

**Heber Wild Horse Territory Management Plan
Including Appropriate Management Level,
Management Actions,
and Monitoring Plan Draft Environmental Assessment
& BOTH ALTERNATIVES
ARE ENTIRELY INSUFFICIENT**

Part One CAES et al.

- I. **AMERICAN CULTURE:** The premise of Socio Economics and equal protection under the law has not been well understood and hence not sufficiently addressed. For instance, the economic effects of mass removals glutting the horse industry and the effect against our American Culture for the overwhelming majority of 80% of the people, by filling the horse slaughter pipeline with America's protected wild horses turned sale authority, over our borders have been completely ignored.



● 20 °C 68 °F 2020/06/23 10:45:41

Photo by Stacy Sanchez

Peaceful Heber Wild Horse herd and Deer drinking

II. **ENVIRONMENTAL IMPACT STATEMENT:** In fact, this DRAFT EA does not even Tier to any other Environmental Impact Statement or Environmental Assessment which has dealt with any of this or even acknowledged these issues or even ever done a cost analysis. CAES offers an example Cost Analysis.

III. **CLIMATE CHANGE:** Moreover, addressing climate change is also all but non-existent, outside of monitoring soil passively once every 5 years, or a sentence here and there, greedily expectant of emergency removals rather than of planning to protect our “Semi-Free Roaming” (per the National Academy of Science) legally protected wild horses. In summary, Arizonians and Americans expect more from this federal agency for both their wildlife, their wildlands, the future of public lands ranchers of which all will be harmed under this or these ‘plans’.

Given the semi-free roaming status of the wild horses for at least half the year due to closed fencing for grazing permits and the removal and lack of predators, together with climate change which is significantly contributed to by methane of enteric fermentation of cattle and their wastes, along with the amount of government spending on the livestock industry, it is incumbent on federal agencies USDA FS and Bureau of Land management (BLM) to plan for climate change and intervene as necessary for water.

To do less than this would clearly impact ALL wildlife, in a spiral that would hurry along climate change by turning more forage allocation over to ruminants which utilize enteric fermentation and also constitute unequal protection under the law at a minimum.

IV. **HEBER WILD HORSE TERRITORY BOUNDARIES - ARBITRARY - SABOTAGE**

The premise of the Wild Horse Territory Boundary locations are not supported. They are in fact arbitrary and all things being equal, should be the entire Sitgreaves national Forest. This is due to a lack of detailed background regarding so called “trespass horses” being included in this NEPA process.

WILD HORSE DEFINED: The basic understanding of the Public Law 92-195 passed by the 92 United States Congress is still at issue here which has defined a federally wild and protected horses as follows Pursuant to [16 USC § 1332\(b\)](#):

wild free-roaming horses and burros

(b) "wild free-roaming horses and burros" means all unbranded and unclaimed horses and burros on public lands of the United States;

However, here is this Agency's justification in 1971 for their repeated unsupported statements to the Courts, Congress and to the people of the United States for their constant illegal removals through the last 50 years is this:

Excerpt: Wild Horse Observers Association (WFOA) Open Records Request (FOIA) to Gene Onken, response in 2003. This and more was shared with Pat Haight of IDA on August 29th 2005.

"There is no clear evidence that a bonafide herd of truly wild horses ever existed in the Heber Wild Horse Territory. **Horses originally present in the area when the 1971 Wild Horse and Burro Act passed, were later determined to be *unclaimed* animals** from the Fort Apache Indian Reservation along with some animals that were abandoned when a local family moved away from the area. " emphasis added

See AFFIDAVIT by Stacy Sanchez page 13.

See TABLE: HEBER Wild HORSE HISTORY- ATTACHMENT 1. page 37.

'The principal goal of this legislation is to provide for the protection of the animals from man and not the single use management of areas for the benefit of wild free-roaming horses and burros. It is the intent of the committee that the wild free-roaming horses and burros be specifically incorporated as a component of the multiple-use plans governing the use of the public lands. (U.S. Congress, 1971, p. 3)"

- V. The APPROPRIATE MANAGEMENT LEVEL (AML) calculated from the certain percent of available forage is therefore incorrect because the boundaries of this wild horse territory have not been determined based on the location of the unclaimed animals which were constantly, before and during and after the passage of this act, *removed* as trespass livestock in complete rebellion of this Act, which they were tasked and paid to both understand, and uphold.

The AML is further mis-calculated in these NEPA documents because the size of these specific horses, due to their specific genetics, is in fact 600 to 700lbs not over 1000lbs. Hence, these wild horses do not eat a whopping 26lbs/day! Versus 1 to 2% of their body weight at 6 to 14lbs forage per day.

The upper limit of the AML determined based on this mis-information is 104 wild horses on 19,700 acres. If the total acreage of the Apache Sitgreaves Forest is 320,000 acres and if the forage across the forest is approximately the same as that on the faux Wild Horse Territory, **then the corrected AML should be closer to 1,689 Wild Horses.**

- VI. COST ANALYSIS: There is no cost analysis regarding the many options discussed, the many options not discussed. Moreover, again, these NEPA documents do not suffice for

(I) AMERICAN CULTURE

This country, our United States, is divided on many an-issue. However, it is not in fact, significantly divided regarding wild horses.

