



March 4, 2020

Mr. Anthony Madrid
Attn: Heber Wild Horse Territory
P.O. Box 640
Springerville, AZ 85938

Submitted electronically to:

<https://cara.ecosystem-management.org/Public//CommentInput?Project=18916>

RE: Heber Wild Horse Territory Management Plan Proposed Action

Dear Mr. Madrid,

The Arizona Game and Fish Department (Department) has reviewed the Proposed Action for the Heber Wild Horse Territory Management Plan (PA) dated January 2020. Under Title 17 of the Arizona Revised Statutes, the Department, by and through the Arizona Game and Fish Commission (Commission), has jurisdictional authority and public trust responsibilities for the management of state fish and wildlife resources. In addition, the Department manages threatened and endangered species through Section 6 authorities and the Department's 10(a)1(A) permit. It is the mission of the Department to conserve Arizona's diverse fish and wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.

The Department has participated as a Cooperating Agency and Interdisciplinary Team (ID Team) member for this planning process and provides the following comments for consideration, based on the agency's statutory authorities, public trust responsibilities, and special expertise related to wildlife resources and recreation. It is the intent of these comments to aid the Forest Service to develop a PA that is consistent with the direction contained in the Wild Free-Roaming Horse and Burro Act of 1971 and Congressional intent in this legislation.

It is the Department's understanding that the settlement from the lawsuit against Apache-Sitgreaves for the planned gather of horses included a stipulation agreement that, among other things, prevented any gather of horses until a wild horse territory management strategy was developed which would be incorporated into the territory management plan. Based on the Department's review, the PA does not appear to meet the settlement stipulations from the lawsuit as Department staff have not been able to identify a clear Proposed Action. Rather, there is a very wide range of possible actions to the point where it is not clear what if any action is proposed.

Further, the Department requests that the Forest specifically clarify within the PA whether horses on or near the Heber Wild Horse Territory (Territory) are progeny of the original herd. The

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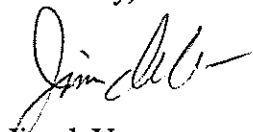
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- The PA does not appear to facilitate adaptive management actions to address potential water quality and public safety issues, through the construction of fencing to regulate horse access to Black Canyon Lake, without the need for additional future costly and time consuming NEPA analysis and documentation, should these water quality or public safety concerns materialize.
- Lastly, it would be helpful for the Forest to articulate in the environmental assessment the economic impacts to hunting, fishing, and wildlife viewing. The environmental assessment should also disclose the projected cost to implement the various control treatments on horses, population monitoring techniques, as well as removal and long-term care, as discussed in Appendix D and E.

As a Cooperating Agency and ID Team member, the Department looks forward to assisting the Forest in developing a clearly defined Proposed Action that includes due consideration of appropriate alternatives to ensure that any action taken is consistent with the Free-Roaming Wild Horse and Burro Act. It is important that due consideration be given to equitably balance the needs of horses, livestock and wildlife management. Thank you for the opportunity to provide input on this important issue for the Forest's consideration. If you have any questions regarding this letter, please contact Chris Bagnoli, cbagnoli@azgfd.gov or 928-532-2311.

Sincerely,



Jim deVos

Assistant Director, Wildlife Management Division

AGFD #M20-02142548