



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Albuquerque District  
Rio Puerco Field Office  
100 Sun Avenue NE, Suite 330  
Albuquerque, New Mexico 87109  
<https://www.blm.gov/new-mexico>

**MAR 06 2023**

In Reply Refer To:  
NMA012 (4150)

MAR 8 2023 AM 11:45  
REC'D/LEGAL

Michael Eshleman  
Sandoval County Attorney's Office  
1500 Idalia Rd Building D  
P.O. Box 40  
Bernalillo, NM 87004

Dear Sandoval County,

The Bureau of Land Management (BLM), Rio Puerco Field Office (RPFO) is in receipt of your letter dated January 26, 2023, regarding the Proposed County Ordinance, "Wildlife Feeding" which bans feeding of certain wildlife in county roadways and issuing wildlife feeding permits. The BLM applauds the county for working to address concerns and issues regarding feeding of wildlife, particularly the feral horse population in the Placitas area. The horse populations in this area, as well as throughout the RPFO, are not wild free-roaming horses or burros, as defined in The Wild Free-Roaming Horses and Burros Act of 1971.

These horses are considered to be trespassing or feral livestock if not accounted for under a grazing permit when on BLM lands. Jurisdiction of these horses continues to be a question between state "wild" horses covered under NMSA 77-18-5 and any other feral or stray horse. In connection with the proposed county ordinance, we offer the following comments:

Under Section 14-41. Definitions. The definition of "wildlife" contained within the proposed ordinance is contradictory stating that wildlife shall mean "those undomesticated animals that are unclaimed, wild, stray or which belong to another person." This is especially concerning because Equidae (horses) as listed in number Section 14-41 C. (4) is both a domesticated and undomesticated animal in various situations with conflicting jurisdictions for New Mexico Livestock Board (NMLB) and NMDGF. In addition, feeding of any other wildlife species as listed in the definition would fall under the jurisdiction of the New Mexico Department of Game and Fish (NMDGF).

Under Section 14-43 Wildlife Feeding Permits is concerning as it provides an inflated, unnatural, carrying capacity for wildlife species. Wildlife are inherently mobile (easily traversing a four strand barbed-wire fence) and tied to the natural resources of an area. When food has been depleted, the wildlife will move on to find additional food and water or will ultimately perish from starvation as a natural part of the cycle. By allowing the placement of any additional food

and water, the wildlife population that becomes accustomed to this unnatural act will grow beyond what is natural. This unnatural population growth will only exacerbate the connection between the wildlife and the natural resources and require more and more artificial augmentation of the food and water resources to maintain life.

In ending, the BLM recommends the following changes to the proposed Ordinance:

1. Strike 14-41 Definitions for "Wildlife" and ban the feeding of the feral, free-roaming horses within county roadways.
2. Consider, under Section 14-42 to ban, in its' entirety, the feeding of any and all free-roaming horses in Sandoval County.
3. Strike Section 14-43 Wildlife Feeding Permits in its entirety.

The overpopulation of horses in the area is leading to severe upland degradation and is just as detrimental to native wildlife habitat as other human uses and development and is in conflict as to the long-term goal to help preserve and maintain the habitat for other wildlife species. We thank you for sending this proposed ordinance to us for review and we look forward to working with you to address this difficult issue. Please contact Adam Lujan, Assistant Field Manager, at 505-373-4538 or [alujan@blm.gov](mailto:alujan@blm.gov) or myself at 505-761-8797 if you have any questions on these comments or any other issues regarding collaborations with Sandoval County.

Sincerely,



Kymm Gresset  
Rio Puerco Field Office Manager

CC:

Katherine Bruch  
Sandoval County Commissioner – District 1  
PO Box 40  
Bernalillo, NM 87004

Sabrina Flores  
Albuquerque District Manager  
100 Sun Ave, Suite 330  
Albuquerque, NM 87109

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
ALBUQUERQUE DISTRICT OFFICE  
100 SUN AVE., N.E.  
SAN AMERICO BLDG., SUITE 330  
ALBUQUERQUE, NEW MEXICO 87108-4676

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

Michael Eshleman  
Sandoval County Attorney's Office  
1500 Idalia Rd Building D  
P.O. Box 40  
Bernalillo, NM 87004

Hasler FIRST-CLASS MAIL  
03/05/2023  
US POSTAGE \$000.60



ZIP 87109  
011E11520045

MAR 8 2023 4:11:45  
REC'D/LEGAL

MAR 8 2023

Sandoval County

87004\$00040 8001

