
From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Tuesday, October 08, 2013 3:07 PM
To: Jonathan Jarvis; Margaret O'Dell; Foster, Maureen
Cc: Barry Roth; Jack Haugrud
Subject: Draft amendments to the Director's 10/1 Closure Determination
Attachments: National Closure Determination and Notice AK amendment 10 8 draft SOL.docx

Attached is the SOL draft, as we discussed this morning.
Barry and I will be down at 4pm to discuss.

Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
Washington, DC 20240
202-208-4423 (main)
202-208-3125 (direct)
202-208-5584 (fax)
Ted.Boling@sol.doi.gov

[NPS letterhead.]

Amendment to National Park System Closure Determination and Notice

Pursuant to 36 C.F.R. § 1.5, effective at 12:01 a.m. on October 1, 2013, all units of the National Park System nationwide were closed to public visitation and use, subject to the conditions and exceptions described in the Director's October 1, 2013 Closure Determination and Notice. That

(b) (5)

(b) (5)

Jonathan Jarvis
Director, National Park Service

Date

From: Stephens, Beverly <grace_stephens@nps.gov>
Sent: Wednesday, September 18, 2013 12:51 PM
To: Margaret O'Dell; Bruce Sheaffer
Subject: Fwd: NPS contingency shutdown plan
Attachments: DOI submitted NPS contingency plan 2013.docx

Hi Peggy,
Bruce asked me to send this to you - it is the most current version and I submitted it to the Department yesterday.
Thanks!
Grace

--
Grace Stephens
Special Assistant to the Comptroller
(202) 208-4228H

NATIONAL PARK SERVICE CONTINGENCY PLAN

Effective immediately upon a lapse in appropriations, the National Park Service will take all necessary steps to close and secure national park facilities and grounds in order to suspend all activities except for those that are essential to respond to emergencies involving the safety of human life or the protection of property. Day use visitors will be instructed to leave the park immediately as part of Phase 1 closures. Visitors utilizing overnight concession accommodations and campgrounds will be notified to make alternate arrangements and depart the park as part of Phase 2. Where ever possible, park roads will be closed and access will be denied. National and regional offices and support centers will be closed and secured, except where they are needed to support excepted personnel. These steps will be enacted as quickly as possible while still ensuring visitor and employee safety as well as the integrity of park resources.

The shutdown process will take place in two phases. Phase 1 includes all activities to notify the public of the closure, secure government records and property, and begin winding down operations to essential activities only. Phase 1 will take place over a day and a half. Phase 2 will be initiated by the Director and includes the complete shutdown of all concession facilities and commercial visitor services. Overnight visitors will be given two days to make alternate arrangements and depart the parks. At the end of Phase 2 operations are expected to be at the minimum levels defined below. The entire closure process – both phases – will be completed within four days.

Part 1: Designation of Essential and Continuing Programs/Activities

The Emergency Response Official designation on a Federal ID card is not necessarily a factor in determining excepted personnel. Rather, as defined by the Department of the Interior, essential activities and activities that will continue during a lapse in appropriations are:

- Providing for finance and contracting activities such as benefit payments and actions necessary to suspend or stop work on projects currently underway that require oversight or support from employees funded from lapsed appropriations. That is, contracting and finance personnel necessary to perform these duties should remain until the activities can be suspended.
- Direct management of projects obligated from funds that are not subject to lapse, such as multi-year appropriations from prior fiscal years. People not DIRECTLY involved in project management or necessary contracting actions and payments for these projects will not be considered excepted or continue to work.
- Protecting life and property, including:

- Emergency medical care;
- Law enforcement and disaster assistance;
- Border and coastal protection and surveillance;
- Protection of federal lands, buildings, waterways, equipment, and other property within the National Park System;
- Activities essential to ensure continued public health and safety, including safe use of food and drugs and safe use of hazardous materials, drinking water, sewage treatment operation;
- Activities that ensure production of power and maintenance of the power distribution system;
- Activities necessary to maintain protection of research property;
- Essential or time-sensitive support services for employees;
- Uninterrupted command, control, and policy leadership;
- Maintenance of IT systems critical to activities being carried out by excepted personnel (e.g., radio communication, e-mail, accounting systems, etc.); and
- Communication with employees and the public.

NOTE: Staffing will be held to the very minimum to perform essential functions. This will ordinarily be only law enforcement personnel, at a staffing level that allows for reactive emergency response commensurate with levels of park operations under the shutdown. However, in certain instances maintenance and IT personnel may be required for systems that normally require 24 hour monitoring or periodic maintenance, without which the system would shut down. Emergency responders, including Fire Management, EMS, and Law Enforcement personnel, not required for essential activities will be placed on furlough but may be called back to duty if an emergency situation arises.

Headquarters

In order to complete the required, essential activities defined above, the NPS Washington Support Office (NPS Headquarters) will retain key NPS leaders, as well as a bare minimum number of employees in policy coordination, communication, human resources, contracting, finance, and budget roles. Employees required for centralized processing of payments for ongoing projects funded by multi-year appropriations will remain on duty at the minimum level necessary to avoid harm to life, health, and property. NPS leaders remaining on duty will include the Director, Deputy Director for Operations, and the Comptroller. Total excepted and continuing staff is estimated to be 20 full-time employees.

Regional Offices

The National Park Service's seven regional offices play key roles in policy direction and coordination between the Washington office and individual national park sites. During the shutdown process, the regional leaders of law enforcement, administration, budget, contracting, public affairs, and concessions management will remain on duty to implement the closure guidance. Once the shutdown is complete each region will retain approximately three full-time staff members to conduct essential activities, disseminate information, both internally and externally, and ensure continued shutdown coordination and communication between Washington and the field.

National Park Sites

Due to the dramatic differences in operations, size, visitation, location, and infrastructure represented in national park sites, the number of employees required to carry out the essential activities defined above will vary greatly from site to site. As a rule, staffing will be held to the very minimum for the protection of life, property, and public health and safety. Only personnel absolutely required to support these activities will remain on duty. Wildland fire personnel required for active fires or for monitoring areas currently under a fire watch (currently 100 employees nationwide) will remain on duty. All other personnel, including law enforcement, EMS, and Fire Management not deemed excepted will be furloughed, but will be subject to being called back in the case of an emergency. See below for employee counts by region. The personnel count for the National Capitol Region includes U.S. Park Police staff required for essential activities.

Other Offices

The NPS maintains two project management support centers for large-scale projects – one in Harper's Ferry, WV and one in Denver, CO. Many of the projects managed through these centers are funded through multi-year appropriations. Employees at these locations necessary for direct project management of ongoing projects funded by multi-year appropriations will remain on duty only where their salaries are also funded by multi-year appropriations.

Part 2: Designation of Excepted Personnel

The following estimate of personnel required to carry out the essential activities defined above is based upon the agency’s experience from 1995 as well as current planning efforts. Please see attached spreadsheet for a breakout of excepted employees.

<u>Office/Region</u>	<u>Excepted Employees</u>
<u>Headquarters</u>	
Leadership Staff	7
Contracting, Finance, and Budget	13
<u>Alaska Region</u>	
Regional Office	3
Total Park Staff	64
<u>Intermountain Region</u>	
Regional Office	3
Total Park Staff	630
<u>Midwest Region</u>	
Regional Office	3
Total Park Staff	229
<u>National Capitol Region</u>	
Regional Office	3
Total Park/US Park Police Staff	852
<u>Northeast Region</u>	
Regional Office	3
Total Park Staff	485
<u>Pacific West Region</u>	
Regional Office	3
Total Park Staff	664
<u>Southeast Region</u>	
Regional Office	3
Total Park Staff	345
<u>Other Offices</u>	51
TOTAL	3,361

Breakout Information

Law Enforcement / EMS / Fire / USPP	2,330
Funded Through Non-Appropriated Sources ~160 (depending on active wildland fire personnel)	
All Other Excepted Employees	871
<u>NPS Employees, as of 9/10/2013</u>	<u>24,645</u>
Total Employees to be Furloughed	21,284

The attached instructions for shutdown describe the Service's plan for orderly shutdown of activities in the event of a lapse of appropriations.

To: Directorate, HFC & DSC Managers

From: Director

Subject: Contingency Plan for Lapsed Appropriation

The possibility of a government-wide shutdown due to the lapsing of interim appropriations now appears high. The continuing resolution that provided interim funding for NPS expires at midnight, September 30, 2013.

All employees are to report to work on their first scheduled day after September 30. Failure to report to work will result in being charged for leave.

If appropriations have not been provided, the OMB will order the shutdown to begin, and you will be notified to execute your shutdown plan. All employees not designated as excepted from the shutdown will have four hours to institute closedown procedures, secure their work areas, and depart. All employees in travel status are to return from travel unless they are performing an excepted duty. All employees designated as excepted will remain on duty. In addition, employees funded through non-appropriated or multi-year fund sources not subject to lapse who have been designated to work will continue reporting to work. Non-excepted employees shall be verbally notified of placement into furlough status effective October 1. Do not initiate any travel on or after October 1 unless it is for an essential activity.

Attached are procedures to execute for the orderly shutdown of operations. The shutdown process will take place in two phases. Phase 1 includes all activities to identify excepted and non-excepted personnel, notify the public of the closure, and wind down operations to essential activities only. Phase 2 will be initiated by the Director. All events and programs must be canceled until appropriations are available.

Instructions regarding how to handle administration of payroll and benefits for excepted employees will be sent out at a later date.

Each region and program should designate a communications coordinator and develop a plan for distributing important information to parks and program offices. Each region and program should provide its coordinator's contact information to Washington as soon as possible. All questions and information should be channeled through the appropriate communication coordinator. In addition, employees should be encouraged to monitor media reports and the OPM website for information about the status of government operations.

