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Appropriate Management Level

The USFS per NEPA law, is required to examine a full range of alternatives in the analysis documented in an EA/EIS. Reasonable alternatives are defined as those that are economically and technically feasible, and that show evidence of common sense. I require the USFS to consider reasonable alternatives, including:

A very careful consideration and proof of reasoning when evaluating an AML to meet the needs of the Heber wild horses. The Interior Board of Land Appeals (IBLA) ruled that the term "appropriate management level" is "synonymous with restoring the range to a thriving natural ecological balance and protecting the range from deterioration." The IBLA concluded that "section 3(b) of the Act does not authorize the removal of wild horses in order to achieve an AML which has been established for administrative reasons, rather than in terms of the optimum number which results in a thriving natural ecological balance and avoids a deterioration of the range."

I require proof and examples of the usage and methods to determine usage of wild horses versus livestock usage. Per the unanimously passed United States 1971 Congressional Wild Horse and Burro Act, the land is to be [ldquo]devoted principally although not exclusively to the wild horses and wild burros[rsquo] welfare in keeping with the multiple-use management concept of public lands.[rdquo] The Territory Plan must be consistent with the USFS responsibilities under the Wild Horse and Burro Act, ensuring that the Heber wild horses are considered as [ldquo]an integral part of the natural system of public lands[rdquo] and prioritizing wild horses, not private/corporate non-native sheep and cattle, on this herd management/territory area. In addition, grazing of livestock on public lands is not a right [ndash] it is a privilege whereas grazing of wild horses and burros on public land herd areas is legally designated by Congress. The examples and proof that are required must include all livestock fencing and cross-fencing.

Livestock and livestock fencing jeopardize the health and wellness of the congressionally designated wild horses on their legal lands. It is the law whether the USFS livestock stakeholders like it or not [ndash] America was built and has survived almost two hundred and fifty years because we made laws and learned to follow these laws and our ancestors fought and died for American citizens to be able to have the LAWS of the United States. To ignore the laws of the United States of America is treasonous.

This statement and the USFS interpretation of this federal law and examples of their treatment of this law on the Heber wild horse area must be included in the upcoming EA/EIS:

The United States of America Code of Federal Regulations states: [sect] 4710.5 Closure to livestock grazing. If necessary to provide habitat for wild horses or burros, to implement herd management actions, or to protect wild horses or burros, to implement herd management actions, or to protect wild horses or burros from disease, harassment or injury, the authorized officer may close appropriate areas of the public lands to grazing use by all or a particular kind of livestock.

The EA/EIS must examine and include analysis of rangeland expansion/improvements to ensure adequate forage and water resources available for a viable herd. [ldquo]Proper management plans [ldquo]require a strong information base,[rdquo] including data on the [ldquo](a) biological potential for the area; (b) numbers and combinations of herbivorous animals that can be safety carried on the area; (c) kinds and amounts of forage and habitat required by the animals; (d) effects of herbivores on vegetation and each other; (e) effects on soil and

hydrology; and (f) an understanding of the economic and social values associated with the area.[rdquo] (NAS 1982)

In addition, the forthcoming EA/EIS must include:

All historical, current and future ten-year range monitoring and plans.

All proposed PZP (or any other method of herd population control [ndash]including sterilization and castration) plans.

An updated and scientifically supported and defensible census of all on the range wild equine that includes all horses born and died in the past ten years and age at death and cause of death.

An updated and scientifically supported and defensible census of all off the range (previously removed) Heber wild equine that includes all horses born and died in captivity since the recent ten years of capture/removals and age at death and cause of death.

Any and all possible alternatives to any removals or contraceptives or any form of population control (including sterilization and castration).

A no action alternative [ndash]with detailed scientific review of this alternative [ndash]both pro and con.

A discussion and a map regarding all fencing, gates and cattle guards within and bordering the Heber HWHT and reason for fencing.

A scientific discussion regarding how fencing and cattle guards and gates influence the wild horses from accessing any water sources and forage sources and how it effects wild equine genetic variability.

The HWHT Plan proposal EA/EIS must include a section discussing those alternatives that were considered but rejected with a detailed explanation of the reasons for their elimination and not just respond [ldquo]outside the scope[rdquo]. Nothing is [ldquo]outside the scope[rdquo] if it affects the wild equine that are congressionally designated on these lands and the NEPA law requires that all relevant scientific information be provided to the American public and that that information be taken a [ldquo]hard look[rdquo] at by the decision makers and not swept under the rug.

POPULATION AND APPROPRIATE MANAGEMENT LEVEL (AML)

The proposed appropriate management level for the Heber herd is between 50-104 horses on the Heber Wild Horse Territory. 50-104 horses is too small of a population and will lead to the extinction of the Heber wild horse herd. Maintaining a healthy horse population is not going to be achieved by culling the herd down to a genetic non viable number. Bringing in horses from other herds once problems arise due to a shallow gene pool does not preserve the genetics of the Heber herd.

Your Draft Proposed Action for the Heber Wild Horse Territory Management Plan already makes it clear on page 16 that you foresee a problem with the AML being too low to be genetically viable. This shows you are planning for failure of the survival of the Heber wild horse herd because you know the AML you have set is too low for genetic viability. Why would you even put forth a plan for extinction like this unless your objective is to eliminate the herd?

The cover letter states:

[ldquo]The Territory Management Plan is needed to ensure the herd is managed to maintain a self-sustaining population of healthy animals within the designated territory, in a thriving natural ecological balance with other uses and the productive capacity of their habitat.[rdquo]

[ldquo]a self-sustaining population of healthy animals[rdquo]

Self-sustaining | Definition of Self-sustaining by Merriam ...www.merriam-webster.com [rsaquo] dictionary [rsaquo] self-sustaining

Definition of self-sustaining. 1 : maintaining or able to maintain oneself or itself by independent effort a self-sustaining community.

How is it [ldquo]self-sustaining[rdquo] if you are planning on culling the herd down to non viable numbers, implementing birth control on many of the few animals you decide to leave, and import horses that are NOT part of the Heber herd? That takes the [ldquo]self-sustaining[rdquo] out of the equation. Up until now they have been self-sustaining in spite of all the illegal means to decimate the herd.

Furthermore, manipulating the population through even more unnatural means such as use of birth control, altering the ratio of male to female animals, and altering the herd age distribution in NOT natural. It is all a plan for managing the herd to extinction.

[ldquo]...only 25% of the 186 herds under active management have a population objective of greater than 150 horses. The small size of these herds raised concerns about long-term maintenance of genetic viability and questions on the best methods to manage population sizes to sustain genetic variation... At low population numbers, dramatic loss of genetic variation over a short period is possible. Low genetic variability can result in decreased fecundity, increased mortality, decreased disease resistance, and an overall loss of vigor.[rdquo]

-- Singer, F.J. and K.A. Schoenecker, compilers. Managers[rsquo] summary [ndash] Ecological studies of the Pryor Mountain Wild Horse Range, 1992-1997. U.S. Geological Survey, Midcontinent Ecological Sciences Center, Fort Collins, CO, 2000

I require scientific proof in the upcoming EA of overpopulation of the Heber wild horse herd. So far, there has been none!