



April 18, 2020

Mr. Anthony Madrid, Acting Forest Supervisor

Apache - Sitgreaves National Forests

P.O. Box 640 Springerville, AZ 85935

RE: Heber Wild Horse Territory –Draft Environmental Assessment and Draft Management Plan

The Arizona Wildlife Federation (AWF) is the State’s oldest wildlife conservation organization which is a 501(c) 3 non-profit entity that was founded in 1923 to help take politics out of Arizona’s terrestrial and aquatic wildlife management programs. Our mission is to promote the management of Arizona's wildlife and natural resources based on the principles of “sound science”. The AWF is an affiliate of the National Wildlife Federation (NWF) and coordinates closely with NWF on conservation issues of local and national importance that affect federal public lands.

Both the AWF and NWF through their resolutions and policies fully support and place high priority emphasis on the critical need to manage “wild horses” designated under the “The Wild-Free Roaming Horse and Burro Act” of 1971 (Public Law 92-195) **within a “science based” Allowable Management Level (AML) to “achieve and maintain a thriving ecological balance on public lands”** as stated in the Act. Unfortunately, there are currently areas on public lands administered by both the U.S. Forest Service (USFS) and Bureau of Land Management (BLM) in the western U. S. including AZ where the AML for either horses or burros has been greatly exceeded causing adverse impacts to natural resources (e.g., water, soils, vegetation, wildlife habitats, and wildlife populations) which are of paramount concern to the both the AWF and NWF.

The AWF commends the U. S. Forest Service (USFS) and the Apache-Sitgreaves National Forest (ASNF) for finally addressing this complex and controversial management issue after so many years since 1974 when the HWHT was first established and based on 7 horses surveyed on the ASNF at that time. Unfortunately, without any active horse population management from this time period to today the ASNF now has unclaimed and unbranded “feral” horse populations (bands) residing within many locations on the ASNF. This problem was greatly magnified with the Rodeo/Chediski (2002) and Wallow (2011) wildfires that have allowed significant numbers of feral horses to move from the White Mountain Apache Indian Reservation (WMAIR) into many locations on the ASNF as result of many damaged sections of the boundary fence between the WMAIR and ASNF.

The AWF appreciates the opportunity to have participated in the collaborative Heber Wild Horse Territory (HWHT) – Working Group to help the ASNF identify management issues, desired ecological and habitat conditions, and potential strategies for consideration in developing a management plan for the HWHT. The AWF through its participation in the HWHT Working Group and review of the Proposed Action (PA) offer the following comments regarding the proposed **Draft HWHT Management Plan Environmental Assessment (EA)** and **Draft HWHT Management Plan** for your consideration.

Draft HWHT Management Plan Environmental Assessment:

1. Page 2. “While the source of the current population of horses is uncertain, the Forest Service has nonetheless decided to manage horses inhabiting the territory or nearby areas as **wild** under the Act”,

Comment: The AWF does not agree that the source of the current population of horses is “uncertain”. The HWHT Working Group and the HWHT Proposed Action document determined that horses have been freely moving onto the ASNF from the WMAIR for decades where for example the practice of tribal members keeping free roaming horses for potential use by livestock associations on the WMAIR has occurred. As a result of annual spot breakages in the boundary fence between the ASNF and WMAIR and large scale sectional damage to the boundary fences (i.e., 50 miles – Page 98) that occurred during the 2002 Rodeo-Chediski Fire and 2011 Wallow Fire have allowed a large ingress of horses from the WMAIR onto the ASNF that has been ongoing for many years. The summary of the ethnographic study (USDA Forest Service 2017) in the PA further verifies the origin and establishment of the current horse populations on the ASNF.

The AWF supports the management of horses that seasonally inhabit and utilize habitats within the HWHT during their annual activities (i.e., for foraging, watering, thermal and escape cover, breeding, etc.) as “**Wild**” under “The Wild-Free Roaming Horse and Burro Act” of 1971 (Public Law 92-195). The AWF does not support the designation of unclaimed and unmarked (“feral”) horses as “Wild” which are found in the undefined and vague term “**nearby areas**” as cited above if there is no home range and biological connection of these horses with the HWHT. What is the specific geographical definition of “nearby areas” and do horses found in these areas utilize the HWHT? **The USFS and ASNF should only classify horses that are documented to actually utilize habitats within the HWHT during their annual activities as “wild horses” under the 1971 Act. Horses residing on the ASNF that do not utilize the HWHT should be considered non - authorized “feral trespass livestock” to be managed and removed according to USFS trespass livestock regulations.**

2. Pages 4-5. The AWF fully supports attainment of the ecological “Desired Conditions” for the HWHT as described in the 2015 ASNF Land Management Plan.
3. Page 7. The AWF fully supports the need to establish an “Appropriate Management Level” (AML) for the HWHT and the proposed AML of 50 to 104 horses based on the available habitat resources within the HWHT.

