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I ask that the Environmental Analysis include a study to determine how many cattle should be reduced from grazing on the Apache-Sitgreaves National Forest (ASNF) public lands since the Forest is allegedly showing signs that the lands are overgrazed, as asserted by Anthony Madrid - Acting Deputy Forest Supervisor in this news report: https://www.azfamily.com/news/forest-service-plans-to-reduce-number-of-wild-horses-in/article_e52fa55c-5831-11ea-a74d-ab73d2d6e02f.html. "We're seeing some issues of overuse on the range and horses that are moving well outside the wild horse territory." And, "more horses means more grazing, so that just impacts the range condition." said Anthony Madrid.

It is reasonable to extrapolate that if horses are over grazing the land (as claimed by Acting Deputy Forest Supervisor Anthony Madrid), then cattle are as well. And according to the supporting document Proposed Appropriate Management Level Determination for the Heber Wild Horse Territory found at this link: https://www.fs.usda.gov/nfs/11558/www/nepa/33054_FSPLT3_5229847.pdf, on page 22 it indicates that the 2 permitted livestock grazing allotments that share the Heber Wild Horse Territory (HWHT) allow 506 permitted head months in territory. 506 heads of cattle is 10 times the low AML number proposed for the wild horses and approximately 5 times the high AML number proposed for the wild horses. It seems blatantly obvious that it would be more effective and appropriate to reduce the livestock numbers substantially and leave the wild horse population at current levels. And it is mandated by the Wild Free-Roaming Horses and Burros Act of 1971 (WFRHBA),

WFRHBA - Section 1332. Definitions -

(c) "range" means the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros, which does not exceed their known territorial limits, and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple-use management concept for the public lands; [Emphasis added]

As well as mandated by the Code of Federal Regulations,

Code of Federal Regulations 43 C.F.R. 4710.3-2 and 43 C.F.R. 4710.5(a), the US Forest Service has a mandate to manage herd management areas "principally, but not necessarily exclusively, for wild horse or burro herds." Further, the US Forest Service has authority to reduce or close appropriate areas of the public lands to livestock grazing in order "to provide habitat for wild horses or burros..."

Therefore, it is legal, responsible and seemingly necessary to reduce livestock grazing on the HWHT and the adjacent lands of the ASNF wherever this wild herd roams.

Privately-owned livestock do not require public lands to survive, but the wild horses do. The law requires public lands be managed for multiple-use and the WFRHBA requires their designated areas be managed principally for wild horses & burros. So that is what should happen here. It is impossible to do any management of the wild horses properly without studies conducted that show the impact that permitted cattle and all other wildlife species are having on the HWHT and the adjacent ASNF lands that these free-roaming horses roam and are protected on. That is mandated by the WFRHBA.

Accordingly, I propose the Environmental Analysis include a comprehensive study of the forage, water, cover and space use of all livestock and all wildlife including the free-roaming horses upon the ASNF. I propose that the

USFS establish a regulation that brings grazing regulations into conformance with the 1971 WFRHBA and devote forage within herd areas principally but not necessarily exclusively to wild horses. To satisfy this requirement, livestock grazing within herd areas should not exceed 49% of all forage allocations and wild horses should receive at least 51% or more of all forage allocations, as required by the WFRHBA. I strongly oppose any regulations that would increase livestock grazing in any herd areas. I strongly urge strengthening regulations to protect rangeland health -- for example, if an allotment has not met minimal rangeland health standards for two of the last four years, that grazing permit should not be renewed and should be temporarily suspended until the range is meeting or exceeding rangeland health standards for all areas of the grazing allotment.

Furthermore, the Management Plan must preserve natural wild horse behaviors. As the National Academy of Sciences determined in their 2013 report, *Using Science to Improve the BLM Wild Horse and Burro Program - A Way Forward*, "preserving natural behaviors is an important criterion" for wild horse management. Therefore, the following practices should be precluded from management actions: (1) - sex ratio skewing which causes stallion aggression due to the unnatural ratio of males to females; (2) - castration, ovariectomy and other surgical sterilization that alters the animal's ability to produce natural hormones; and (3) - any fertility control that alters the production of natural hormones.

Given the unique situation regarding the Heber wild horses and the history of catastrophic fires in the area, the Management Plan must include managing horses outside of the official HWHT boundaries through PZP fertility control, not removals. The Heber wild horses in and outside of the HWHT can be easily controlled and population numbers reduced through natural attrition and with the use of PZP. PZP is widely known to be humane, safe, effective and inexpensive to administer. Volunteer organizations would be happy to work with the USFS to implement this humane management practice that prevents and excludes removals, which allows wild horses to live and die in the wild, as intended by the WFRHBA of 1971.

Additionally, I require the Forest Service to include in the upcoming Environmental Assessment (EA) a plan for protecting the Heber wild horses. This is essential, given the multiple incidents of shooting deaths of wild horses that have taken place on the Apache-Sitgreaves National Forest since October 2018. This plan should include signage to inform the public that the Heber wild horse herd is a federally protected herd.

The WFRHBA of 1971 (PUBLIC LAW 92-195) states:

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

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 WFRHBA 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.

I also require that the upcoming EA include a plan showing how the USFS intends to investigate future crimes such as shootings, captures, and harassment of Heber wild horses. This should include timely and thorough investigations using resources outside of the Forest Service Law Enforcement, if necessary, to conduct a quick and thorough investigation to solve the crimes and bring the perpetrator(s) to justice.

We still have no answers and no arrests have been made in the fatal shootings of wild horses that have taken place from October 2018 to the present. If small town politics are impeding the investigation, then outside law enforcement needs to be brought in. Whether the shooter(s) are local or from elsewhere, whether they are unrelated to local families or whether they are from a local family of influence, they must be arrested, charged, and convicted of killing our federally protected Heber wild horses. Anybody that would do such a horrific thing is a danger to not only the other wild horses but to humans occupying the forest as well. The person or persons conducting these killings obviously has no respect for life or law. My wife was an eyewitness to a man shooting

at the wild horses and had her life endangered on May 2, 2019 during that shooting incident and the USFS investigator has NEVER (to this day) interviewed her or shown any interest in her written statement that she provided on the day after the shooting.

No arrests have been made in the captures and thefts of any of the Heber wild horses although evidence has been shared with local and federal law enforcement including photos and names of people who were in possession of horses that were stolen from the ASNF.

Finally, this Draft Plan appears to be either a deliberate plan for the extinction of the Heber herd or it comes from people who do not understand wild horse issues and the science that is essential for proper management. One government official (the Forest Supervisor, as proposed on page 13 of the Draft Plan) should not be in a position to make such an important and broad decision for the fate of a Federally protected wild horse herd and that proposal appears to conflict directly with Section 1333 of the WFRHBA. Congress had the foresight to require checks and balances when they passed that law in 1971 and that provision must be adhered to.

Respectfully submitted,

John Reidhead