

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

First name: Patience

Last name: O&#39;Dowd

Organization: Citizens Against Equine Slaughter

Title:

Comments: AMERICAN CULTURE: The premise of Socio Economics and equal protection under the law has not been well understood and hence not sufficiently addressed. For instance, the economic effects of mass removals glutting the horse industry and the effect against our American Culture for the overwhelming majority of 80% of the people, by filling the horse slaughter pipeline with America's protected wild horses turned sale authority, over our borders have been completely ignored. Photograph in attachment.

Photograph in attachment by Stacy Sanchez. Peaceful Heber Wild Horse herd and Deer drinking

ENVIRONMENTAL IMPACT STATEMENT: In fact, this DRAFT EA does not even Tier to any other Environmental Impact Statement or Environmental Assessment which has dealt with any of this or even acknowledged these issues or even ever done a cost analysis. CAES offers an example Cost Analysis.

CLIMATE CHANGE: Moreover, addressing climate change is also all but non-existent, outside of monitoring soil passively once every 5 years, or a sentence here and there, greedily expectant of emergency removals rather than of planning to protect our

[ldquo]Semi-Free Roaming[rdquo] (per the National Academy of Science) legally protected wild horses. In summary, Arizonians and Americans expect more from this federal agency for both their wildlife, their wildlands, the future of public lands ranchers of which all will be harmed under this or these [lsquo]plans[rsquo].

Given the semi-free roaming status of the wild horses for at least half the year due to closed fencing for grazing permits and the removal and lack of predators, together with climate change which is significantly contributed to by methane of enteric fermentation of cattle and their wastes, along with the amount of government spending on the livestock industry, it is incumbent on federal agencies USDA FS and Bureau of Land management (BLM) to plan for climate change and intervene as necessary for water.

To do less than this would clearly impact ALL wildlife, in a spiral that would hurry along climate change by turning more forage allocation over to ruminants which utilize enteric fermentation and also constitute unequal protection under the law at a minimum.

#### HEBER WILD HORSE TERRITORY BOUNDARIES - ARBITRARY - SABOTAGE

The premise of the Wild Horse Territory Boundary locations are not supported. They are in fact arbitrary and all things being equal, should be the entire Sitgreaves national Forest. This is due to a lack of detailed background regarding so called [ldquo]trespass horses[rdquo] being included in this NEPA process.

WILD HORSE DEFINED: The basic understanding of the Public Law 92-195 passed by the 92 United States Congress is still at issue here which has defined a federally wild and protected horses as follows Pursuant to 16 USC [sect] 1332(b): [ldquo]wild free-roaming horses and burrows (b) wild free-roaming burros means all unbranded and unclaimed horses and burrows on public lands of the United States;[rdquo]

However, here is this Agency[rsquo]s justification in 1971 for their repeated unsupported statements to the Courts, Congress and to the people of the United States for their constant illegal removals through the last 50 years is this:

Excerpt: Wild Horse Observers Association (WHOA) Open Records

Request (FOIA) to Gene Onken, response in 2003. This and more was shared with Pat Haight of IDA on August 29th 2005.

[ldquo]There is no clear evidence that a bonafide herd of truly wild horses ever existed in the Heber Wild Horse Territory. Horses originally present in the area when the 1971 Wild Horse and Burro Act passed, were later determined to be unclaimed animals from the Fort Apache Indian Reservation along with some animals that were abandoned when a local family moved away from the area. [ldquo] emphasis added

See AFFIDAVIT by Stacy Sanchez page 13.

See TABLE: HEBER Wild HORSE HISTORY- ATTACHMENT 1. page 37.