The United States is a nation of people who *do not eat all, and any, meat sources* available to it, as it seems others cultures do around the globe. This may even be a source of superiority and pride on our part.

Many countries literally love rat meat (a bit like pork) and some cannot celebrate an occasion without it though they have other ungulates and goats available.



<https://www.bbc.com/future/article/20151207-the-countries-where-rats-are-on-the-menu>

In fact 80% of Americans are strongly opposed to horse slaughter by the Lake research Poll of 2012:

<https://www.aspca.org/about-us/press-releases/aspca-research-confirms-americans-strongly-oppose-slaughter-horses-human>

This peculiar cultural result, is documented in this anti-horse slaughter poll which exhibits the American Culture of almost 10 years ago, still remains culturally intact and further translates to a strong ~ 80% contraception preference once again versus “death” as shown by the current poll taken by Fort Collins University Department of Natural Resources in 2020 see below:

Excerpt:

MESSAGE FRAMES AND WILDLIFE VALUES INFLUENCE PUBLIC ACCEPTANCE OF WILD HORSE MANAGEMENT STRATEGIES Submitted by Jeffrey Rodriguez Department of Human Dimensions of Natural Resources In partial fulfillment of the requirements For the Degree of Master of Science Colorado State University Fort Collins, Colorado Spring 2020

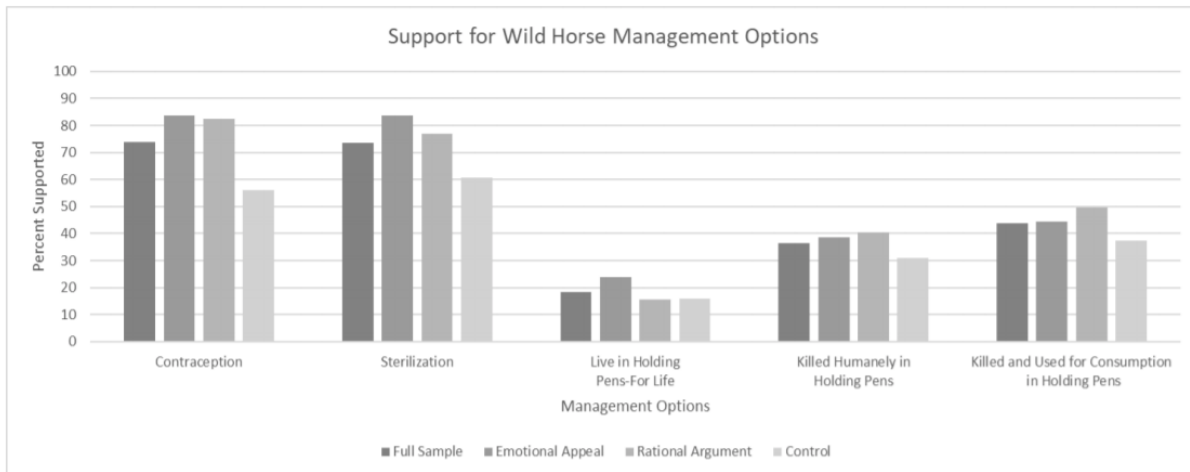


Figure 1. Percent acceptable for each management option. The percentage of respondents who indicated the management option was slightly, moderately, or extremely acceptable for participants in the full sample and all three message conditions (control, rational appeal, and emotional appeal).

Unfortunately, our government works hard to both change our culture through cruel intentional events and through incorrect media propoganda which is literally proliferated by those from the meat industry. (shown below in this paper).

Our government has done it's best to color the wild horse topic with intent, into a biased, unequal, divisive issue on the range, through its own biased, unequal and divisive expenditure of monies for only cruel, expensive, non-scientific, and even illegal wild horse population management methods that perpetuate more wild horses, and the "idea" that wild horses cannot be feasibly managed, all while dumping the so called over- population (for the meat market) into the currently, all but ruined, but previously lucrative, horse industry. Only horse racing and gambling remain standing and some Quarter horses bred and used in the livestock industry. Much of both of these industries are pro-horse slaughter.

Thanks to the behemoth Farm Bill, both political parties receive political "kick backs" or campaign finance, through the heavily incentivized & subsidized Livestock Industry.

Hence, our government has successfully destroyed our American horse industry, (Why? Because the 93 million cattle in the U.S. compete with the 9 million domestically owned horses for the available hay.

Despite all this, and due to education, Americans have continued to become more educated and less cruel across the board toward all animals.

From: Understanding the Link between Animal Cruelty and Family Violence: The Bioecological Systems Model @

[Understanding the Link between Animal Cruelty and ... - MDPI](#)

<https://www.mdpi.com> by B Jegatheesan · 2020

“Cruelty to animals is also described as a multidimensional construct that includes among others, severity, duration, frequency, and lack of empathy [32,33], as well as physical and mental dimensions of cruelty [34]” (emphasis added)

Again From: [Animal cruelty, pet abuse & violence: the missed dangerous connection](#)

Scott A Johnson 2018

<https://medcraveonline.com/FRCIJ/animal-cruelty-pet-abuse-amp-violence-the-missed-dangerous-connection.html>

“The mistreatment and abuse of animals is a significant indicator of violence towards humans, up to and including intimate partner abuse, sexual assault, rape, murder.”

