



United States
Department of
Agriculture

Forest
Service

R3 Regional Office

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File Code: 1570-1/2200

Date: March 5, 2003

Severiana Salazar and Sons
USA Ranch
County Rd. 194
Canones
Abiquiu, NM 87510

**CERTIFIED MAIL – RETURN
RECEIPT REQUESTED**

Dear Ms. Severiana Salazar and Sons:

This letter is to inform you that your second level appeal of District Ranger Sanchez' decision requiring you to remove your livestock from the Youngsville and Mesa Del Medio Allotments by October 5, 2002, because of drought conditions, was not received in a timely manner.

In accordance with 36 CFR 251.87(c)(2) an appeal for a second level review must be filed with the Regional Forester within 15 days of the first level appeal decision. The first level appeal decision was made by Forest Supervisor Atencio on February 3, 2003. Your second level appeal was postmarked February 19, 2003, one day after the 15-day period allowed for submitting a second level appeal. Additionally, the requested relief cannot be granted because the 2002 grazing season lapsed before a review could be made on the merits of the Ranger's decision requiring you to remove your cattle prior to the end of the grazing season. Therefore, in accordance with 36 CFR 251.92(a)(2) and 36 CFR 251.92(a)(4), I am dismissing your appeal and closing the appeal record.

As provided for in 36 CFR 251.92(c), my decision to dismiss your appeal is subject to discretionary review by the Chief of the Forest Service. Upon receipt of a copy of my decision and Forest Supervisor Atencio's February 3, 2003, decision, the Chief will decide within 15 calendar days whether or not to review my decision to dismiss your appeal.

Sincerely,

/s/ Lucia M. Turner
LUCIA M. TURNER
Appeal Reviewing Officer, Deputy Regional Forester

cc: David M Stewart, Christina Gonzalez, Mailroom R3 Santa Fe, Francisco B Sanchez,
Mailroom WO