[lsquo]The principal goal of this legislation is to provide for the protection of the animals from man and not the single use management of areas for the benefit of wild free-roaming horses and burros. It is the intent of the committee that the wild free-roaming horses and burros be specifically incorporated as a component of the multiple-use plans governing the use of the public lands. (U.S. Congress, 1971, p. 3)[rdquo]

The APPROPRIATE MANAGEMENT LEVEL (AML) calculated from the certain percent of available forage is therefore incorrect because the boundaries of this wild horse territory have not been determined based on the location of the unclaimed animals which were constantly, before and during and after the passage of this act, removed as trespass livestock in complete rebellion of this Act, which they were tasked and paid to both understand, and uphold.

The AML is further mis-calculated in these NEPA documents because the size of these specific horses, due to their specific genetics, is in fact 600 to 700lbs not over 1000lbs. Hence, these wild horses do not eat a whopping 26lbs/day! Versus 1 to 2% of their body weight at 6 to 14lbs forage per day.

The upper limit of the AML determined based on this mis-information is 104 wild horses on 19,700 acres. If the total acreage of the Apache Sitgreaves Forest is 320,000 acres and if the forage across the forest is approximately the same as that on the faux Wild Horse Territory, then the corrected AML should be closer to 1,689 Wild Horses.

COST ANALYSIS: There is no cost analysis regarding the many options discussed, the many options not discussed. Moreover, again, these NEPA documents do not suffice for

## AMERICAN CULTURE

This country, our United States, is divided on many an-issue. However, it is not in fact, significantly divided regarding wild horses.

The United States is a nation of people who do not eat all, and any, meat sources available to it, as it seems others cultures do around the globe. This may even be a source of superiority and pride on our part.

Many countries literally love rat meat (a bit like pork) and some cannot celebrate an occasion without it though they have other ungulates and goats available.

Photograph in attachment: <https://www.bbc.com/future/article/20151207-the-countries-where-rats-are-on-the-menu>

In fact 80% of Americans are strongly opposed to horse slaughter by the Lake research Poll of 2012:

<https://www.asPCA.org/about-us/press-releases/asPCA-research-confirms-americans-strongly-oppose-slaughter-horses-human>

This peculiar cultural result, is documented in this anti-horse slaughter poll which exhibits the American Culture of almost 10 years ago, still remains culturally intact and further translates to a strong ~ 80% contraception preference once again versus [ldquo]death[rdquo] as shown by the current poll taken by Fort Collins University Department of Natural Resources in 2020 see below:

Excerpt:

MESSAGE FRAMES AND WILDLIFE VALUES INFLUENCE PUBLIC ACCEPTANCE OF WILD HORSE MANAGEMENT STRATEGIES Submitted by Jeffrey Rodriguez Department of Human Dimensions of Natural Resources In partial fulfillment of the requirements For the Degree of Master of Science Colorado State University Fort Collins, Colorado Spring 2020

Figure 1 in attachment: Support for Wild Horse Management Options. Percent acceptable for each management option. The percentage of respondents who indicated the management option was slightly, moderately, or extremely acceptable for participants in the full sample and all three message conditions (control, rational appeal, and emotional appeal).

Unfortunately, our government works hard to both change our culture through cruel intentional events and through incorrect media propaganda which is literally proliferated by those from the meat industry. (shown below in this paper).

Our government has done it[rsquo]s best to color the wild horse topic with intent, into a biased, unequal, divisive issue on the range, through its own biased, unequal and divisive expenditure of monies for only cruel, expensive, non-scientific, and even illegal wild horse population management methods that perpetuate more wild horses, and the [ldquo]idea[rdquo] that wild horses cannot be feasibly managed, all while dumping the so called over-population (for the meat market) into the currently, all but ruined, but previously lucrative, horse industry. Only horse racing and gambling remain standing and some Quarter horses bred and used in the livestock industry.

Much of both of these industries are pro-horse slaughter.

Thanks to the behemoth Farm Bill, both political parties receive political [ldquo]kick backs[rdquo] or campaign finance, through the heavily incentivized & subsidized Livestock Industry.

Hence, our government has successfully destroyed our American horse industry, (Why? Because the 93 million cattle in the U.S. compete with the 9 million domestically owned horses for the available hay.

