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First name: Robin

Last name: Crawford

Organization:

Title:

Comments: This Objection is in relation to Comment Submitted 4-16-2021 Page 36

Michiko Martin, ? ?Reviewing Officer

Attn: ? ?Administrative Review Staff

USDA Forest Service, ? ?Southwestern Region

333 ? ?Broadway Blvd. ? ?SE

Albuquerque, ? ?NM ? ?87102

Apache-Sitgreaves National Forests

Black Mesa Ranger District

Joshua Miller, Acting Forest Supervisor, of the Apache-Sitgreaves National Forests

Matthew Bullmore, Black Mesa District Ranger

Submitted online at ? ?US Forest Service NEPA Project Public Reading Room

Interest in the Project: As a concerned citizen and stakeholder in the preservation of wild horses on public lands, specifically within the Sitgreaves National Forest, I am submitting this formal objection pursuant to 36 CFR §218.8.

I. Legal Basis for Objection

I object to the Heber Wild Horse Territory Management Plan and associated Environmental Assessment (EA) on the basis that it fails to fully comply with relevant federal laws, including but not limited to:

The Wild Free-Roaming Horses and Burros Act of 1971 (WFRHBA)

The National Environmental Policy Act (NEPA)

The Code of Federal Regulations (CFR), specifically 43 CFR §4710.5 (Closure to Livestock Grazing)

II. Specific Points of Objection

Failure to Consider Livestock Closure Authority (43 CFR §4710.5):

The EA fails to consider or evaluate the legal authority granted under 43 CFR §4710.5, which allows for the closure of public lands to livestock grazing if necessary to provide habitat for wild horses, implement herd management actions, or protect wild horses from harassment or injury. The EA does not address how continued livestock grazing will impact the viability and habitat of the Heber wild horse population.

Lack of Analysis of Multi-Use Conflicts:

The EA inadequately considers the cumulative impact of other forest users-such as off-road vehicles, campers, gun enthusiasts, hunters, and cattle grazers-on the health of the forest and the Heber Wild Horse Territory. These factors are crucial to any legitimate land-use planning process under NEPA, yet the current draft fails to offer meaningful analysis or mitigation measures for these uses.

Historic and Legal Significance of the Heber Wild Horse Herd:

The Heber Wild Horses have inhabited the Sitgreaves National Forest since at least the 1600s. According to the WFRHBA, the term "range" is defined as the land where wild horses and burros were found at the time the Act was passed in 1971. Therefore, any management plan must include these lands in the designated territory. The current EA disregards this historic presence, thereby violating the intent and letter of the WFRHBA.

Insufficient Environmental Review - Full EIS Required:

Given the significance of the proposed actions and their potential to severely impact a historic wild horse population, I assert that a full Environmental Impact Statement (EIS) is required under NEPA-not merely an Environmental Assessment. The potential for significant impacts on the population, genetics, cultural value, and ecosystem function clearly triggers the need for an EIS.

Failure to Disclose Management Strategies for Other Uses:

The EA omits meaningful discussion or strategy on how other forest uses (e.g., ORVs, camping, hunting, livestock) will be managed in conjunction with wild horse management. This undermines the Forest Service's stated objective of integrated multi-use land stewardship and violates the transparency required under NEPA.

III. Remedy and Relief Sought

I respectfully request the following actions be taken:

Suspend further action on the Final EA and Decision Notice.

Initiate a full Environmental Impact Statement (EIS) that evaluates all reasonable alternatives, including the legal authority to close grazing areas under 43 CFR §4710.5.

Reevaluate the boundaries of the Heber Wild Horse Territory to reflect the full range of the herd's historical habitat, consistent with the WFRHBA.

Include a comprehensive analysis of cumulative impacts from other forest uses (ORVs, livestock, hunting, etc.).

IV. Conclusion

The Heber Wild Horse herd is a unique and historically significant population that deserves lawful and humane management. The current EA falls short of the legal and scientific rigor required under NEPA and the WFRHBA. I urge the Forest Service to revise the management plan accordingly and provide the public with a more transparent, comprehensive, and legally compliant analysis.

Thank you for considering this formal objection.