



United States
Department of
Agriculture

Forest
Service

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File Code: 1570-1

Date: May 30, 2000

Forest Guardians
c/o John Horning
1411 Second St.
Santa Fe, NM 87505

Certified Mail-Return Receipt Requested
Z 506 822 114

Re: Appeal #00-03-00-0070-A215, Cuba Mesa Allotment Decision, Cuba Ranger District,
Santa Fe National Forest

Dear Mr. Horning:

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

District Ranger Rodriguez issued a decision on February 24, 2000, for the above named allotment. The decision resulted in the selection of the following alternative and authorizations:

Cuba Mesa Allotment, Alternative 3, which authorizes 40 head of cattle (cow/calf) to graze June 15 through October 15, annually. The decision also authorizes approximately 5 miles of new fence construction and related cattle guards, construction of three new water facilities, noxious weed control, approximately 500 acres of pinyon juniper thinning, and burning of approximately 500 acres of sagebrush.

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 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: 1) that the forage improvement planned is not consistent with the current Forest Plan; 2) the disclosure of the direct, indirect, and cumulative effects were inadequate; and 3) that grazing capacity estimates were not consistent with Regional policy. Therefore, the Appeal Reviewing Officer recommended that the decision be reversed for further analysis and that further technical review of this appeal be discontinued pending further analysis and issuance of a new decision.

APPEAL DECISION

Based on the Appeal Reviewing Officer's recommendations I am reversing the Responsible Official's decision, on the above named allotment, for further analysis and a new decision. The new decision must fully comply with public comment and appeal provisions of 36 CFR 215. By copy of this decision the Responsible Official is instructed to adhere to the utilization standards identified in the environmental assessment until a new decision is issued. The Responsible Official is also instructed to monitor the allotment sufficiently to document use levels and to ensure cattle are removed from the allotment before overall utilization levels are exceeded. Any new decision should specify who will be responsible for the construction of any proposed improvements.

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, Santa Fe NF
District Ranger, Cuba RD
Director of Rangeland Management, R3
Appeals and Litigation Staff, R3