4. Page 8. The AWF strongly supports the need to establish population management actions when the proposed AML is exceeded. This is critically needed and of significant concern to the AWF in light of the 2017 ASNF horse population census survey (i.e., estimated population of 270 to 420 horses) and the population modeling of annual growth rate for the herd calculated from the census data of 19 percent to 21 percent (Wild Horse Territory WinEquus Population Modeling Analysis, project record). **As documented in the EA the estimated population could increase nearly ten times higher than the proposed AML by 2022.**
5. Pages 16-20. The AWF supports Alternative 2- Proposed Action with the “goal of the proposed action to maintain the **wild horse population associated with the Heber Wild Horse Territory** in a thriving natural ecological balance through the development and implementation of a territory management plan”. We support and strongly believe that the implementation and strict adherence to the proposed “appropriate management level” (AML) of 50 to 104 horses, and the management/ monitoring objectives described in Table 2. for population management (e.g., population control techniques, herd health) and habitat management (e.g., use of forage utilization levels, maintaining healthy soil and vegetation conditions) will be essential in successful management of the HWHT.
6. Pages 21- 22. The AWF supports all of the identified criteria and “Thresholds for Determining Excess Horses”. However, as stated previously (Comment 1.) The AWF only supports the designation of horses as “wild horses” under the 1971 Act which have a home range and biological connection with the HWHT. The AWF does not support the designation of horse populations throughout the Sitgreaves NF and other areas on the ASNF with no connection to the HWHT as “wild horses”. We do not support the action that “The following thresholds will be used in determining that an overpopulation of horses exists within the Sitgreaves National Forest, such that it is necessary to remove excess animals to achieve appropriate management levels and ensure a thriving natural ecological balance”.

The specific AML identified in this document and the proposed management plan is based on the habitat capacity of the HWHT and should only apply to horses utilizing the HWHT. What will be considered an overpopulation of horses outside of the HWHT? Are the USFS and ASNF proposing to formally designate all horses not connected with the HWHT and found within the entire Sitgreaves NF portion of the ASNF as “wild horses” with the intent to establish different AML(s) and management territories for these populations without going through required Congressional legislation? **Again, the USFS and ASNF need to specifically clarify the intent and rationale to manage and consider horses within the entire Sitgreaves NF and not associated with the HWHT as “wild horses” under the 1971 Act.**

7. Page 24. “The proposed action proposes to remove, relocate, or both any excess wild horses in the Heber Wild Horse Territory or adjacent Sitgreaves National Forest System lands. Horses would be gathered and removed when the deciding official makes a determination of an excess population of horses.” Comment: The AWF supports the proposed action to **remove** excess horses that utilize the HWHT and exceed the AML and also support **removal of all “feral” horses** in “adjacent areas” of the Sitgreaves NF

and other areas on the ASNF that have no association in terms of home range and biological connection with the HWHT.

8. Page 24. The AWF supports the procedures identified for gathering excess horses including passive bait trapping as the primary method and the use of helicopters when necessary if bait trapping is not effective. We also support the use of standard operating procedures outlined in the Bureau of Land Management (BLM) - IM-2015-151 to ensure safe and humane treatment of horses.
9. Page 25. The AWF supports the use of licensed fertility control agents such as porcine zona pellucida (PZP), gonadotropin releasing hormone (Gonacon), and intrauterine devices by trained and authorized personnel to slow the rate of horse population growth.
10. Page 26. The AWF fully supports the need to monitor habitat/ ecological conditions and trends (e.g., vegetation composition, abundance, and health) within the HWHT and the identification and use of key monitoring sites including sensitive riparian/meadow habitats and Mexican spotted owl Protected Activity Centers (PACs). We also support the potential management actions identified for 1) population management (e.g., age class alteration); 2) herd health management (e.g., emergency gathers needed for drought, wildfires); and 3) habitat management (e.g., development of additional water sources, maintenance of fence exclosures around sensitive areas).
11. Pages 28-31. The AWF fully supports the use and implementation of the Design Criteria and Best Management Practices identified in Table 3. That addresses the management of invasive plants, water quality, wildlife, recreation, vegetation conditions, horse movements, horse contraceptives, and public involvement.

