

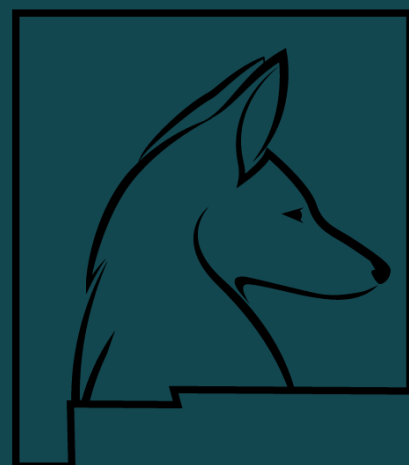
# Water & Natural Resources Committee

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## WILD HORSE MANAGEMENT LEGISLATION

Working toward a better humane  
framework for protecting both  
New Mexico's wild horses and landscapes

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**ANIMAL  
PROTECTION  
NEW MEXICO**





# Wild horses in New Mexico

There are 2 types of wild horses in NM:

1. Federally protected & managed wild horses under the Wild and Free-Roaming Horses and Burros Act of 1971
  - 2 Bureau of Land Management herd management areas: Bordo Atravesado and Carracas Mesa
  - 3 U.S. Forest Service wild horse territories: Jicarilla, Caja del Rio, and Jarita
2. Other free-roaming wild horses in the state, protected under a state wild horse law (77-18-5 NMSA (Livestock Code), enacted in 2007)





# Wild horses in New Mexico

## Where are the state wild horses—and how many?

- All across the state; Tribal and non-tribal lands
- There has been no scientific statewide survey of the number of wild horses

## There are areas that get more attention due to human-horse interaction:

- Placitas (Sandoval County)\*
- Alto (Lincoln County)

**\*Sandoval County is the only *known* state/local jurisdiction where there is some *formal* wild horse management happening.**





# Problems with the Current State Wild Horse Law

While the current law is rooted in laudable values of protecting and preserving wild horses, further vetting and real-world application has revealed:

1. Multiple gaps where the law is silent or confusing, which has forced NM Courts to interpret and fill in the blanks, sometimes to absurd result.
2. Multiple untenable & unfeasible provisions that have thwarted successful execution of and compliance with the law.
3. Important aspects of comprehensive humane wild horse management are absent from the law.



# Problems with the Current State Wild Horse Law

## *(a few examples)*

- Inadequate guidance on how to differentiate a wild horse vs. a domestic horse
- Only sets requirements for horses capture on public land (silent re: private land); Public land excludes BLM, Forest Service, and state trust land—what is left?
- Requires upon capture a DNA test to determine whether the horse is a “Spanish colonial horse”—vaguely defined term, no blood % threshold specified—and if yes, then sent to a Spanish colonial horse preserve (none exist?)
- Adoption of wild horses is conducted by whatever agency owns the land the horse was captured (no known state/local agency has a wild horse adoption program)
- The authority to conduct a wild horse survey, and arrange for the birth control, capture, adoption, and euthanasia of wild horses, is granted to the UNM Museum of Southwestern Biology’s Division of Mammals (this is not work they do)
- Outcomes: Unmitigated conflicts; Land degradation in certain areas; Private individuals have taken some measures into their own hands, to ill effect



# **New Mexico Needs a New Law That:**

- Promotes the welfare of wild horses, as a whole and individually
- Facilitates humane solutions to wild horse and human/environment conflicts
- Provides a workable framework for those solutions
- Is clear about how the provisions of the law need to be implemented and by what appropriate entity
- Acknowledges the importance of coordination, collaboration, and consultation with and support for Tribes re: wild and free-roaming horse issues
- Gives local communities autonomy to engage in wild horse management within the given framework
- Establishes adequate central oversight over wild horse management activities





# Components of Future Wild Horse Legislation



# New Wild Horse Legislation in Development

## Management & Protection Authority

- Specify that state agencies, counties, and municipalities are allowed to engage in wild horse management;
- Designate an appropriate state agency to hire a central point person/team for monitoring, reporting, facilitating wild horse management, and engaging in Tribal coordination/consultation
- Allow state agencies, counties, and municipalities to contract with “qualified experts,” as defined, to conduct wild horse herd surveys and develop and implement management plans, including fertility control





# New Wild Horse Legislation in Development

## Clarification of Terms and Concepts

- Define “wild horse” to include no evidence of private ownership and indicia of wild behavior
- Eliminate “public land” distinction re: what is a wild horse and its location of capture
- Define experts who are qualified to conduct scientific wild horse surveys and develop/implement management plans
- Clarify how and who can establish a “wild horse preserve”
- Specifies that carrying capacity determinations only include land/resources on private land with landowner consent





# New Wild Horse Legislation in Development

## A Comprehensive Management Plan

- Sets framework and priority for “on-range” management
- Require fertility control, regulation of supplemental feed/water, non-lethal conflict mitigation as prerequisites to any removal plan
- Require that removal plans are planned and conducted responsibly and humanely with prior agreements in place for disposition options
- Ensure that all adoptions are done through qualified licensed horse rescues







**BASED ON EVIDENCE,  
HUMANE FERTILITY CONTROL  
(PZP VACCINE) IS:**



More effective at reducing free-roaming horse herd sizes



Less expensive to implement



Broadly supported by New Mexicans

**COMPARED TO ROUND-UPS  
AND REMOVALS.**



# New Wild Horse Legislation in Development

## Humane Protections for Horses

- Allow for emergency vet care
- Prohibit use of aircraft or motorized vehicles for purposes of herding or capture
- Ensure that wild horses are not be sold or transported for slaughter, sold at auction, or killed except for humane euthanasia
- Same disposition options as existing law: return to landscape, preserve, or adoption (But they don't hinge on whether the horse is determined to be a "Spanish colonial horse"/DNA)





# New Wild Horse Legislation in Development

## Funding Needs

- For the designated central oversight entity's operations
- For the implementation of wild horse herd surveys and wild horse herd management plan development (e.g., funds for PZP fertility control, care for any removed horses)
- To support the growth of a Tribal horse shelter network





## The Bottom Line

- This legislation would set guardrails and urge collaboration to protect and compassionately manage wild horse populations are needed.
- The state must focus on humane fertility control as a primary tool and discourage the cruel and ineffective cycle of mass roundups and removals.
- Wild free-roaming horses deserve to live safely on natural range or an appropriate sanctuary—and in balance, land must also be preserved and managed for other uses (especially during a time of drought and climate change) and managed for public safety.





# THANK YOU!



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