



United States
Department of
Agriculture

Forest
Service

Rocky
Mountain
Region

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File Code: 1570
WR 11-02-00-0046 (215)
Date: August 3, 2011

Jim White
Town Manager
Town of Minturn
P.O. Box 309
302 Pine Street
Minturn, CO 81645

Dear Mr. Jim White:

We received your June 17, 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)(6-9):

- (6) Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- (7) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- (8) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments;
- (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 or cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt

RANDALL KARSTAEDT

Appeal Deciding Officer

Acting Deputy Regional Forester, Resources