Attachment

Effective immediately upon a lapse in appropriations, the National Park Service will take all necessary steps to close and secure national park facilities and grounds. Day use visitors will be instructed to leave the park immediately. Visitors utilizing overnight concession accommodations and campgrounds will be notified to make alternate arrangements and depart the park as part of Phase 2. Where ever possible, park roads will be closed and access will be denied. National and regional offices and support centers will be closed and secured, except where they are needed to support excepted personnel. These steps will be enacted as quickly as possible while still ensuring visitor and employee safety as well as the integrity of park resources.

Phase 1 Shutdown Procedures:

Immediately upon receiving instructions from WASO to begin closedown, take the following steps to shut down all activities not deemed essential that are funded by lapsing appropriation:

1. Identify personnel that are performing excepted or excepted activities. The Emergency Response Official designation on a Federal ID card is not necessarily a factor in determining excepted personnel. Rather, essential activities are defined as activities that are needed to:
 - a. Provide for actions necessary to suspend or stop work on projects currently underway, consistent with instructions i-iii below. That is, contracting and finance personnel necessary to perform these duties should remain until the activities can be suspended.
 - i. Stop-work orders should be issued for contracts for goods or services that require oversight or support by personnel funded from lapsed appropriations and are not required to address emergencies involving human life, safety or protection of property.
 - ii. New contracts should not be initiated during a lapse period unless they are required to address emergencies involving human life, safety, or protection of property.
 - iii. Cooperative agreements should be considered for suspension if substantial involvement of the Government is required during the lapse period.
 - b. Continue direct management of projects obligated from multi-year appropriations from prior fiscal years that are not subject to lapse on September 30, 2013. Employees at these locations necessary for direct project management of ongoing projects funded by multi-year appropriations will remain on duty only where their salaries are also funded by multi-year appropriations. Conduct essential activities to the extent that they protect life and property, including:
 - i. Emergency medical care;

- ii. Activities essential to ensure continued public health and safety, including safe use of food and drugs and safe use of hazardous materials, garbage collection, drinking water, sewage treatment operation;
- iii. Border and coastal protection and surveillance;
- iv. Protection of federal lands, buildings, waterways, equipment, and other property owned within the National Park System;
- v. Law enforcement and disaster assistance;
- vi. Activities that ensure production of power and maintenance of the power distribution system;
- vii. Activities necessary to maintain protection of research property;
- viii. Essential or time-sensitive support services for employees;
- ix. Uninterrupted command, control, and policy leadership;
- x. Maintenance of IT systems (including contracted support) critical to activities being carried out by excepted personnel (e.g., radio communication, e-mail, accounting systems, etc.); and
- xi. Communication with employees and the public.

NOTE: Staffing will be held to the very minimum for the performance of essential functions. This will ordinarily be only law enforcement personnel, at a staffing level that allows for reactive emergency response commensurate with levels of park operations under the shutdown. Wildland fire personnel required for active fires or for monitoring areas currently under a fire watch will remain on duty. However, in certain instances maintenance and IT personnel may be required for systems that normally require 24 hour monitoring or periodic maintenance, without which the system would shut down. Emergency responders, including Fire Management, EMS, and Law Enforcement personnel, not required for essential activities will be placed on furlough but may be called back to duty if an emergency situation arises.

- 2. Through appropriate media, notify public of closing of all national parks.
- 3. All U.S. Government property and facilities that can be locked or secured must be, including parking lots, comfort stations, tour roads, visitor contact facilities, fee collection facilities. Any one visiting must be directed to leave the park.
- 4. Parks having “thru” road systems should not attempt to close these roadways. Signs should be posted that no visitor services will be available in the park.
- 5. “Special Events” involving park service personnel either as participants or in crowd control must be cancelled.

6. Only staff involved in excepted or phasedown activities may be on duty. Other employees may not volunteer their time. This rule applies regardless of the type of appointment or funding source of the employee. Cease all volunteer programs.
7. Every organization should create and maintain a list of excepted employees, along with justification for each employee's designation as excepted. Each organization, through its regional or program coordinator, must then inform Washington of the number and organization of employees designated as excepted.

Phase 2 Shutdown Procedures:

Should a prolonged lapse in appropriations occur, it will be necessary to take the following additional steps. Do not initiate any of the following actions until instructed to do so by the Washington Office.

1. Prepare and issue personnel furlough papers for an indefinite period for all nonexcepted employees not needed for closedown operations. Non-permanent employees are to be placed in non-pay status for an indefinite period. Take all necessary actions to assure that employees are accorded all due personnel rights. Consult Human Resources and labor relations contacts for appropriate steps.
2. Process payroll for abbreviated pay period.
3. Begin securing files and documents for transfer to Federal Records Center.
4. Establish special accounts in accounting system to accumulate all obligations incurred in both "closing down" and "life and property protection" activities. The Washington office will provide specific instruction on how to accomplish this task.
5. Place signs in park areas to advise visitors about park closing and hazards of the area. Place barriers to prevent visitors from entering park.

All parks should be in the mode of conducting no mission-related work, performing only the excepted activities listed above. Use caution and good judgment in taking any of the above listed actions.

Concession and Campsite Closedown Procedures (Phase 2):

All parks should take the following steps to secure park facilities and shut down concession and campsite operations while ensuring the safety of park visitors:

1. Visitors in all overnight accommodations and campgrounds are to be given 48 hours, starting from 6 PM EST on the date of notification, to make other arrangements and leave the park. This applies to visitors in both NPS and concession-operated facilities. Exceptions may be granted by park superintendents, but only in situations where complying could result in danger to park staff, concession employees, or visitors (e.g. guided mountaineering trip).

2. All concession-operated visitor services and facilities, including marinas, are to be closed unless they are deemed excepted for health or safety purposes or are needed to support ongoing, essential park operations. Services offered via commercial use authorizations, whether originating within or outside of park boundaries, are also to cease operations within the park. Routine security must be maintained. Access to privately owned boats is permitted, but use for recreational purposes within the park boundary is not allowed.
3. Access to personal and commercial inholdings and leased facilities is permitted. However, no recreational uses outside of the inholding/leased facility on park lands are to be permitted.

Park superintendents should notify concessioners of these procedures and the potential implementation timeline immediately.

Exclusions from Shutdown

NPS has approximately 160 FTE who fit into the category “employees who compensation is financed by carry over or other than annual appropriations”. Accounts that would fund nonessential, excepted activities under the NPS Contingency Plan:

Account: Construction, NPS

Authority: P.L. 111-88

Account: Land Acquisition and State Assistance

Authority: 16 USC 4601

Account: Recreation Enhancement Demonstration Fee Program

Authority: 16 USC 460I-6a

Account: Wildland Fire Management

Authority: 42 USC 1856

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Thursday, September 26, 2013 7:49 AM
To: Margaret O'Dell
Subject: Re: Shutdown and concessioners

In 2011 Jo made individual phone calls to the major concessioners. Parks were instructed to call their local concessioner. Some regions called "regional" concessioners (at that time Ortega was considered a "regional"). Commercial Services was not allowed to make notifications until the very last moment in 2011 which caused some problems. The calls from WASO themselves also caused a bit of confusion because major concessioners were getting a slightly different message from DC then they were getting locally.

We'd like to take a similar approach to 2011 with some differences. Calls from WASO and regional chiefs to concessioner corporate honchos will be courtesy calls to provide basic, general information along with more detailed info on what kind of instructions and communications their local managers can expect to get from the park. We can begin those phone calls as soon as we get the go ahead. (b) (5)

All parks are required to inform their concessioners of the potential for shutdown and to notify them of shutdown procedures and timeline. In addition, each park is instructed to designate a POC (someone on the essential list) to provide ongoing information to concessioners for the duration of any shutdown event. Those instructions will go out today along with the Q&As I referenced in my earlier email.

On Thu, Sep 26, 2013 at 6:08 AM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:
Yes I saw those. I am concerned about how all will be notified.

Sent from my iPhone

On Sep 25, 2013, at 7:01 PM, Lena McDowall <lena_mcdowall@nps.gov> wrote:

> Will do. We also have concessions-specific instructions and Q&As to
> send to regional and park concessions staff as soon as Bruce sends out
> the general instructions.

>
> Sent from my iPhone

>
> On Sep 25, 2013, at 6:38 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

>
>> Can you talk to Jo and get a reminder of how we notified
>> concessioners. I think we did a conference call for them. I need to
>> know early Thursday morning.
>> Thank you.
>> Sent from my iPhone

--

Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

From: Blake Androff <blake_androff@ios.doi.gov>
Sent: Thursday, September 26, 2013 9:30 AM
To: Suzanne Waldron; Michael Litterst; Jon Jarvis; Peggy O'Dell; Maureen Foster
Cc: Kate Kelly; Laura Davis; Nikki Buffa; Pam Haze; Rhea Suh; Benjamin Milakofsky
Subject: Shutdown Comms

Please let me know if there is any confusion about the timeline we discussed yesterday at the 1:15 PM regarding comms about a possible lapse in appropriations.

As early as this afternoon, you are able to confirm, if asked, with reporters that the notices were sent to contractors, concessioners, grant recipients, etc.

When the plans post tomorrow between 12 - 3, NPS (and all of DOI) is able to confirm and discuss in factual terms what is included in the plans and what it would mean.

Thanks for your patience. We share your frustration.

Blake

Sent from my iPhone

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Thursday, September 26, 2013 9:32 AM
To: Blake Androff
Cc: Suzanne Waldron; Jon Jarvis; Peggy O'Dell; Maureen Foster; Kate Kelly; Laura Davis; Nikki Buffa; Pam Haze; Rhea Suh; Benjamin Milakofsky
Subject: Re: Shutdown Comms

Just to clarify, when the plans post tomorrow afternoon, parks are also free to discuss their individual plans with local media, visitors and stakeholders?

