



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

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File Code: 1570-1 (FOR)

Date: January 12, 1997

Mr. Peter Galvin
Southwest Center for Biological Diversity
P.O. Box 710
Tuscon, AZ 85702-0710

**CERTIFIED MAIL-RETURN
RECEIPT REQUESTED**

Re: Clear Creek Timber Sale Appeal #98-03-00-0010-A215
Blue Ridge Ranger District, Coconino National Forest

Dear Mr. Galvin:

On November 28, 1997 you filed an appeal of District Ranger Steve Calish's decision to implement alternative G of the Clear Creek Timber Sale. A review of your appeal has been conducted in accordance with 36 CFR 215.

BACKGROUND: On October 1, 1997, District Ranger Steve Calish made a decision to approve resource work activities described in Alternative G of the Clear Creek portion of the Miller 10K Area Analysis on the Blue Ridge Ranger District, Coconino National Forest. Proposed activities include: timber harvest, fuels reduction, road closures, aspen regeneration, and wildlife improvement. The legal notice of Mr. Calish's decision was published in the Arizona Daily Sun on October 12, 1997.

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 letter. The ARO found that the decision is in accordance with the goals of the Coconino National Forest Management Plan, consistent with the Standards and Guidelines outlined in the Plan, and desirable to implement for the long-term health of the ecosystems in the project area. However, it was not clear to the ARO if the selected alternative was within the alternatives evaluated in the Environmental Analysis and therefore made available to the public for comment and included in the analysis and disclosure of effects. The recommendation of the ARO is that I reverse the District Ranger's decision to implement alternative G of the proposed Clear Creek Timber Sale.

APPEAL DECISION: After reviewing the appeal record and considering the Appeal Reviewing Officer's recommendations, I find that the District Ranger did not follow regulations found at 36 CFR 215.5 and 215.6, which provide for public notice and opportunity to comment, in selecting the proposed action outlined as Alternative G. I am reversing the District Ranger's decision to implement Alternative G on the Clear Creek Timber Sale portion of the Miller 10 K Area Analysis. By copy of this letter the District Ranger is instructed to re-analyze the environmental effects of implementing the proposed action and to fully disclose these through a



public notice with an appropriate period for comment pursuant to regulation found at 36 CFR 215.5 and 215.6.

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

Sincerely,

/s/ Gilbert Vigil
GILBERT VIGIL
Appeals Deciding Officer
Acting Deputy Regional Forester, Resources

Enclosure

cc:
Blue Ridge District Ranger, Coconino NF
Coconino NF
P.Jackson
C.Gonzalez
EAP
FOR