

Legal Notice of Decision
Apache Lake Communications Site

On April 25, 2008, Gene Blankenbaker, Forest Supervisor, Tonto National Forest, signed a Decision Notice and Finding of No Significant Impact for the Apache Lake Communications Site. The selected alternative is located near the water tanks within the permitted area of Apache Lake Marina and will allow for issuance of a 20-year lease for construction, operation and maintenance a 50-foot monopole flagpole. The monopole will be lit at night by lights focused on the flag. Since National Forest System land will be allocated for this purpose, this decision will also effect a nonsignificant amendment to the Tonto National Forest Plan. The Environmental Assessment and Decision Notice/Finding of No Significant Impact are available at Tonto Basin Ranger District, HC02 Box 4800, State Highway 188, Roosevelt, AZ 85545 and at the Tonto National Forest Supervisor's Office at 2324 E. McDowell Road, Phoenix, AZ 85006. It is also may be viewed online at <http://www.fs.fed.us/r3/tonto>.

This decision is subject to appeal pursuant to regulations at 36 CFR 215 (NEPA) and 251 (for those who hold Special Use authorizations affected by this decision).

Individuals or organizations who provided comment or otherwise expressed interest in the proposed action during the comment period may appeal pursuant to 36 CFR 215. Interest expressed or comments provided on this project prior to or after the close of the comment period do not have standing for appeal purposes.

The appeal must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer. Submit appeals to: Reviewing Officer, Regional Forester, USDA Forest Service, 333 Broadway SE, Albuquerque, NM 87102. If hand delivered, the appeal must be received at the above address during business hours (Monday - Friday 8:00 am to 4:30 pm), excluding holidays. Electronic appeals may be submitted to: appeals-southwestern-regional-office@fs.fed.us (.doc, .rtf, or .txt formats only). The appeal must have an identifiable name attached or verification of identity will be required. Names and addresses of appellants will become part of the public record. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with 36 CFR 215.14 or 251, and filed (postmarked) within 45 days following the date this notice is published in the East Valley Tribune. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframes provided by any other source.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

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