Mike

~~~~~  
Mike Litterst  
Chief Spokesperson (acting)

National Park Service  
1849 C Street NW  
Washington, DC 20240  
Ph: (202) 513-0354  
Cell: (202) 306-4166

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

EXPERIENCE YOUR AMERICA

On Thu, Sep 26, 2013 at 9:29 AM, Blake Androff <[blake\\_androff@ios.doi.gov](mailto:blake_androff@ios.doi.gov)> wrote:  
Please let me know if there is any confusion about the timeline we discussed yesterday at the 1:15 PM regarding comms about a possible lapse in appropriations.

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Blake

Sent from my iPhone

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**From:** Androff, Blake <blake\_androff@ios.doi.gov>  
**Sent:** Thursday, September 26, 2013 9:33 AM  
**To:** Litterst, Michael  
**Cc:** Suzanne Waldron; Jon Jarvis; Peggy O'Dell; Maureen Foster; Kate Kelly; Laura Davis; Nikki Buffa; Pam Haze; Rhea Suh; Benjamin Milakofsky  
**Subject:** Re: Shutdown Comms

Yes.

On Thu, Sep 26, 2013 at 9:31 AM, Litterst, Michael <[mike\\_litterst@nps.gov](mailto:mike_litterst@nps.gov)> wrote:  
Just to clarify, when the plans post tomorrow afternoon, parks are also free to discuss their individual plans with local media, visitors and stakeholders?

Mike

~~~~~  
Mike Litterst
Chief Spokesperson (acting)

National Park Service
1849 C Street NW
Washington, DC 20240
Ph: (202) 513-0354
Cell: (202) 306-4166

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

EXPERIENCE YOUR AMERICA

On Thu, Sep 26, 2013 at 9:29 AM, Blake Androff <blake_androff@ios.doi.gov> wrote:
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As early as this afternoon, you are able to confirm, if asked, with reporters that the notices were sent to contractors, concessioners, grant recipients, etc.

When the plans post tomorrow between 12 - 3, NPS (and all of DOI) is able to confirm and discuss in factual terms what is included in the plans and what it would mean.

Thanks for your patience. We share your frustration.

Blake

Sent from my iPhone

--

Blake Androff

Deputy Director of Communications

U.S. Department of the Interior

Office: (202) 208-6416 | Cell: (202) 725-7435

From: Haugrud, Kevin <jack.haugrud@sol.doi.gov>
Sent: Wednesday, October 02, 2013 10:07 AM
To: Nicole Buffa; Laura Davis
Cc: Margaret O'Dell
Subject: Fwd: Natl Park System Closure Determination and Notice
Attachments: Natl Park System Closure Determination and Notice 2013-10-01.pdf

Here's the existing closure order

----- Forwarded message -----

From: Foster, Maureen <maureen_foster@nps.gov>
Date: Tue, Oct 1, 2013 at 3:03 PM
Subject: Natl Park System Closure Determination and Notice
To: BJ Dunn <bj_dunn@nps.gov>, Patrick Suddath <patrick_suddath@nps.gov>, Karen Cucurullo <karen_cucurullo@nps.gov>, Bob Vogel <bob_vogel@nps.gov>, Stephen Lorenzetti <steve_lorenzetti@nps.gov>, John Stanwich <john_stanwich@nps.gov>, Ann Smith <Ann_Bowman_Smith@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, Steve Whitesell <Steve_Whitesell@nps.gov>, Michael Caldwell <mike_caldwell@nps.gov>, Robert Maclean <robert_maclean@nps.gov>, Dennis Reidenbach <Dennis_Reidenbach@nps.gov>, Cam Sholly <cam_sholly@nps.gov>, Charles Cuvelier <charles_cuvelier@nps.gov>, Randolph Myers <randolph.myers@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>, Kevin Haugrud <jack.haugrud@sol.doi.gov>

Here is the signed determination and notice.

Maureen D. Foster
Chief of Staff
National Park Service
1849 C Street, NW, Room 3114
Washington, DC 20240
202.208.5970 (direct)
202.208.3818 (main)

EXPERIENCE YOUR AMERICA
The National Park Service cares for special places
saved by the American people,
so that all may experience our heritage.



Office of the Director

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

National Park System Closure Determination and Notice

Pursuant to 36 C.F.R. § 1.5, effective at 12:01 a.m. on October 1, 2013, all units of the National Park System nationwide are closed to public visitation and use, subject to the conditions and exceptions described below. This national closure determination and notice is necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored. The period of time during which appropriated funds are not available may be referred to in this determination and notice as the “shutdown period.”

Under 36 C.F.R. § 1.5(a) this national closure determination and notice is necessary to maintain public health and safety in units of the National Park System and to protect park resources and values during the shutdown period. Consistent with the Department of the Interior Contingency Plan, available at www.doi.gov/shutdown, only a relatively small number of “excepted personnel” will be on duty during the shutdown period. Those personnel are not sufficient to provide a full range of visitor services. Therefore, in light of the shutdown and Contingency Plan, measures less restrictive than a national closure will not suffice to maintain public health and safety and to protect park resources and values. The lapse in appropriated funds qualifies as an “emergency” under 36 C.F.R. § 1.5(b); therefore, this determination and notice does not require special rulemaking.

Condition and Exceptions:

1. National Park Service personnel who have been identified as excepted will continue to report for duty in accordance with the National Park Service Contingency Plan and as directed by their supervisors.
2. Members of the public who are currently visiting a unit of the National Park System and not staying overnight in the park must vacate the park immediately. All day-use concession-operated visitor services and facilities are to be closed immediately. Exceptions may be granted by superintendents only if a facility is deemed essential for health or safety purposes.
3. Subject to paragraph 6 below, members of the public who are currently visiting a unit of the national park system and staying overnight either in a National Park Service-operated campground or a concessioner-operated facility in the park must vacate the park by 6:00 p.m. EDT on October 3, 2013.
4. Subject to paragraph 6 below, National Park Service concessioners must suspend their operations in overnight accommodations by 6:00 p.m. EDT on October 3, 2013.
5. Subject to paragraph 6 below, holders of National Park Service commercial use authorizations must immediately cease their in-park operations.

6. The deadlines announced above do not apply to members of the public, concessioners, and holders of commercial use authorizations who are on multi-day backcountry trips that cannot be safely terminated before the end of the trip. Those individuals may continue and complete their multi-day backcountry trips in accordance with their approved permit or plan. Those individuals then must vacate the park within 12 hours after the completion of their trip.

7. This closure determination and notice does not apply to private owners of interests in real property located within the exterior boundaries of units of the National Park System. Park superintendents will continue to allow such owners reasonable access to their private property.

8. This closure determination and notice does not apply to roads that pass through units of the National Park System and provide primary access between points located outside of the parks. Members of the public may continue to use those roads during the shutdown period. However, superintendents may not expend any appropriated funds to maintain or repair those roads. Moreover, superintendents may close those roads, or portions of those roads, in accordance with 36 C.F.R. § 1.5, if such closure is warranted by weather, poor road conditions, or other circumstances.

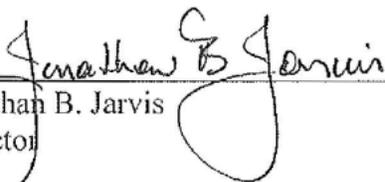
9. All previously issued permits for special events scheduled to occur in units of the National Park System during the shutdown period are hereby cancelled. At the end of the shutdown period holders of cancelled permits may apply for a new permit. Except as provided in paragraph 10 below, all closed areas of the National Park System are also closed to First Amendment activities during the shutdown period, and any previously issued permits for First Amendment activities are hereby cancelled.

10. This closure determination and notice does not apply to First Amendment activities in the National Mall and Memorial Parks and areas administered by the NPS Liaison to the White House in Washington, D.C., and Independence National Historical Park in Philadelphia, Pennsylvania. Persons may continue to conduct First Amendment activities in these units in accordance with existing regulations.

11. Each park superintendent must take reasonable measures to comply with 36 C.F.R. § 1.7 and to provide adequate public notice of this national closure determination and notice.

12. This national closure determination and notice will expire automatically at the end of the shutdown period.

13. Violation of this national closure determination and notice is prohibited.


Jonathan B. Jarvis
Director

October 1, 2013
Date

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Saturday, October 05, 2013 4:15 PM
To: Benge, Shawn
Cc: O'Dell, Margaret; Boling, Edward; Barry Roth; Maureen Foster; Jon Jarvis; Cam Sholly; Sarah Neimeyer
Subject: Re: I have a major problem in St John

got it -

are you guys draftng something or do you want me to take the first whack?

On Sat, Oct 5, 2013 at 4:13 PM, Benge, Shawn <shawn_benge@nps.gov> wrote:

Be mindful from an on-the-ground operational standpoint, (b) (5)

(b) (5) In practice, the beach will be open.

On Sat, Oct 5, 2013 at 3:59 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:

ted - clarification - does this allow all public access or just VI residents?

On Sat, Oct 5, 2013 at 3:36 PM, O'Dell, Margaret <peggy_o'dell@nps.gov> wrote:

Adding Sue Waldron to assist with talking points as needed.

Sarah, do you have further concerns?

On Sat, Oct 5, 2013 at 3:05 PM, Benge, Shawn <shawn_benge@nps.gov> wrote:

(b) (5)

I have discussed with the Park and they are moving forward with assuring such access is available to the public. Should be accomplished today. I'll provide a timeline. I don't think this will result in a huge workload for the park. The change in direction will impact the number of excepted employees needed at VIIS, but not by large numbers.