And of course from: The Link: Cruelty to Animals and Violence Towards People by Cynthia Hodges 2008

Cruelty to animals and violence towards people have something in common: both types of victims are living beings, feel pain, experience distress, and may die from their injuries. [1] Until recently, however, violence towards animals had been considered to be unrelated to violence towards children and the elderly, and other forms of domestic violence. [2] A correlation has now been established between animal abuse, family violence, and other forms of community violence. [3] A growing body of research indicates that people who commit acts of cruelty towards animals rarely stop there. [4] Murderers and people who abuse their spouse or children had frequently harmed animals in the past. [5] People who abuse animals may also be dangerous to people. [6]

To reward and proliferate this, our government has so far refused transparent cost analysis through NEPA regarding wild horses. It has also hidden the fact that:

There is no legal intentional inhumane act towards a protected wild horse. That includes Helicopter roundups or killing them accidentally on purpose for lack of water though our government has been working fervently without transparency to wipe out our nation's wild horses due to faux drought/cause.

See also Affidavits by Dr. Lester Friedlander on Helicopter round- ups from CAES et al. in our Scoping Comments which were turned in timely but have yet to be incorporated into this process timely. (See also third Affidavit by Dr. Friedlander regarding Helicopter Roundups submitted in this public process.)

To be clear:

1. It is 100% illegal to intentionally harass or treat inhumanely a protected wild horse
2. but our government continues to slam the wild horses for the problems our government itself, has literally caused
3. by paying and paying big, but only for cruel, inhumane, and ineffective off range population management practices
4. to mislead the public that wild horses cannot be feasibly managed
5. and to destroy our domestically owned horse industry.
6. None of this is detailed in any cost analysis however all of it must be. It is incumbent upon this NEPA process to do a cost analysis and to do a proper list of Alternatives which it has not yet accomplished.

ENVIRONMENTAL IMPACT STATEMENT WITH COMPARATIVE COST ANALYSIS NEEDED

Two letters from Pat Haight of In Defense of Animals regarding the need for an environmental impact statement. (emphasis added) It is so very unfortunate that this NEPA Process has moved forward AFTER her death.

Dr. Pat Haight <pathaight@yahoo.com>

To:

patience_odowd@yahoo.com

Sat, Aug 2, 2008 at 4:05 PM

Hi Patience,

The best thing to do is to contact Anthony Merrill, J.D., who is the lead attorney on the Heber Wild Horse Suit. He can talk with your attorney and provide him what is needed. Tony can be contacted at his office:

Tel: 602-364-7174,
email: anthony.merrill@bryancave.com

Most of the court papers are online in the Federal District Court of Arizona, Phoenix, and can be retrieved through the Pacer system but Tony has them all and I am sure he would be willing to share information and ideas with your attorney. We settled at this point. Deb Sirower and Tony did get a TRO and then Tony got a Preliminary injunction preventing the FS from removing the horses pending the outcome of the suit. **We settled with the agreement that the FS would preserve the Heber wild horse territory, wild horses in it and on associated lands in Apache Sitgreaves national forest.** At this point, they are doing a NEPA and Tony and Bryan Cave are representing us and the horses through the NEPA process. **The FS has not done an EIS so, depending on their final determination, we may be back in court.**

Tony would be the best person to talk with. He is brilliant. I just did an extensive FOIA with the BLM on their evidence for possible euthanasia of wild horses in holding facilities. Deb Sirower (who was the original lead attorney for the Heber wild horses) left Bryan Cave and is working somewhere else but she is very interested in trying to stop this possible euthanasia so she asked me to get the documents. Tony took over when Deb left and has been brilliant with this case.

Take care,

Pat
Patricia Haight, Ph.D.
The Conquistador Equine Rescue & Advocacy Program
2121 South Mill Avenue, Suite 103
Tempe, AZ 85282
A nonprofit 501c3 equine welfare organization
Federal tax identification #20-8776240
www.conquistadorprogram.org



Dr. Pat Haight <pathaight@yahoo.com>

To:

patience_odowd@yahoo.com

Wed, Aug 1, 2007 at 8:35 PM

Hi Patience,

We are in a watch and see mode. Tony Merrill of Bryan Cave LLP continues representing the horse so Tony is watching closely the NEPA process. **I received a timeline from the FS that indicated they would have a draft EA by May 2008. EA is not acceptable, must be an EIS so Tony is watching the FS.**

WE have had some indication that they may try to declare them all unauthorized trespass livestock after the NEPA with, possibly, the exception of a few who may be in the Heber wild horse territory even though the court ordered stipulated agreement agrees to create a management plan for the territory, horses in the territory, and horses on adjacent land in the Sitgreaves National Forest.

Much of this is not for publication at the moment but we certainly can and should tell people that we hope the FS does a complete NEPA and does it in good faith and manages the horses, but we have information that makes us concerned.

People can help by sending in a public comment to the Apache-Sitgreaves Forests office in Springerville addressed to Kate Klein and copied to the Forest Supervisor, Elaine Zieroth, saying they want all unbranded, free-roaming unclaimed horses in the Heber Wild Horse Territory and on all public land in the Sitgreaves Forest declared wild by the FS (as they are under the Wild Horse and Burro Act), they want the FS to stop hedging the issue by using a ridiculous word like "feral" with no meaning, they want the horses managed in viable herds and they want any that are removed adopted out or placed in a preservation program.

