

EXHIBIT 50

Bill Floyd

From: Bill Floyd <wcbfloyd@ix.netcom.com>
Sent: Monday, November 09, 2015 5:29 AM
To: Milholen, Carol -FS; Melonas, James -FS
Cc: Bill Floyd
Subject: Freedom of Information Act Request: Managing Recreation Uses in the Upper Chattooga River Corridor: "Erosion Sites"

Importance: High

November 9, 2015

4110 Quail View Rd.
Charlotte, NC 28226-7956

wcbfloyd@ix.netcom.com

Ms. Carol Milholen via email to cmilholen@fs.fed.us
FOIA official, Nantahala Ranger District
Nantahala and Pisgah National Forests

Mr. James E. Melonas via email to jmelonas@fs.fed.us
Acting Forest Supervisor
Nantahala and Pisgah National Forests

Re: Managing Recreation Uses in the Upper Chattooga River Corridor: Definition of "*Erosion Sites*".

Dear FOIA Coordinator Milholen:

In 2007, the Forest Service prepared a 14 page document referred to as the "*Biophysical Monitoring Information on the Chattooga River.*"

See: http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_037225.pdf

This 2007 "*Biophysical Monitoring Information on the Chattooga River*" inventoried all "**erosion sites**" located within the riparian corridor of the Chattooga River by latitude and longitude. Although inexplicably not provided to the public within the body of the 2007 report, the Forest Service maintains a table of latitude and longitude coordinates for each of these inventoried "**erosion sites**". The Forest Service has provided me with a copy of that table pursuant to a prior Freedom of Information Act request.

Unfortunately, the Forest Service's 2007 inventory of "**erosion sites**" neither defines nor discloses the specifically observed *scientific* criteria, common physical characteristics, measurably quantifiable standards, descriptive measurements, physical differentiating conditions, etc., used/employed by the Forest Service to qualify/identify/define a specific location within the riparian corridor as an "**erosion site**."

Neither does an associated *Appendix E, Biophysical Impact Data Collection Protocols* define what specific criteria must be observed/applied in order for a specific location to be inventoried as an "**erosion site**" within the 2007 biophysical inventory.

Request #1: For the purposes of this 2007 inventory, I am interested in understanding what specific physical criteria or specific common physical characteristics are used by the Forest Service to define an "**erosion site**".

Accordingly, please provide me with a copy of any document, memorandum, email, external scientific standard, etc., defining or explaining the specific criteria used by the Forest Service in determining which physical locations within the riparian corridor constitute “**erosion sites**” as tabulated and included in the 2007 “*Biophysical Monitoring Information on the Chattooga River*” inventory.

Request #2: Please provide a copy of any document, email, etc. identifying the specific Forest Service employee who led the preparation and compilation of the inventory of “**erosion sites**” visually plotted onto maps within the 2007 “*Biophysical Monitoring Information on the Chattooga River*” report.

Request #3: A physical site visit to each of the “**erosion sites**”, plotted on the 2007 biophysical inventory maps, would suggest that certain “**erosion sites**” are more problematic than others—in terms of the quantity of sediment flowing into the river, in terms of the square footage of the bare ground present, in terms of the slope of the surface on which the “**erosion site**” is located, the types of soils involved, etc.

Unfortunately, neither the 2007 “*Biophysical Monitoring Information on the Chattooga River*” data report, nor the “*Capacity and Conflict on the Upper Chattooga River*” analysis, an integrated executive summary report prepared June 2007, describes, differentiates, or discusses which “**erosion sites**” pose the greatest relative risks of environmental harm and why.

Accordingly, please provide a copy of any document, including but not limited to, any field notes, any executive summary, any informal analysis, any emails, that evaluate, differentiate, discuss, or quantify the comparative physical differences between the 182 “**erosion sites**” which were inventoried by the 2007 “*Biophysical Monitoring Information on the Chattooga River*” data report.

Request #4: The Forest Service document fsbdev3_037424, “*Appendix E: Biophysical Impact Data Collection Protocols*”, 10/13/2006, states that “[s]ignificantly-impacted areas may be digitally-photographed and recorded as a GPS point.” See page E-2.

Accordingly, please provide *electronic copies* of any and all digital photographs of “significantly-impacted areas”, as well as such pictures identifying latitude and longitude coordinates, GPS point information, location descriptions, etc.

