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Comments: In Defense of Animals (IDA) is an international animal protection organization with a long history of fighting for animals, people and the environment. Regarding the Heber Wild Horse Territory, in 2005, IDA and others filed a lawsuit against the Forest Service for alleged violations of the Wild Free Roaming Horses and Burros Act of 1971 and the National Environmental Policy Act (NEPA). The Forest Service and the plaintiffs settled the lawsuit in plaintiff's favor. The litigation resulted in the Stipulation Agreement (SA) of 2007. As part of the settlement, the Forest Service was ordered to complete a Heber Wild Horse Territory Management Strategy for its wild horse territory and must not remove any horses from the territory until the plan was completed.

The Apache-Sitgreaves National Forests (ASNF) has prepared a draft environmental assessment (EA) and draft territory management plan (TMP) for the Heber Wild Horse Territory Management Plan Project. This plan is seriously flawed due to its lack of acceptable, viable alternatives. Additional alternative options must be added with input from wild horse advocates who are experts in wild horse management and the realities of this particular herd.

Alternative 1 is unacceptable because it is not conducive to a wild horse population that is humanely and naturally self-regulating and self-sustaining. Alternative 2 is unacceptable because it does not allow for adequate genetic diversity. An Environmental Impact Statement (EIS) is necessary to develop and evaluate additional Alternatives that are more realistic and conducive to the health and well-being of the herd.

One major problem with the HWH TMP is the proposed AML which is set too low for both genetic viability and for habitat to be managed in natural ecological balance. Domestic livestock detract from natural ecological balance while wild horses enhance it when the wild horse herd is at a sensible, scientifically derived population level. 50-104 wild horses on 19,700 acres is not enough and AML must be raised.

By the EA's own admission (p.2) "the current population of horses is uncertain." Forest Service counts for the number of horses in question are highly suspect because aerial surveys in areas of heavy timber and variable terrain cannot be accurate. Volunteer organizations have offered to use their many years of ground experience accuracy to provide the ASNF with accurate population counts. Please, take them up on their offer!

Another unacceptable premise of the EA and TMP is that the ASNF continues to maintain the erroneous boundary assigned to it decades ago, but years after the 1971 reference point established in the WFRHBA. Documented accounts of wild horses residing outside the designated Territory boundary are on record for 1971 and are available for confirmation. The Heber Territory boundary, as presently defined, must be adjusted to admit additional area that should have been included as the rightfully established range. The Forest Service and the ASNF have the authority to redraw the Heber Territory to include areas of current use, and should exercise this authority to do so.

The ASNF has admitted that the Heber wild horses are not accessing parts of their territory due to existing pasture fences. Solutions must be found and included in the plan that will rectify this situation. This area is public land and the wild horses adored by the general public must have access to the land in their Territory.

The Heber wild horse herd must be allowed to maintain a genetically viable population. Dr. Gus Cothran, equine geneticist and professor emeritus at the Texas A&M School of Veterinary Medicine & Biomedical Sciences has determined that a wild horse herd needs about 120 breeding animals (total herd size of at least 150) to remain genetically viable. Removing Heber wild horses and translocating others from different herd areas for genetic viability makes no sense and is economically costly. If the Heber herd was left above 150 horses, the

genetic viability of the herd would be preserved by the natural behavior of family bands and movement within the herd. The concept of metapopulation is not applicable for the Heber herd. Additionally, the 2005 National Academy of Science (NAS) report states that, Goal 1 is to "Manage to minimize the need for augmentation, if possible." It IS possible, and preferred for the Heber herd; translocation of horses to this area is counterproductive and unnecessary.

Manipulating the Heber herd for age and gender ratio is unnecessary and will disrupt the natural behavior of the family bands and the entire herd. It can be dangerous to all with escalation of competition for mares, unnatural breeding of yearling fillies (normally protected by their family band), and contribute to loss of genetic diversity with less stallions doing the breeding.

AML at the proposed low level would allow the wild horses only 600 Animal Unit Months (AUM) while privately owned cattle are allotted 5,730 AUMs! Even considering "Multiple-Use" requirements, under the FRWHBA the wild horse territories are to be managed for the "principal use" of the wild equids. This inequity of use must be addressed in an additional Alternative to reinstate the lawful "principal use" and fair share of resource to the wild horses. Examining the effects of livestock grazing must be conducted by independent, ecological organizations like the Western Watersheds Project (WWP). WWP has the scientific expertise and long experience with this subject. Internal "studies" of both the FS and BLM totally ignore the impacts of livestock grazing, and scapegoat wild horses for damage to range and riparian forest areas that is actually done by livestock.

The TMP provides for fertility control to be used to control the population growth rate of the horses in the Territory. The Forest Service must consider that PZP has over 30 years of proven efficacy and should be the preferred tool for use in the Territory. There are organizations with experienced volunteers who are ready and willing to take on this task for the Heber horses. They have the knowledge, expertise, and ID database to make the fertility control effective and genetically optimal. The Virginia Range in Nevada has proven how effective this protocol can be. The FS should utilize this offered service. The TMP should eliminate other forms of fertility control which are unproven in wild herds to be humane and/or effective, such as IUDs.

When and if wild horse removals are necessary, they should be conducted exclusively through bait-trapping and over time. The Forest Service should not be contributing to the costly holding in off-range facilities where tens of thousands of once-wild equids now languish.

An additional concern, not addressed in the TMP, is the shooting of Heber wild horses. No one has been held accountable or brought to justice for these killings. The FS is not transparent in their actions to find and prosecute the perpetrators, and therefore they are seen as unconcerned and complicit.

As a wild horse and burro advocate with years of boots-on-the-ground experience, I and my organization, In Defense of Animals, ask that an Environmental Impact Statement (EIS) be prepared to develop and evaluate additional Alternatives that are more realistic and conducive to the health and well-being of the herd. This EIS should incorporate the suggestions of experienced and knowledgeable wild horse advocates.