Data Submitted (UTC 11): 4/14/2021 11:00:00 AM
First name: Michele
Last name: Anderson
Organization: Heber Wild Horses Freedom Preservation Alliance
Title:
Comments: I am hereby submitting the following information and attachments for the administrative record.

The United States District Court, D. Columbia ROSEMARY M. COLLYER, District Judge. stated: "It would be anomalous to infer that by authorizing the custodian of the wild free roaming horses and burros to "manage" them, Congress intended to permit the animals' custodian to subvert the primary policy of the statute by harassing and killing and capturing and removing from the wild the very animals that Congress sought to protect from being killed and harassed and captured and removed from the wild."

The Act states:

It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands.

Management Plan:

History The Heber Wild Horse Territory was established under the Wild Free-Roaming Horses and Burros Protection Act of 1971. In 1973, when the territory was established, a purported census of 6 mares and 1 stallion were observed to be using the area.

EA:

In 1974, when the Heber Wild Horse Territory was designated, it was purported there was a population of six mares and one stallion occupying the territory. Throughout the years, no actual scientific data or monitoring was documented on the population. In 1993, the population was purported to be two mares. Due to a lack of understanding in administrative procedures, the Black Mesa Ranger District and Sitgreaves National Forest determined the Heber Wild Horse Territory should be closed and ceased all activities associated with monitoring as well as the development of a management plan.

The decision to dedicate the current 19,700 acres as the Heber Wild Horse Territory was arbitrary and capricious. Basing the Territory boundaries on a "purported" number of horses that were seen by some unnamed person, in one specific area of the 818,651 acres that comprise the Sitgreaves National Forest, without doing a proper, thorough, and comprehensive survey and study to determine where wild free-roaming horses were in 1971 at the very minimum shows negligence on the part of the Forest Service. It is time to do what should have been done in 1971. By any and all standards of the Wild Free-Roaming Horses and Burros Act the current HWHT should be expanded.

The attached photos are from a wild horse flight survey conducted by the USDA Forest Service/TEAMS Enterprise in 2014. These photos were obtained through a FOIA request. The photos show just a small area of a very large forest. To claim there were only 7 horses in this vast forest in 1971 is absurd. Historical records indicate there were numerous horses throughout the forest for many years prior to the Act. Court records and other historical accounts provide evidence that the FS had been shooting wild horses in the Sitgreaves prior to 1971. Currently the majority of the wild free-roaming horses of the Heber herd do not reside on the HWHT. A large part of the Territory is inaccessible to the horses due to the terrain and cattle fences. The HWHT should be expanded to at least include the entire Black Mesa Ranger District. This expansion would allow for the horses to continue to migrate for forage, water, shelter, and to find one another. Where wild horses were found in 1971 was

never a consideration by the Forest Service. Now in 2021 the Territory should be expanded to include where they are presently found, as an integral part of the natural system of the public lands.

Attachment c: Photograph

Attachment d: Photograph

Attachment e: Photograph

Attachment f: Photograph

Attachment g: Photograph

Attachment h: Photograph