This is a request for information pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552. Because this information is of time critical importance, *if you have questions regarding this request, I would appreciate your communicating with me by email, rather than by United States postal service mail.*

To maximize efficiency, I would ask that this information be provided in some form of electronic format, that would be capable of being downloaded from the Forest Service’s website, or that would be capable of being emailed to me as an attachment.

Through this request, I am gathering information that is of current interest to the public. Accordingly, I request a waiver of any applicable fees. I look forward to your reply consistent with the requirements of the statute. My telephone number is 704 542 7726, if you have any questions regarding this request.

Sincerely,

/William Floyd/

EXHIBIT B



File Code: 6270

Date: December 14, 2015

Bill Floyd
4110 Quail View Road
Charlotte, NC 28226-7956

Dear Mr. Floyd:

This is our response to your Freedom of Information Act (FOIA) requested dated November 9, 2015 and received in this office on November 9, 2015. Specific to erosion sites in the Upper Chattooga River Corridor, you are requesting the following documents:

- Any document, memorandum, email, external scientific standard, etc. defining or explaining the specific criteria used by the Forest Service in determining which physical locations within the riparian corridor constitute “erosion sites” as tabulated and included in the 2007 “Biophysical Monitoring Information on the Chattooga River” inventory.
- Any document, email, etc. identifying the specific Forest Service employee who led the preparation and compilation of the inventory of “erosion sites” visually plotted onto maps within the 2007 “Biophysical Monitoring Information on the Chattooga River” report.
- Any document, including but not limited to, any field notes, any executive summary, any informal analysis, any emails that evaluate, differentiate, discuss, or quantify the comparative physical differences between the 182 “erosion sites” which were inventoried by the 2007 “Biophysical Monitoring Information on the Chattooga River” data report.
- Any and all digital photographs of “significantly-impacted areas” as well as such pictures identifying latitude and longitude coordinates, GPS point information, location descriptions, etc.

We conducted a search in every place a person would reasonably expect to find records responsive to your request. Specifically, we searched the electronic and hard copy files of the Forest Supervisor’s Office and the Forest Supervisor’s Office for the Francis Marion and Sumter National Forests.

Enclosed in entirety are approximately 40 pages of records responsive to your request for the records listed above. A large portion of those documents are found on the Forest Service internet site at the enclosed link:

<https://www.cloudvault.usda.gov/public.php?service=files&t=87722930c905d0b7125a8a0f650df0c5>



Fees

Pursuant to Title 7 Code of Federal Regulations (CFR), Subtitle A, Part 1, Subpart A, Appendix A, there is not a charge for these records because the cost of the search falls below the minimum amount required for the Forest Service to collect fees.

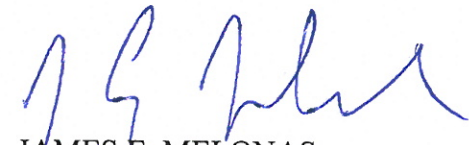
Appeal Rights

I believe this fully satisfies your request. However, the FOIA provides you the right to appeal this response. Any appeal must be made in writing, within 45 days from the date of this letter, to the Chief, USDA Forest Service: 1) by email to wo_foia@fs.fed.us; 2) by regular mail to Mail Stop 1143, 1400 Independence Avenue, SW, Washington, DC 20250-1143; 3) by Federal Express or United Parcel Service to 201 14th Street, SW, Mailstop 1143, Washington, DC 20250-1143 and telephone (20) 205-1542; 4) by fax at (202) 260-3245.

The term "FOIA APPEAL" should be placed in capital letters on the subject line of the email or the front of the envelope. To facilitate the processing of your appeal, please include a copy of this letter.

This concludes our response to your FOIA request. If you have any questions regarding this FOIA request, please contact Carol Milholen at (828) 257-4860.

Sincerely,



JAMES E. MELONAS
Acting Forest Supervisor

Enclosure(s)

EXHIBIT C

From: [Bill Floyd](#)
To: ["Milholen, Carol -FS"](#)
Cc: wcbfloyd@ix.netcom.com
Subject: RE: Floyd November 9, 2015 FOIA Request and FS Dec 13, 2015 Response Letter and Documents
Date: Monday, December 14, 2015 5:32:37 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
Importance: High

Ms. Milholen,

Thank you for the email below. I was able to retrieve two files from the FS website.

However, I have three specific objections/concerns, and I wish to give the Nantahala National Forest a brief opportunity to clarify, before I file any further administrative appeal or consider other remedies—but time is of the essence.

