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Vukelich, Vincent - OGC, Milwaukee, WI Wed, Sep 14, 1:50 PM

to me, John, Greg-, Vincent

"Vandlik, John - OGC, Milwaukee, WI" <john.vandlik@usda.gov>,

"Smith, Greg- FS" <Gregory.Smith4@usda.gov>

Dear Ms. Pastoriza –

We have received your correspondence related to State of New Hampshire's management of the Nash Stream State Forest.

I apologize if you feel we did not respond quickly to your letter. I have a staff of three attorneys to cover all the legal issues for the Eastern Region of the Forest Service which covers the northeastern part of the United States. We deal with a huge variety of issues from the National Forests that stretch from Minnesota to Missouri to West Virginia to Maine. The attorneys on my staff are passionate and hard working as they deal with the wide variety of issues that come in to our office. As you are aware, there are a large number of issues generated by often conflicting views of what our National Forests and our public lands represent and what kinds of uses can and should be allowed. I start out this way not to excuse our delay, but offer to you a chance to humanize the people you are writing to.

The Office of the General Counsel provides legal services to all of the agencies within the Department of Agriculture. Our office provides legal advice and counsel to the Eastern Region of the Forest Service, of which the White Mountain is a part. However we do not manage land, nor do we direct Forest Service actions or policies. In the scheme of government, we are a separate box on the organizational chart. As a part of this our office was asked a specific question which was answered by Gene Erl and revisited by our office. Although communications between an attorney and their client are not subject to release under the Freedom of Information Act, you have all those communications. We stand by the opinion.

If the Forest Service has any further legal questions related to this issue, we will work with them as our client. But I'm sure you can understand that discussion is between the attorney and the client, and with all due respect, would not be a discussion that would be done with outside groups or individuals.

I truly do admire your passion on this issue. I understand your frustration on trying to reach out to various people in what seems to be a faceless bureaucracy. However it is unfair to end with a line about captured men in a captured agency.

At this point our office will not be responding to anymore inquiries related to the legal opinion and e-mails you possess and have cited. Further discussions about the legal issues will be done with our client.

I realize that you will be disappointed with this response. I am more than willing to talk to you directly if you feel that will help you understand our role or you desire to talk more about the issue.

Take care – vince vukelich