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*Testimony of*

**Julian J. (J.J.) Goicoechea, DVM**

*On behalf of*

**Eureka County, Nevada**

*Before the*

**United States Senate**

**Committee on Energy and Natural Resources**

**Subcommittee on Public Lands, Forests, and Mining**

*At the hearing titled*

**Examining BLM's Wild Horse and Burro Program**

July 16, 2019 | 2:30 p.m. EDT | 366 Dirksen Senate Office Building

Chairman Lee, Ranking Member Wyden, and members of the Committee, my name is J.J. Goicoechea, I am a fourth-generation cattle producer and a licensed veterinarian from Eureka, Nevada. I am serving in my second term on the Eureka County Board of County Commissions and midway through my seventh year serving as Chairman of that board. I was in private veterinary practice for 17 years before being named the Nevada State Veterinarian in February of 2016. It is my pleasure to testify before your Committee to discuss the impact that wild horses have on rangelands in the west and how lack of management is affecting not only rangeland health, but animal health and welfare. While I am the current Nevada State Veterinarian, my comments today are made on behalf of Eureka County Nevada. My testimony is based on my years in private practice (including extensive work with wild horses and the BLM), my background as a steward of public lands, and as an elected county official in Nevada.

The issues surrounding the management of wild horses across the west are not new. Since the passage of the Wild and Free Roaming Horse and Burro Act (WFRHBA) in 1971, there has been concern from all sides of the issue regarding how the animals and the natural resources they rely on being managed. Over the last 48 years, the program has seen some significant changes, both good and bad. I am not here today to cast blame, but rather to offer insight and advice on a program teetering on the brink of collapse and to voice support for a proposal moving the program forward. The very animals and resources that the BLM is charged with management of are being negatively impacted and in some cases irreversible damage to our western rangelands are resulting from mismanagement. I must impress upon you that the time to act is now. We cannot wait another two or three years to start on a path of correcting the wrongs of the last nearly 50 years.

The agency has shifted from the multiple use principals contained in the WFRHBA and the later Federal Land Management and Policy Act. Rangelands are being managed exclusively for the over population of horses in some cases. Public lands that have had limited to no livestock grazing for over a decade are being degraded by continuous overuse by wild horses in many areas of Nevada and across the west. Native wildlife species are seeing their sensitive habitats impacted and often destroyed. Outdoor recreationists are watching favorite camping and hiking areas become degraded and overgrown with invasive plant species due to continued overgrazing by unchecked populations of wild horses and burros. I believe in managed healthy horse herds on managed healthy lands that function in natural ecological balance.

Eureka County has been a strong voice advocating for proper management of wild horses for decades. A prime example of this is the Diamond Complex in central Nevada. This complex was created in the 1990's through the collaborative efforts of the BLM, Eureka County, permittees, wildlife specialists, and the general public. It was spurred on in part due to a massive die of horses in the winter of 1992-93 due to starvation. Voluntary reductions in grazing were made by ranchers to allow for the managed grazing of horses. Appropriate Management Level (AML) was agreed upon and the promise to gather the complex as needed to keep it within AML was made. The Diamond Complex has struggled to even reach AML after gather operations due to its rugged terrain and proximity to other large and overpopulated HMA's. It was last gathered in 2013 and as of March 1 of this year has over 1000 horses in it. That is 8 times above AML and the complex is not on the gather schedule for this year and no fertility control work is being done. Once vigorous populations of Greater Sage Grouse found though out the area now within the complex are struggling for survival in many locations and completely gone in others. Post fire restoration efforts that once were used as models of success are now landscapes of annual invasive grasses and weeds.

The Diamond Complex is just one of dozens of HMA's in trouble. All wild horse herds in Eureka County continue to grow larger with no active population management. Over-population and subsequent over-utilization by wild horses continues to (1) degrade ranges BLM and permittees have invested substantial time and money in; (2) diminish habitat and forage for sage grouse and other upland birds, mule deer and livestock; (3) impair watersheds which provide water, clean air, and natural amenities to our citizens; and (4) increase

public safety issues with more horses moving near populated areas and crossing major roads. The result is a substantial long-term economic impact to tourism, recreation, sporting, and livestock industries in Eureka County and severe detrimental impacts to rangeland health, our citizens' health and welfare, and our long-term socioeconomic stability.