I would appreciate a response giving me guidance to your ability to clarify and respond to these concerns as early as Tuesday, December 15, 2015. Failing to receive any further communication in this regard, I will presume the Nantahala National Forest does not wish to cooperate.

- (1) My Nov. 9, 2015 request sought **any document**, email, etc. identifying specific forest service employee who led the preparation and compilation of the inventory of “erosion sites” visually plotted onto maps set forth in the “2007 Biophysical Monitoring Information on the Chattooga River” document contained in the Administrative Records.

It goes without saying that there had to be somebody within the Forest Service who was in charge of coordinating, supervising, leading the preparation of this 2007 inventory...perhaps one of the FS planning officials in the Sumter National Forest. The 2007 inventory did not create itself spontaneously and its contents were incorporated in an editorialized form into the 2012 Environmental Assessment pertaining to the introduction of boating above the Russell Bridge.

In any case, by implication, my request for documents would include any document, including emails sent to or from such individual coordinating the preparation of this inventory (and any of the field surveyors), since such documents or emails would clearly establish the identity of the lead forest service employee in charge of compiling the raw data gathered in the physical field surveys.

Nevertheless, I have not been provided with a single document responsive to this request. I find it inconceivable that such a complicated (and expensive) FS project could be undertaken and completed without a single bit of correspondence, documentation, back and forth communication, between the field surveyors and the lead FS employee in charge of its preparation. In order to avoid unnecessary appeals, I would ask that the FS immediately go to the individual responsible for compiling this 2007 inventory and produce documents responsive to this FOIA request.

- (2) My request also sought “any document, including any but not limited to, any field notes, any executive summary, any informal analysis, any emails that evaluate,

differentiate, discuss, or quantify the comparative physical differences between” the 182 erosion sites inventoried in the 2007 report.

Again, there had to have been some form of written communication between the individuals that conducted the field surveys and whoever took the raw data and compiled it ultimately into the 2007 report. It is inconceivable that this raw field data could have magically been compiled into a final report without a single document having been produced regarding the results of those field surveys—either by the field surveyors or the individual(s) overseeing the preparation of the 2007 inventory report. Clearly any discussion back and forth about the results of those field surveys would be broad enough to fit within the scope of the subject matter of the documents that I requested. Again the planning officials in Sumter National Forest must have something in this regard. Deleted emails and files should be retrieved.

Likewise, it is inconceivable that the Forest Service individual coordinating the preparation of this 2007 Inventory would not have had a single written communication with anybody else regarding the results of the inventory.

Nevertheless, the FS reply today does not contain a single email, memo, handwritten note, which is responsive to that request.

In order to avoid unnecessary and expensive appeals, I would respectfully ask that you speak with the appropriate officials in charge at the Nantahala National Forest to encourage an expedited response to this request for clarification from the folks at the Sumter National Forest.

- (3) The Nantahala National Forest has delivered a document titled “LAC User’s Guide.” It is presumed that this document is produced in response to my Request #1 for “any document, memorandum, email, external scientific standard, etc. defining or explaining the specific criteria used by the Forest Service in determining which physical locations within the riparian constitute erosion sites as tabulated and included in the 2007....inventory.”

This “LAC User’s Guide” must not be the **only document** to explain when a spot should not be documented as an erosion site. There must be some criteria to explain why certain obvious locations where erosion can be visibly documented have been nevertheless omitted from this 2007 inventory.

For example there is one prominent and obvious erosion site on river left, where boats are launched just below Woodall Shoals, at 34°47'50.54"N 83°18'49.14"W, that was not included in this 2007 Biophysical Monitoring Information on the Chattooga River” inventory. Why was this and other sites not included in this inventory? It is inconceivable that there are no documents in the FS records that would explain why some erosion sites where boating has occurring for decades has been omitted, while a fastidious effort was made to include every single such erosion site on the delayed harvest trout section of the river above the Highway 28 bridge. Interestingly, the 2007 inventory did document an erosion site #117 that was located just above Woodall Shoals on river left.

There must be some reconciling explanation of the minimum criteria used to

inventory any individual erosion site---that is not set forth in the “LAC User’s Guide.”

If you have any further questions regarding this, please do not hesitate to call me at 704 562 7834. I am interested in collaborating on this request to reach the most expeditious result... but I do not wish to be further delayed from obtaining this information—which must exist.