Despite all this, and due to education, Americans have continued to become more educated and less cruel across the board toward all animals.

From: Understanding the Link between Animal Cruelty and Family Violence: The Bioecological Systems Model @

Understanding the Link between Animal Cruelty and ... - MDPI <https://www.mdpi.com> by B Jegatheesan [middot] 2020

[ldquo]Cruelty to animals is also described as a multidimensional construct that includes among others, severity, duration, frequency, and lack of empathy [32,33], as well as physical and mental dimensions of cruelty

[34][rdquo] (emphasis added)

Again From: Animal cruelty, pet abuse & violence: the missed dangerous connection Scott A Johnson 2018

[https://medcraveonline.com/FRCIJ/animal-cruelty-pet-abuse-amp-violence-the-missed-dangero us-connection.html](https://medcraveonline.com/FRCIJ/animal-cruelty-pet-abuse-amp-violence-the-missed-dangero-us-connection.html)

[ldquo]The mistreatment and abuse of animals is a significant indicator of violence towards humans, up to and including intimate partner abuse, sexual assault, rape, murder.[rdquo]

And of course from: The Link: Cruelty to Animals and Violence Towards People by Cynthia Hodges 2008

Cruelty to animals and violence towards people have something in common: both types of victims are living beings, feel pain, experience distress, and may die from their injuries. [1]Until recently, however, violence towards animals had been considered to be unrelated to violence towards children and the elderly, and other forms of domestic violence. [2]A correlation has now been established between animal abuse, family violence, and other forms of community violence. [3]A growing body of research indicates that people who commit acts of cruelty towards animals rarely stop there. [4] Murderers and people who abuse their spouse or children had frequently harmed animals in the past. [5]People who abuse animals may also be dangerous to people. [6]

To reward and proliferate this, our government has so far refused transparent cost analysis through NEPA regarding wild horses. It has also hidden the fact that:

There is no legal intentional inhumane act towards a protected wild horse. That includes Helicopter roundups or killing them accidentally on purpose for lack of water though our government has been working fervently without transparency to wipe out our nation[rsquo]s wild horses due to faux drought/cause.

See also Affidavits by Dr. Lester Friedlander on Helicopter round- ups from CAES et al. in our Scoping Comments which were turned in timely but have yet to be incorporated into this process timely. (See also third Affidavit by Dr. Friedlander regarding Helicopter Roundups submitted in this public process.)

To be clear:

It is 100% illegal to intentionally harass or treat inhumanely a protected wild horse

but our government continues to slam the wild horses for the problems our government itself, has literally caused

by paying and paying big, but only for cruel, inhumane, and ineffective off range population management practices

to mislead the public that wild horses cannot be feasibly managed

and to destroy our domestically owned horse industry.

None of this is detailed in any cost analysis however all of it must be. It is incumbent upon this NEPA process to do a cost analysis and to do a proper list of Alternatives which it has not yet accomplished.

#### ENVIRONMENTAL IMPACT STATEMENT WITH COMPARATIVE COST ANALYSIS NEEDED

Two letters from Pat Haight of In Defense of Animals regarding the need for an environmental impact statement. (emphasis added) It is so very unfortunate that this NEPA Process has moved forward AFTER her death.

Image of emails in attachment

Comparative Cost Analysis Example: This was provided to Congress in 2016. The full report is available upon request. This is the type of analysis we need in the light of day for any changes to this WHT. The cost of removal even for treatment and release is exorbitant, however this needs to stop,

Image of cost analysis in attachment

This is our nation too. It is our civil and cultural right to be a nation which respects our wild horses as the protected native species that they irrefutably are, to protect our environment's natural resources for future generations, for all, including the public lands rancher and family.

This by spending our tax dollars promoting proactive, interesting, long term non-violent and feasible sustainable projects which can be performed proudly and transparently in the light of day.

