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Forest  
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File Code: 1570-1/2400

Date: May 17, 2004

John Talberth  
Forest Conservation Council  
P.O. Box 22488  
Santa Fe, NM 87502

**CERTIFIED MAIL – RETURN  
RECEIPT REQUESTED**

RE: Appeal #04-03-00-0011-A215, Rodeo-Chediski Fire Salvage Project Record of Decision and Environmental Impact Statement, Apache-Sitgreaves and Tonto National Forests

Dear Mr. Talberth,

This is my review decision on the appeal filed regarding the Record of Decision Notice (ROD) and Environmental Impact Statement (EIS) on the above-referenced project, which provides harvesting of dead standing trees on or over 12 inches dbh on 34,156 acres, fuel wood harvesting on an additional 6,903 acres, construction of approximately 18.2 miles of temporary road segments, and opening and closing of 100 miles of Level 1 roads. This project will provide about 75.8 mmbf of salvage from the Apache-Sitgreaves and Tonto National Forests.

### **BACKGROUND**

Forest Supervisor Zieroth (Apache-Sitgreaves) and Deputy Forest Supervisor Klabunde (Tonto) made a decision on February 12, 2004, for the Rodeo-Chediski Fire Salvage Project. The Forest Supervisors are identified as the Responsible Officials, whose decision is subject to administrative review under 36 CFR § 215 appeal regulations. Forest Conservation Council (John Talberth) filed an appeal of this decision 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. 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; c) the proposal and decision are consistent with agency policy, direction, and supporting information; and d) public participation and response to comments were adequate.



**APPEAL DECISION**

After a detailed review of the record and the Appeal Reviewing Officer's recommendation, I affirm the Responsible Officials' decision on the Rodeo-Chediski Fire Salvage Project.

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

Sincerely,

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

cc: Daniel Crittenden, Leonard Lucero, Constance J Smith, Mailroom R3 Apache Sitgreaves,  
Mailroom R3 Tonto

Enclosed with hard copy of Appeal Reviewing Officer letter to Appellant

**REVIEW AND FINDINGS**

of

**(John Talberth's)****Appeal #04-03-00-0011-A215**

**ISSUE 1:** The Rodeo-Chediski Environmental Impact Statement (EIS) violates National Forest Management Act.

**Contention:** The Rodeo-Chediski Fire Salvage Project fails to ensure that soil productivity in the project area will not be permanently impaired. Appellants contend that since a quantitative analysis of soil impacts informed by past effectiveness monitoring did not occur, there is no guarantee that the area will not be significantly and permanently impaired.

**Response:** The project record shows that analysis of soil impacts was accomplished using a variety of appropriate qualitative and quantitative measures. Quantitative information was collected and analyzed for burn severity (PR #1; PR #100, p.17) and percent of area impacted by roads, skidding, landings (PR #100, p. 33). In addition, quantitative information on infiltration, vegetation type, ground cover, precipitation, slope, and soil texture were used to run the hydrologic, erosion, and EDA models used in the analysis (PR #100, pp. 34-35, Appendix 1). The aerial extent of anticipated soil disturbance and soil enhancement is described and analyzed through the use of the EDA modeling tool (PR #100, pp.31-34). Information regarding the effectiveness of past mitigation measures and effects from logging in similar burned areas are found in PR #100, p. 23, p. 33, and Appendix 3. Mitigation is required to minimize disturbance impacts (EIS, pp. 22-27; and Appendix B, ROD, p. 7) and mitigation measure effectiveness and project effects on soil and water will be monitored (EIS, p.28 and Appendix F).

**Finding:** Adequate analysis was completed and appropriate mitigation will take place to ensure that no permanent impairment to the productivity of the soil will occur.

**ISSUE 2:** The Rodeo-Chediski EIS fails to disclose contrary scientific opinion regarding impacts to soil and watershed conditions.

**Contention:** The Rodeo-Chediski Environmental Impact Statement fails to disclose and respond to opposing scientific viewpoints regarding potential permanent impairment.

**Response:** The project record provides evidence that a comprehensive review of relevant opposing and supportive scientific literature was completed. Discussion and analysis of the relevant scientific material are included in the EIS and in project record documents (ROD Response to Comments, p. 56, comment #014-2; EIS, pp. 13 and 29. Opposing viewpoints were disclosed and analyzed in a comprehensive literature review (PR #39) relative to conditions found in the project area.

**Finding:** Full consideration was afforded to opposing scientific viewpoints.

**ISSUE 3:** The Rodeo-Chediski EIS violates National Environmental Policy Act.

**Contention A:** The Rodeo-Chediski EIS fails to address the cumulative impacts from the Ridge, Ross, Yarrow, and OW timber sales regarding soil and watershed conditions.

**Response:** The EIS (Appendix A, p. 277) includes the referenced timber sales in the list of past, present, and reasonably foreseeable actions. The EIS (p. 64) specifically describes the effects of these ongoing salvage sales and incorporates the effects into the soil and water cumulative effects analysis.

**Finding:** The cumulative impacts from Ridge, Ross, Yarrow, and OW timber sales were adequately considered.