

NEWS RELEASE



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FOREST SERVICE WINS RODEO/CHEDISKI APPEAL

Springerville, AZ.... The Ninth Circuit Court of Appeals has affirmed a lower court's decision to allow the Forest Service to proceed with the salvage of dead trees on portions of the burned area of the Rodeo/Chediski Fire.

The Forest Service had used "categorical exclusions" allowed under the National Environmental Policy Act to help expedite the environmental analysis process that was used in evaluating management options after the fire burned in June, 2002. The Forest Conservation Council, based in Santa Fe, New Mexico, filed suit in US District Court arguing that the Forest Service inappropriately used the "categorical exclusions" in addressing the need to remove dead trees from areas adjacent to roads, trails, utility lines, campgrounds, administrative sites, and in the wildland/urban interface. The District Court ruled in favor of the Forest Service on most counts but directed the agency to conduct an environmental assessment of the area included in the wildland/urban interface. That assessment was completed in November, 2003. The Forest Conservation Council appealed the District Court's decision to the Ninth Circuit.

"We're very pleased with the court's affirmation of our use of categorical exclusions," said Elaine Zieroth, Forest Supervisor of the Apache-Sitgreaves National Forests. "This ruling is important for future legal challenges of salvage projects proposed after large forest fires. We're also grateful to our neighbors who helped us as intervenors in this case including Navajo County, Apache County, the City of Winslow, the Show Low Fire District, and the American Forest Resource Council."

The Forest Service has awarded five salvage sales to date on about 15,000 acres of the burned area with several more sales in the planning process. As the dead trees deteriorate it is possible that wood fiber will be included as part of the White Mountain Stewardship Project.

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