

Data Submitted (UTC 11): 4/22/2021 11:00:00 AM

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Comments: Thank you for the opportunity to comment. attached is our full comment.

We are thankful for the opportunity to provide the following comments on the Heber Wild Horse Territory (HWHT) Draft Environmental Assessment (dEA) and Draft Management Plan (dMP).

The Arizona Deer Association (ADA) is a non-profit conservation organization dedicated to improving habitat and expanding Arizona's mule deer and Coues' deer herds, since 1996. To fulfill our mission, we raise funds from members, the public, and private sources. We have raised over thirteen million dollars to support Arizona's deer population, habitat improvement projects, youth camps and education, and Arizona wildlife conservation. Partnering with the Arizona Game and Fish Department (AZGFD) we actively participate in building improvement projects, providing education, and various programs that directly benefit Arizona's deer herds and their habitat, as well as other wildlife.

The ADA has supported many of our Arizona Game and Fish Department programs, such as the Special Commissioners tag program where funds are used for species-specific conservation and habitat work. Our association was also instrumental in establishing the Arizona Big Game Super Raffle, which has raised millions of dollars for Arizona's wildlife since its inception in 2006. As advocates for deer populations at the municipal, county, and state level, we have also participated as key members in a group of conservationist organizations lobbying the state government in support of the Conserve and Protect Arizona effort to protect the role of evidence-based ecological science in wildlife management. With ADA's record of environmental stewardship and advocacy the organization was inducted into the Arizona Outdoor Hall of Fame.

As a part of our efforts to inform the public, we provide a publication the Arizona Deer Times. As can be seen in our most recent publication, our association participated in an historic Memorandum of Understanding with the Mule Deer Foundation and the Arizona Game and Fish Department, which established the ability for us to jointly engage in larger, long term, flagship habitat enhancement projects that will serve all forms of wildlife far into the future. Over the past 20 years, our association has funded many improvement projects and studies across Arizona, from the Three Bar Study on the Tonto National Forest to the Kaibab Cliff Rose and other deer studies. We co-sponsor events for youth, such as the recent Friendly Pines Camp Talk, co-sponsored with the Arizona Desert Bighorn Sheep Society and partner with youth organizations such as the Arizona Outdoor Adventures who provide 3-5 day outdoor adventures and camps and education for the underserved and economically challenged young people of our state.

We commend the FS for recognizing the importance of updating, over time, the management plan or environmental analysis based on monitoring and conditions of the territory. This is critical with the 2017 populations estimated between 270-420 horses on the Sitgreaves side of the forest with a calculated annual growth rate for the herd from 19-21 percent.

We appreciate the FS for ensuring continued stakeholder, Tribal, and public involvement in this process.

We request the FS provide for these entities, further analysis to include additional critical references specific to other established wild horse territories in the United States, in addition to the findings from those analyses, and including US Fish and Wildlife Service biological findings and statements. Further, we request the FS include the critical statements found within the Western Governors Association Policy Resolution 2018-01, and the Cross-scale population-viability analysis. Please see references provided in our comment letter submitted to the FS March 14, 2020 for the proposed Heber Wild Horse Territory Management Plan, Navajo and Coconino Counties,

Arizona, Apache-Sitgreaves National Forests, January 2020.

We support the desired conditions and many of the proposed management actions as outlined in the dMP and dEA for the HWHT. We appreciate the Forest Service (FS) developing an operational plan that documents goals, management actions or practices, adaptive management, the design criteria for resource protection, and scheduling and monitoring, which includes determining the desired population level and interagency coordination. We agree with the process to analyze the upper limit of horses within the HWHT, to ensure a thriving natural ecological balance and avoid deterioration of the range, by considering water, soil and watersheds, invasive weeds, habitat, herbivore grazing, vegetation and forage, cover and space available. However, we request the FS take a hard look at the following:

[middot] The FS evaluated the upper level of appropriate management level of horses, calculated based on the average available forage production (1,978,126 pounds of available forage in an average year, which provides an estimated 100 pounds per acre of forage). Considering a horse consumes 2.5 to 3 percent of their body weight daily (average 26 pounds of forage per day), this would require approx. 9,490 pounds of forage per year per horse. With the 2007 estimated carrying capacity to be only 79 horses (out of the three years evaluated, 2007, 2008, 2018) we request the FS provide explanation of why the "worst case scenario" as displayed in year 2007, was not considered the upper limit at 79 horses instead of the 104 average? Based on climate data and the anticipated increases in overstory trees within the HWHT over the next several decades (resulting in a possible 50% reduction in forage), it seems more appropriate to use the upper limit of 79 horses.

o The fact the permitted livestock grazing that includes portions of the HWHT, are well established "managed" grazing with one operation grazing 60% of the HWHT having only a low number of cattle less than half the year, and the other operation grazing only 6% of the territory, we do not anticipate any issues from those operations, due to well established monitoring and thresholds.