They also can send letters to their Congressman and US Senators expressing their concern about the NEPA process and their desires for the horses.

Thank you so much for getting in touch with me.

I hope things are going well for you.

Best wishes,

Pat
480-232-8068

Comparative Cost Analysis Example: This was provided to Congress in 2016. The full report is available upon request. This is the type of analysis we need in the light of day for any changes to this WHT. The cost of removal even for treatment and release is exorbitant, however this needs to stop,

ii. **COST ANALYSIS:**

1. During this Sub-committee meeting, the BLM testified that the cost to maintain each **Wild horse in a BLM holding for LIFE costs an astronomical \$50,000 - unnecessary.**

The feasible choices are PZP 22 and Native PZP vs Round-up/Expensive HOLDING PEN. *

Darting	PZP 22 With Helicopter Round up*	PZP 22 Darded FROM Helicopter*	PZP 22 Darded from ground	PZP Native	COST Round-up + Holding Pen
Year 1	1000	500	Approx. \$250/horse with volunteers	Approx. \$25/horse with volunteers	Approx. \$2000/yr
Year 4	1000	500			
Year 7	1000	500			
Year 11	1000	500			
Year 14	1000	500			
Year 17	1000	500			
Year 20	1000	500			
Year 23	1000	500			
Year 26	1000	500			
Total/life per mare	\$9,000/LIFE with darting once every 3 yrs	\$4,500/LIFE with darting once every 3 yrs	\$2250/LIFE with darting once every 3 yrs	\$525/LIFE with darting each yr, for 3 yrs, with, 1 yr off 3 yrs on, alternating	\$50,000/LIFE

- **Helicopters are a last resort and if helicopters are to be used, rather than for removal, they should only be used for darting (a very short temporary use of minutes/horse in large remote areas without trees. All alternatives should have a clear and transparent Cost Analysis.**

This is our nation too. It is our civil and cultural right to be a nation which respects our wild horses as the protected native species that they irrefutably are, to protect our environment's natural resources for future generations, for all, including the public lands rancher and family.

This by spending our tax dollars promoting proactive, interesting, long term non-violent and feasible sustainable projects which can be performed proudly and transparently in the light of day.

These are key parts of socio-economics and social justice not mentioned in this EA. Any actual cost analysis of various relevant ON RANGE contraceptive options as well as the impacts to the horse industry of glutting the market with horses at less than kill buyer prices.

CLIMATE CHANGE

WHOA has developed the WHOA National Plan which redefines the problem to be solved as a caused conflict of interest and removes this created conflict of interest while clearing the rancher of the government's issues and paying instead (albeit saving money still) for kind and effective, educational, and forward thinking management that can be done effectively and proudly in the light of day. For the good of us all.

See <https://whoanm.org/wordpress/?p=422>

WHOA National Plan

Posted on July 15, 2019 by whoa



A Sustainable Future for Public Lands Ranchers –

for Wild Horses and Burros Management, Wildlife Eco-systems

Click above to read this simple yet innovative plan. Both pro-rancher, pro-rural American, at the same time it is pro-native Wild Horse and conserves the environment by addressing issues outlined in the recent IPCC Report conserving a future for the public lands rancher and his/her family/children.

Our USDA FS and our BLM should be taking a reasonably active role through this and each NEPA process in resolving climate change issues:

Methane from Cattle, water use of cattle for alfalfa irrigation, increased fires from cheatgrass and crested wheat grass from Big Ag/cattle. (Root cause of Fires also includes GreenHouse Gasses like Methane) All of which is significantly contributing to the current 6th mass extinction.

As well as those from oil and gas.

AGRIBIZ – WILD LANDS THEFT

<https://whoanm.org/wordpress/?p=435>

EXTINCTION



Teddy Roosevelt stated:

“the rights of the public to the natural resources outweigh private rights, and must be given its first consideration.”

RECOMMENDATION: Given the invasive species catastrophe, the fires caused, the climate change effects of both the Livestock industry, the wipe out of the horses natural predators, the lack of connectivity for large expanses for the free roaming of wild horses all working with and causing both climate change and the 6th mass extinction: **CAES understands that the trend is to keep cattle on the range year round (after all the wild horses are gone)** in order to have the cattle then justified to eat the invasive species in the warming winters when the inedible seeds are dropped off (cheat grass etc.). Given that this is the case, **leaving a certain percent of cattle on the range year round should be looked at as a way to also keep water on the territories year round.** This should be considered BEFORE unequally causing the removal of all of our wild equines under the pretense of natural drought.

HEBER WILD HORSE TERRITORY BOUNDARIES - ARBITRARY & SABOTAGED

While those responsible for all the illegal removals since 1971 are not currently with this Region 3 Forest Service, it seems that the past has contaminated the current and that while this NEPA process has a lot of info. It does not contain the data of location and the many illegal removals through time and it does not account for all of the recent wild horse shootings and most of all, it does not in any way attempt to rectify these issues which have misled this current process and it's AML determination which would also be better served in an Environmental Impact Statement.

