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Comments: Return to Freedom Wild Horse Conservation (RTF), the Humane Society of the United States (HSUS) and the Humane Society Legislative Fund (HSLF) are submitting these comments jointly to underscore our commitment to collaborative approaches to wild horse and burro management.

The Forest Service is soliciting comments for the Heber Wild Horse Territory Management Plan. AML for the Heber WHT is 50 - 104 horses. In 2017, the estimated count was 270 to 420 horses. The plan calls for gather and removal of horses and "to control wild horse populations primarily through passive gather and removal and by treating with contraceptives."

We respectfully submit our comments, below:

Comments to WHT Proposed AML Document:

* " It appears the fences within the territory are likely limiting movement to the lower elevations in the north; while snow accumulation in parts of the territory effectively push large ungulates to lower elevations during severe weather. While these observations indicate the cover and space may be insufficient in the territory, we cannot ascertain with certainty why wild free-roaming horses are moving off the territory. Additional monitoring is needed to better understand how horses are using the territory." (WHT Proposed AML, p. 32) While it appears there is sufficient food, water, and cover on the Territory to provide for at least some high proportion of the horses present in the area, the horses are moving off territory. Because old, already-existent fencing may be a catalyst encouraging this off-Territory travel, it is contingent upon the agency to experiment with removing or relocating some or all portions of the fencing to determine if horse movement patterns could be established within the Territory. The adaptive management strategy described on page 37 indicates that if monitoring indicated this need, development of additional water sources to encourage use in targeted areas (as opposed to off-Territory) and increasing fence permeability may be warranted. These are excellent examples of adaptive management and we appreciate the efforts to carefully craft a management plan so that it can be flexible.

* "The lower limit is set at a number that allows the population to grow to the upper limit over a 4- to 5-year period, without any interim gathers to remove excess animals. Therefore, the recommendation for the appropriate management level is 50 to 104 horses for the Heber Wild Horse Territory." (WHT Proposed AML, p. 35) The AML range was determined based on BLM's handbook (USDI Bureau of Land Management 2010), and the idea that an appropriate management level "is expressed as a range with an upper and lower limit. The upper limit is the number of animals which results in a thriving natural ecological balance and avoids deterioration of the range." However, if fertility control is some portion of a modern management plan, AML can be brought into context: a decreased population growth rate translates to both longer times between gathers and fewer horses needing to be gathered if the growth rate is reduced. This is not a recommendation to re-evaluate AML in general, as that would be outside of the scope of this EA. However, because low AML is necessary in gather-only management scenarios (so that there is sufficient time until numbers above high AML are reached, triggering a gather), it is reasonable to adjust the expectation that reaching low AML is necessary.

Comments to EA:

* "Gathering excess horses would typically be done via passive gather techniques such as but not limited to bait trapping. Other passive gather techniques may be used as they become available. Gathers would be ongoing until appropriate management level is achieved." (EA, p. 24) We are pleased that the field office will implement fertility control. It is unclear whether fertility control would be scaled up immediately, alongside and as part of the

on-going bait-trapping, or whether this field office would wait for AML to be reached before application of fertility control. We suggest immediate implementation of fertility control, and indeed the BLM WHB Advisory Board recommended as such in the September 2020 meeting: "The Board recommends that the agency expand fertility control implementation and develop measurable objectives outlining a targeted reproductive growth rate reduction and multi-year plans, on an HMA-by-HMA basis. The effort should include fertility control treatments combined with gather operations, including HMAs where AML will not immediately be achieved. The Board recognizes that reproductive growth rates on the range must be reduced immediately so that overall numbers of horses or burros, as well as overall numbers of gathers, begins downward trending."

Return to Freedom, The Humane Society, and the Humane Society Legislative Fund, working with several stakeholder organizations, including other animal-welfare groups, governor's associations, public lands councils, cattlemen's associations, and conservation groups, has arrived at similar conclusions via modeling and peer-review research analysis: a slower and multi-faceted approach to wild horse management must include some removals, some on-range fertility control (via remote darting), and/or some gather-administer-release fertility control. These modalities should not be implemented only when AML is achieved, but as a way to begin stabilizing the population immediately and work towards lowering populations, where applicable, more slowly. This is more effective at creating and maintaining sustainable wild horse management (with less dependence on transportation and short-term holding, where a majority of the program budget is spent). To reduce stress on holding facilities, contractor availability, and budget, the application of immuno-contraceptive vaccine alongside gather-removals allows for stabilization and then reduction, where necessary, of wild horse numbers, and is more economically and logistically viable: population growth rates on the range are reduced, and time between gathers can be extended. At the time of another gather, fertility control vaccines can be reapplied to mares that have received initial doses, new mares can receive treatment, and some animals can be gathered and removed, in effect scaling up fertility control at every opportunity.