[middot] Specific to available water, we must request the FS provide more recent surveys, and evaluate the past decade of available water, particularly in the 24 available water tanks within the HWHT.

o According to the Terrestrial Wildlife Report for the HWHT, these water sources have not been evaluated since 2014. With the drought and anticipated climate warming, the lack of available water in these primary sources will affect the survival of all wildlife in the area, including any feral or stray or free-roaming horses.

o It is critical to note, there are no perennial streams within the HWHT.

o Page 40, dEA states: Results from the analysis indicate all project area watersheds associated with the Heber Wild Horse Territory (the territory) are functioning at risk (except the Upper Wildcat Canyon watershed, which represents 1 percent of the project area).

o Page 41, dEA states: The cause of the majority of the proper functioning conditions being at functioning at risk primarily includes effects from the 2002 Rodeo-Chedeski Fire, road placement, grazing of cattle and wild ungulates, and mining. There were no ratings that could be directly related to horse activity. Horses were grouped into wild ungulate impacts.

[sect] We request a harder look at analyses and methodologies to differentiate horse activity from wild ungulates. Without this separation the impacts from horses which are significant compared to wild ungulates, will be wrongly addressed.

o These above issues must be further analyzed because of the large number of dry tanks we have observed over the recent several years and the corresponding number of feral or stray or free-roaming horses outside of the HWHT, likely due to the lack of water and feed.

o We request the FS remove all feral or stray or free-roaming horses off the forest that occur north of Highway 260, to prevent further damage to native wildlife habitat, wildlife such as Elk and Mule deer, and the natural resources they depend upon. This includes the Horse Trap Wildlife Habitat Area that surrounds Willow Springs Lake, where there is a substantial number of trespass feral or stray or free-roaming unmanaged horses. This would be a part of the analyzed removal of excess horses, using comprehensive animal welfare standards. This habitat area is within the area bounded on the west by Woods and Chevelon Canyons, on the south by Willow Springs Lake Recreation Area and on the north and east by Forest Road 237. This area is important as an elk calving area.

o The dEA, page 56, states under the proposed action there is a possibility of adverse impacts in the interim before the herd can be reduced to the appropriate management level.

[sect] Thus, during the two to four years of overutilization that would occur with the delay of horse numbers reduction, changes in the species composition may not be immediately discernable. However, the longer the plant communities are subjected to overutilization, the more likely the species composition would be altered.

[sect] Again, we emphasize the need and request the FS expedite an immediate updated count of horses within and outside the HWHT, and an immediate removal of excess horses, specifically to be completed within 30-days of the final Decision document.

[middot] This is critical. The fact it has been decades for the FS to complete NEPA analysis and create a management plan, time is of the essence.

[middot] Based on the draft HWHT analysis records, there has not been an aerial count of the feral or stray or free-roaming horses since 2017. To determine a more accurate count of feral or stray or free-roaming horses, observations from the public must also be considered to plan locations where aerial counts should occur, and those counts should be completed now for the specialists and the public to fully analyze the extent of impacts on the forest, to analyze the best available data. Therefore, additional information should be included in the dEA for the public to be able to provide the appropriate level of substantive and significant comments in a review of the dEA.

o We request the dEA and dMP comment period should be extended in order to appropriately update the dEA analysis information and data and resubmit for public review and comment.

[middot] We support the FS design criteria and best management practices to address the feral or stray or free-roaming horses that will be applied to aid in the reduction of negative effects to wildlife. This includes the possible management activity of bait and trap outside the HWHT boundary (project area). However, additional information is needed and must be considered:

o Page 2 of the dEA states: The HWHT is about 2.5 to 3 miles wide by about 7 miles long, centered about 5 miles southwest of Heber, Arizona. The designated boundary runs roughly in a north-easterly direction from its southern boundary on National Forest System Road 300 to the northern boundary, which is private land. The north-northeastern portion of the territory is bounded by the community of Heber, with houses, roads, and fences. The west-northwest flank of the territory is bound by the Highway 260 corridor fence. The southeast flank is an irregular boundary comprised of ridgelines, drainages, and section lines. The Mogollon Rim, with its steep canyons and ridges, lies to the south of the territory.

[sect] The dEA page 33-34 states: 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 horses are moving off the territory. Additional monitoring is needed to better understand how horses are using the territory.

[middot] We request the FS clearly define this type of monitoring and procedures used to apply it. The proposed HWHT management plan is decades overdue. With the question of not being able to ascertain with certainty why wild horses are moving off the territory and the statement that monitoring is needed to understand their use of the area

- We request the FS immediately begin this specific monitoring or evaluation within 30-days of the signed Decision.

[sect] Mandates defining management of permitted livestock grazing includes proper fencing of pastures and boundaries where natural topography or other natural features do not create a barrier. With the HWHT a manageable ~ 2.5 to 3 miles wide and ~7 miles long, based on decades of well-established funding and rangeland improvements, we request the FS include in the analysis and dMP a defined dedicated budget and schedule to build fencing where natural topography or other natural feature does not create a barrier to protect and manage the horses strictly within the designated HWHT.

[middot] We request this management action must be clearly analyzed within the dEA and specialists reports, as well as displayed within the dMP to ensure the natural resources available within the HWHT are able to sustain the horse herd and to ensure the protection of the herd, including the avoidance of horses in areas not authorized.

[middot] We request this management action must be evaluated with the affected permittees, to ensure livestock gates are installed strategically on these new fence lines for best management practices and efficient use of the boundary fences for horse or livestock movement and proper management of the natural resources.

[middot] We request this management action must be evaluated with FS Wildlife managers to ensure fencing allows safe movement of wildlife through the area.

o We request that more detail regarding the timing, obligation and/or trigger or threshold to monitor for different species and activities be disclosed, in order for us to effectively comment on these best management practices.

[sect] The dEA, Page 126, Appendix B and also pages 22-25, Table 2-5, in the dMP: Monitoring for Adaptive Management states in Table 30, "Thresholds for Management Action" : "For ground cover - Downward trend and horses are a contributing factor, Downward trend in soil condition class and horses are a contributing factor, Downward trend and horses are a contributing factor, Exceedance of 35% allowable use over 30% of the key monitoring sites 2 consecutive years or any 2 out of 5 years, and horses are a contributing factor."

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* What protocol or measure will be used to determine that "horses are a contributing factor"? This must be clearly defined in the dEA.

* To protect habitat for Mexican Spotted Owl, raptors (northern goshawk, peregrine falcon, bald eagle or golden eagle), and burrowing owls, and their prey, the dEA states monitoring to implement measures to reduce wild horses that are impacting habitat conditions for the prey, riparian habitats, [would be addressed when] utilization is in excess. Also, horses may reduce the habitat for insects, the prey of bats.

* We recognize and appreciate the planned added water developments and potential fencing added if needed

* [sect] However, when or what trigger will determine when these type of actions will be implemented is not clearly defined.

* Feral or stray or free-roaming horses do not always have the same habits as domestic horses specific to foraging preferences. Feral or stray or free-roaming horses are often opportunists when forage is limited, thus eating more than the common diet of domestic horses (grasses). What monitoring and triggers will determine when actions will be taken when the feral or stray or free-roaming horses clearly demonstrate high utilization of forbs and browse, in addition to grasses

* [sect] We request further details be provided as to what those measures will be and how they will be implemented.

* We recognize the Biological Assessment is separate from NEPA and CEQA requirements, and the ESA does not require public participation on the preparation of the BA. However, because there is little information available on the impacts from horses on wildlife or wildlife habitat (dEA page 65), we believe we would be remiss if we did not question the preliminary Biological determinations displayed in the dEA.

* o For the reason stated above, and the unique situation, we believe it is important for the public to have opportunity to review Section 7 consultation results, instead of simply a preliminary specialists report, in order to provide the best response and comment.

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* Therefore, we request the FS extend the comment period until such time the Section 7 consultation is complete, and the information can be reviewed by the public.

To further emphasize the substantive need stated above, also included on page 65 (and 80 - the same paragraph) of the dEA are the following statements:

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* "Research has shown that horses are socially dominant when interacting with other ungulates, mainly due to their large body size and great speed and power. This results in effects to wildlife species that are different than those induced by cattle (Beever 2003)."

* "Compared to livestock, horses are one of the least-selective grazers across most of western North America. A horse will consume 20 to 65 percent more forage than a cow of equivalent body mass (Beever 2003)."

* "Horses also have the ability to graze vegetation more closely than cattle due to a more elongate head, flexible lips, and the presence of upper incisors. This results in a delayed recovery for many grazed plants (Beever 2003)."

ADA appreciates your consideration of our comments. Please continue to keep us informed of further agency proposals or actions. We look forward to our continued participation in this process. Please feel free to contact us if you have questions about our recommendations.