



United States  
Department of  
Agriculture

Forest  
Service

Region One

200 East Broadway  
P.O. Box 7669  
Missoula, MT 59807

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**File Code:** 1570-1 (215)  
#03-01-00-0063  
**Date:** September 3, 2003

Tom Braun  
102 4th Avenue West  
Lemmon, SD 57638

Del Newman  
10157 South Dakota Hwy. 73  
Lemmon, SD 57638

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Messrs. Braun and Newman:

This is my decision on disposition of the appeal you filed regarding the Blacktail Trail Decision Notice (DN) on the Dakota Prairie Grasslands.

The Appeal Reviewing Officer has considered your arguments, the appeal record, and the transmittal letter and recommends the District Ranger's decision be affirmed and your requested relief be denied.

My review of your appeal was conducted pursuant to, and in accordance with, 36 CFR 215.17 to ensure the analysis and decision are in compliance with applicable laws, regulations, policy, and orders. I have reviewed the appeal record, including your arguments, the information referenced in the District Ranger's August 20, 2003, transmittal letter, and the Appeal Reviewing Officer's analysis and recommendation (copy enclosed). The transmittal letter provides the specific page references to discussions in the Environmental Assessment (EA), the DN and project file, which bear upon your objections. I specifically incorporate in this decision the appeal record, the references and citations contained in the transmittal letter, and the Appeal Reviewing Officer's analysis and recommendation.

Based upon a review of the references and citations provided by the District Ranger, I find the objections were adequately considered in the EA/DN. I agree with the Appeal Reviewing Officer's analysis and conclusions in regard to your appeal objections. I find the District Ranger has made a reasoned decision and has complied with all laws, regulations, and policy.

After careful consideration of the above factors, I affirm the District Ranger's decision to implement the Blacktail Trail project. Your requested relief is denied.



My decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c)].

Sincerely,

/s/ Kathleen A. Mcallister  
KATHLEEN A. MCALLISTER  
Appeal Deciding Officer  
Deputy Regional Forester

Enclosures (1)

cc:  
DPG