S.J.R. 3, please consider all angles. The BLM program has not proven to be successful and continues to overpopulate the rangelands. The BLM does nothing to stem the reproduction of wild horses. The horses live as families in bands and look better on the range than my personal horses do. The problem has never been fixed in the way proposed in S.J.R. 3.

DEBORAH WALKER (American Wild Horse Campaign):

I am the Nevada field representative for the American Wild Horse Campaign. I am a volunteer for the PZP program and the Virginia Range is running the world's largest wild horse fertility-control program. We have darted 1,400 mares and given over 3,300 treatments with a primer and booster. This is being done by volunteers and donations to the American Wild Horse Campaign. Capturing and removing 40,000 wild horses will cost taxpayers \$40 million. It will cost up to \$2 billion to maintain them in holding facilities. Taking action on this is against what the majority of Americans and Nevadans want to see for wild horses.

The BLM management system is a failed system; it is not a solution. Fertility control is a viable solution which works. There are two sides to this matter, and wild horses are being used as an excuse. Populations can be managed safely and humanely on the range.

LOUISE MARTIN:

Both sides of this story need to be presented. Today's presentations were one-sided. Eighty-five percent of Nevada's residents support our wild horses on the range. A small minority is fighting against freedom of wild horses. We need to get past the old and begin with the new solutions. Too many cattle on the range cause damage.

JENNIFER BAKER:

I am in opposition to S.J.R. 3 because I sat in a room with Governor Steve Sisolak, Assemblyman Jim Wheeler and several others who decided the most humane and proper action Nevada can take is fertility control for wild horses. Horse population control is an issue. If we are to reduce horse populations in six years, then all efforts should be focused on fertility control, the most humane action with a simple birth control dart that does not mess with wildlife behaviors. After five shots, we can look at permanent sterilization of female horses. It is a permanent solution to excessive grazing and populations. The BLM numbers are skewed.

ERIK MOLVAR (Executive Director, Western Watersheds Project):

Western Watersheds Project is a nonprofit conservation group working to correct watersheds and wildlife across the American West. Western Watersheds Project opposes S.J.R. 3. I am a wildlife biologist, and my publications are about large ungulate interactions with vegetation and ecosystems, specifically the Alaskan moose. I did my research at the Institute of Arctic Biology.

In Dr. Sedinger's testimony about the biomass of wild horses exceeding the native wildlife biomass, I did not hear a biomass number for cattle. I looked at the comparison between cattle and wild horses nationwide and corrected for animal unit months, comparing one month of horse use to one month of cattle use, and I found 14.8 times as much cattle use on Western public lands as wild horse use. It is primarily cattle and livestock impacting the environment and damaging riparian areas and water holes. If wild horses were the real ecological problem in the West, Western Watersheds Project would make this a priority.

A publication by Beever and Aldridge in 2011 claims free-roaming horses spread rapidly across the Intermountain West, and populations reportedly peaked in the U.S. at 2 million to 7 million animals in the late 1700s to early 1800s. If there are 88,000 wild horses, and native wildlife was at its peak in earlier centuries, horses today cannot be a major ecological impact.

ALAN JENNE (Administrator of Habitat, Department of Wildlife):

The Department of Wildlife is neutral on S.J.R. 3. Consider Nevada's 895 wildlife species in this resolution. Nevada's scarcest and most important resource is water, and the associated riparian habitats are relied upon by all species. The long-term degradation of these waters and vegetative communities are exacerbated by the excessive, unmanaged wild horse and burro populations that have detrimental influence on other species numbers and distribution. Wild horse and burro numbers at 300 percent of the prescribed management levels and the potential for populations to double every three to five years, necessitates urgent action to maintain healthy and productive landscapes for Nevada's wildlife.

JACQUIE CHANDLER (Executive Director, Sustainable Tahoe):

There is no balance of presenters for S.J.R. 3. Being neutral, I am uncertain why the voices were not heard for having a viable sustainable habitat for the animals. We should be giving habitat back to wildlife species or it will affect human survival. Managing greed and encroachment by urban sprawl and livestock that has moved into wildlife habitats should be a priority. The BLM should be working actively with nonprofits and volunteers to help sustain wildlife. Ranchers dominate the land 80 to 1 against wildlife.

CHAIR DONATE:

We will close the hearing on S.J.R. 3.

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CHAIR DONATE:

Having no further business, we will adjourn at 5:36 p.m.

RESPECTFULLY SUBMITTED:

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Christine Miner,  
Committee Secretary

APPROVED BY:

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Senator Fabian Donate, Chair

DATE: \_\_\_\_\_

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Begins on Page</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
S.J.R. 3	B	1	Rebekah Stetson / Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses	Slide Presentation
S.J.R. 3	B	3	Sherman Swanson / University of Nevada, Reno	Slide Presentation
S.J.R. 3	B	6	James Sedinger / University of Nevada, Reno	Slide Presentation
S.J.R. 3	C	1	Rebekah Stetson / Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses	Written Testimony
S.J.R. 3	D	1	Sherman Swanson / University of Nevada, Reno / Coalition for Healthy Nevada Lands, Wildlife and Free-Roaming Horses	Written Testimony
S.J.R. 3	E	1	James Sedinger / University of Nevada, Reno	Written Testimony
S.J.R. 3	F	1	Janine Hansen / Independent American Party	Written Testimony