These are key parts of socio-economics and social justice not mentioned in this EA. Any actual cost analysis of various relevant ON RANGE contraceptive options as well as the impacts to the horse industry of glutting the market with horses at less than kill buyer prices.

## CLIMATE CHANGE

WHOA has developed the WHOA National Plan which redefines the problem to be solved as a caused conflict of interest and removes this created conflict of interest while clearing the rancher of the government's issues and paying instead (albeit saving money still) for kind and effective, educational, and forward thinking management that can be done effectively and proudly in the light of day. For the good of us all.

See <https://whoanm.org/wordpress/?p=422> WHOA National Plan

Posted on July 15, 2019 by whoa

Image oh photograph in attachment

A Sustainable Future for Public Lands Ranchers [ndash] for Wild Horses and Burros Management, Wildlife Ecosystems

Click above to read this simple yet innovative plan. Both pro-rancher, pro-rural American, at the same time it is pro-native Wild Horse and conserves the environment by addressing issues outlined in the recent IPCC Report conserving a future for the public lands rancher and his/her family/children.

Our USDA FS and our BLM should be taking a reasonably active role through this and each NEPA process in resolving climate change issues:

Methane from Cattle, water use of cattle for alfalfa irrigation, increased fires from cheatgrass and crested wheat grass from Big Ag/cattle. (Root cause of Fires also includes GreenHouse Gasses like Methane) All of which is significantly contributing to the current 6th mass extinction.

As well as those from oil and gas.

AGRIBIZ [ndash] WILD LANDS THEFT

<https://whoanm.org/wordpress/?p=435>

## EXTINCTION

Image in attachment

Teddy Roosevelt stated:

[ldquo]the rights of the public to the natural resources outweigh private rights, and must be given its first consideration.[rdquo]

RECOMMENDATION: Given the invasive species catastrophe, the fires caused, the climate change effects of both the Livestock industry, the wipe out of the horses natural predators, the lack of connectivity for large expanses for the free roaming of wild horses all working with and causing both climate change and the 6th mass extinction: CAES understands that the trend is to keep cattle on the range year round (after all the wild horses are gone) in order to have the cattle then justified to eat the invasive species in the warming winters when the inedible seeds are dropped off (cheat grass etc.). Given that this is the case, leaving a certain percent of cattle on the range year round should be looked at as a way to also keep water on the territories year round. This should be considered BEFORE unequally causing the removal of all of our wild equines under the pretense of natural drought.

## HEBER WILD HORSE TERRITORY BOUNDARIES - ARBITRARY & SABOTAGED

While those responsible for all the illegal removals since 1971 are not currently with this Region 3 Forest Service, it seems that the past has contaminated the current and that while this NEPA process has a lot of info. It does not contain the data of location and the many illegal removals through time and it does not account for all of the recent wild horse shootings and most of all, it does not in any way attempt to rectify these issues which have misled this current process and it[rsquo]s AML determination which would also be better served in an Environmental Impact Statement.

See Affidavit of local advocate and former Farmer/Rancher Stacy Sanchez, member of both CAES and WHOA.

AFFIDAVIT in attachment

Other Freedom of information results by Mary Hauser, once a board member of CAES which we also have from her, provided further and ample proof of the wrongful removal and sale of the Heber Wild Horses. See ATTACHMENT

The Land Use Plan for the Apache Sitgreave plan only reports that the that the USDA FS lost versus the Heber Wild Horses, the court case with Pat Haight of In Defense of Animals et al. 2005 to 2008 in which the final Court Order disallowed wild horse removal from anywhere in the entire Apache Sitgreaves Forest.

Image in attachment [ndash] Appendix E [ndash] Forest Service Biennial Wild Horse Population Estimates

The Joint Report to Congress of 1995 shows that contrary to statements to Congress, this Field Office was paying for removals, while reporting that there were no gathers, all with the slight of the hands. From 1995 Joint Report to Congress (Bureau of Land management and USDA Forest Service)

CAES does not yet agree to An Adaptive Management Plan.

