



United States
Department of
Agriculture

Forest
Service

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File Code: 1570-1/2400

Date: November 26, 2002

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**CERTIFIED MAIL – RETURN
RECEIPT REQUESTED**

RE: Appeal #03-03-00-0003-A215, Jemez Wildland Urban Interface – Hazardous Fuels Reduction Project

Dear «Title» «LastName»:

This is my review decision on the appeal you filed regarding the Decision Notice and Finding of No Significant Impact (DN/FONSI) for the Jemez Wildland Urban Interface Hazardous Fuels Reduction Project, which provides for hazardous fuels reduction on the Santa Fe National Forest and the following surrounding communities: Seven Springs, Thompson Ridge Estates, Sierra Los Pinos and Cochiti Mesa.

BACKGROUND

On August 23, 2002, Jemez District Ranger John Peterson signed a Decision Notice and FONSI on the Jemez Wildland Urban Interface Hazardous Fuels Reduction Project. The District Ranger is identified as the Responsible Official, whose decision is subject to administrative review under 36 CFR 215 appeals regulations.

Pursuant to 36 CFR 215.6, an attempt was made to seek informal resolution of the appeal. The record reflects that informal resolution was not reached.

The proposed action included four separate, independent Wildland Urban Interface (WUI) Hazardous Fuels Reduction Projects located next to different communities within the Jemez Ranger District of the Santa Fe National Forest. These WUI projects have similarities that provide the basis for evaluating their environmental consequences together; however, they are not interdependent or connected to each other.

My review of this appeal has been conducted in accordance with 36 CFR 215.7. I have thoroughly reviewed the appeal record, including the recommendations of the Appeal Reviewing Officer (ARO). My review decision incorporates the appeal record.

APPEAL REVIEWING OFFICER’S RECOMMENDATION

The Appeal Reviewing Officer concluded that: 1) decision logic and rationale were clearly disclosed; 2) the benefits of the proposal were identified; 3) public participation and response to comments were adequate; 4) evaluation and disclosure of environmental effects was adequate;



however, the effects of the action on a Roadless Area within the Cochiti Mesa WUI project have not been considered or disclosed in the EA or project record; 5) the decision is not consistent with the Forest Plan requirement to maintain 40 % canopy closure outside Goshawk Post-fledgling Areas.

APPEAL DECISION

After a detailed review of the record and the Appeal Reviewing Officer's recommendation, I reverse the Jemez WUI project with the following instructions:

- 1) Evaluate and disclose the effects of the Cochiti Mesa WUI on the Roadless Area in accordance with FSM 1925.05.
- 2) Evaluate and disclose the effects of reducing canopy closure below 40% required by the Forest Plan in VSS 4, 5 & 6.
- 3) Amend the Forest Plan for this WUI project for those areas that are not consistent with the canopy closure requirement in the Forest Plan in accordance with FSH 1909.12.
- 2) Upon completion of this analysis, circulate the environmental document for review/comment and issue a new decision under 36 CFR 215.

This decision constitutes the final administrative determination of the Department of Agriculture 36 CFR 215.18(c).

Sincerely,

/s/ Abel M. Camarena
ABEL M. CAMARENA
Appeal Deciding Officer,
Deputy Regional Forester

cc: Christina Gonzalez, Mailroom R3 Santa Fe, Forest Guardians, Santa Fe Forest Watch, Wild Watershed