

March 30, 2012

VIA EMAIL appeals-southern-regional-office@fs.fed.us

US Forest Service
Attn: Appeal Reviewing Officer
1720 Peachtree Road, N.W., Suite 811N
Atlanta, GA 30309-9102

Re: Appeal by American Whitewater, et al., of Decisions for Amendments of the Revised Land and Resource Management Plan (Managing Recreation Uses, Chattooga River) of Forest Supervisors Diane Rubiaco, Paul Bradley and George Bain

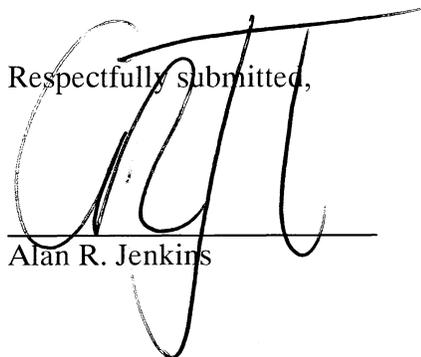
Pursuant to Section 14 of the Optional Appeal Procedures Available during the Planning Rule Transition Period, the Rust family hereby requests to intervene in the above-captioned appeal.

The Rust family owns the private property through and over which the appellants claim they are entitled to use for their personal recreation whims. Accordingly, the family has an interest in that appeal that is not protected by any other party. The family has previously filed comments, attended meetings, conducted tours of the property with Forest Service personnel, filed an appeal of the Decision Notices and has otherwise been involved in the underlying proceeding. The Decision Notices and the above-captioned appeal make claims against private property. So also, the appellants (as is their unfortunate habit) make many patently false factual claims concerning the family's property and of course the family has first-hand knowledge of the real facts to refute appellants' erroneous and unsupported claims as well as their misrepresentation of the WSR designation documents. Accordingly, this request for intervention should be granted.

Service and correspondence regarding this appeal and intervention should be sent to the legal representative of the family provided below.

As provided in Section 14 of the Optional Appeal Procedures, the family shall submit written comments about the appeal within the 30-day period following acknowledgement of the intervention request by the reviewing officer.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AJ', is written over a horizontal line. The signature is stylized and cursive.

Alan R. Jenkins

Attorney for the Rust family
JENKINS AT LAW, LLC
2265 Roswell Road, Suite 100
Marietta, GA 30062
(770) 973-6041
aj@jenkinsatlaw.com



United States
Department of
Agriculture

Forest
Service

Southern Region

1720 Peachtree Road NW
Atlanta, Georgia 30309

File Code: 1570 (219)
10-08-03-0016
10-08-11-0017
10-08-12-0018
Date: April 5, 2012

Jenkins at Law, LLC
ATTN: Mr. Alan R. Jenkins
2265 Roswell Road
Marietta, GA 30062

Re: Appeal of Forest Supervisors George M. Bain's, Diane Rubiaco's and Paul L. Bradley's January 31, 2012, Decisions for Amendments 1, 22 and 1, respectively, for Management of Boating Activities in the Upper Chattooga River Land and Resource Management Plan

Dear Mr. Jenkins:

This letter responds to your March 30, 2012, electronically-filed request for intervenor status in the appeals of the subject Decision filed by American Whitewater. Your request to intervene is granted in American Whitewater appeals numbered 12-08-03-0010, 12-08-11-0011, and 12-08-12-0012, respectively.

Pursuant to 36 CFR 219.14, I will accept into the appeal record written comments from you on the appeals for a period not to exceed 30 days from the date of this letter. Please submit your comments to: USDA Forest Service Regional Office, ATTN: J. Rick Ledbetter, 1720 Peachtree Rd., NW, Suite 811-N, Atlanta, GA 30309 with INTERVENOR on the envelope. Your comments must be limited to the issues raised in the appeals. At the same time, you must furnish the appellant a copy of your comments to the following address: American Whitewater, ATTN: Mr. Kevin Colburn, 2725 Highland Drive, Missoula, MT 59802. Failure to provide copies may result in removal of submissions from the appeal record. You may obtain a copy of the American Whitewater appeals on the public website at www.fs.fed.us/r8/fms.

Sincerely,

/s/ Ken S. Arney

KEN S. ARNEY
Reviewing Officer
Deputy Regional Forester

cc: Chattahoochee-Oconee NFs
Francis Marion-Sumter NFs
NFs in North Carolina



CERTIFICATE OF SERVICE

A copy of this request to intervene is being mailed this 30th day of March 2012 to the parties listed on the Notice of Appeal as addressed below:

Kevin Colburn
National Stewardship Director
American Whitewater
2725 Highland Drive
Missoula, MT 59802

American Canoe Association
7432 Alban Station Blvd., Suite B-232,
Springfield, Virginia 22150.

Georgia Canoeing Association
P.O. Box 7023,
Atlanta, Georgia 30357.

Atlanta Whitewater Club
P.O. Box 11714,
Atlanta, Georgia 30355.

Western Carolina Paddlers
P.O. Box 8541,
Asheville, North Carolina 28814.

Bruce Hare
Three Cabin Trail,
Franklin, North Carolina, 28734.

Kenneth Strickland
210 Padena Drive,
Box #63 Morganton, Georgia 30560.

Joseph Stubbs
535 Earlvine Way,
Kennesaw, Georgia 30152.

NELSON GALBREATH, LLC
J. Nathan Galbreath
25 East Court Street, Suite 201
Greenville, South Carolina 29601

PATTON BOGGS LLP
R. Brian Hendrix
2550 M Street, N.W.
Washington, DC 20037