

**EXHIBIT
D**



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
CALIFORNIA STATE OFFICE
2800 Cottage Way
Sacramento, California 95825

FD-350 (REV. 1-25-60)

2064.5
CA-930.1

JUN 28 1985

RECEIVED
JUN 1 11 10 21
CLERK OF THE BOARD

County of Inyo
Board of Supervisors
Courthouse
Independence, CA 93526

Dear Sirs:

The Interior Board of Land Appeals has returned your notices of appeal to this office because they had been improperly filed with the Board. The relevant regulation, 43 CFR 4.411(a), requires that a notice be filed in the office of the officer who made the decision being appealed, not the Board.

We are, therefore, returning your appeal. We must reiterate our position that your appeal is not appropriate to this process. The wilderness recommendations are preliminary and were developed during the 1980 California Desert and 1984 Benton-Owens Valley/Sodie-Coleville plan processes, and are therefore, not subject to appeal (43 CFR 1610.5-2(a)). No final wilderness decision has been made upon which an appeal can be filed. In practicality Congress makes the final wilderness decision which obviously, is beyond the administrative appeals process. The Secretary of Interior will file the final Wilderness EIS's with a 30-day public comment period provided at that time to allow the public to express interests and concerns on the findings and recommendations contained in the document. We anticipate the Final Environmental Impact Statement will not be completed until late 1987.

Should you have any questions regarding the appropriate regulations governing the appeals process, please contact the Bakersfield or California Desert District Managers.

Sincerely,

Ed Hastey
Ed Hastey
State Director

SEARCHED _____
SERIALIZED _____
INDEXED _____
FILED _____
JUN 28 1985
FBI - BAKERSFIELD

I would be willing to meet with you concerning this - EH

Enclosure:
As stated

cc: DM, Bakersfield w/o encl.
DM, CDD w/o encl.

FF/1985
Juno 7/9

10-6

7/7/85 *JLH*