



United States  
Department of  
Agriculture

Forest  
Service

R3 Regional Office

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File Code: 1570-1/2300

Date: May 26, 2005

Whippoorwill Spring Chapter, Navajo  
Chinle Agency  
P.O. Box 279  
Pinon, AZ 86510

**CERTIFIED MAIL – RETURN  
RECEIPT REQUESTED  
NUMBER: 7000 2870 0000 1135 0235**

Dear Chairman:

We received your appeal of the Arizona Snowbowl Facilities Improvement FEIS and Record of Decision. The date on your faxed appeal shows that it was submitted on April 27<sup>th</sup> and is untimely.

The official notice of this decision was published in the *Arizona Daily Sun* on March 11, 2005. The appeal period runs for 45 days following publication, and in this instance the appeal period closed on April 25<sup>th</sup> at 11:59 p.m. In accordance with 36 CFR 215.16(a)(1), the Appeal Deciding Officer shall dismiss an appeal without review when the evidence of the date sent on a faxed appeal is not within the 45-day appeal-filing period. Therefore, your appeal is dismissed.

This dismissal decision constitutes the final administrative determination of the Department of Agriculture (36 CFR 215.18(c)).

Sincerely,

/s/ Harv Forsgren  
HARV FORSGREN  
Appeal Deciding Officer, Regional Forester

cc: Sandra Nagiller, Mailroom R3 Coconino, Constance J Smith