If evidence surfaces that the Sumter National Forest has engaged in a purposeful practice of delayed disclosure of responsive documents, any damages caused by such delay are not necessarily made moot by subsequent production of those documents. The public policy of FOIA is to ensure an informed citizenry, which is vital to the functioning of a democratic society. In order for this policy objective to be served, the Forest Service must comply with the associated deadlines spelled out in FOIA.

Please do not hesitate to contact me if you or your superiors require further clarification. Time is important because the river continues to suffer damage because of the Forest Service to address the substantial degradation of the riparian corridor being brought about by boating up and down the Chattooga River

Thank you.

From: Milholen, Carol -FS [mailto:cmilholen@fs.fed.us]
Sent: Monday, December 14, 2015 1:23 PM
To: wcbfloyd@ix.netcom.com
Subject: FOIA Response Letter and Documents

Mr. Floyd: Enclosed is our response to your FOIA request dated November 9, 2015. Please note that most of the documents you requested are found on the Forest Service internet at the link included in the letter. I have also included the link in this email. Please contact me if you are unable to access the documents. Thank you, Carol

<https://www.cloudvault.usda.gov/public.php?service=files&t=87722930c905d0b7125a8a0f650df0c5>

Carol Milholen
Administrative Operations Specialist
Forest Service
National Forests in North Carolina

p: 828-257-4860
f: 838-257-4863
cmilholen@fs.fed.us

160 Zillicoa Street, Suite A
Asheville, NC 28801
www.fs.fed.us



Caring for the land and serving people

From: [Bill Floyd](#)
To: [Milholen, Carol -FS](#)
Cc: wcbfloyd@ix.netcom.com
Subject: FW: Floyd November 9, 2015 FOIA Request and FS Dec 13, 2015 Response Letter and Documents
Date: Tuesday, December 15, 2015 8:24:28 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
Importance: High

Ms. Milholen,

My inability to reconcile the 281 photographs with the 182 erosion sites detailed in the Excel workbook suggests that there are pictures which have not been included in the document production.

I would appreciate your clarifying if I am mistaken in this regard.

For example, OBJECTID #66 on the Excel spreadsheet tab titled “erosion sites”, purports to relate to an erosion site located on the “Riverbank”. However, there is no Photo ID provided--only the initials for the Data Collector: “wb”.

“OBJECTID” #1 purports to relate to an erosion site located on the “Riverbank” which was stated to include 140 sq. ft of erosion (which is a fairly large area). It was reported to have a “Date GPSed” of 10/6/2006 at lat 34 58 1.569 N, long 83 7 14.604 W. The Excel spreadsheet “Photo ID” column references “bf\ls ersn 2” as the name of the photo. The “Data Collector” (presumably the person who took the “bf\ls ersn 2” picture) is referenced as “ls”.

Unfortunately, a full examination of the 281 pictures found in the 20 folders doesn’t reveal a photograph carrying the identifying name of “bf\ls ersn 2”. Maybe the picture has a different name or maybe it hasn’t been provided.

The same circumstance exists for OBJECTID #2 which also purports to be a Riverbank erosion site.

Similarly, OBJECTID #6, purports to be a “Riverbank” erosion site of 150 square feet located at lat 34 56 36.154 N long 83 7 19.868 W. The Excel spreadsheet “Photo ID” identifies the correlating photograph as “14,15” and that the Data Collector was “vs”. The “Date GPSed” references 11/13/2006. Unfortunately, none of the picture files are named 14 or 15 and none of those picture files denote anything to suggest “vs” took the picture. There is a picture file, modified 11/13/2006, found within the “111306 vv photo” folder, which contains two pictures identified as “DSCN0014” and “DSCN0015”. These two pictures appear to document a head eroding gully that is close to the water’s edge. Are these the two photos intended to document OBJECTID #6?

These are the repetitive problems that make it impossible to tie the pictures back to the spreadsheet—with any degree of certainty.

I hope this helps you and I look forward to hearing back from you.

Bill Floyd

From: Bill Floyd [mailto:wcbfloyd@ix.netcom.com]
Sent: Monday, December 14, 2015 7:51 PM
To: Milholen, Carol -FS
Cc: wcbfloyd@ix.netcom.com
Subject: FW: Floyd November 9, 2015 FOIA Request and FS Dec 13, 2015 Response Letter and Documents
Importance: High

Ms. Milholen

To further comment on my FOIA request of November 9, 2015, I have reviewed the spreadsheet provided to me via your email of December 14, 2015, detailing which photographs belong to which objectid on the spreadsheet.