Based on BLM's most recent numbers from March of this year, the Herd Management Areas (HMA's) within or affecting Eureka County, on average, are at least 449% of their established high-end Appropriate Management Level. Many HMAs are over 500% of high-end AML. One HMA is over 1850% of high-end AML. Hundreds of horses are located outside of HMAs. It is imperative that something be done now to conserve and restore the health of these rangelands negatively affected by overpopulated horses.

The Eureka County Board of Commissioners recognizes and expresses its support for recent recommendations to better manage wild horses. The Bureau of Land Management (BLM) and Congress have lacked the fortitude to accept and work towards implementation of difficult but necessary recommendations. While Eureka County has policy supporting the use of all tools authorized under the Wild and Free Roaming Horses and Burros Act of 1971, as amended, and sell or humanely euthanize excess horses that are unadoptable, we have compromised and agreed to the non-lethal management approaches set forth in the recent proposal entitled The Path Forward for Management of BLM's Wild Horses & Burros.

While this last winter was an above average winter across the majority of Nevada, the past several years had predominately been years of drought. Once again, there were numerous cases of wild horses dying due to dehydration and starvation. While some groups may publicly state that this is nature taking its course, I challenge anyone to idly stand by and watch horses collapse and die from dehydration. Starvation and dehydration are inexcusable and inappropriate methods of population control. Those of us who truly make a living caring for animals, whether our own livestock or client animals, have a moral obligation to manage populations in balance with natural resources to prevent damage to the resources and above all to provide for the overall health of the animals.

The horse is what I call a rubberband species. It can withstand tremendous amounts of stress and long periods of less than adequate feed and water when compared to other species. Species such as Sage Grouse, mule deer, and other upland game migrate away from areas or die due to lack of necessary feed, water and cover while thin horses struggle and often survive at the expense of others in periods of sustained drought. Once conditions on the range are bad enough that horses succumb to starvation and dehydration, they are quite often the last ones remaining in that area. When conditions improve, the horse is the first to bounce back and take advantage of growing feed and flowing water.

Based on March 2019 numbers, the nationwide population of wild horses and burros was over 88,000 and Nevada has 47,468. Nevada alone has nearly double the number of horses and burros that should be on ALL western rangelands and is home to some of the largest HMAs in the nation. The tools needed to manage wild horses and burros in Nevada and many other locations in the west are not simple and currently used methods and tools are not enough. Even with an aggressive gather program in 2018, the nationwide population still grew over 7% and if the status quo is maintained, there will be nearly 400,000 horses and burros on the range in 9 more years. Our nation's wild horse population has reached a level that must be addressed now to avoid exponential growth in the coming years and eventual starvation.

Nevada's Triple B HMA is massive in size. It contains over 1.2 million acres of BLM managed public lands, not counting the private land holdings within its borders. This one HMA is larger than the state of Rhode Island, and its current population of wild horses is over 1500. Its low Appropriate Management Level is set at 250. How can we knowingly have horses dying, knowingly have natural resource damage occurring because of a population 6 times larger than is appropriate? To the BLM's credit the Triple B was last gathered in May of

2018 and a gather is currently being conducted there, in large part due to public safety concerns and increased collisions between horses and motor vehicles. The Pancake HMA is nearly 850,00 acres in size and it had an emergency gather done in August of 2018 due to horses dying and resource damage. This HMA as of March 2019 is 508% of AML. This is after being gather last summer. Both of these HMAs are adjacent to Eureka County and the continued overpopulation of these have real and often devastating effects on Eureka County residents.

In addition to emergency gathers, the BLM does provide resources to aid in watering and feeding horses when the situation is brought to their attention. This often leads to an entirely new set of problems and impacts. Take for example the Fish Creek HMA in Eureka County, Nevada. This HMA historically, year after year, requires the use of contractors to haul water to horses who would otherwise die of dehydration. Often times, fire crews are used to shuttle water in fire trucks to storage tanks and water troughs in addition to contractors doing the same. This HMA was gathered as recently as 2015 and today stands at 358% above AML with a proposed gather for later this year. The Fish Creek HMA is a prime example of one that does not even fit the definition of "natural balance". This HMA has never been at AML since it was established. From 1994 to 2002, with the exception of 1999, there was no livestock grazing on the associated Fish Creek Ranch Allotment and yet the utilization use levels were moderate to severe in the Antelope Valley portion of the allotment/HMA.