While federal Agencies generally and legally have Sovereign Immunity and are considered experts. The dramatic

and dismal history of this Apache Sitgreaves Forest and it[rsquo]s slaughtered and shot wild horses through 50 long years, clearly disqualifies this Field Office of the Region 3 Forest Service from lack of public oversight required to implement a non-biased, non-abusive, legal Wild Horse Territory Plan, this EA or this accompanying TMP.

We at CAES in concern for the very lives of these protected wild horses and the tourists to the Apache Sitgreaves National Forest cannot condone any planning or executive process regarding the management of these horses that is not fully in the public eye.

For Example:

The FOIA[rsquo]s show the numerous illegal round ups as trespass horses, literally paid for by this Field Office, squirrelled away to an auction house in NM

The Joint Report to Congress has stated at least twice that there were no round ups in the territory 1992 and 1994, however in both years there were illegal removals.

The failed court case where this Field Office both lost to a TRO and a Stipulated Court Order.

The un-investigated massive shootings.

The uninvestigated removals.

The removal of our CAES representative OFF the [ldquo]working group[rdquo].

The lack of inclusion of our CAES et al. substantive public comment in the Scoping process which we turned in timely, in person, at risk of a Covid infection but which was then put aside, while this NEPA process incorrectly told everyone that ALL comments were listed for all to see. In effect, making a liar out of CAES, while slandering our

non-profit thus damaging our reputation as a non-profit.

Earth Day 4/22/21: This field office is apparently more invested in ending public comment on Earth Day or working toward a round up, than having a decent and legal public process. This hurried and moving target of an EA process after 50 years since the 1971 Act and 13 years since the court case, is essentially Arbitrary & Capricious.

There is nothing in this EA that we can find pursuant to the Land Use Plan that addresses climate change and CAES believes every project should be evaluated and rated in terms of carbon sequestration and environmental reflectivity/albedo etc.

- + Wildlife (Wild Horses) and Rare Plants Improve wildlife connectivity by removing at least five unneeded structures (e.g., fence).

- + Dispersed Recreation Work with Arizona Game and Fish Department, Arizona Department of Transportation, and other partners to provide at least 10 new wildlife (Wild horses) viewing opportunities.

- + Air (reduction of Methane from Cattle)

- + [bull] Work with the State of Arizona in the air quality regulatory process. (reduction of Methane from Cattle)

- + Coordinate with USDA Wildlife Services program and the State of Arizona to promote healthy populations of predators, while reducing livestock conflicts with wildlife.
- + Promote public education and valuing of the wildlife resource on the forests. (This could be better accomplished by Cost Analysis which are educational regarding wild horse management. Also, educational signage and tourism brochures for the State Tourism department of Az regarding the Heber Wild Horses.)
- + Water improvements relative/regarding water improvement issues relative to the Heber Allotment Permit no. 05019

THE USDA FS MUST UPDATE This Territory Boundary - Pursuant to 36 CFR [sect] 222.61 (a) Analyze each wild horse or burro territory and, based on the analysis, develop and implement a management plan, which analysis and plans will be updated, whenever needed, as determined by conditions on each territory;

LIVING CULTURAL HISTORIC PROPERTIES - The Heber Wild Horses The Horses themselves qualify as Cultural Historic Properties/Treasures but this has not been investigated. The DuGong Whale however is one such living historic property. WHOA has both Navajo and Pueblo First Peoples Membership. Moreover, together our First and Second peoples membership represents 80% of this nation.

LACK OF INFORMATION, & NEED FOR UNBIASED WILL is displayed in this NEPA Process.

To wit from page 112

[ldquo]While studies have not been conducted into the effects of the horse population directly in the project area, it can be assumed[rdquo].

This is as surprising, after 50 years since the 1971 Act was passed, as it is disappointing.