We recognize that there are challenges associated with slower bait-trapping and fertility control programs. Ideally, at least 80% of mares in a population should receive fertility control treatments to stabilize and/or reduce (over the longer-term) the overall population. It is important to develop a plan with gather-treat objectives clearly established, and the resulting impact on the population over time, so that meaningful year-to-year adjustments can be made to the program. Identification of horses in the population is an essential component for successful fertility control management projects. This field office's clear dedication to collaboration with local stakeholders to develop standardized protocol for data collection and reporting to the field office is very positive.

Again, we appreciate that this field office recognizes this and has integrated some, or perhaps all, of this approach into management plans.

* "Adaptive management is a process or model that incorporates monitoring and assessment information to determine if changes are needed. If monitoring results indicate land health or animal health concerns (thresholds), adaptive management responses would be implemented to correct or improve conditions." (EA, p. 25) We appreciate the discussion in this EA as to how the FS will use monitoring and adaptive management strategies to be better able to flex to conditions on the range as they change. This is very positive as it means a more dynamic management, shifting as ecosystems do, responding to stressors, and making decisions based on the environment and the land. Wild horse advocacy organizations, our own included, would like AMLs to trend towards generally higher AMLs. We are aware that conditions on the range must support this, and that to improve conditions on ranges in the west that are dry and becoming drier, many compromises, across many of the multiple-uses, will become necessary. Ultimately, of course, the ability to increase AML is tied directly to range condition, resistance, and resiliency.

In an effort to drive wild horse and burro management towards being truly effective and programmatic, with ecologically-based parameters being the true and quantitative drivers for that management, the BLM Wild Horse and Burro Advisory Board recommended at its September 2020 meeting:

The Board recommends that BLM immediately begin to integrate wildlife management plan concepts (template developed by wildlife management agencies) on an HMA-by-HMA basis into a comprehensive, range wide WH&B management plan that includes contingencies for stochastic events and rangeland integrity, including riparian habitats.

The Board recommends that future research include: development and implementation of predictive models for animal movements that will likely expand resource degradation areas; and development and application of new tools (e.g., terrestrial laser scanners, drones, GPS collars) to measure concurrent forage use among large herbivores.

The above points, and indeed the recommendations from the advisory board, are intended to support better implementation of environmental management that carefully considers adaptive management and changing conditions on the range. Many of the multiple-uses, and the management of such on public lands, will need to adapt within the context of climate change.

* "Some of the licensed fertility reduction control agents currently available for use include injectable agents such as various formulations of porcine zona pellucida (PZP), gonadotropin releasing hormone (also known as Gonacon), and other agents being developed such as growth and differentiation factor 9 (GDF9) and bone morphogenetic factor 15 (BMP-15), which are or will undergo scientific studies for possible future clearance. Wild horses would be treated using an approved method including but not limited to bait trap, treat and release; or using a darting method." (EA, p. 25) We appreciate a plan which is centered around proven, safe and humane fertility control vaccines, especially, and a general focus on non-permanent population control methods. These are the modalities that garner the most public support. Because of the longer term research and use behind PZP and PZP-22, we encourage the use of these well-proven immuno-contraceptive vaccines as often as possible.

* "Continual monitoring of the horse population would be accomplished in collaboration with local volunteer groups, university students, ranchers and other forest visitors, and citizen science Heber Wild Horse Territory Management Plan Environmental Assessment Apache-Sitgreaves National Forests 26 programs to monitor horses and their use of the territory. The Apache-Sitgreaves Wild Horse and Burro Coordinator would develop protocols for reporting of horse data by any non-Forest Service group and would maintain a database of horses that populate the territory. Volunteer groups would be standardized on the data they collect and report to the Forest Service." (EA, pps. 25-26) As stated above, identification of horses in the population is an essential component for successful fertility control projects, and it appears that this field office intends to utilize the diverse stakeholder groups in the localized area for such projects, or for the footwork necessary to implement successful projects (the identification and observational baseline data). Consistent record keeping, which is only made stronger by excellent field, data collection, and reporting systems in place, are the basis for fertility control project success. Having the FS guide this process can provide the long term stability necessary for these multi-stakeholder projects.

* On page 26, the EA lists potential management actions and includes: "Alter the ratio of male to female animals to reduce population growth by controlling the release of captured male or female animals back into the territory". We do not advise sex-ratio skewing for wild horses for these reasons: (1) management of populations via sex skewing is temporary (populations return to their normal ratios), and (2) healthy populations rely on whatever the norms are in terms of that population's demographics - adjusting a population of wild horses to skew for more or less of anything does not attain a natural state for that population, with behavior ramifications that are not yet understood (potential heightened aggression in stallions, for example).