



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

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File Code: 1570-1/2400

Date: February 6, 2001

Brian Segee
Center for Biological Diversity
P. O. Box 710
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Certified Mail-Return Receipt Requested
7099 3220 0000 8709 9443

RE: Appeal # 01-03-00-00120A215, Corner Mountain Fire Salvage Timber Sale, Reserve
Ranger District, Gila National Forest

Dear Mr. Segee:

This is my review decision on the appeal you filed regarding the Decision Notice, Finding of No Significant Impact and Environmental Assessment, which provide for prescribed treatment on 340 acres within the Corner Mountain Fire Salvage Timber Sale project analysis area of approximately 6,927 acres.

BACKGROUND

On November 7, 2000, Forest Supervisor Marcia R. Andre issued a Decision Notice on the Corner Mountain Fire Salvage Timber Sale. 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 the appeal. The record reflects that informal resolution was not reached.

My review of this appeal has been conducted in accordance with 36 CFR 215.17. I have thoroughly reviewed the appeal record, including the recommendations of the Appeal Reviewing Officer. My review decision incorporates the appeal record.

APPEAL REVIEWING OFFICER'S RECOMMENDATION

In his initial review, the Appeal Reviewing Officer concluded that the decision clearly describes the action proposed, the selected alternative should accomplish the stated objective and the public had ample opportunity to participate in the project during the NEPA process. However, the Responsible Official did not include the comments received on the Environmental Assessment in the record or address those comments in accordance with 36 CFR 215.6. Therefore, the Appeal Reviewing Officer recommended that the technical review be



discontinued and the decision be reversed for circulation of the Environmental Assessment for another comment period and an appropriate response to any comments received.

APPEAL DECISION

Based on the Appeal Reviewing Officer's recommendation, I am reversing the Responsible Official's decision with the following instructions:

- 1) Circulate the Environmental Assessment for another 30 day comment period.
- 2) Address any comments received in an appendix to the Environmental Assessment and provide these responses to the commentator.
- 3) Make a new decision subject to administrative review under 36 CFR 215.

Any new decision must fully comply with the public comments provisions of 36 CFR 215.

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:

cc:

Forest Supervisor (Gila National Forest)
District Ranger (Reserve Ranger District)
Forestry Staff, R3
Appeals & Litigation Staff, R3