



United States
Department of
Agriculture

Forest
Service

Southwestern Region
Regional Office

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File Code: 1570-1/2350

Date: September 8, 2008

Ana Davidson, Ph.D.
21 Forest Road
Tijeras, NM 87059

**CERTIFIED MAIL – RETURN
RECEIPT REQUESTED
NUMBER: 7005 1160 0005 2093 8977**

RE: Appeal #08-03-00-0015-A215, Sandia Travel Management Plan, Cibola National Forest.

Dear Ms. Davidson:

We received your electronic appeal of the Environmental Assessment, Decision Notice and Finding of No Significant Impact for the Travel Management Decision on the Sandia Ranger District on September 1, 2008. In accordance with 36 CFR §215.15(a), *“It is the responsibility of appellants to ensure that their appeal is received in a timely manner.”* Timeliness at 215.15.(c.)(1) *“shall be determined by (1) the date of the postmark, e-mail, fax, or other means of filing...”*

The official notice of this decision was published in the *Albuquerque Journal* on July 14, 2008. The appeal period runs for 45 days following publication and in this instance, the appeal period closed on August 28, 2008. Your electronic appeal arrived in the appeals-southwestern-regional-office inbox on September 1, 2008 at 11:03 pm.

In accordance with 36 CFR §215.16(a), *“The Appeal Deciding Officer shall dismiss an appeal without review when one or more of the following applies: (1) The postmark on an appeal ...or the evidence of the date sent on an e-mailed or faxed appeal is not within the 45-day appeal-filing period.”* Therefore, your appeal is dismissed without review.

The appeal regulations do not permit me the flexibility to grant an extension of time on your appeal (36 CFR §215.15(d)). This dismissal decision constitutes the final administrative determination of the Department of Agriculture (36 CFR §215.18(c)).

Sincerely,

/s/ Gilbert Zepeda
GILBERT ZEPEDA
Appeal Deciding Officer, Deputy Regional Forester

cc: Nancy Rose
Keith D Baker
Nancy Brunswick



Cid H Morgan
Laurie A Thorpe
Ruth Doyle
Mailroom R3
Mailroom R3 Cibola