



United States
Department of
Agriculture

Forest
Service

Santa Fe National Forest

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File Code: 1570-1/2400/5100

Date: September 27, 2004

Sam Hitt
Wild Watershed
P.O. Box 1943
Santa Fe, NM 87504

**CERTIFIED MAIL – RETURN
RECEIPT REQUESTED
NUMBER:**

RE: Appeal #04-03-10-0018-A215, Gallinas Municipal Watershed Wildland-Urban Interface Project

Dear Mr. Hitt:

This is my review decision on the appeal filed regarding the Decision Notice (DN), Environmental Analysis (EA), and Finding of No Significant Impact (FONSI) on the above-referenced project, which provides for thinning and prescribed burning on 8,800 acres.

BACKGROUND

Pecos/Las Vegas District Ranger Joe Reddan made a decision on the Gallinas Municipal Watershed Wildland-Urban Interface Project on the Santa Fe National Forest. The District Ranger is identified as the Responsible Official, whose decision is subject to administrative review under 36 CFR § 215 appeal regulations.

Pursuant to 36 CFR § 215.17, an attempt was made to seek informal resolution of the appeal. The record indicates that informal resolution was not reached.

My review of this appeal has been conducted in accordance with 36 CFR § 215.18. I have reviewed the appeal record, including the recommendations of the Appeal Reviewing Officer, which letter is attached. My review decision incorporates the appeal record.

APPEAL REVIEWING OFFICER'S RECOMMENDATION

The Appeal Reviewing Officer found that: a) the decision logic and rationale were generally clearly disclosed; b) the benefits of the proposal were identified; and c) public participation and response to comments were adequate. However the decision is not consistent with policy and direction related to evaluation and documentation of environmental effects to Management Indicator Species (MIS). Therefore the Appeal Reviewing Officer recommended that the decision be reversed for further analysis of MIS.



APPEAL DECISION

Based on the Appeal Reviewing Officer's recommendation and the technical review of the appeal and the record, I am reversing the Responsible Official's decision on the Gallinas Municipal Watershed Wildland-Urban Interface Project. New analysis and a new decision are needed to add Management Indicator Species information for the project which relates to Forest-level population trends. A new decision must fully comply with public comment and appeal provisions of 36 CFR 215.

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

Sincerely,

/s/ Gilbert Zepeda
GILBERT ZEPEDA
Forest Supervisor
Appeal Deciding Officer

cc: Linda L Jackson, Constance J Smith, Joe Reddan, Roy A Hall, Allen Fowler, Mailroom R3
Santa Fe



File Code: 1570-1

Date: September 22, 2004

Route To: 2400

Subject: Appeal#04-03-10-0018-A215, Gallinas Municipal Watershed Wildland-Urban Interface Project, Pecos/Las Vegas Ranger Districts, Santa Fe National Forest, Appeal Reviewing Officer's Recommendation

To: Appeal Deciding Officer

This is my recommendation on the disposition of the appeal filed in protest of a Decision Notice and Finding of No Significant Impact (DN/FONSI) concerning the above-referenced project, which provides for thinning and prescribed burning on 8,800 acres.

BACKGROUND

Pecos/Las Vegas District Ranger Joe Reddan made a decision on the Gallinas Municipal Watershed Wildland-Urban Interface Project on the Santa Fe National Forest. The District Ranger is identified as the Responsible Official, whose decision is subject to administrative review under 36 CFR § 215 appeal regulations.

Pursuant to 36 CFR § 215.17, an attempt was made to seek informal resolution of the appeal. The record indicates that informal resolution was not reached.

REVIEW AND FINDINGS

My review was conducted in accordance with 36 CFR §215.19 to ensure that the analysis and decision are in compliance with applicable laws, regulations, policies, and orders. The appeal record including the appellants' issues and request for relief has been thoroughly reviewed. Having reviewed the environmental assessment (EA), DN/FONSI, and the project record file, as required by 36 CFR §215.19(b), I conclude the following:

- 1) The decision clearly describes the actions to be taken in sufficient enough detail that the reader can easily understand what will occur as a result of the decision.
- 2) The selected alternative should accomplish the purpose and need established. The purpose and need stated in the EA reflect consistency with direction in the Forest Plan for the Santa Fe National Forest.
- 3) The decision is not consistent with policy and direction related to evaluation and documentation of environmental effects to Management Indicator Species (MIS).
- 4) The record reflects that the Responsible Official provided ample opportunity for public participation during the analysis and decision making process. The Responsible Official's efforts enabled interested publics the opportunity to comment and be involved in the site-specific proposals.



After considering the claims made by the appellants and reviewing the record, I found that the Responsible Official did not evaluate and disclose the environmental effects to MIS relating the forest-level population trend.

RECOMMENDATION

I recommend that the Responsible Official's decision relating to this appeal be reversed with instructions to evaluate and disclose the effects to MIS.

/s/ Linda L. Jackson

LINDA L. JACKSON

District Ranger, Chino Valley District,

Prescott NF

Appeal Reviewing Officer

cc: Sam Hitt