Question for Ted: I suspect there will be some local media attention (b) (5)

(b) (5)

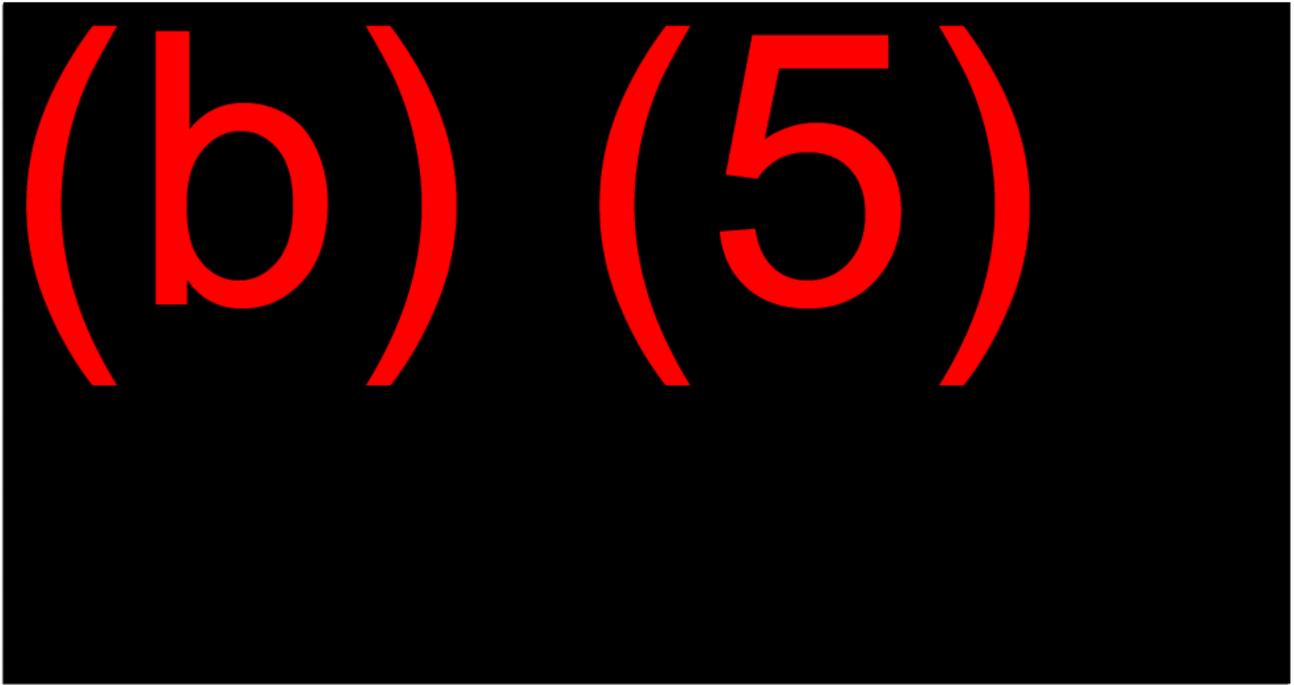
My apologies to Leadership. We missed this one!

On Sat, Oct 5, 2013 at 12:14 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

Shawn when you have time to process this let us know by email and we can discuss.

Sent from my iPhone

On Oct 5, 2013, at 12:05 PM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:



Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
Washington, DC 20240
202-208-4423 (main)
202-208-3125 (direct)
202-208-5584 (fax)
Ted.Boling@sol.doi.gov

On Sat, Oct 5, 2013 at 11:50 AM, Benge, Shawn <shawn_benge@nps.gov> wrote:

There are two issues related to "open beaches" in the Carribean.

1. There is a territorial law referred to the "open beach law" which is intended to provide islanders access to beaches. (b) (5)

[REDACTED] I will track down info and provide to SOL for a quick read to assure we are okay. Per my discussion with Cam I will forward the info to Cam and Cam will provide to the SOL.

2. Buck Island was create by EO. (b) (5)

[REDACTED]. During a gov't shutdown many moons ago (not sure which one) NPS closed the beach. As a result we ended up with an injunction and in court. The court ruled that due to language in the proclamation we could not close the beach to islanders.

(b) (5)

Standby-by while I attempt to locate relevant documents to sent to Cam /SOL.

On Sat, Oct 5, 2013 at 9:35 AM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

Shawn have you all been working this issue at all?

I am copying the lawyers in case we need their assistance to make a legal determination. Please reply to all so we can begin to work thru the issue. Thank you.

Sent from my iPhone

Begin forwarded message:

From: Sarah Neimeyer <sarah_neimeyer@ios.doi.gov>
Date: October 5, 2013, 9:05:30 AM EDT
To: Jon Jarvis <Jon_Jarvis@nps.gov>, "Margaret O'Dell" <peggy_o'dell@nps.gov>
Cc: Maureen Foster <maureen_foster@nps.gov>
Subject: Fwd: I have a major problem in St John

Sent from my iPhone

Begin forwarded message:

From: DMCGVI00 <DMCGVI00@mail.house.gov>
Date: October 4, 2013 6:34:09 PM EDT
To: "(b)(6) Nicole M. Isaac" <(b)(6) Nicole M. Isaac>
"sarah_neimeyer@ios.doi.gov" <sarah_neimeyer@ios.doi.gov>
Subject: Re: I have a major problem in St John

I spoke to someone after 5 otherwise I would have tried to reach the Park Director. The Superintendent is following his directive. But St John can be problematic

----- Original Message -----

From: Isaac, Nicole M. [mailto:(b)(6)]
Sent: Friday, October 04, 2013 05:54 PM
To: DMCGVI00; Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov>
Cc: Samuels, Jonathan D. <(b)(6)>
Subject: RE: I have a major problem in St John

Thanks Congresswoman; adding Sarah from the Department of the Interior and they will be in touch.

-----Original Message-----

From: DMCGVI00 [mailto:DMCGVI00@mail.house.gov]

Sent: Friday, October 04, 2013 5:36 PM

To: Isaac, Nicole M.

Subject: I have a major problem in St John

We have an "open beach" law that says all of our beaches belong to the people of the VI and we must be allowed access even to private beaches.

The National Park in St John occupies over 2/3rds of the Island and all of the best beaches are in the Park.

I can understand not tourists as the concessions are not operating. But Virgin Islanders should be allowed at their own risk - holding the Park harmless.

Do you think someone can override that just for Virgin Islanders

--

Shawn Bengé

Deputy Regional Director
Southeast Region
National Park Service
Office: 404 507 5605
Cell: 404 272 7253

--

Shawn Bengé

Deputy Regional Director
Southeast Region
National Park Service
Office: 404 507 5605
Cell: 404 272 7253

--

Sue Waldron
Assistant Director, Communications
National Park Service

(202) 208-3046

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--

Shawn Bengel

Deputy Regional Director

Southeast Region

National Park Service

Office: 404 507 5605

Cell: 404 272 7253

--

Sue Waldron

Assistant Director, Communications

National Park Service

(202) 208-3046

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From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Saturday, October 05, 2013 2:09 PM
To: Edward Keable
Cc: Peggy O'Dell; Cam Sholly; Lena McDowall
Subject: some NPS items

Ed --

We had an update from our regional contacts and have identified the follow issues.

- 1) Acadia and the lakes for fishing -- **Status check** -- Barry is working on this; we'd like to address on Monday.
- 2) Blue Ridge Parkway -- **Update** -- demonstrations continue today; may need additional assistance next week.
- 3) Biscayne -- **New issue** -- commercial fishing closure is pending; want to ensure SOL has reviewed/provided guidance
- 4) Cape Hatteras - Avon Pier -- **New issue** -- concessioner has reopened the pier and people are fishing; he has planned another big event. Need assistance in addressing; is it possible for Melissa to start working on this now?
- 5) Little River Canyon -- **New issue** -- marathon is scheduled for next week; need assistance assessing state's claim that it is a state road.
- 6) Lake Roosevelt -- **New issue** -- fish reintroduction may be allowed due to previous court rulings and negotiated settlements; want to ensure SOL has reviewed given tribal, state, NPS agreement.

Thanks.

Maureen

Maureen D. Foster
Chief of Staff
National Park Service
1849 C Street, NW, Room 3114
Washington, DC 20240
202.208.5970 (direct)
202.208.3818 (main)

EXPERIENCE YOUR AMERICA

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saved by the American people,
so that all may experience our heritage.

From: Roth, Barry <barry.roth@sol.doi.gov>
Sent: Sunday, October 06, 2013 12:23 PM
To: Sholly, Cam; Edward Boling; Edward Keable; Melissa Lackey; Foster, Maureen; O'Dell, Peggy
Subject: Here are several statutory provisions
Attachments: SOL Notes 100613.docx

Relevant to several of the matters we discussed this morning.

Barry N. Roth
Associate Solicitor
Division of Parks & Wildlife
202-208-4344
Fax: 202-208-3877
Barry.Roth@sol.doi.gov

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Biscayne National Park

(b) (5)

Cape Hatteras National Seashore

(b) (5)

(b) (5)

Blue Ridge Parkway

(b) (5)

(b) (5)

From: Roth, Barry <barry.roth@sol.doi.gov>
Sent: Sunday, October 06, 2013 1:42 PM
To: Sholly, Cam; McDowall, Lena; O'Dell, Peggy; Foster, Maureen
Cc: Edward Keable; Edward Boling
Subject: Fwd: Form letter
Attachments: Form default letter to concessioner for continued operations v3.docx

We have prepared a form letter that can be used to put the CAHA concessioner and (b) (5).

Please advise if you require Melissa's work tomorrow. As she did Friday, she can handle many if not all of these matters via telework.