See Affidavit of local advocate and former Farmer/Rancher Stacy Sanchez, member of both CAES and WHOA.

AFFIDAVIT

I Stacy Sanchez of Overgaard, Navajo County, Arizona do swear under penalty of perjury that the following statements are true to the best of my knowledge.

In the end, there should be no doubt that the wild horse territory should be the entire Apache Sitgreaves Forest and this is supported by the stipulated agreement of March 2, 2007 as admitted in the Forest Land Use Plan on page 118. This is also supported by many of the statements in my affidavit here below as well as the documentation of the Citizens Against Equine Slaughters Table of Heber Horse population & area. This will also allow proper summer and winter migration as both the elk and the horses currently do. I would have to say that I am a

bit surprised that anyone would even attempt to submit such a plan after it has been saturated with so much false and misleading information. Especially when there's so much history to the contrary.

One of the stories often heard up here is about the round ups in the 1920's through the 1930s, which were said to be near the Chevelon Canyon area and north towards Holbrook. These round ups were said to have included as many as 2000 horses. This would have been on the north side of the 260.

When you take in to account all of the local tales, as well as the history, and the following interview. It becomes very clear that the Forest Service and local Ranchers have been trying to circumvent the Wild Free Roaming Horse and Burros Act, since before and after the Act was signed into law. As you can clearly see, they are still trying. If it were not for them, this would already be a Wild Horse Sanctuary.

In an N.A.U. interview with an old rancher named Doy Reidhead. The rancher said, "Fences was always in bad shape, run more wild horses up there that come over the fence than you did cows." He then talked about someone he knew that saw 180 to 200 wild horses in the area. Doy Reidhead then said, "It had a big snow storm in 1967, and just smashed the fence down, and them horses come up over there, got on the Forest Service, off the reservation." Reidhead then said, "Nobody was cowboy enough to drive em back. They fixed the fences good but left the horses on this side." Reidhead went on to say, "So the old ranger that was over there, a great old guy, he just wanted the horses gone." According to Reidhead the ranger was worried that if the horses didn't get moved they would turn the area into a Wild Horse refuge. Reidhead went on to say that some time later he was given a bill of sale for 187 horses that he trapped and took to sale. There is a copy of this transcript in my 2020 affidavit that was submitted to Forest Service.

When I first moved here some of the locals told me a similar story about the snow storm of 1967. In this version of the story, when the fence went down more than 800 horses made their way into the Black Mesa Ranger District. So you can see how the Reidhead interview seems to fit right in with the local gossip. These horses were supposedly feral, according to the locals. The area where most of the fence was knocked down is a higher altitude (rim) than the mesa where there is more grazing. This was way before the Rodeo Chediski Fire, the forest was very very thick back then. There is no way they could have gotten all of those horses out of the forest in just three or four years. You could count the trees much less animals that move around.

I have been coming up here since 1983. My in-laws cabin, which is up on the rim, has been covered in snow so many times that it finally collapsed from snow build up in the early 2000s. Once and awhile we would see horses around Black Canyon Lake, back then you would even see horses as far west as the hatchery down past Woods Canyon Lake. In fact you were more likely to see larger groups to east of Bison Range. I remember going to Sunrise when my oldest daughter was still little and seeing horses in a couple of the washes to the east of town. The

trees were very thick as I've stated already, so this would have had to have been in Phoenix Park Wash, Bagnal or even Cottonwood, quite a ways east of Overgaard. This was after 1985, although I'm not sure how old my daughter was at the time, we were in my first new vehicle which was a 1985 Ford pickup.

The reason the trip to Sunrise comes to mind is due to a story that I was told by a local rancher. Earlier that day I saw the rancher and his ranch hand near Buckskin Tank, off of 51. The rancher's name is Larry Gibson, he rode up on horse back with a herd dog at his side. There's no doubt that the reason Larry told me this story was to explain how nice he was being to the Wild Horse advocates of the world. At the end of his story he said, "I left you guys 12 but I only had to leave you 7". This story is also part of my 2020 deposition that was given to Forest Service. As I was documenting waterholes along the 50A, Mr. Gibson came riding up on horse back as he was looking for strays. Right when he saw me he asked me if I could explain to him why we were so set on saving all these feral horses. I responded by saying these are wild horses. I then said something like, I know you guys like to push that feral story but these are wild horses. Mr. Gibson then said something to effect of, I ran all the wild horses out of this area years ago, these are feral horses from the reservation. He then said, "In 1984 I rounded up 180 horses and ran them onto the reservation, these are ferals that are coming over now." So I asked, "You ran em over there wild and their coming back feral, how does that work?" Mr. Gibson then said, that was twenty or thirty years ago, these aren't the same horses. So I said, "no but they are their offspring." Shortly after that we went in separate directions. Sometime later a friend of mine told me that he heard Mr. Gibson tell that same story in a town meeting. I believe he said that meeting was at the fire station.

May 12th 1988, Doy Reidhead signs an agreement with the then Forest Supervisor giving him the authority to rounded up an undermanned number of horses. His receipt/agreement.. "This agreement authorizes Doy Reidhead to capture horses roaming at large on the Gentry and Buckskin allotments, and transfer them to the Jeffers corrals near Winslow after May 12, 1988. For these services Doy Reidhead will be paid \$100.00 per horse captured, plus reimbursement of feed and water at 2.00 per head per day while horses are held, pending disposal by the U.S. Forest Service. For services received Doy Reidhead will be paid from, either receipts from horses sold, or from the Forest Service account when receipts are not sufficient to cover expenses. The Forest Service will arrange for sale of horses in lots of 10 or more. During the trapping period which will be prescheduled by Bruce Mortensen on the Heber District. Traps will be checked daily." A copy of this document is also in my 2020 affidavit to Forest Service.

At this point I'd like to point out that some of these numbers just don't add up. If we take the 180 horses that were ran onto the reservation in 1984 and add them to the 187 horses that were sold "a long time" after the snow storm, which appears to be 1988 according to the agreement between Doy Reidhead and the then Forest Supervisor. You come up with 367 horses, not counting the 12 that Mr. Gibson so generously left us. How is it possible that the 7 horses, that were said to be the only horses here in 1971, ended up with 367 horses in just seventeen years.

According to my figures it wouldn't even be possible for 7 horses to have 180 within the thirteen years between the signing of the Act and Mr. Gibson's running of the horses onto the reservation. Not to mention the overwhelming evidence that would suggest that these would not have been the only two people doing something to get rid of the horses, especially back then.

Now lets talk about some of these figures that are mentioned in this Management Plan. First off I can assure you that both the comparisons of food and water being consumed by horses and cattle, is no where near accurate. A dry cow will drink about 1 gallon of water for every 100 pounds of weight in temperatures below 70 degrees. In temperatures above 70 they will drink as much as 2 gallons of water for every 100 pounds and that increases as temperatures increase. A wet, or milking cow will drink twice as much as a dry cow. I remember filling three troughs twice a day for three cows, all weighing less than 800 pounds. We also had three nursing calves but for the most part we feed them milk from our milking cow. Yet the mule that we had, would not even need his trough filled every other day. So as you can see what is being reported here simply does not match my experience as a farmer. I would estimate that a dry cow alone drinks nearly three times as much as a horse. I would also estimate that that same cow will eat more than twice as much as a horse. We would feed our cows a three inch flake of alpha in the morning and at the same time our mule would get a flake half that size and the cattle would then graze all day in the pasture. The mule pen had no grass. In the evening they'd all get another half flake. So there's no way that your claim that a horse eats more than a cow, would be even close to accurate. In fact, as I recall, our mule rarely ate the evening flake until late at night or at least it was always gone by morning.

Another point to be made here is that the figures above on the use of water, works well when the water is measured in troughs. However when the water is in waterholes this would not be a fair comparison. You see cattle are one of the few animals that will actually relieve themselves while they're drinking and in fact will drop their dropping right in the waterhole. Having said that, the displacement of water due to the addition of these droppings must also be added to the equation and therefore would mean that the cattle deplete much more water, by comparison, than what has been estimated above. I would estimate that the average horses will drink about eight to ten gallons through the course of a day, in high temperatures.

So now we can talk about the claims, in these same comparisons, of damage being done. Also contrary to my experience, there are claims that hoses will graze down to the root. This is simply not true, especially in open spaces. However a cow does not have the advantage of sharp bottom teeth and in fact have no teeth in front on the upper jaw. So they will rap their tongues around a plant and pull the whole plant right of the ground. They will in fact eat the root and all. This is one of the main reasons that cattle were dying in some areas around the forest. As I told a couple of the ranchers around here, I was very surprised that they didn't know about the threat of poisonous roots when it come to cattle. As you can see, since the above is something that I know to be fabricated information, one would have to wonder why this information is being fabricated. The simple fact is that the truth would prove that the cattle need to go, not the horses. Animal to animal a cow will do far more damage than a horse. There's simply no comparison.

There is also a bit of fabrication to the estimated size of these wild horses, according to your Management Plan. Our mule was much bigger than most of the Heber Wild Horses that I've photographed. As I recall Harold weighed less than 800 pounds. Yet there are claims in your paperwork that the Heber Horses weigh much more. With this in mind I called a couple of places that auction of cattle and horses to ask about the average weight of various different sales. I was told that an Indian Pony is typically less than 800 pounds. The auction places wouldn't call them "Wild" but we came to terms as to what we were talking about. I told one of the ladies that I don't see many horses in the wild that look to weigh more than 6 or 700 pounds, at which point the ladies replied, "that's about right." So once again, it would appear that the desire to get rid of these horses is much greater than the desire to be honest and honorable.

This all wouldn't be so horrifying if your case wasn't primarily built on fabrication. But one really shouldn't attempt to justify the slaughter of a entire species based on nothing more than lies. This is like The Meadow Mountain Massacre all over again. Start rumors, keep the lies alive and justify the slaughter in your own mind. I just hope it won't be twenty years before you all pay for your callousness.

I've lived here for eight years now, my ninth starts in May. For at least the first seven, I'd not seen any attempts to dredge waterholes or improve range growth. In fact they just started shredding and crushing fallen trees in this area last year and I've been asking why the don't dredge waterholes for the last two summers. Yet the resolution in the minds of the USDA would be to get rid of the horses, as apposed to trying something else first. I've even seen people do extra work to make thing more difficult for the wildlife. The horses are good for the forest, the cattle are not. The cattle companies are leasing this public land, they don't own it. Why would we allow them to kill the gardener and destroy the land?

C.A.E.S. also has an email form 2004 stating that there were 400 horses in this same area at that time. This was prior to the lawsuit filed in 2005 against Forest Service for roundups done illegally back then.

I do need to point out that the wild horses will not be able to survive at the Southwest End of this planned territory. Much of this area is at 7700 feet and it is a high snow area. This is the top of the rim. The horses need to be able to roam to areas where there is low levels of snow so that they can graze for at least some of the winter months. The current outline territory is not only inadequate, it is also a misrepresentation of where this horses actually roamed in the 1970s when the act was signed into law.

Stacy L. Sanchez
PO Box 2205
Overgaard Az.
85933



Date: April 19, 2021

Other Freedom of information results by Mary Hauser, once a board member of CAES which we also have from her, provided further and ample proof of the wrongful removal and sale of the Heber Wild Horses. See ATTACHMENT _____

The Land Use Plan for the Apache Sitgreave plan only reports that the that the USDA FS lost versus the Heber Wild Horses, the court case with Pat Haight of In Defense of Animals et al. 2005 to 2008 in which the final Court Order disallowed wild horse removal from anywhere in the entire Apache Sitgreaves Forest.

The Joint Report to Congress of 1995 shows that contrary to statements to Congress, this Field Office was paying for removals, while reporting that there were no gathers, all with the slight of the hands.

APPENDIX E - FOREST SERVICE BIENNIAL WILD HORSE POPULATION ESTIMATES

State	1974	1976	1978	1980	1982	1984	1986	1988	1990	1992	1994	1996
(Number of animals at start of FY)												
Arizona	7	5	3	8	5	7	5	5	5	5	0	0
California	828	1,057	1,381	1,397	1,006	496	581	500	475	612	555	583
Colorado	0	0	0	0	0	0	0	0	0	0	0	0
Idaho	54	5	0	7	7	5	4	0	6	0	0	0
Montana	8	9	8	8	8	20	0	10	12	35	35	35
Nevada	1,174	1,305	1,042	951	1,159	490	571	560	1,552 *	1,240	746	746
New Mexico	207	279	420	230	170	119	129	158	176	153	168	193
Oregon	215	395	215	225	485	206	180	170	135	162	150	175
Utah	45	90	103	121	74	47	55	50	49	58	17	25
Wyoming	23	0	0	0	0	0	0	0	0	0	0	0
Totals	2,541	3,025	3,172	2,947	2,894	1,587	1,525	1,453	2,410	2,265	1,471	1,757

* Population increase due to land being transferred from BLM to FS administration.

From 1995 Joint Report to Congress (Bureau of Land management and USDA Forest Service)

CAES does not yet agree to An Adaptive Management Plan.

While federal Agencies generally and legally have Sovereign Immunity and are considered experts. The dramatic and dismal history of this Apache Sitgreaves Forest and it's slaughtered and shot wild horses through 50 long years, clearly disqualifies this Field Office of the Region 3 Forest Service from lack of public oversight required to implement a non-biased, non-abusive, legal Wild Horse Territory Plan, this EA or this accompanying TMP.

We at CAES in concern for the very lives of these protected wild horses and the tourists to the Apache Sitgreaves National Forest cannot condone any planning or executive process regarding the management of these horses that is not fully in the public eye.

For Example:

- 1) The FOIA's show the numerous illegal round ups as trespass horses, literally paid for by this Field Office, squirrelled away to an auction house in NM
- 2) The Joint Report to Congress has stated at least twice that there were no round ups in the territory 1992 and 1994, however in both years there were illegal removals.
- 3) The failed court case where this Field Office both lost to a TRO and a Stipulated Court Order.
- 4) The un-investigated massive shootings.
- 5) The uninvestigated removals.
- 6) The removal of our CAES representative OFF the "working group".
- 7) The lack of inclusion of our CAES et al. substantive public comment in the Scoping process which we turned in timely, in person, at risk of a Covid infection but which was then put aside, while this NEPA process incorrectly told everyone that ALL comments were listed for all to see. In effect, making a liar out of CAES, while slandering our non-profit thus damaging our reputation as a non-profit.
- 8) Earth Day 4/22/21: This field office is apparently more invested in ending public comment on Earth Day or working toward a round up, than having a decent and legal public process. This hurried and moving target of an EA process after 50 years since the 1971 Act and 13 years since the court case, is essentially Arbitrary & Capricious.

III. There is nothing in this EA that we can find pursuant to the Land Use Plan that addresses climate change and CAES believes every project should be evaluated and rated in terms of carbon sequestration and environmental reflectivity/albedo etc.

