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First name: Betty

Last name: Nixon

Organization:

Title:

Comments: Please see attachment for additional Comments, Considerations and Recommended Changes for incorporation into the Plan.

Page/Figure/Number:

Heber Wild Horse Territory Management Plan Proposed Action

Requested Considerations and/or Changes to the Proposed Plan:

Page #5

The Proposed Plan says [ldquo]an influx of horses onto the Heber territory has been on-going for many years.[rdquo] On page 5, it outlines a longstanding issue with the fencing and with gates. One of the interviewees in the ethnographic study said words to the effect that you can remove the horses and within a year, 200 more will have come in. It stands to reason that any Management Plan needs to include a comprehensive plan for managing the fences to preclude new horses from entering the herd. No Management Plan could be even remotely effective if horses are entering the area at the rate described, like coming through a revolving door. I found it interesting that horses are seen coming in, but they never seem to be seen going back the other way. Apparently, it[rsquo]s a one-way revolving door.

Page #5

If the horses are to be limited to the Heber Wild Horse Territory, and with the entire north half of the Territory being cut off by cattle allotment fencing, how would the horses escape in the event of a fire like the Rodeo-Chediski Fire of 2002, which consumed a significant portion of the Heber Wild Horse Territory. In a panic situation, adult horses and foals could easily be entangled in and badly torn up by barbed wire fencing. The barbed wire fencing throughout the Territory should be replaced with fencing that does not have barbs. In addition, an emergency plan needs to be incorporated to ensure the horses[rsquo] safety and well-being in the event of an emergency. The plan needs to encompass procedures to ensure sustainability and viability of the herd before, during and after an emergency situation.

Page #8

Estimated population numbers in Tables 1 and 2 are grossly overstated in relationship to the number of horses actually counted at ground level, which number approximately 250 horses IAW a ground count conducted over a period of 3-4 months in late 2019/early 2020. The current horse population estimates were derived at using flawed methods. It does not appear appropriate to use one method of estimating population for horses on the Territory and a different method for estimating horses off the Territory. The testing methods used to justify the current horse population estimates are questionable, bringing the stated population estimates themselves into question. Any appropriate Management Plan should be based on an accurate count. See website:

https://www.usgs.gov/centers/fort/science/wild-horse-and-burro-survey-techniques?qt-science_center_objects=0#qt-science_center_objects

The [ldquo]mark-recapture[rdquo] methodology used to count horses within the Heber Wild Horse Territory (Table 1) requires the horses can[rsquo]t move from the area between the time they[rsquo]re marked and the

time of the survey. Since these horses are free-roaming, that important aspect related to use of this survey method was not possible, rendering the [ldquo]Estimated Population[rdquo] counts in Table 1 useless.

The [ldquo]simultaneous double-count[rdquo] methodology (Table 2) has undergone only limited testing in comparison to known number of animals, making this a scientifically unproven method. Also, were the required [ldquo]strict guidelines and discipline[rdquo] actually employed during the counts commissioned by the Forest Service?

Here's information from the Wildlife Society on estimating large mammal populations: [ldquo]ABSTRACT
Accurately estimating large mammal populations is a difficult challenge because species of interest often occupy vast areas and exhibit low and heterogeneous visibility. Population estimation techniques using aerial surveys and statistical design and analysis methods provide a means for meeting this challenge, yet they have only rarely been validated because wild populations of known size suitable for field tests are rare.[rdquo] Here[rsquo]s their website: <https://wildlife.onlinelibrary.wiley.com/doi/pdf/10.2193/2008-538>

Pages #8-10

The migratory pattern described under [ldquo]Factors Affecting Horse Use Patterns[rdquo] is largely based upon speculation and assumptions and is factually not accurate related to the Heber Wild Horses. I make this statement based upon extensive observation of the horses over time and in all seasons. Local horse advocates have extensive knowledge of these horses and their patterns of behavior, our sole focus being the observation and documenting of the horses. I personally spend upwards of 20 or more hours many weeks of the year observing and documenting the horses and have amassed hundreds of hours of video footage, which show horse locations, behaviors, band dynamics, etc. There are only a few weeks a year that limit my travel into the forest and that is only due to weather and/or road conditions. The Forest Service has failed to take advantage of the extensive knowledge possessed by local horse advocates, thus leading to a number of false assumptions and speculation about the horses and horse movement. An effective Management Plan needs to be based upon accurate and factual data collected over time and should not be based upon assumptions or speculations. The Forest Service[rsquo]s own aerial surveys (Page 10, Figure 4) do not show the movement of horses as outlined on pages 8 and 9. A thorough and complete study of the horses and their movement, behaviors and herd/band dynamics over time is needed.

