



United States
Department of
Agriculture

Forest
Service

Washington
Office

14th & Independence SW
P. O. Box 96090
Washington, DC 20090-6090

File Code: 1570 (L)
00-01-00-0020-A251

Date: March 17, 2000

Mr. James Brinkman
3036 Dogwood Drive
Bozeman, MT 59718

Dear Mr. Brinkman:

We have received Acting Appeal Reviewing Officer J. Doug Glevanik's March 6, 2000, decision letter and accompanying documentation. You are appealing Bozeman District Ranger Lerum's December 22, 1999, decision to implement a new base fee for your recreation residence special use permit for the calendar year 2000 in the Hyalite Creek area located within the Gallatin National Forest.

Your February 20, 2000, appeal was untimely due to the filing period for the notice of the written decision ending Saturday, February 5, 2000, which was 45 days after the decision date. However, when the filing period ends on a Saturday, Sunday, or Federal holiday, the filing period is extended to the end of the next Federal working day (251.88(c)(2)). Thus, the appeal filing period ended February 7, 2000. Therefore, your appeal was dismissed in accordance with 36 CFR 251.92(a)(2). I find the action taken by Mr. Glevanik is consistent with current statutory regulations.

Based upon the aforementioned, I have elected not to review this decision. This action is consistent with 36 CFR 251.100(c) of the Secretary of Agriculture's Appeal Regulations, and constitutes the final administrative determination of the Department of Agriculture.

Sincerely,

/s/ Paul Brouha

PAUL BROUHA
Reviewing Officer for the Chief

