



United States
Department of
Agriculture

Forest
Service

Rocky
Mountain
Region

740 Simms Street
Golden, CO 80401
Voice: 303-275-5350
TDD: 303-275-5367

File Code: 1570

WR 11-02-00-0046 (215)

Date: August 3, 2011

The Honorable Ramon V. Montoya
Mayor
Town of Red Cliff
P.O. Box 40
Red Cliff, CO 81649

Dear Mayor Montoya:

We received your June 7, 2011 appeal of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeal was submitted in a timely fashion under the provisions of 36 CFR § 215.6. Your appeal, while timely, does not show why the Forest Supervisor Fitzwilliams' decision should be reversed in accordance with 36 CFR § 215.14(b) (Specifically 5 and 9):

(5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§215.11(d));

(9) How the appellant believes the decision specifically violates law, regulation, or policy.

Pursuant to 36 CFR § 215.14(a), it is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. An appeal review focuses on how a decision adheres to law, regulation, policy and consistency with the overall mission of the Forest Service (FSH 1509.12-35.3). Unfortunately, without this information specifically articulated in your appeal, it would be difficult to render an appeal decision without considerable speculation and supposition regarding your concerns. Therefore, I am dismissing your appeal without review of the merits pursuant to 36 CFR § 215.16(a)(8). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams.

Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator, at 303-275-5470 cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt
RANDALL KARSTAEDT
Appeal Deciding Officer
Acting Deputy Regional Forester, Resources



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