Page #9, last paragraph

This paragraph confirms that the current grazing allotment fences were in place at the time the territory was delineated. What this means is the Forest Service supervisor in 1973/1974, responsible for establishing the territory, delineated an area, a significant portion of which the horses could not even access. This shows an alarming level of incompetence on his part, or perhaps it was an intentional act of defiance of the 1971 law enacted by Congress.

Page #11

The Collaborative Working Group was a process whereby a pre-determined outcome was set and the Group worked towards that pre-determined outcome. The Proposed Plan is not a [ldquo]Management Plan[rdquo] at all, but is merely a plan to eradicate the horses. The Forest Service has had a hostile and contentious view of the horses since the inception of the Forest Service. Today[rsquo]s public will not tolerate the methods of the past (driving them over cliffs, driving them into canyons and gunning them down, inhumane treatment and slaughter), so this alleged [ldquo]Management Plan[rdquo] is the modern-day method utilized by the Forest Service to eradicate the horses. I encourage the Forest Service to develop a meaningful, well-thought-out Management Plan. What has been proposed is unreasonable and unacceptable.

An AML for these horses needs to be determined using scientific methods, ensuring that the Territory itself is devoted [ldquo]principally[rdquo] to the welfare of the horses. As such, scientific methods need to be employed to determine use by species. Primary use within the Territory itself needs to be dedicated to the horses. The Territory itself is not fenced, except for criss-cross fencing separating pastures within the Territory, meaning animals are free to roam on and off the Territory at will. The last Range Management Plan for the Heber Allotment was 1989. The question exists as to when was the last Range Management Plan for the Black Canyon Allotment, as Forest Service was not able to produce one when requested under the FOIA. It is unreasonable to have a Plan for a mere 19,700 acres Territory when the entire Heber and Black Canyon grazing allotments have been without plans for 30+ years. Any Plan needs to encompass a current environmental impact analysis of grazing by all species for the Black Canyon and Heber Grazing Allotments.

Pages #13-14

The [ldquo]deciding official[rdquo] should not be an individual forest supervisor, but should be an Advisory Board. The Advisory Board should be made up of a diverse group of stakeholders, including local horse advocates. Forest supervisors come and go, they typically have little to no knowledge of wild horses, and management of wild horses has never been and will never be a priority for a forest supervisor. A single decision made in haste could cause irrevocable harm to the horse herd. In order to maintain Plan integrity and consistency [ldquo]over the life of the plan[rdquo], and to ensure the horse herd is not compromised, an Advisory Board makes more sense. An Advisory Board would be dedicated to the welfare of the wild horses and to the health of the forest. The forest supervisor could make the final decision on any action proposed by the Advisory Board, but no single individual should have complete rule when the health, welfare and viability of the herd is concerned.

Overall Plan

To implement and sustain the Proposed Plan over time would require a significant amount of funding for all of the building, gathering, birth control, genetic testing over time, bringing in stallions from other herds to maintain genetic diversity, gathers and removals, on-site veterinarian, supporting an adoption program, short- and long-term maintenance, etc., etc., etc. The Forest Service has always operated on a limited budget, and citizens are constantly being told the Forest Service does not have the budget to do this or to do that. Our Congressman told horse advocates during a meeting in 2019 that the Forest Service has a limited budget, so were constrained when it came to investigating the horse shootings. It is highly doubtful the Forest Service will receive the needed funding to follow through on their Proposed Plan and sustain it over the years. The Proposed Plan assumes unlimited funding. The Plan needs to acknowledge and address budget and budgetary constraints. Where is the money coming from?

If you believe genetic diversity can be maintained in a herd of as few as 50 horses, why would it even be necessary to consider bringing in stallions from other bands? What scientific proof do you have that genetic diversity can be maintained in a herd that small? Also, with the amount of human intervention outlined in the Proposed Plan, it sounds more like a zoo-like setting for these horses as opposed to a herd of wild free-roaming horses. These horses need to be allowed to live wild and free-roaming with minimal, if any, human intervention. Currently, the horses are healthy and strong. There is no evidence of overpopulation. Any Adaptive Management plan should include adaptive management actions to reduce and/or remove cattle before any action is taken that negatively impacts the wild horse herd.

