



United States
Department of
Agriculture

Forest
Service

Lincoln National Forest

1101 New York Avenue
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(505) 434-7200

File Code: 1570-1

Date: March 27, 2001

Sam W. Fairchild
268 Dog Canyon
Alamogordo, NM 88310

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

RE: Appeal No. 01-03-08-002-A251-RNG, Scott Able Allotment, Sacramento Ranger District, Lincoln National Forest

Dear Mr. Fairchild:

On March 13, 2001 I received your notice of appeal per 36 CFR 251 dated March 12, 2001.

Your appeal states, "Due to the change from 70-100 head on the Scott Able allotment from the 100 head I applied for. This number doesn't reflect an consultation on my part in the Spring of the year, then I do not go along with this new AOP."

In order to determine if the appeal meets minimum requirements, I have reviewed the annual operating instructions letter (AOI) of February 5, 2001 from District Ranger Frank Martinez to you.

The decision being appealed was received within 45 days of the issuance of the AOI.

After review of your notice of appeal and referenced AOI, I have decided to dismiss your appeal and close the record because it does not meet the minimum requirements of 251.90 to such an extent that I do not have sufficient information to base a decision. Specifically, the following requirements are lacking in your notice of appeal.

- 1) A statement of how the appellant is adversely affected by the decision being appealed.
- 2) A statement of facts of the dispute and the issue(s) raised by the appeal.
- 3) Specific references to any law, regulation, or policy that the appellant believes to be violated and the reason for such an allegation.
- 4) A statement as to whether and how the appellant has tried to resolve the issue(s) being appealed with the Deciding Officer, the date of any discussion, and the outcome of that meeting or contact.
- 5) A statement of the relief the appellant seeks.



My decision to dismiss this appeal and close the record is subject to discretionary review by the Regional Forester.

Sincerely,

/s/ Jose M. Martinez
JOSE M. MARTINEZ
Forest Supervisor

Enclosure

Cc: SW Regional Forester
Sacramento District Ranger