Thank you.
Barry N. Roth
Associate Solicitor
Division of Parks & Wildlife
202-208-4344
Fax: 202-208-3877
Barry.Roth@sol.doi.gov

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----- Forwarded message -----

From: Lackey, Melissa <melissa.lackey@sol.doi.gov>
Date: Sun, Oct 6, 2013 at 1:31 PM
Subject: Form letter
To: Barry Roth <barry.roth@sol.doi.gov>

See revised version attached

Melissa Lackey

Attorney Advisor
U. S. Department of the Interior, Office of the Solicitor
1849 C Street NW, Room 5323
Mail Stop 5311
Washington, DC 20240

Phone: 202 513-0733 Fax: 202 208-3877

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[on National Park Service letterhead]

Via email and hand delivery

[insert concessioner's full legal name, address and email address]

Re: Concession Contract [insert consid no.] (the "Contract")

(b) (5)

The notice was issued pursuant to the authority set forth in 36 C.F.R. § 1.5. Also on October 1, 2013, the Director of the National Park Service issued a determination under that authority instructing all units of the National Park System nationwide to be closed to public visitation and use. This closure was necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored. The national closure was necessary to maintain visitor health and safety in units of the National Park System and to protect park resources during the shutdown period.

(b) (5)

(D) (C)

Yours truly,

Lena McDowall
Associate Director, Business Operations

cc: [insert Superintendent's name]

encl.

Comment [ML1]: (b) (5)

Comment [ML2]: (b) (5)

From: Cam Sholly <cam_sholly@nps.gov>
Sent: Monday, October 07, 2013 1:44 PM
To: Peggy_O'Dell@nps.gov; Sue_Waldron@nps.gov; Maureen Foster
Subject: Fwd: Question

Lake Mead

Cameron Sholly
Associate Director
National Park Service
Visitor and Resource Protection
(202) 565-1020-w
(202) 501-1287-f

Sent Wirelessly

Begin forwarded message:

From: "Dickinson, William" <william_k_dickinson@nps.gov>
Date: October 7, 2013 at 1:39:35 PM EDT
To: "Sholly, Cam" <cam_sholly@nps.gov>
Cc: Gary Warshefski <gary_warshefski@nps.gov>, Patricia Neubacher <patty_neubacher@nps.gov>, Christie Vanover <christie_vanover@nps.gov>, Mary Hinson <Mary_Hinson@nps.gov>, Michael Litterst <mike_litterst@nps.gov>, Craig Dalby <craig_dalby@nps.gov>
Subject: Re: Question

Cam,

Christie Vanover, our PAO has been in a number of follow-up calls concerning this issue. Christie can be reached at (b) (6). If you would prefer, Christie, Mary Hinson, and I would be happy to set up a conference call with you. In short, the vacation cabin sites are for recreational use... they are not suppose to live in these structures full time. The cabins are private property, but on NPS lands. Those staying in there cabins were contacted and given 48 hours to vacate (just like campgrounds). Individual cabin site owners are allowed to return to their cabins to ensure sites are secure and to retrieve personal property. They are not allowed to stay overnight or use sites for recreating within Lake Mead. Once the Spencer's understood they could return to their cabin to collect personal belongings, they were understanding and complimentary of how the rangers had handled the situation.

Bill D.

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Monday, October 07, 2013 3:55 PM
To: Cam Sholly; Maureen Foster; Peggy O'Dell
Cc: Mike Litterst
Subject: Fwd: Preservation Virginia

fyi

----- Forwarded message -----

From: **Ahern, Jane** <jane_ahern@nps.gov>
Date: Mon, Oct 7, 2013 at 3:49 PM
Subject: Fwd: Preservation Virginia
To: Michael Litterst <mike_litterst@nps.gov>, Suzanne Waldron <sue_waldron@nps.gov>

FYI - Though I suspect that you might be aware of this already Mike L.

----- Forwarded message -----

From: **Caldwell, Michael** <mike_caldwell@nps.gov>
Date: Mon, Oct 7, 2013 at 3:46 PM
Subject: Re: Preservation Virginia
To: "Williams, Steven" <steven_williams@nps.gov>
Cc: Stephen M Clark <Stephen_M_Clark@nps.gov>, Jane Ahern <jane_ahern@nps.gov>, Kenneth Doak <Kenneth_Doak@nps.gov>, Brian Strack <brian_strack@nps.gov>

Thanks Steve

We will get back to you asap.

Mike Caldwell

On Mon, Oct 7, 2013 at 3:41 PM, Williams, Steven <steven_williams@nps.gov> wrote:
To All:

I had a conversation today from Preservation Virginia (PV) site manger, Sheryl Mays, to discuss PV's intention to manage the opening of Jamestowne Island to allow the general public to access their property on the island.

Mays indicated that PV would have their paid/volunteer staff man the Jamestowne Island entrance/exit gates and then directed the public to PV's property were they would provide parking and collect the fees from the

visiting public to PV's property. Preservation Virginia hopes to have this plan in motion by this upcoming Wednesday and is preparing a press release to notify the general public of their plans.

The obvious concerns for the park include the facts that we are closed to the public and we have an active Federal Highway construction project taking place on the isthmus bridge that connects the roadway to the island. Another concern is that PV does not have enough designated parking areas on their property to park a large number of vehicles/tour buses.

I explained to Mays that I would forward PV's desire to open Jamestowne Island to the regional office management team.

--

Steven Williams

Chief Ranger

Colonial National Historical Park

P.O. Box 210

Yorktown, VA 23690

757.898.2425-Ofc

757.846.6045-Cell

757.856.1276-Fax

757.898.2427-Dispatch

--

Jane Ahern

Chief of Communications and Legislative Affairs

National Park Service - Northeast Region

Phone: 215-597-0865

Cell: 215-817-5870

Visit us on the web:

<http://www.nps.gov/nero>

How are we doing? Feedback and suggestions can be sent to:

NERO_Customer_Feedback@nps.gov

200 Chestnut Street, Suite 502
Philadelphia, PA 19106

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--

Sue Waldron
Assistant Director, Communications
National Park Service
(202) 208-3046
Visit us at www.nps.gov

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From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Monday, October 07, 2013 4:14 PM
To: Maureen Foster; Sarah Neimeyer; Blake Androff; Katherine Kelly; Peggy O'Dell
Subject: Fwd: Letter from Senator John Thune
Attachments: Mt. Rushmore.pdf

incoming on Rushmore.

----- Forwarded message -----

From: **Hanson, Danielle (Thune)** <Danielle_Hanson@thune.senate.gov>
Date: Mon, Oct 7, 2013 at 3:53 PM
Subject: Letter from Senator John Thune
To: "jon_jarvis@nps.gov" <jon_jarvis@nps.gov>
Cc: "Tjeerdsma, Lynn (Thune)" <Lynn_Tjeerdsma@thune.senate.gov>

Director Jarvis,

Please accept this letter from Senator John Thune regarding the closure of the Mount Rushmore National Memorial in the Black Hills of South Dakota.

If you should have any questions, please feel free to contact myself or Lynn Tjeerdsma.

Copies of the letter have also been faxed to yourself and the regional office in Omaha, NE.

Thank you,

Danielle Hanson

Legislative Correspondent | Office of U.S. Senator John Thune
511 Dirksen Senate Office Building | Washington, DC 20510
Office: (202) 224-2321 | Fax: (202) 228-5429

Follow Senator Thune:



--

Jonathan B. Jarvis
Director, NPS

United States Senate

WASHINGTON, DC 20510-4105

<http://www.thune.senate.gov>

October 7, 2013

Jonathan Jarvis
Director, National Park Service
1849 C Street NW
Washington, DC 20240

Dear Director Jarvis:

I am writing concerning Mount Rushmore National Memorial in the Black Hills of South Dakota.

I understand that the State of South Dakota was denied a request for permission to use state personnel and resources to continue certain operations at Mount Rushmore during the current partial government shutdown because it is a federal facility. We have also received reports that National Park Service (NPS) personnel closed access to scenic overlooks and Mount Rushmore viewing areas located on property that is under the jurisdiction of the State of South Dakota.

As you may know, the Mount Rushmore Society operates the parking facility at Mount Rushmore National Memorial under a concessions contract with the NPS. The park concessionaire, Xanterra Parks and Resorts, operates both the dining and shopping facilities at Mount Rushmore National Memorial.

Respectful of the federal facility implications of certain portions of the Mount Rushmore National Memorial that the NPS has indicated cannot be handed over to the State of South Dakota, I encourage you to allow the non-federal facilities serviced and operated by the Mount Rushmore Society and Xanterra Parks and Resorts, which specifically include the parking garage and restaurant and gift shop, to resume operations immediately.

If you determine that the NPS cannot allow these privately operated facilities at Mount Rushmore to resume operations, I respectfully request that you provide me with the specific statutory or regulatory authority that prohibits these facilities from reopening even though the partial government has not ended.

I also request specific answers to the following questions:

1. In the days following the start of the partial government shutdown, did NPS personnel place construction cones or other barricades along state highways that blocked access to state-controlled areas commonly used to view Mount Rushmore?
2. If so, who instructed NPS personnel to block access to viewing areas that are not under the jurisdiction of the NPS?
3. Was permission requested from the applicable entity or entities by NPS to place construction cones or barricades in areas that blocked access to land not under the jurisdiction of the NPS?
4. What authority, if any, does the NPS have to block public access to areas that are not under the jurisdiction of the national park system?

Due to the time-sensitive nature of this request, please respond to this letter no later than three business days from the date of this letter, or by Thursday, October 10, 2013.

Thank you for consideration of this request, and please do not hesitate to contact me or my office with any questions.

Sincerely,



JOHN THUNE
United States Senate

From: Hard, Joel <joel_hard@nps.gov>
Sent: Monday, October 07, 2013 8:04 PM
To: Maureen Foster; Margaret O'Dell
Cc: Chris Pergiel; Cam Sholly
Subject: FWS

I was talking to FWS who have taken quite a few media calls asking why they have taken a different, more restrictive approach to shutdown operations and area closures. I talked with them more about the rationale that we used and I thought I would share it with you as you elevate the discussion with the Secretary to achieve a consistent approach.