Simply gathering and removing excess horses has not worked in the above examples. The use of fertility control must be used in conjunction with gathers in order to have any chance at reaching and maintaining AML. The use of fertility control alone is not acceptable either. With over 60,000 excess horses on the range, even if reproduction rates were to drastically drop today, there would continue to be habitat degradation for decades due to the current numbers of horses.

Related to the concept of fertility control alone, I think it must be noted that the Fish Creek HMA had an Environmental Assessment done for Porcine Zona Pellucida (PZP), an injectable fertility control compound, starting in 1997. At that time, it was promised that the use of PZP would bring the population of horses in the Fish Creek HMA down to AML in 19 years. We are now 22 years later, 358% over AML, and some would again like to promote the use of fertility control drugs like PZP as the sole tool to bring the number of horses in the Fish Creek HMA down to AML.

The fact that so many HMA's are immediately over AML after a gather is a testament to the need to do things differently. For years now, contractors for the BLM have voiced their concern over the catch and release of so many horses. The process of rounding up horses and releasing them back into HMAs, sometimes after fertility drugs have been administered and other times just because the number of horses determined to be rounded up was met, has trained horses to hide in Pinion Juniper woodlands or to escape outside the boundaries of HMA's. Many of the HMA boundaries are not fenced and in some cases are merely dirt roads or boundaries on a map with the U.S. Forest Service for example. When a gather operation is conducted and there are still more horses than AML on the range, why do we turn additional horses back out? We have been told that it is because of money, it is because of holding space, it is because the decision didn't authorize the removal of any more horses, etc. Over the last 45 years, the agency has trained horse herds to be difficult to manage through its actions. This must stop in order to have any chance of curbing the reproductive growth of our nation's wild horse herds. In order to be successful, an approach must be taken to capture as close to one hundred percent (100%) of all the animals in an HMA and apply desired treatments to that HMA before moving on and hopscotching across the west applying bandages to problem areas and ignoring other areas. This must include coordination with other agencies such as the United States Forest Service, State governments, and private property owners. Carefully planned operations across multiple jurisdictions are needed to be effective.

In addition to better planned and more efficient gathers, what are some other potential solutions to the problems at hand? First off, we must give the agency tasked with management of the horses and burros, additional safe and effective tools. Some of these may be favored by some and completely opposed by others. The point is, not all tools and techniques will work in all places. PZP for example, is a tool that has its place. Will PZP work in HMA's like the Triple B or Pancake? Honestly, no. It is most effective in smaller areas and smaller populations where repeat administration is feasible. Areas for example that have limited water and water that can be easily controlled are most likely to be successful using PZP once populations are at AML. It will be critical with PZP that continued funding is available for ongoing administration of boosters.

As with all inoculations, there are various reasons for success and failure. The immune status of the animal (the body condition of the mare plays a role in this), was the product handled correctly from manufacturing through administration. I can tell you for sure that many "vaccine" failures are the result of poor product handling and less than optimal conditions at administration. Sometimes vaccines just don't work. In ideal situations, we can't achieve 100% efficacy of vaccinations. In the Nevada dessert I doubt we are maintaining ideal situations a majority of the time. So what if we don't get the mare inoculated correctly? What happens if we don't find her to booster her or even make an attempt to booster her?

It is a scientific fact that a mare or any animal for that matter, that doesn't reproduce for a year or two and increased their body condition, will have a higher rate of a successful reproduction than a mare that raised a foal the year before. The path forward must provide fiscal support necessary to continue the administration of reproductive drugs if needed. Without this, huge increases in populations will occur within years depending on the number of successful inoculations a mare had received prior to not being treated.

In HMA's and other areas that must be gathered by means such as helicopter, it is critical that the funding and space be made available to remove all excess captured horses and to treat all horses to be released with more permanent sterilization techniques. I am certain that the time will come when pharmaceutical companies will have developed and adequately tested drugs that will have permanent or at the very least long term reproductive effects with a single dose. The flexibility to allow for the use of these products has they become available must be granted. With the horse herds doubling in size every four years, we don't have months and years to wait while we do an Impact Statement or Assessment in order to use new techniques. The importance of allowing proven and safe products and procedures to be immediately put to use cannot be underestimated.

In large and rugged HMA's such as Nevada's Triple B, Fish Creek, Little Humboldt and Little Owyhee for example, a different approach will need to be taken to manage populations at AML. This approach may include the use of gathers to remove older horses and the use of permanent surgical sterilizations, (spay and neuter) on younger horses or perhaps the use of Intra-Uterine Devices (IUD's) currently being tested in domestic horses. Why remove the older horses and not the younger adoptable horses as the BLM has been doing? The answer is actually very simple. The horse market is already flooded with adoptable horses. By removing the older horses, you are placing horses in long term holding facilities that have a shorter life span and would therefore reduce the overall cost per horse in long term holding.

In addition, the younger and healthier population is safer for the use of spay and neuter techniques. As a veterinarian I understand any surgical technique comes with a risk. In order to minimize the risks, it is wise to select patients that are inherently less likely to experience side effects.

The use of surgical sterilization will require additional handling of the animals and will require a longer stay in holding corrals to reduce the risk of injury to the surgery site and allow for administration of antibiotics if needed. While this may not be appealing to some, I argue that a few more days in a holding corral to ensure reproduction is curbed is better than being trapped and darted every couple of years in the hopes that funding doesn't end and that the drugs can be administered as needed. We must also consider the cost be the most

economical with our resources. The cost to gather each horse is fair more than the cost to house it for a few additional days. If we must conduct additional gathers in order to provide additional treatments, we haven't really gained much at all.

Advances in surgical techniques and improved methods of analgesia continue allow for more rapid recoveries and less postoperative complications in horses undergoing surgical procedures. I applaud the BLM for conducting studies to prove the safety and efficacy of surgical techniques. I would never condone unsafe or inappropriate techniques or drugs to be used, but as a scientific professional, I would also not be so foolish as to not adopt more effective tools once proven safe and effective.

Regardless of whether current or new products are administered to on-range populations or surgical or IUD's are used, the need to place excess horses in holding facilities away from sensitive rangelands will be mandatory. Increased funding will be needed to accommodate the housing of many more horses for a decade plus going forward. Some will argue that this is unnecessary and removing other multiple uses from our public lands will allow room for growing horse herds. Forget the knee jerk reaction that we will remove all livestock and limit other multiple uses in order to hold more horses on the range. That is not a viable solution in the least. We already have horses dying; we are already degrading our rangelands and natural resources because of too many horses. If we are to remove other multiple uses to make room for more horses, keep in mind this will include impacts to wildlife, sensitive plant species, and rural economies, not just domestic livestock. Within just a few years, tens of millions of acres of rangelands will be negatively impacted, hundreds if not thousands more dead horses will litter the landscape. Is this the legacy we want to leave for our children and grandchildren?

In closing let me say, I sat through meetings for months attempting to find common ground with others who also support the proposal on a path forward. It was a diverse group to say the least. Many of us around the table held opposing views on many issues we each held close to our hearts. I am proud that we were able to set aside our differences and continue to work on a meaningful solution to the very real problems of overpopulation and resource damage. The conversations often were not easy, but we stayed with it and eventually developed a product that if allowed to work will build a successful program, for the good of everyone and everything involved. This is what compromise looks like and I believe in its potential.

I would like to say that I have been blessed with a lifestyle that allows me to live among livestock, wild horses, wildlife, and all the west's natural beauty. I have been able to offer assistance to the BLM when needed for gathers, adoptions, or just brainstorming meetings. The frequency of assisting with cases of starvation and death are increasing however. The die off in the Diamonds in the early 1990's, the drought deaths of recent years, and the increasing calls of debilitated horses leave impressions on me that I will never forget. Words and still image photography can't begin to describe what it was like to watch a starving foal attempt to nurse its dead mother. Likewise, watching wild horses collapse and die of dehydration is gut wrenching to say the least. Worse yet is being called upon to euthanize debilitated animals that are only in that condition because of continued mismanagement. It is something that I doubt any of you will ever see or do and I am thankful that you won't have to. I do not tell you these things as a lobbyist, a government employee, or an activist. I am a ranch kid that was lucky enough to find his way to veterinary school and spend my life applying what I learned to care for animals. I am tired of seeing horses die. I am tired of watching the rangelands I love and work so hard to protect be degraded. I am tired of the status quo. How much longer can we collectively turn a blind eye?

I appreciate the opportunity to be here today and I am happy to take any questions the committee members may have when appropriate. Thank you.