There is a long list of lack of information including:

Wild Horse Genetic

Wild Horse Weight and per animal forage consumption is just assumed to be 1 AUM and the horses weigh almost twice what they actually weigh.

Effect on environment versus cattle, Deer, and Elk.

The horse is a native species which acts as a nutrient spreader as well as a seed spreader.

The cow as a non-native domesticated animal whose genetic manipulation through breeding has increased its size by ? in recent history.

The unlikely occurrence of First Peoples historic sites to be near relatively newly created mud tanks.

The effect of the wild horses whose protections will be lost in full upon reclassification to livestock and the associated effect on these horses and the people, the 80% and the violence toward the horses which also hurts the people.

The effect on the law and the spirit of the law of disallowing wild horse families their right to live out their lives in the wild.



The effect of all the pasture fencing on the natural movement of the wild horses.

The effect on the az Horse Industry, such as the loss of the Arabian Horse show, ArabianHorse farms, and the horse tack and show industries of the constant effective dumping of essentially FREE wild horses into the domestically owned horse market.

The effect on the violence on animals and human families in the state due to the brutal horse slaughter traffic increase through the state of Az and NM.

There is no clear mention of how or if the wild horses will receive contraception ON THE RANGE or if expensive round ups will be utilized to vaccinate wild horses at facilities.

There is no ability to educate the people, the USDA FS regarding any of the alternatives given there is NO COST ANALYSIS of any import in this NEPA Process regarding either alternative.

Helicopters: There is no analysis or admittance that use of helicopters for round ups is inhumane, is illegal and unnecessary

There is no understanding or allowance of the required time to adequately review Alternatives for an Environmental Impact Statement versus an Environmental Assessment.

Environmental Impact Statement Need 1: There is no previous programmatic EIS to Tier to and none that addresses the cost analysis[rsquo], the alternatives available in population management, the effects of [ldquo]adaptive management[rdquo], the effects of 50 years of minimization of the Wild Horse Territory here, the effects on the US and local horse industry, violence against animals and people, the relative climate change impacts, and hence both a local EIS and a Programmatic EA is long overdue (after 50 years) in the Apache Sitgreaves Forest.

Environmental Impact Statement Need 2: The assumption of the boundary area of the [ldquo]Wild Horse Territory[rdquo] as defined in this EA is unsupported, likely unsupportable, and wholly insufficient, non-transparent, and deeply biased in it[rsquo]s making. This provides the basis for an equally unsupported AML which will trigger unsupported removal of wild horse families.

18). [ldquo]While studies have not been conducted into the effects of the horse population directly in project area, it can be assumed.[rdquo]

We are going to have an EIS for these two Projects?! Apache-Sitgreaves National Forests Public Motorized Travel Management Plan EIS 4FRI Rim Country Project EIS

a Forty Percent Increase Planned in cattle grazing (40%)??? Just Happened?

Heber Allotment Analysis Black Mesa Ranger District WHAT ABOUT CLIMATE CHANGE?

[https://www.fs.usda.gov/nfs/11558/www/nepa/97734\\_FSPLT3\\_5331681.pdf](https://www.fs.usda.gov/nfs/11558/www/nepa/97734_FSPLT3_5331681.pdf) A Public comment:

[ldquo]who is going to pay for all of the range [ldquo]improvements[rdquo] and woody vegetation removal needed to facilitate the proposed 40% increase in permitted cattle numbers? . . . The cost of constructing of all of these things would undoubtedly be in the hundreds of thousands of dollars. Can you please estimate the cost of these structural improvements and vegetative treatments, and explain where the money would come from? Are you proposing that the taxpayers pick up the tab through the expenditure of your forest[rsquo]s range betterment

funds or Environmental Quality Incentives Program (EQIP) grants? . . . If this plan is approved, I suggest that they [Seibert Cattle Company, LLC, permittee] should pay for the enormous amount of money it will cost to implement it.[rdquo]