From: Eaton, Robert <robert.eaton@sol.doi.gov>
Sent: Friday, October 11, 2013 5:27 PM
To: Rachel Jacobson
Cc: Blake_Androff@ios.doi.gov; Edward Boling; Maureen Foster; kevin_waldron@nps.gov; nicole_buffa@ios.doi.gov; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Current status of States:

I just left a message for the South Dakota rep, and I'm going to call Missouri right now. I understand that Ted will be talking to New York. I don't have the contact info for Arizona.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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On Fri, Oct 11, 2013 at 5:24 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:
These four are in the works, all need Coms prepared and SOL review of all docs:

1. NY - Statute of Liberty $61,600 per day
2. SD - Rushmore. $15,200 per day.
3. AZ - Grand Canyon $93,000 per day
4. Missouri: St. Louis Arch $30,800 per day

This one is not as far along:
5. TN - Great Smokey Mountains. More complicated b/c partially in NC.

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 5:28 PM
To: Rachel Jacobson
Cc: Blake Androff; Foster, Maureen; Robert Eaton; kevin_waldron@nps.gov; Nicole Buffa; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Current status of States:

NY was set to send funds for 4 days, but now understands that the last 2 would be shutdown days per paragraph A.5. Now they will send me their version of the draft agreement, so we can confirm that we have the right timeframe.

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

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From:	Waldron, Suzanne <sue_waldron@nps.gov>
Sent:	Friday, October 11, 2013 5:35 PM
To:	Jon Jarvis; Peggy O'Dell; Maureen Foster; Bruce Sheaffer; Lena McDowall; Cam Sholly; Jeffrey Compton; Raymond Vela; Sue Masica; Colin Campbell; Patricia Neubacher; Patricia Trap; Lisa Mendelson; Michael Caldwell; Shawn Benge; Robert Maclean; Michael Alvarez; Sam Whittington
Subject:	Re: National Park Service Enters Agreement with State of Colorado to Re-open Rocky Mountain National Park
Attachments:	Q_A_Donations to Reopen National Parks_10_11_13_FINAL.docx

Attached are the Q&A - as other questions arise (and you ko wthey will) please send them in and we will get answers and update this and redistribute

On Fri, Oct 11, 2013 at 4:23 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
Here's the Colorado news release just out

Attached are the taling points for parks that are re-openinng under a donation agreement (but fine reading for everyone)

Will send along the Q&A after we finetune the Rec.gov answers with some new news....

---------- Forwarded message ----------
From: **Androff, Blake** <blake_androff@ios.doi.gov>
Date: Fri, Oct 11, 2013 at 4:15 PM
Subject: National Park Service Enters Agreement with State of Colorado to Re-open Rocky Mountain National Park
To: Blake Androff <blake_androff@ios.doi.gov>

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of Colorado to Re-open Rocky Mountain National Park

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of Colorado that will allow Rocky Mountain National Park to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Colorado during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, Colorado will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Rocky Mountain National Park.

The agreement funds the park for a period of 10 days, running from Friday, October 11 through Sunday, October 20 at the donated amount of $362,700.

###

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

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

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Donations to Reopen National Parks – Questions & Answers

1. **Why is the National Park Service now willing to accept donations to reopen the parks?**
   Responding to the economic impacts that the closures are having on many communities, the National Park Service will consider financial agreements with the governors of states that demonstrate an interest and ability to provide full funding to reopen national parks located in their states.

2. **The National Park Service had previously stated that it would not accept donations to reopen individual parks. What changed?**
   We recognize the severe impact and economic hardship this shutdown is causing, especially as it drags on. We know how much our gateway communities and our partners and their employees are hurting. This is the best solution to a very bad situation. We continue to call on Congress to act swiftly to enact appropriations for the entire government so that we can re-open all 401 national parks for the American people.

3. **If the states are paying the bills, will they be operating the parks?**
   No. Funds provided by the states will be used to pay for operation of the sites by National Park Service staff, who are trained in overseeing the complex operation of national parks, who understand the unique resources and their risks, and who have the experience to ensure the safety of our visitors. The re-opened parks will look and function as they do under normal operations.

4. **Will the states be reimbursed for their donation?**
   No. The Antideficiency Act prohibits agencies from incurring obligations that are in advance of, or that exceed, an appropriation from Congress. It would require an act of Congress to authorize any type of reimbursement.

   A reimbursement would be provided in the event where a state had wired the donation, for example, for 10 days and the government re-opened after five days. The state would receive back the remaining balance.

5. **The community of Tusayan outside the Grand Canyon has raised $200,000 to open Grand Canyon National Park. