



United States
Department of
Agriculture

Forest
Service

Humboldt-Toiyabe
National Forest

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File Code: 1570-1
#06-04-00-0007-A215

Date: January 11, 2006

Michael Scott Laity
slaity@wmccat.com

Dear Mr. Laity:

We have received the December 28, 2005, appeal you filed regarding the decision by Ely District Ranger Patricia Irwin approving the Duck Creek Transportation Plan.

The project record indicates that you did not provide substantive written or oral comments during the 30-day comment period that was initiated by publication of a legal notice in the paper of record, the Ely Times. To be eligible to appeal this decision, regulations at 36 CFR 215.13 require that individuals or organizations submit substantive written or oral comments during this 30-day comment period. Therefore, pursuant to 36 CFR 215.16 (6), I am dismissing your appeal. I encourage you to continue working with Ranger Irwin and other District personnel to address your concerns.

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

Sincerely,

/s/ Robert L. Vaught
ROBERT L. VAUGHT
Appeal Deciding Officer

