



United States
Department of
Agriculture

Forest
Service

Region One

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

File Code: 1570-1 (215)
#05-01-00-0046
Date: August 17, 2005

Kurt Breithaupt
President
Yaak Rod and Gun Club, Inc.
40800 Yaak River Road
Troy, MT 59935

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Mr. Breithaupt:

I have received your appeal, on behalf of the Yaak Rod and Gun Club, Inc., of the Kootenai National Forest Supervisor's Record of Decision and Environmental Impact Statement for the Northeast Yaak Timber Sale Project.

Regretfully, I must dismiss your appeal without review in accordance with 36 CFR 215.16(a)(6). The record for this project indicates that you did not provide substantive comments regarding the Northeast Yaak Timber Sale Project during the comment period. A decision may only be appealed by persons who... "submit substantive written or oral comments during the 45-day comment period for a draft environmental impact" (36 CFR 215.13(a)). Therefore, pursuant to 36 CFR 215.16(a)(6), I am dismissing your appeal without review.

This decision is the final administrative determination of the Department of Agriculture and is not subject to higher-level review [36 CFR 215.18(c)].

Thank you for your interest in our National Forests. Please work with the Kootenai National Forest regarding the Northeast Yaak Timber Sale Project to resolve your concerns.

Sincerely,

/s/ Ray G. Smith (for)
KATHLEEN A. MCALLISTER
Appeal Deciding Officer

cc:
Kootenai NF

