



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

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File Code: 1570-1

Date: August 20, 1999

Mr. Jeff Burgess
1922 East Orion Street
Tempe, AZ 85283

Certified Mail-Return Receipt Requested
Z 506 822 047

Re: Appeal #99-03-00-0066-A215, Windmill Allotment, Peaks, Mormon Lake and Sedona Ranger Districts, Coconino National Forest.

Dear Mr. Burgess:

This is my review decision concerning the appeal you filed regarding the Decision Notice and Findings Of No Significant Impact which authorize grazing and implement the grazing management strategy on the Windmill Allotment.

BACKGROUND

Forest Supervisor Jim Golden issued a decision on December 10, 1998, for the Windmill Allotment. The decision resulted in the selection of the following alternative and authorization: Windmill Allotment, Alternative F, which authorizes 1252 - 1257 head of cattle (cow calf) to graze yearlong.

The Forest Supervisor is identified as the Responsible Official, whose decision is subject to administrative review under 36 CFR 215 appeal regulations.

Pursuant to 36 CFR 215.16, an attempt was made to seek informal resolution of your appeal. The record indicates that informal resolution was not reached.

My review of this appeal has been conducted pursuant in accordance with 36 CFR 215.7. I have thoroughly reviewed the appeal record and the recommendation of the Appeal Reviewing Officer. My review decision incorporates the appeal record.

APPEAL REVIEWING OFFICER'S RECOMMENDATION

The Appeal Reviewing Officer recommended that the Responsible Official's decision be remanded for failure to prepare a Record of Decision as required by 40 CFR 1505.2.

APPEAL DECISION



Upon receipt of the Reviewing Officer's findings regarding failure to document the decision in a Record of Decision, I am suspending further review of the appeal. I am remanding the Responsible Official's decision concerning the Windmill Allotment. By copy of this decision, the Responsible Official is instructed to prepare a Record of Decision as required by 40 CFR, Part 1505.

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

Sincerely,

/s/ James T. Gladen

JAMES T. GLADEN
Appeal Deciding Officer
Deputy Regional Forester, Resources

Enclosure

cc:
Forest Supervisor, Coconino NF
District Ranger, Peaks, Mormon Lake and Sedona RD
Director of Rangeland Management, R3
Appeals and Litigation Staff, R3