The Management Actions Toolbox on page 16 and Appendix D contain actions that negatively impact wild horse behaviors and herd/band dynamics, or at least the impact is not addressed in the Plan from the standpoint of wild horse behavioral experts. For example, what is the impact on herd dynamics of altering the ratio of male to female animals and altering the herd age distribution? As far as using contraceptives on the mares, I see nothing in the Plan about ensuring contraceptives are not administered to the lead mare in each individual band. What is the effect on herd dynamics if the lead mare is sterilized? What is the purpose of vasectomizing older stallions

and gelding younger stallions? Typically, an older stallion or a younger stallion, unless they're a band stallion, don't get an opportunity to breed anyway. This horse herd was beautifully and perfectly made by God. It is a proven fact that any time man interferes with nature, man makes a mess of things. Unless it can be scientifically proven that there is an overpopulation of horses in the forest, they should be left alone.

Page #18 and Appendix B

One of the thresholds for removing [ldquo]excess[rdquo] horses is [ldquo]Horses are occupying areas outside of the Heber Wild Horse Territory not designated for their long-term maintenance[rdquo]. First of all, the horses are [ldquo]free-roaming[rdquo]. The purpose and intent of the 1971 Wild Horse and Burros Act was not to confine the horses to a small space. Second, why are cattle being given priority over wild free-roaming horses? It appears [ldquo]multi-use[rdquo] applies to cattle and other ungulates, but does not apply to wild free-roaming horses. About 4,000 head of cattle (PLUS their calves) are rotated in and out of the forest each year, and you want to limit horses to 50-104? That's outrageous! Third, and even more outrageous, is saying that horses outside of the Heber Wild Horse Territory are subject to removal. The perimeter of the Wild Horse Territory is not fenced, and should not be fenced. Unless the plan is to give the horses a map and compass, and show them the invisible line on the ground that they're not allowed to cross, they WILL roam outside the Territory. This is not a Management Plan. It's a plan to eradicate the horses. Another aspect of the Plan that needs further evaluation is the horses cause damage and they're out of there. There's not one mention of the consequences when cattle cause damage, which they do.

Page 34, Helicopter Drive Trapping

Helicopter drive trapping should not be a consideration under this Plan. There are a number of steep ledges that drop off abruptly and creek beds with large rocks, as well as masses of downed trees from the 2002 R-C Fire that cannot be safely crossed by horses being driven by a helicopter. Entanglement in barbed wire fences that criss-cross the forest is a severe hazard as well, not to mention the massive amount of discarded barbed wire that litters the forest floor, left behind by allotment permittees repairing and replacing fences over the decades/generations. This is a massive problem in the forest. Not only that, but the distance the horses would have to be driven is far beyond what would be considered reasonable or safe. The danger of severe injury and/or death to a large number of horses and their foals is extremely high. This aspect of the Plan needs further, thorough review for the safety and wellbeing of the horses.

Page 34-41

On page 34, the term [ldquo]Apache-Sitgreaves wild horse staff[rdquo] suddenly appears. No one has ever heard of the existence of an [ldquo]Apache-Sitgreaves wild horse staff[rdquo]. Who and how many people make up the [ldquo]Apache-Sitgreaves wild horse staff[rdquo]? What are their qualifications and level of expertise in managing wild horses, especially as it relates to Helicopter Drive Trapping, Roping, Bait Trapping, Wild Horse Care, Biosecurity, Handling, Transportation and Euthanasia or Death of wild horses as outlined on pages 34-41? All of this requires a high degree of knowledge, experience and competence with wild horses. There are no known individuals at the Black Mesa Ranger District with this level of knowledge, experience and competence with wild horses. This needs to be addressed in the Plan. With the level of responsibility this [ldquo]staff[rdquo] has regarding the safety and well-being of the horses, surely there is a job description and required qualifications, etc. for a position as a member of the [ldquo]Apache-Sitgreaves wild horse staff[rdquo]. Always in the past, the Forest Service has deferred to the local ranchers to manage removal of horses. If this is the plan, I strongly object.

Supporting Reason:

Reference/Citation/Additional Info.: