



United States
Department of
Agriculture

Forest
Service

Santa Fe National Forest

1474 Rodeo Road
P.O. Box 1689
Santa Fe, New Mexico 87504-1689
505-438-7840 FAX 505-438-7834

File Code: 1570-1/2230-3

Date: April 8, 2004

Richard Madrid
EL Madriel Partnership
P.O. Box 101
Youngsville, NM 87064

CERTIFIED MAIL
7003 0500 0005 1470 0336
Return Receipt Requested

RE: Appeal #04-03-10-0010-A251, Annual Operating Instructions, Youngsville Allotment, Coyote RD,

Dear Mr. Madrid:

I received your appeal of Ranger Sanchez's direction included in the 2004 Annual Operating Instructions for the Youngsville Allotment. In accordance with 36 CFR 251.88 (b), "*It is the responsibility of those filing an appeal to file the notice of appeal by the end of the filing period.*" *In the event of questions, legible postmarks will be considered evidence of timely filing.*"

The appeal period runs for 45 days following the Deciding Officer's written notice of the decision; and, if this was an appealable decision, the appeal period closed March 29, 2004. Your appeal was postmarked April 5, 2004. In accordance with 36 CFR 251.92(a), "*The Reviewing Officer shall dismiss an appeal and close the record without a decision on the merits when: (2) Appellants notice of appeal is not filed within the required time period.*" Therefore, your appeal is dismissed.

The appeal regulations do not permit me the flexibility to grant an extension of time on your appeal (36 CFR 251.89(a)).

I strongly suggest you continue to work with Ranger Sanchez in achieving proper resource management on the Youngsville allotment.

This dismissal decision is subject to discretionary review at the next administrative level as provided for in 36 CFR 251.87(d).

Sincerely,

/s/ Gilbert Zepeda
GILBERT ZEPEDA
Forest Supervisor

cc: Francisco B Sanchez, Christina Gonzalez, Berwyn Brown

