

Data Submitted (UTC 11): 3/9/2020 7:00:00 AM

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Comments: I am resubmitting this comment due to the fact that it was never posted after the first time I submitted it. Please see attachment.

Protection for the Heber Wild Horses

THE WILD FREE-ROAMING HORSES AND BURROS ACT OF 1971

(PUBLIC LAW 92-195)

[sect]1331. Congressional findings and declaration of policy

It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death;

A Heber Wild Horse Territory management plan cannot be complete without the inclusion of provisions for how to protect the horses as is called for by the WFRHBA.

Since October 2018 dozens of horses from the Heber herd have been fatally shot. Other horses have been captured, stolen, and sold. Investigations have been non existent in some cases and lackadaisical at best in others. Proof of stolen horses has been provided to the Forest Service and other branches of law enforcement including the FBI.

I require a good hard look at how the Forest Service is going to step up their efforts to protect the Heber wild horses from capture, branding, harassment, or death as the WFRHBA requires. I require that the upcoming EA provide to the public and decision makers the past, current and proposed future plans for the physical protection of the wild horses in the Apache-Sitgreaves National Forest.

A protection plan should include signage stating the Heber wild horse herd is federally protected and that penalties for capturing, branding, harassment, or death can result in fines up to \$100,000 and a year in prison for each offense.

Penalties increased in 1984:

The WFRHBA provides for criminal penalties of up to \$2,000 and/or a year in jail for those convicted of a violation

of the law. Penalties increased under the Sentencing Reform Act of 1984, as amended. Today, violation of the WFHBA is a Class A misdemeanor, and fines can run up to \$100,000 for each offense.

Arizona Animal Cruelty laws and penalties would apply as well.

A plan should be in place that would call for the Forest Service law enforcement to respond in a timely manner to reported deaths and other violations against the wild horses and to conduct their investigations in a complete and thorough manner which would include calling upon other agencies who can offer more experience in investigating criminal acts if necessary.

The plan should include educating the forest rangers and other FS personnel about wild horses and the Heber wild horse herd and what is required by the Wild Free-Roaming Horses and Burros Act. When in their uniforms or in the office or working in any capacity for the USFS the FS employees should be conducting themselves in a manner that is in accordance with the WFRHBA which is to protect the free-roaming horses of the Sitgreaves. Where as the employees have a right to their own opinions they do not have a right to their own facts. It is unprofessional and un-ethical for them while on duty, to tell members of the public that the horses are [ldquo]not wild" that they are [ldquo]feral" that they [ldquo]don[rsquo]t belong in the forest" etc. It[rsquo]s time to put the old wives tales and rancher myths aside and start treating the wild horses the way the law intends that [ldquo]wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West; that they contribute to the diversity of life forms within the Nation and enrich the lives of the American people;[rdquo] The protection plan as part of the Heber Wild Horse Territory management plan, should instruct Forest Service personnel to not undermine the value of the herd and federal law by saying things such as, [ldquo]go ahead and take whatever horses you want[rdquo] which is in direct violation of the Act and the 2007 Federal Court Order. When it comes to the letter of the law their opinions do not matter and should not be stated as fact. That puts the horses in danger. And if they cannot abide by and uphold the letter and spirit of the law then maybe they need to be replaced with people who can.