In addition to the general (b) (5)

(b) (5)

(b) (5)

Here is the news article below. Good luck in discussions.

<http://www.alaskadispatch.com/article/20131007/has-federal-shutdown-hindered-activities-public-lands-alaska-elsewhere#.UINEo8onCNI.email>

--

Joel L. Hard
Deputy Regional Director
Alaska Region, NPS

From: Roth, Barry <barry.roth@sol.doi.gov>
Sent: Sunday, October 06, 2013 1:51 PM
To: Sholly, Cam; Edward Boling; Edward Keable; Melissa Lackey; Foster, Maureen; O'Dell, Peggy
Subject: Re: Here are several statutory provisions
Attachments: SOL Notes 100613.docx

Added the only relevant enabling act provisions I see for New River Gorge and Little River Canyon.

Barry N. Roth
Associate Solicitor
Division of Parks & Wildlife
202-208-4344
Fax: 202-208-3877
Barry.Roth@sol.doi.gov

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On Sun, Oct 6, 2013 at 12:23 PM, Roth, Barry <barry.roth@sol.doi.gov> wrote:
Relevant to several of the matters we discussed this morning.

Barry N. Roth
Associate Solicitor
Division of Parks & Wildlife
202-208-4344
Fax: 202-208-3877
Barry.Roth@sol.doi.gov

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Biscayne National Park

(b) (5)

Cape Hatteras National Seashore

(b) (5)

(b) (5)

Blue Ridge Parkway

(b) (5)

New River Gorge National River

(b) (5)

Little River Canyon National Preserve

(b) (5)

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Sunday, October 06, 2013 4:45 PM
To: Roth, Barry
Cc: Sholly, Cam; O'Dell, Peggy; Foster, Maureen; Edward Keable; Edward Boling
Subject: Re: Form letter

Barry -

Thanks. This letter will be very helpful. I don't think we have enough to ask for a full or even half-day of Melissa's time tomorrow. She's providing some comments on some Q&As for Communications Office on the difference between concessions contracts and leases, and we have already talked through the letter that needs to go to the concessioner at Hatteras. Continuing to have her available for telework as needed should be sufficient. I believe Melissa plans to let us know if she's out-of-pocket for any lengthy period of time tomorrow, so we know not to look for her assistance until she's able to hop on a computer again.

Thanks,

Lena

On Sun, Oct 6, 2013 at 1:42 PM, Roth, Barry <barry.roth@sol.doi.gov> wrote:

We have prepared a form letter that can be used to put the CAHA concessioner and others on notice of default under their contract.

Please advise if you require Melissa's work tomorrow. As she did Friday, she can handle many if not all of these matters via telework.

Thank you.

Barry N. Roth
Associate Solicitor
Division of Parks & Wildlife
202-208-4344
Fax: 202-208-3877
Barry.Roth@sol.doi.gov

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----- Forwarded message -----

From: Lackey, Melissa <melissa.lackey@sol.doi.gov>
Date: Sun, Oct 6, 2013 at 1:31 PM
Subject: Form letter

To: Barry Roth <barry.roth@sol.doi.gov>

See revised version attached

Melissa Lackey

Attorney Advisor
U. S. Department of the Interior, Office of the Solicitor
1849 C Street NW, Room 5323
Mail Stop 5311
Washington, DC 20240

Phone: 202 513-0733 Fax: 202 208-3877

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--

Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Sunday, October 06, 2013 5:39 PM
To: McDowall, Lena
Cc: Sholly, Cam; O'Dell, Peggy; Foster, Maureen; Edward Keable; Edward Boling
Subject: Re: Form letter

That us fine. She is available for telework if that is necessary.

Barry N Roth
Associate Solicitor for Parks & Wildlife
202-208-4344

Sent from my iPhone

On Oct 6, 2013, at 4:45 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

Barry -

Thanks. This letter will be very helpful. I don't think we have enough to ask for a full or even half-day of Melissa's time tomorrow. She's providing some comments on some Q&As for Communications Office on the difference between concessions contracts and leases, and we have already talked through the letter that needs to go to the concessioner at Hatteras. Continuing to have her available for telework as needed should be sufficient. I believe Melissa plans to let us know if she's out-of-pocket for any lengthy period of time tomorrow, so we know not to look for her assistance until she's able to hop on a computer again.

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Lena

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Thank you.
Barry N. Roth
Associate Solicitor
Division of Parks & Wildlife
202-208-4344
Fax: 202-208-3877

Barry.Roth@sol.doi.gov

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----- Forwarded message -----

From: **Lackey, Melissa** <melissa.lackey@sol.doi.gov>

Date: Sun, Oct 6, 2013 at 1:31 PM

Subject: Form letter

To: Barry Roth <barry.roth@sol.doi.gov>

See revised version attached

Melissa Lackey

Attorney Advisor
U. S. Department of the Interior, Office of the Solicitor
1849 C Street NW, Room 5323
Mail Stop 5311
Washington, DC 20240

Phone: 202 513-0733 Fax: 202 208-3877

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--

Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Monday, October 07, 2013 9:45 AM
To: Peggy O'Dell
Subject: Fwd: Email from Dan Jensen

FYI

----- Forwarded message -----

From: **Derrick Crandall** <dcrandall@funoutdoors.com>
Date: Fri, Oct 4, 2013 at 9:10 PM
Subject: RE: Email from Dan Jensen
To: "McDowall, Lena" <lena_mcdowall@nps.gov>

Thank you, Lena.

Just so you know, there has been much more contact between the FS leadership and its recreation partners, and especially ski areas, than we have been able to achieve with NPS. And ski areas, outfitters and guides and marinas in national forests are unimpacted by the shutdown. I credit Chief Tidwell and Deputy Chief Leslie Weldon with strong advocacy in their dealings with USDA, OMB and the White House. I've seen evidence of their efforts. USACE also is letting marinas on its lakes operate normally. NPHA members ask if the same is being done by NPS and I simply say that I can't answer the question. They ask why Cavallo Point and Argonaut operate as normal. And I tell them that I can't get anyone to explain that to me.

My frustration is high because I have convinced the concessions community to work hard to be partners, to invest time and funding in the Centennial and new financial paradigms that are supplementary and sustainable. I told them that by demonstrating commitment to the greater good of our national parks, NPS would look out for them as valued partners. Not certain that I have been giving them the right advice.

Derrick

From: McDowall, Lena [mailto:lena_mcdowall@nps.gov]
Sent: Friday, October 04, 2013 6:22 PM
To: Derrick Crandall
Subject: Re: Email from Dan Jensen

We are listening and feel terrible as well. We're very sorry for the hardship this government shutdown is causing for the concessions community and their employees and we share the deep frustrations of the visitors

who are being turned away from parks each day. National Park Service employees want nothing more than to reopen our parks and welcome visitors again. I know Don Neubacher, the superintendent, is checking in with Dan regularly and would express the same sentiments. We're continuing to hope for a speedy resolution to the funding impasse so that we can reopen and that NPS and concession employees can go back to work.

On Fri, Oct 4, 2013 at 11:40 AM, Derrick Crandall <dcrandall@funoutdoors.com> wrote:

I know you, like me, think highly of Dan. Here is what he just wrote me:

We have 1200 people not working today and there is no one who will give them back pay. NPS has about 500 people in Yosemite on furlough and they will get paid. Federal employees are treating their time off like a snow day from school (I don't mean to bash them and it is not their fault). We are providing meals for our associates at \$1 per meal because they have no income and need to eat. I know you are an effective advocate for concessions, but no one is really listening.

Sure makes me feel terrible. I hope he is wrong. I hope someone is listening.

Derrick

Derrick A. Crandall, President

American Recreation Coalition

1200 G Street, N.W. Suite 650

Washington, D.C. 20005

202-682-9530, F 202-682-9529

www.funoutdoors.com

--
Lena McDowall

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Ph: (202) 208-5651

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Email: Lena_McDowall@nps.gov

--

Lena McDowall

Associate Director, Business Services

Ph: (202) 208-5651

Cell: (202) 641-1814

Email: Lena_McDowall@nps.gov

From: Campbell, Colin <colin_campbell@nps.gov>
Sent: Monday, October 07, 2013 9:58 AM
To: Margaret O'Dell
Subject: Fwd: GRCA River Permit accommodation plan
Attachments: Options for River Permits.docx

Hello Peggy,

This is a path forward when this shutdown ends. Dave and I discussed, and makes a lot of sense to me. Private parties wait so long to get on, and plan trips for months. Believe we should accommodate as we can with a priority consideration for the future. Dave wants to announce this possible resolution (b) (5).

Colin

----- Forwarded message -----

From: David Uberuaga <dave_uberuaga@nps.gov>
Date: Sun, Oct 6, 2013 at 12:18 AM
Subject: GRCA River Permit accommodation plan
To: Colin Campbell <Colin_Campbell@nps.gov>, Billy Shott <Billy_Shott@nps.gov>, Bill Wright <Bill_Wright@nps.gov>
Cc: Doug Lentz <Doug_Lentz@nps.gov>, Robin Martin <Robin_Martin@nps.gov>, Diane Chalfant <Diane_Chalfant@nps.gov>

Colin & Billy

FYI -- We have been working with the river community to come up with a plan once the park opens. Basically we will refund river permit fees for all private/general public permit holders and allow them to reschedule their trip with priority placement anytime in the next three years. We also have a process & plan in place to launch trips already waiting outside the park.

We also worked with the river concessioners giving them the user days they lost based on the number of trips cancelled during the shutdown.

Below is the detailed write-up.