Unfortunately, I do not believe that I have been provided with all the photographs pertaining to "erosion sites" as suggested by the excel spreadsheet.

The spreadsheet references the initials of multiple Data Collectors/photographers as follows:

- 1) ls
- 2) v
- 3) vs
- 4) cs, jj, vk
- 5) tf
- 6) vv
- 7) vvj
- 8) Jason
- 9) cls
- 10) DV
- 11) t.f.
- 12) wb
- 13) selig keener
- 14) jA
- 15) vv
- 16) vl
- 17) ds
- 18) as
- 19) tfjr
- 20) allen smith

The photo folders that you directed me to do not appear to have photos taken by all these individuals.

What I believe I have are the following folders of photographs:

- (1) 100506a Jason photos
- (2) 100506b Lynne Vern photos
- (3) 100606 Lyne
- (4) 111306 cj photos
- (5) 111306 vv photos
- (6) 111506 CJ photos
- (7) 111506 VV photos
- (8) 111606 CJ photos
- (9) 111606 VV photos
- (10) 111706 CJ photos
- (11) 111706 VV photos
- (12) 112706 LV photos
- (13) 112806 CJ photos
- (14) 112806 LV photos
- (15) 112906 CJ photos
- (16) 112906 LV photos
- (17) 113006 CJ photos
- (18) 113006 LV photos
- (19) 120106 CJ photos
- (20) 120106 LV photos

Accordingly, we please provide *all* the photographs for all the aforementioned Data Collectors who purportedly took photographs of erosion sites, but which are not included in the second list of photographs.

If you have any questions, please do not hesitate to call me.

Bill Floyd
704 562 7834

From: Bill Floyd [<mailto:wcbfloyd@ix.netcom.com>]
Sent: Monday, December 14, 2015 5:32 PM
To: 'Milholen, Carol -FS'
Cc: wcbfloyd@ix.netcom.com
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cooperate.

- (1) My Nov. 9, 2015 request sought any document, email, etc. identifying specific forest service employee who led the preparation and compilation of the inventory of “erosion sites” visually plotted onto maps set forth in the “2007 Biophysical Monitoring Information on the Chattooga River” document contained in the Administrative Records.

It goes without saying that there had to be somebody within the Forest Service who was in charge of coordinating, supervising, leading the preparation of this 2007 inventory...perhaps one of the FS planning officials in the Sumter National Forest. The 2007 inventory did not create itself spontaneously and its contents were incorporated in an editorialized form into the 2012 Environmental Assessment pertaining to the introduction of boating above the Russell Bridge.

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Nevertheless, I have not been provided with a single document responsive to this request. I find it inconceivable that such a complicated (and expensive) FS project could be undertaken and completed without a single bit of correspondence, documentation, back and forth communication, between the field surveyors and the lead FS employee in charge of its preparation. In order to avoid unnecessary appeals, I would ask that the FS immediately go to the individual responsible for compiling this 2007 inventory and produce documents responsive to this FOIA request.

- (2) My request also sought “any document, including any but not limited to, any field notes, any executive summary, any informal analysis, any emails that evaluate, differentiate, discuss, or quantify the comparative physical differences between” the 182 erosion sites inventoried in the 2007 report.

Again, there had to have been some form of written communication between the individuals that conducted the field surveys and whoever took the raw data and compiled it ultimately into the 2007 report. It is inconceivable that this raw field data could have magically been compiled into a final report without a single document having been produced regarding the results of those field surveys—either by the field surveyors or the individual(s) overseeing the preparation of the 2007 inventory report. Clearly any discussion back and forth about the results of those field surveys would be broad enough to fit within the scope of the subject matter of the documents that I requested. Again the planning officials in Sumter National Forest must have something in this regard. Deleted emails and files should be retrieved.

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note, which is responsive to that request.

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There must be some reconciling explanation of the minimum criteria used to inventory any individual erosion site---that is not set forth in the “LAC User’s Guide.”

If you have any further questions regarding this, please do not hesitate to call me at 704 562 7834. I am interested in collaborating on this request to reach the most expeditious result... but I do not wish to be further delayed from obtaining this information—which must exist.

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Please do not hesitate to contact me if you or your superiors require further clarification. Time is important because the river continues to suffer damage because of the Forest Service to address the substantial degradation of the riparian corridor being brought about by boating up and down the Chattooga River

Thank you.