Draft HWHT Management Plan:

1. Page 3. The AWF strongly supports the implementation and strict adherence to the “appropriate management level” (AML) identified for the HWHT of 50 to 104 horses based on the habitat resources (i.e., forage, water, and space) available within the HWHT.
2. Page 3. The AWF supports the desired ecological and habitat conditions identified in the management plan for: 1) vegetation and forage (e.g., grass cover healthy, vigorous, and diverse; cool season grasses and forbs at least 50 percent of ground over); 2) soils and watershed (e.g., plant basal area and litter cover sufficient to prevent accelerated erosion); 3) riparian habitat condition (e.g., either in or trending toward “proper functioning condition”); 4) herbivore grazing (e.g., not contributing to reduced water quality; a diverse mosaic of healthy and abundant vegetative cover is available for foraging and cover needs for all big game, non-game, and Threatened/Endangered wildlife species; and wild ungulate, permitted livestock, and horses do not exceed grazing capacity for the HWHT; and 5) water sources and water availability for horses, wildlife, and permitted livestock are maintained within the HWHT.
3. Page 5. As discussed in the Draft HWHT EA comments previously, the AWF supports application of all of the identified “threshold criteria to be used to determine the need for horse population control to maintain the population within the AML and meet the desired ecological/ habitat conditions within the HWHT.
4. Page 7. As previously discussed, the AWF supports the removal of excess horses through the methods identified (i.e., bait trapping, and helicopter gathers if needed) along with

fertility control methods described to reduce the rate of population increase in order to maintain the horse population within the AML of the HWHT.

5. Page 8. The AWF fully supports the critical importance of monitoring the attainment and effectiveness of the management objectives described in this draft HWHT Management Plan. We strongly recommend that the implementation of the **Monitoring Plan** methods and timelines described in the plan (i.e., for ecological/habitat condition monitoring and horse population monitoring) be given a very high priority and particularly in terms of procurement of needed funding.
6. Page 8-9. The AWF supports the critical need for the **Annual Operational Plan** and the objective to begin targeting the removal of excess horses within the Sitgreaves NF and other areas of the ASNF that have no home range or biological connection with the HWHT with the ultimate goal of attaining the AML for the HWHT in the soonest time possible. However, we do not believe the limited number of horses proposed to be removed (i.e., 50-70 in Year 1) and then limited removals and a contraceptive program if successful for Years 2-5 will be at all adequate to meet the AML objective considering a starting population estimate (i.e., in 2017 of 270 to 420 horses) which we is certainly higher today, and at a population rate increase of 19-21 percent. We strongly recommend the ASNF consult further with the BLM and other horse population modeling experts in determining the needed removal rates to attain the AML as soon as possible in respect to the increase population of horses now on the ASNF in 2021 and in light of the potential population rate increase that has been determined.
7. Pages 10-33. The AWF supports the operating methods, procedures, standards, management objectives, and thresholds for management actions identified in: 1) Appendix 1. Standard operating procedures for removal of excess horses; 2) Appendix 2. Comprehensive animal welfare standards; 3) Appendix 3. Standard operating procedures for fertility reduction treatments; 4) Appendix 4. Monitoring Plan – for ecological condition of vegetation, soils, riparian areas and meadows, maintenance of grasslands and forested areas, attainment and maintenance of horse population numbers within the AML, and maintenance of horse health; 5) Appendix 5. Potential Management Actions –for controlling horse population size, horse population genetic diversity, sustaining horse population herd health, and maintaining and improving riparian, grassland, and forested areas health within the HWHT.
8. **Economic impacts and funding needed for the implementation of the HWHT Management Plan.** Nowhere in either is the Draft HWHT Environmental Assessment (e.g., Page 104, Effects Analysis – Economic Impacts) or the HWHT Management Plan is there any discussion and analysis of the projected costs and economic impacts of implementing the Draft HWHT Management Plan. In addition, there is no discussion of the potential procurement and securing of either USFS funding or other federal / non federal funding that will be needed to fully implement the actions proposed in the HWHT Management Plan. These issues are of critical concern to the AWF and need to be addressed and discussed in the Final –HWHT Environmental Assessment and HWHT Management Plan. If management of HWHT is to be successful the AWF strongly believes that adequate and continued annual funding is of critical importance.

In closing, The AWF certainly appreciates all of the work and comprehensive analysis that the USFS and the ASNF has completed in preparing the Draft HWHT Environmental Assessment and Draft HWHT Management Plan for the public in addressing this crucial and controversial management issue. As you can tell by the comments we have provided, the AWF supports a large majority of the proposed management actions identified in these documents including the incorporation of standardized methods and procedures used elsewhere in the management of wild horses and their habitats by both the USFS and BLM in the western U.S. other than the key issues we have identified.

The AWF looks forward to working with the USFS and ASNF in any way possible in hopes of implementing the proposed HWHT Management in the most expedient timeframe feasible. Thank you for the opportunity to provide our comments and hope they are helpful in preparing the final EA and management plan for the HWHT.

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