



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

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File Code: 1570-1/2200

Date: April 6, 2001

Center for Biological Diversity
c/o Martin Taylor/Brian Segee
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Tucson, AZ 85702-0710

Certified Mail – Return Receipt Requested
7099 3220 0000 8709 9573

Re: Appeal #01-03-00-0021-A215 Happy Valley Allotment Decision, Santa Catalina Ranger District, Coronado National Forest

Dear Mr. Taylor:

This is my review decision concerning the appeal you filed regarding the Decision Notice and Finding Of No Significant Impact, which authorize grazing and implement the grazing management strategy on the above named allotment.

BACKGROUND

Acting District Ranger Senn issued a decision on January 2, 2001, for the above named allotment. The decision resulted in the selection of the following alternative and authorization:

Happy Valley Allotment, Alternative 6 (modified), which authorizes 180 head of cattle (cow/calf) and 6 horses to graze variable seasons on a four pasture rest rotation grazing system which includes state land.

The District Ranger 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 in accordance with 36 CFR 215.17. I have reviewed the appeal record and the recommendation of the Appeal Reviewing Officer. My review decision incorporates the appeal record.



APPEAL REVIEWING OFFICER'S RECOMMENDATION

Upon initial review, the Appeal Reviewing Officer concluded that the effects analysis disclosed in the environmental assessment is not adequate and that there is insufficient information to determine if the proposed action to graze livestock and construct improvements in the Rincon Wilderness is consistent with the Wilderness Act and Wilderness Regulation at 36 CFR 293.7. Therefore, the Reviewing Officer recommended that the decision be reversed and that a review of the decision based on the merits not be conducted.

APPEAL DECISION

Based on the Appeal Reviewing Officer's recommendation, I am reversing the Responsible Official's decision with instructions to complete a new effects analysis and disclose the effects in an environmental assessment and to describe in the environmental assessment and subsequent decision, why new improvements are necessary to protect wilderness values as required by 36 CFR 293.7(b). The Responsible Official is also instructed to provide for notice and comment on the environmental assessment in accordance with 36 CFR 215.5 and 215.6.

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
Deputy Regional Forester

cc:
Forest Supervisor, Coronado NF
District Ranger, Santa Catalina RD
Director Rangeland Management, R3
Appeals and Litigation, R3