From: Milholen, Carol -FS [<mailto:cmilholen@fs.fed.us>]
Sent: Monday, December 14, 2015 1:23 PM
To: wcbfloyd@ix.netcom.com
Subject: FOIA Response Letter and Documents

Mr. Floyd: Enclosed is our response to your FOIA request dated November 9, 2015. Please note that most of the documents you requested are found on the Forest Service internet at the link included in the letter. I have also included the link in this email. Please contact me if you are unable to access the documents. Thank you, Carol

<https://www.cloudvault.usda.gov/public.php?service=files&t=87722930c905d0b7125a8a0f650df0c5>

Carol Milholen
Administrative Operations Specialist

Forest Service
National Forests in North Carolina

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Caring for the land and serving people



File Code: 6270
2016-FS-WO-00070-A

Date: AUG 05 2016

Mr. Bill Floyd
4110 Quail View Rd.
Charlotte, NC 28226-7956

Dear Mr. Floyd:

This is our final response to your Freedom of Information Act (FOIA) appeal dated January 7, 2016, which was received in our Washington Office FOIA Service Center, Office of Regulatory and Management Services (ORMS), on January 12, 2016, and assigned tracking number 2016-FS-WO-00070-A. You are appealing the Forest Service's December 14, 2015, response to your November 9, 2015, FOIA request, which was assigned tracking number 2016-FS-R8-00959-F. You requested records related to erosion sites on the Upper Chattooga River Corridor.

In your appeal, you questioned the adequacy of the search conducted by the National Forests in North Carolina. You noted that the following documents and pieces of information were not included in the records provided to you:

1. "any document that would reveal the identity of [the] individual in charge of coordinating, supervising, and leading the collection and preparation of the 2007 Biophysical inventory;"
2. "photographs of erosion sites in North Carolina;"
3. "[Records other than the] single document [that] was produced with respect to Request #1...a copy of any document, memorandum, email, external scientific standard, etc., defining or explaining the specific criteria used by the Forest Service in determining which physical locations within the riparian corridor constitute 'erosion sites' as tabulated and included in the [2007 Biophysical inventory]."

In response to your appeal, we asked the National Forests in North Carolina to conduct a second search for responsive records. They found records responsive to the three questions raised in your appeal. These records are enclosed in full electronically and listed below. While some of these records may have been previously provided to you, the list below also includes notes indicating the manner in which these records satisfy the questions raised in your appeal.

1. In the spreadsheet titled ChattoogaRiverBioPhys_latlong_20151209.xlsx, data collectors were entered as a data field. The main person who was a clearinghouse for data collection (Column G labeled "Data Collector") and interfacing with GIS at the time was Elizabeth Robinson (now NEPA Coordinator on the Daniel Boone). A number of Forest Service employees were used for data collection, and their initials are indicated in the "data



collector” column. The following initials correspond with the Forest Service employees noted: VS = Vern Shumway; CS = Chris Smith; VK = Vincent Keeler; JJ = Jason Jennings.

2. The spreadsheet entitled ChattoogaRiverBioPhys_Erosion Points.xlsx lists all of the erosion points. We have highlighted those points that occurred in North Carolina. Column F provides a “Photo ID.” We have likewise enclosed all the photographs associated with the 2007 Biophysical inventory. By utilizing the spreadsheet to search through the photos, you may be able to identify which photos were taken in North Carolina.

3. Appendix E-2 of the enclosed 159.0_06_10_13_Implementation Plan 10-13-06 Final.pdf indicates the specific criteria used by the Forest Service in determining which physical locations within the riparian corridor constitute erosion sites.

A total of 68 pages of records, plus two excel spreadsheets and approximately 300 digital photos, are enclosed in full on a CD-ROM.

This is the Agency’s final determination of your FOIA appeal. You may seek judicial review of the determination in an appropriate United States District Court pursuant to 5 U.S.C. § 552(a)(4)(B).

Prior to seeking judicial review, you may contact the Office of the Government Information Services (OGIS). OGIS was created within the National Archives and Records Administration when the OPEN Government Act of 2007 amended the FOIA. OGIS provides mediation of FOIA disputes between appellants and Federal agencies. Participation in mediation does not affect your right to judicial review. Contact information for OGIS can be found at: <http://www.archives.gov/ogis/>.

Sincerely,



LESLIE A. C. WELDON
Deputy Chief, National Forest System

Enclosures: CD Rom