



File Code: 1570-1 (FOR)

Date: June 10, 1998

Mr. Dick Cameron
Forest Guardians
1413 Second Street
Santa Fe, NM 87505

CERTIFIED MAIL--RETURN RECEIPT
REQUESTED

P 293 931 362

RE: Wounded Fire Rehabilitation Project Appeal #98-03-00-0025-A215
Kaibab National Forest

Dear Mr. Cameron:

This is my review decision on the appeal you filed regarding the Chalender District Ranger's decision to implement the Wounded Fire Rehabilitation Project. The review was conducted in accordance with 36 CFR 215.

On March 18, 1998, Chalender District Ranger Gene Waldrip signed a decision memo concerning the salvage of dead and dying trees and reforestation of ponderosa pine seedlings in a 60-acre area of the Wounded Fire. The legal notice of the decision was published in the Arizona Daily Sun on March 23, 1998. I received your appeal on May 7, 1998. I received the appeal record from the Forest on May 18, 1998.

As directed in 36 CFR 215.16, the District Ranger contacted the appellant to discuss informal disposition of the appeal, and arranged a teleconference meeting. The record reflects that the teleconference meeting occurred and none of the appeal issues were resolved.

After review of the appeal record, I find that the District Ranger sent a letter with an attached proposed action for the Wounded Fire Rehabilitation Project to 24 publics on January 21, 1998 (AR 3). One of the 24 publics was John Talberth of Forest Guardians. The District Ranger requested that comments to the proposed action be received by the 30th day from the date of publication in the newspaper. The legal notice was published in the Arizona Daily Sun on January 28, 1998 (AR 8). A cover letter and a copy of the decision memo were sent to John Talberth of Forest Guardians, and published in the Arizona Daily Sun on March 23, 1998 (AR 18, 21). The record shows no oral or written comments received from Forest Guardians until an appeal was received on May 7, 1998. The purpose of the 30 day comment period is to encourage interested parties to comment on the proposed action so those comments can be considered prior to issuing a decision. The objective of 36 CFR 215 is to be responsive to public input prior to a decision.



Mr. Dick Cameron

I am dismissing your appeal due to lack of comments prior to the end of the notice and comment period (36 CFR 215.6 and 215.15(a)(5)). In the future, I encourage you to provide written comments to the decision maker prior to the end of the notice and comment period. This decision constitutes the final administrative determination of the Department of Agriculture (36 CFR 215.18(c)).

Sincerely,

/s/John Kirkpatrick
JOHN R. KIRKPATRICK
Appeal Deciding Officer
Deputy Regional Forester, Resources
Enclosure

cc:
Kaibab National Forest
C. Gonzalez
Forestry