

March 16, 2020

Mr. Anthony Madrid
Deputy Forest Supervisor, Apache-Sitgreaves National Forest
Attn: Heber Wild Horse Territory Plan
P.O. Box 640
Springerville, AZ 85938

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

RE: Proposed Action - Heber Wild Horse Territory Management Plan

Dear Mr. Madrid,

After a careful review of you proposed management plan, I have a few observations and questions for your consideration.

1. As per your historical documentation within the scoping document, there were 7 original horses that were part of the Wild Horse and Burro Act of 1971. Your information states that at some point there were only two mares left and eventually they too were gone. Your information indicates that following years had no horses within the designated managed area. Please review how the existing horses meet the qualifications of the act? *The Wild and Free-Roaming Horses and Burros Act of 1971* states that a horse loses status "if they die of natural causes on the public lands, or upon destruction of death for purposes of or incident to the program." (1333.D.4,5) It is our argument the intent of the law was not to create new herds of wild horses but to manage those that were in existence when the act was established. Your counts or lack thereof, prove that the original herd and prosperity were not in the managed area. This calls into question whether the horses are trespassers on federal lands.
2. According to the Wild Horse and Burro Act, the Secretary is to *maintain an inventory of wild free-roaming horses on given areas of public lands (1333.b.1)* Where is the count for each year? How many horses were removed from the area during the previous management years? Were owners contacted to come get identified horses?
3. Your scoping documents mentioned that this management plan is being put into place due to a court order stopping the forest service from returning horses to the Fort Apache Reservation. Your actions demonstrate that the existing horses do not meet the required definition. Has the Fort Apache tribe been given opportunity to retrieve their horses?

Thank you for the opportunity to comment on this plan.

Sincerely,

Curt and Lannie Gillespie