Unless you any concerns we will announce this plan on Monday as a news release and begin to contact each party affected through emails & other means.

Dave

Dave Uberuaga
Superintendent,
Grand Canyon National Park Dave_Uberuaga@nps.gov.
928-606-7802 Cell

Sent from my I phone

Begin forwarded message:

From: "Brenchley, Deborah" <debbie_brenchley@nps.gov>
Date: October 5, 2013, 5:14:33 PM MST
To: David Uberuaga <dave_uberuaga@nps.gov>, Jeremy Lusher <jeremy_lusher@nps.gov>
Cc: William Vandergraff <bill_vandergraff@nps.gov>, Kirby-Lynn Shedlowski <kirbylynn_shedlowski@nps.gov>, Maureen Oltrogge <maureen_oltrogge@nps.gov>
Subject: River Permit accommodation plan

Attached is the plan for dealing with river permits

Let me know if there are an edits.

--

Colin Campbell
Deputy Regional Director, Operations
P.O. Box 25287
12795 W. Alameda Pkwy
Denver, CO 80225-0287
303-969-2800
303-969-2785 Fax

River Permit Accommodation Plan

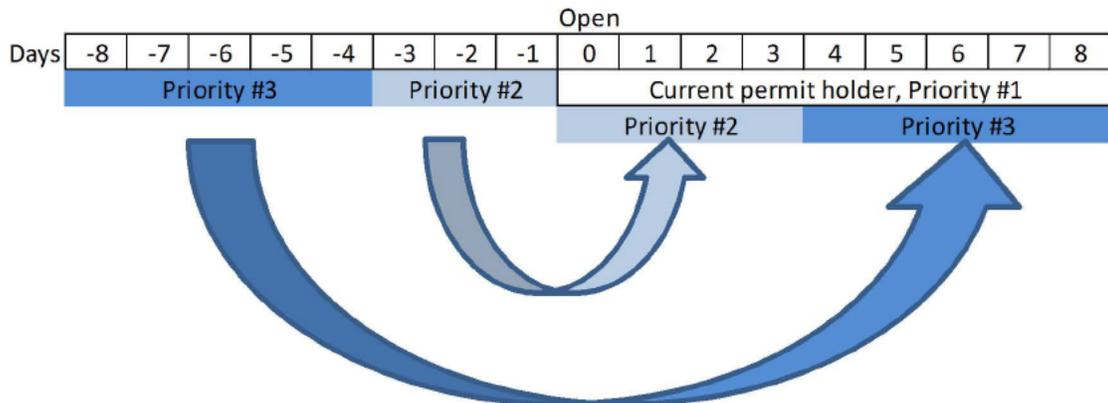
All permit holders who were denied their scheduled launch due to the Government Shutdown will receive a refund for permit fees. The permit holder will be entitled to reschedule for a Colorado River trip with their choice of dates in 2013, 2014, 2015, or 2016. They must submit their choices for trip dates within 60 days. Submissions must be a flexible since we will not allow more than 3 launches in a day and must be within parameters of the season. Only the permit holder will be allowed to reschedule a trip and the option is non-transferrable.

The river permit holders who had launch dates 3 days previous to opening and including opening day may choose to get a refund for permit fees and reschedule with the same parameters as above or launch after opening. The maximum number of launches will be adjusted to 4 per day for the first 2 days after opening. After that, the maximum will be 3 launches per day until the back log has been cleared. River permit holders with the current launch date will have priority to launch on their scheduled date. The additional launch openings will be offered to the permit holder from 3 days prior, then 2 days, then 1 day. This will clear trips that are immediately prepared to leave. Any trip launching later than scheduled will be able to travel on the river for the same number of days as on their permit.

The river permit holders who had launch dates greater than 3 days prior to opening day may choose to get a refund for permit fees and reschedule with the same parameters as above or launch after opening. Subsequent launch openings to this group will be prioritized by their launch dates.

The river permit holders who have launch dates up to 3 days after opening day may choose to launch on time or get a refund for permit fees and reschedule with the same parameters as above.

Original permit for launch during closed period Oct. 1 to 3 days prior to opening	Refund	Reschedule trip in 2013, 2014, 2015 or 2016	or	Launch after 3 days of opening with max of 3 trips per day. Prioritization based on original launch date.
Original permit for launch within 3 days prior to opening	Refund	Reschedule trip in 2013, 2014, 2015 or 2016	or	Trip allowed within 3 days of opening with max of 4 trips per day. Prioritization based on original launch date.
Original permit for river within 3 days after opening	Refund	Reschedule trip in 2013, 2014, 2015 or 2016	or	Launch as scheduled



- Priority #1: Trips scheduled to launch for that day
- Priority #2: Trips scheduled within 3 days of opening
- Priority #3: Trips scheduled from Oct 1 to within 3 days of opening

From: Francis Dean <frank_dean@nps.gov>
Sent: Monday, October 07, 2013 1:04 PM
To: lena_mcdowall@nps.gov; patty_neubacher@nps.gov
Cc: peggy_o'dell@nps.gov; bruce_sheaffer@nps.gov
Subject: URGENT Cliff House has reopened---

Confidential

Lena and Patty,

Assuming everyone in WASO is busy, but would be good to talk ASAP as Cliff House just confirmed they have quietly reopened at this hour. Am speaking to the operator now, but they appear resolute about this given there is no certainty about an agreement in DC. They are aware of the risk. Can you please let leadership know about this?

Frank

(b) (6) c

Frank Dean
General Superintendent
Golden Gate
National Recreation Area
San Francisco, CA 94123
(415) 561-4720

From: McDowall, Lena [mailto:lena_mcdowall@nps.gov]
Sent: Monday, October 07, 2013 06:35 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: Patricia Neubacher <patty_neubacher@nps.gov>; Peggy O'Dell <peggy_o'dell@nps.gov>; Jonathan Jarvis <jon_jarvis@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject: Re: Fw: The Cliff House---NPS Shutdown Order

Thanks, Frank. I'm available for a call whenever Peggy and/or Jon schedule one this morning. --Lena

On Mon, Oct 7, 2013 at 2:12 AM, Francis Dean <frank_dean@nps.gov> wrote:
Hi Lena,

Am sending this letter by email in case FedEx is not getting to you promptly within MIB. I am also copying you on another email about this as we should talk Monday morning. I am holding the line here, but the lease and contract distinction is quite nuanced in this park as you know.

Thanks for your assistance on this,

Frank

Frank Dean
General Superintendent
Golden Gate

National Recreation Area
San Francisco, CA 94123
(415) 561-4720

From: Lou Haas [mailto:LHaas@hnattorneys.com]
Sent: Friday, October 04, 2013 05:47 PM
To: Frank Dean <frank_dean@nps.gov>
Subject: FW: The Cliff House---NPS Shutdown Order

Frank,

Thanks so much for your time today. Attached is my follow up letter to Lena, which she should receive Monday AM. I have also reached out to Derrick Crandall and hope to speak with him ASAP. I will also reach out to Dean Jenson regarding his experience on the insurance issue, but our agent and my coverage partner indicate that the situation is bleak (property damage is covered, but other than the loss of some food our losses are all economic and seem to fall under the sovereign act exclusion). We will be working on The Cliff House issues with management and the numbers folks this weekend, and I will update you either tomorrow or Sunday, but as discussed Danny finds himself in an impossible situation.

Lou



Louis N. Haas
Partner
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lhaas@hnattorneys.com

From: Leslie Mabie
Sent: Friday, October 04, 2013 5:26 PM
To: Lou Haas
Subject: 0364.018



Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
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415.391.0555 f
lmabie@hnattorneys.com

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--
Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

From: Cam Sholly <cam_sholly@nps.gov>
Sent: Monday, October 07, 2013 1:09 PM
To: Peggy_O'Dell@nps.gov; Lena_McDowall@nps.gov; Maureen Foster
Subject: Fwd: URGENT Cliff House has reopened---

Cameron Sholly
Associate Director
National Park Service
Visitor and Resource Protection
(202) 565-1020-w
(202) 501-1287-f

Sent Wirelessly

Begin forwarded message:

From: "Wanek, Scott" <scott_wanek@nps.gov>
Date: October 7, 2013 at 1:07:22 PM EDT
To: Cam Sholly <cam_sholly@nps.gov>
Subject: Fwd: URGENT Cliff House has reopened---

----- Forwarded message -----

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Date: Mon, Oct 7, 2013 at 10:05 AM
Subject: Fwd: URGENT Cliff House has reopened---
To: Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>

----- Forwarded message -----

From: Francis Dean <frank_dean@nps.gov>
Date: Mon, Oct 7, 2013 at 10:04 AM
Subject: URGENT Cliff House has reopened---
To: lena_mcdowall@nps.gov, patty_neubacher@nps.gov
Cc: peggy_o'dell@nps.gov, bruce_sheaffer@nps.gov

Confidential

Lena and Patty,

Assuming everyone in WASO is busy, but would be good to talk ASAP as Cliff House just confirmed they have quietly reopened at this hour. Am speaking to the operator now, but they appear resolute about this given there is no certainty about an agreement in DC. They are aware of the risk. Can you please let leadership know about this?

Frank

(b) (6) c

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General Superintendent
Golden Gate
National Recreation Area
San Francisco, CA 94123
(415) 561-4720

From: McDowall, Lena [mailto:lena_mcdowall@nps.gov]
Sent: Monday, October 07, 2013 06:35 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: Patricia Neubacher <patty_neubacher@nps.gov>; Peggy O'Dell <peggy_o'dell@nps.gov>; Jonathan Jarvis <jon_jarvis@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject: Re: Fw: The Cliff House---NPS Shutdown Order

Thanks, Frank. I'm available for a call whenever Peggy and/or Jon schedule one this morning. -
-Lena

On Mon, Oct 7, 2013 at 2:12 AM, Francis Dean <frank_dean@nps.gov> wrote:
Hi Lena,

Am sending this letter by email in case FedEx is not getting to you promptly within MIB. I am also copying you on another email about this as we should talk Monday morning. I am holding the line here, but the lease and contract distinction is quite nuanced in this park as you know.

