



United States  
Department of  
Agriculture

Forest  
Service

Humboldt-Toiyabe  
National Forest

1200 Franklin Way  
Sparks, NV 89431-6432  
(775) 331-6444 Fax (775) 355-5399

**File Code:** 1570-1  
#04-04-00-0071  
**Date:** August 12, 2004

Mark Weaver  
850 Murry Street  
Ely, NV 89301

Dear Mr. Weaver:

I have received your appeal of the decision by Ely District Ranger Patricia Irwin. Ranger Irwin approved the Decision Notice, Finding of No Significant Impact and Environmental Assessment for the Duck Creek Transportation Plan located on the Ely Ranger District of the Humboldt-Toiyabe National Forest.

Regretfully, I must dismiss your appeal without review, in accordance with 36 CFR 215.16. The record for this project indicates that you did not provide substantive comments regarding the project during the comment period. Administrative appeal regulations at 36 CFR 215.16 (6), state that a person who "did not submit substantive comments during the comment period" may not appeal the decision.

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

Sincerely,

/s/ Robert L. Vaught  
ROBERT L. VAUGHT  
Forest Supervisor

cc:  
Ely District Ranger (Patricia Irwin)

