



United States
Department of
Agriculture

Forest
Service

Pacific
Southwest
Region

Regional Office, R5
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Vallejo, CA 94592
(707) 562-8737 Voice
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File Code: 1570
Appeal No.: 14-05-00-0009-A215
Date: November 15, 2013

J. Capozzelli
315 W. 90 St.
New York, NY 10024

CERTIFIED – RETURN
RECEIPT REQUESTED

Dear Mr./Ms. Capozzelli:

On November 6, 2013, you submitted a Notice of Appeal (NOA) under 36 CFR 215 regarding the Devil's Garden Plateau Wild Horse Territory Management Plan on the Modoc National Forest. Modoc National Forest Supervisor Kimberly Anderson signed the Decision Notice (DN) approving Alternative 2 of the Devil's Garden Plateau Wild Horse Territory Management Plan Environmental Assessment (EA) on August 27, 2013.

The regulations under 36 CFR 215.16 require that I dismiss your appeal without review because it does not meet the appeal content requirements under 36 CFR 215.14. These regulations can be found at www.gpoaccess.gov. The appeal content regulations at 36 CFR 215.14 require that your appeal include the following information:

- The name of the project you are appealing, the name and title of the Responsible Official, and the date of the decision;
- Any specific changes in the decision you seek and the rationale for those changes;
- Any portions of the decision with which you disagree, and explanation for this disagreement;
- Why you believe the Responsible Official's decision failed to consider substantive comments; and
- How you believe the decision specifically violates law, regulation, or policy.

You may resubmit your appeal before the expiration of the appeal filing period on November 18, 2013. You may mail your appeal to this address or email it to the appeals box at appeals-pacificsouthwest-regional-office@fs.fed.us. Appeals submitted by mail must be postmarked by



the last day of the appeal filing period. Appeals submitted online must be received by 11:59 PM on the last day of the appeal filing period. If you have questions about this letter and the appeal process, please contact Karen Burmark, Administrative Appeals Specialist, at (707) 562-8983.

Sincerely,

/s/ Barnie T. Gyant

BARNIE T. GYANT

Deputy Regional Forester

Appeal Deciding Officer