

United States
Department of
Agriculture

Forest
Service

Southwestern
Region

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Albuquerque, NM 87102-0084
FAX: (505) 842-3800

Reply To: 1570-1 (FOR)

Date: March 25, 1997

John Talberth
Forest Guardians
1413 Second Street
Santa Fe, NM 87505

CERTIFIED MAIL--
RETURN RECEIPT REQUESTED
P 555 411 975

Joanie Berde
Carson Forest Watch
P.O. Box 15
Llano, NM 87543

CERTIFIED MAIL--
RETURN RECEIPT REQUESTED
P 555 411 976

RE: Hopewell Ridge Analysis Area Appeal No. 97-03-00-0026-A215
Carson National Forest

Dear Ms. Berde and Mr. Talberth:

I have completed a review of your February 8, 1997, appeal of the Hopewell Ridge Analysis Area project. The review was conducted in accordance with 36 CFR 215.

BACKGROUND: On December 26, 1996, Forest Supervisor Leonard Lucero made a decision to implement the Hopewell Ridge Analysis Area on the Tres Piedras Ranger District of the Carson National Forest. The legal notice of that decision was published in The Taos News on December 26, 1996. I received your appeal on February 12, 1997. I also received Interested Party comments on February 20, 1997, from Bonnie Bonneau. Ms. Bonneau's comments were given consideration in my review decision.

On March 5, 1997, I received a letter from Tres Piedras District Ranger Dan Rael. In the letter, Ranger Rael described his effort to meet with you both, and summarized subsequent discussion between Mr. Talberth and Carson National Forest personnel. In that letter, I was informed that the appeal issues were not resolved through an informal disposition meeting.

RECOMMENDATION OF APPEAL REVIEWING OFFICER (ARO): The Appeal Reviewing Officer has reviewed the appeal record and forwarded his recommendations to me. I have attached a copy of the ARO's recommendation. The ARO found that "...some of the conclusions reached in the Finding of No Significant Impact are not fully supported in the record."

APPEAL ISSUES: You raised two issues in your appeal. They are: 1) "The Hopewell Ridge timber sale violates the National Forest Management Act," and 2)

"The Hopewell Ridge Timber sale E.A. does not comply with the National Environmental Policy Act."

APPEAL DECISION: After reviewing the appeal record and considering the recommendations from the ARO, I find that the Environmental Assessment, Decision Notice, and Finding of No Significant Impact contain inconsistencies concerning water quality effects, and the appeal record does not contain documentation of analysis of those effects. In summary, the appeal record does not contain an adequate analysis of effects on water quality. It is my decision to reverse the Forest Supervisor's decision of December 26, 1996. Prior to proceeding with the Hopewell Ridge Analysis Area project, the Forest Supervisor must prepare a new environmental document, provide for notice and comment, and provide for a new appeal period.

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

Sincerely,

/s/ John R. Kirkpatrick
JOHN R. KIRKPATRICK
Appeals Deciding Officer
Deputy Regional Forester

Enclosure

cc:
Interested Party Bonnie Bonneau
Carson NF
P. Jackson
FOR
WSA
EAP