- + **Wildlife (Wild Horses)** and Rare Plants Improve wildlife connectivity **by removing at least five unneeded structures (e.g., fence).**
- + Dispersed Recreation Work with Arizona Game and Fish Department, Arizona Department of Transportation, and other partners to provide at least 10 new wildlife **(Wild horses)** viewing opportunities.
- + **Air (reduction of Methane from Cattle)**
- + • Work with the State of Arizona in the air quality regulatory process. **(reduction of Methane from Cattle)**
- + Coordinate with USDA Wildlife Services program and the State of Arizona to promote healthy populations of **predators, while reducing livestock conflicts with wildlife.**
- + Promote public education and valuing of the wildlife resource on the forests. **(This could be better accomplished by Cost Analysis which are educational regarding wild horse management. Also, educational signage and tourism brochures for the State Tourism department of Az regarding the Heber Wild Horses.)**

+ Water improvements relative/regarding water improvement issues relative to the Heber Allotment Permit no. 05019

IV. THE USDA FS MUST UPDATE This Territory Boundary - Pursuant to 36 CFR § 222.61 (a)

(4) Analyze each wild horse or burro territory and, based on the analysis, develop and implement a management plan, which analysis and plans will be updated, whenever needed, as determined by conditions on each territory;

LIVING CULTURAL HISTORIC PROPERTIES - The Heber Wild Horses

The Horses themselves qualify as Cultural Historic Properties/Treasures but this has not been investigated. The DuGong Whale however is one such living historic property. WHOA has both Navajo and Pueblo First Peoples Membership. Moreover, together our First and Second peoples membership represents 80% of this nation.

LACK OF INFORMATION, & NEED FOR UNBIASED WILL is displayed in this NEPA Process.

To wit from page 112

“While studies have not been conducted into the effects of the horse population directly in the project area, it can be assumed”.

This is as surprising, after 50 years since the 1971 Act was passed, as it is disappointing.

There is a long list of lack of information including:

- 1) Wild Horse Genetic
- 2) Wild Horse Weight and per animal forage consumption is just assumed to be 1 AUM and the horses weigh almost twice what they actually weigh.
- 3) Effect on environment versus cattle, Deer, and Elk.
- 4) The horse is a native species which acts as a nutrient spreader as well as a seed spreader.
- 5) The cow as a non-native domesticated animal whose genetic manipulation through breeding has increased its size by $\frac{1}{3}$ in recent history.
- 6) The unlikely occurrence of First Peoples historic sites to be near relatively newly created mud tanks.
- 7) The effect of the wild horses whose protections will be lost in full upon reclassification to livestock and the associated effect on these horses and the people, the 80% and the violence toward the horses which also hurts the people.
- 8) The effect on the law and the spirit of the law of disallowing wild horse families their right to live out their lives in the wild.
- 9) The effect of all the pasture fencing on the natural movement of the wild horses.
- 10) The effect on the az Horse Industry, such as the loss of the Arabian Horse show, Arabian Horse farms, and the horse tack and show industries of the constant effective dumping of essentially FREE wild horses into the domestically owned horse market.
- 11) The effect on the violence on animals and human families in the state due to the brutal horse slaughter traffic increase through the state of Az and NM.

12) There is no clear mention of how or if the wild horses will receive contraception ON THE RANGE or if expensive round ups will be utilized to vaccinate wild horses at facilities.

13) There is no ability to educate the people, the USDA FS regarding any of the alternatives given there is NO COST ANALYSIS of any import in this NEPA Process regarding either alternative.

14) Helicopters: There is no analysis or admittance that use of helicopters for round ups is inhumane, is illegal and unnecessary

15) There is no understanding or allowance of the required time to adequately review Alternatives for an Environmental Impact Statement versus an Environmental Assessment.

16) Environmental Impact Statement Need 1: There is no previous programmatic EIS to Tier to and none that addresses the cost analysis', the alternatives available in population management, the effects of "adaptive management", the effects of 50 years of minimization of the Wild Horse Territory here, the effects on the US and local horse industry, violence against animals and people, the relative climate change impacts, and hence both a local EIS and a Programmatic EA is long overdue (after 50 years) in the Apache Sitgreaves Forest.

17) Environmental Impact Statement Need 2: The assumption of the boundary area of the "Wild Horse Territory" as defined in this EA is unsupported, likely unsupportable, and wholly insufficient, non-transparent, and deeply biased in it's making. This provides the basis for an equally unsupported AML which will trigger unsupported removal of wild horse families.

18). "While studies have not been conducted into the effects of the horse population directly in project area, it can be assumed."

19) We are going to have an EIS for these two Projects?! Apache-Sitgreaves National Forests Public Motorized Travel Management Plan EIS

4FRI Rim Country Project EIS

20) **a Forty Percent Increase Planned in cattle grazing (40%)??? Just Happened?**

Heber Allotment Analysis Black Mesa Ranger District

WHAT ABOUT CLIMATE CHANGE?

https://www.fs.usda.gov/nfs/11558/www/nepa/97734_FSPLT3_5331681.pdf

A Public comment:

"who is going to pay for all of the range "improvements" and woody vegetation removal needed to facilitate the proposed 40% increase in permitted cattle numbers? . . . The cost of constructing of all of these things would undoubtedly be in the hundreds of thousands of dollars. Can you please estimate the cost of these structural improvements and vegetative treatments, and explain where the money would come from? Are you proposing that the taxpayers pick up the tab through the expenditure of your forest's range betterment funds or Environmental Quality Incentives Program (EQIP) grants? . . . If this plan is approved, I suggest that they [Seibert Cattle Company, LLC, permittee) should pay for the enormous amount of money it will cost to implement it."