Thanks for your assistance on this,

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Frank Dean
General Superintendent
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San Francisco, CA 94123
(415) 561-4720

From: Lou Haas [mailto:LHaas@hnattorneys.com]
Sent: Friday, October 04, 2013 05:47 PM
To: Frank Dean <frank_dean@nps.gov>
Subject: FW: The Cliff House---NPS Shutdown Order

Frank,

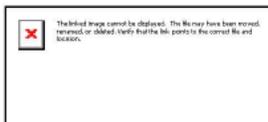
Thanks so much for your time today. Attached is my follow up letter to Lena, which she should receive Monday AM. I have also reached out to Derrick Crandall and hope to speak with him ASAP. I will also reach out to Dean Jenson regarding his experience on the insurance issue, but our agent and my coverage partner indicate that the situation is bleak (property damage is covered, but other than the loss of some food our losses are all economic and seem to fall under the sovereign act exclusion). We will be working on The Cliff House issues with management and the numbers folks this weekend, and I will update you either tomorrow or Sunday, but as discussed Danny finds himself in an impossible situation.

Lou



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Partner
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San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lhaas@hnattorneys.com

From: Leslie Mabie
Sent: Friday, October 04, 2013 5:26 PM
To: Lou Haas
Subject: 0364.018



Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v

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Email: Lena_McDowall@nps.gov

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Patty Neubacher
Deputy Regional Director
Pacific West Region
(415) 623-2105 work
(510) 604-9998 cell

--

Scott Wanek
Regional Chief Ranger
Pacific West Region
415-623-2180 office
510-501-0459 cell
415-623-2189 fax
[VRP Sharepoint Site](#)

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Monday, October 07, 2013 1:28 PM
To: Cam Sholly
Cc: Peggy O'Dell; Maureen Foster; Bruce Sheaffer; Patricia Neubacher
Subject: Re: URGENT Cliff House has reopened---

Just talked to Patty. Patty is going to let Frank know that the Director's Closure Determination and Notice applies to Cliff House as it does to all other concession facilities Servicewide. I will work with the solicitors to draft an appropriate letter to the concessioner operating the Cliff House and a response letter to the Cliff House attorney's latest letter. (b) (5)

On Mon, Oct 7, 2013 at 1:08 PM, Cam Sholly <cam_sholly@nps.gov> wrote:

Cameron Sholly
Associate Director
National Park Service
Visitor and Resource Protection
(202) 565-1020-w
(202) 501-1287-f

Sent Wirelessly

Begin forwarded message:

From: "Wanek, Scott" <scott_wanek@nps.gov>
Date: October 7, 2013 at 1:07:22 PM EDT
To: Cam Sholly <cam_sholly@nps.gov>
Subject: Fwd: URGENT Cliff House has reopened---

----- Forwarded message -----

From: **Neubacher, Patricia** <patty_neubacher@nps.gov>
Date: Mon, Oct 7, 2013 at 10:05 AM
Subject: Fwd: URGENT Cliff House has reopened---
To: Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>

----- Forwarded message -----

From: **Francis Dean** <frank_dean@nps.gov>
Date: Mon, Oct 7, 2013 at 10:04 AM
Subject: URGENT Cliff House has reopened---
To: lena_mcdowall@nps.gov, patty_neubacher@nps.gov
Cc: peggy_o'dell@nps.gov, bruce_sheaffer@nps.gov

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Lena and Patty,

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Frank

(b) (6) c

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Cc: Patricia Neubacher <patty_neubacher@nps.gov>; Peggy O'Dell <peggy_o'dell@nps.gov>; Jonathan Jarvis <jon_jarvis@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject: Re: Fw: The Cliff House---NPS Shutdown Order

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From: Lou Haas [mailto:LHaas@hnattorneys.com]
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From: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Sent: Monday, October 07, 2013 1:33 PM
To: Francis Dean
Cc: Lena McDowall; Patty Neubacher; Peggy O'Dell
Subject: Re: URGENT Cliff House has reopened---

Frank.. (b) (5) ..

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Assistant to Louis N. Haas and
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58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
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--
Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

--
C. Bruce Sheaffer
Comptroller
National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Francis Dean <frank_dean@nps.gov>
Sent: Monday, October 07, 2013 1:41 PM
To: bruce_sheaffer@nps.gov
Cc: lena_mcdowall@nps.gov; patty_neubacher@nps.gov; peggy_o'dell@nps.gov; Aaron_Roth@nps.gov
Subject: Re: URGENT Cliff House has reopened---

Bruce,

I was referring to the disagreement in Congress, (b) (5) [REDACTED]
[REDACTED] If so, I will relay that to the operator. At this hour, I mostly wanted WASO to know the facility has defied the closure order and is now open for business.

Frank Dean
General Superintendent
Golden Gate
National Recreation Area
San Francisco, CA 94123
(415) 561-4720

From: Sheaffer, Bruce [mailto:bruce_sheaffer@nps.gov]
Sent: Monday, October 07, 2013 10:32 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: Lena McDowall <lena_mcdowall@nps.gov>; Patty Neubacher <patty_neubacher@nps.gov>; Peggy O'Dell <peggy_o'dell@nps.gov>
Subject: Re: URGENT Cliff House has reopened---

Frank.. (b) (5) [REDACTED]..

On Mon, Oct 7, 2013 at 1:04 PM, Francis Dean <frank_dean@nps.gov> wrote:
Confidential

Lena and Patty,

Assuming everyone in WASO is busy, but would be good to talk ASAP as Cliff House just confirmed they have quietly reopened at this hour. Am speaking to the operator now, but they appear resolute about this given there is no certainty about an agreement in DC. They are aware of the risk. Can you please let leadership know about this?

Frank
(b) (6) [REDACTED] c

Frank Dean
General Superintendent
Golden Gate
National Recreation Area
San Francisco, CA 94123

(415) 561-4720

From: McDowall, Lena [mailto:lena_mcdowall@nps.gov]
Sent: Monday, October 07, 2013 06:35 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: Patricia Neubacher <patty_neubacher@nps.gov>; Peggy O'Dell <peggy_o'dell@nps.gov>; Jonathan Jarvis <jon_jarvis@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject: Re: Fw: The Cliff House---NPS Shutdown Order

Thanks, Frank. I'm available for a call whenever Peggy and/or Jon schedule one this morning. --Lena

On Mon, Oct 7, 2013 at 2:12 AM, Francis Dean <frank_dean@nps.gov> wrote:
Hi Lena,

Am sending this letter by email in case FedEx is not getting to you promptly within MIB. I am also copying you on another email about this as we should talk Monday morning. I am holding the line here, but the lease and contract distinction is quite nuanced in this park as you know.

Thanks for your assistance on this,

Frank

Frank Dean
General Superintendent
Golden Gate
National Recreation Area
San Francisco, CA 94123
(415) 561-4720

From: Lou Haas [mailto:LHaas@hnattorneys.com]
Sent: Friday, October 04, 2013 05:47 PM
To: Frank Dean <frank_dean@nps.gov>
Subject: FW: The Cliff House---NPS Shutdown Order

Frank,

Thanks so much for your time today. Attached is my follow up letter to Lena, which she should receive Monday AM. I have also reached out to Derrick Crandall and hope to speak with him ASAP. I will also reach out to Dean Jenson regarding his experience on the insurance issue, but our agent and my coverage partner indicate that the situation is bleak (property damage is covered, but other than the loss of some food our losses are all economic and seem to fall under the sovereign act exclusion). We will be working on The Cliff House issues with management and the numbers folks this weekend, and I will update you either tomorrow or Sunday, but as discussed Danny finds himself in an impossible situation.

Lou

Louis N. Haas
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From: Leslie Mabie
Sent: Friday, October 04, 2013 5:26 PM
To: Lou Haas
Subject: 0364.018

Leslie Mabie
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David E. Bunim
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--

C. Bruce Sheaffer
Comptroller
National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Patricia Neubacher <patty_neubacher@nps.gov>
Sent: Wednesday, October 09, 2013 6:36 AM
To: maureen_foster@nps.gov; peggy_o'dell@nps.gov
Subject: Fw: Cliff House closed

Fyi

----- Original Message -----

From: Frank Dean [mailto:frank_dean@nps.gov]
Sent: Wednesday, October 09, 2013 12:47 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: lena_mcdowall@nps.gov <lena_mcdowall@nps.gov>; bruce_sheaffer@nps.gov <bruce_sheaffer@nps.gov>; patty_neubacher@nps.gov <patty_neubacher@nps.gov>; Aaron_Roth@nps.gov <Aaron_Roth@nps.gov>
Subject: Re: Cliff House closed

Confidential

Confirming the Cliff House restaurant concession is closed. Roller coaster day as the operator agreed to close early in the day, then their attorney called me back two hours later after consulting with other family members and they retracted that pledge and decided to stay open. I finally convinced their attorney mid day to comply with the closure order. Will stay in contact with them.

One small SF Chronicle story about the closure.

Frank

On Oct 8, 2013, at 10:39 AM, Francis Dean <frank_dean@nps.gov> wrote:

> I just spoke to the Cliff House operator and he has agreed to close
> down today. Will confirm this later today, so hold off on the letters
> for
now.
> Will keep you posted. No media coverage yet.
>
> Frank
>
> Frank Dean
> General Superintendent
> Golden Gate
> National Recreation Area
> San Francisco, CA 94123
> (415) 561-4720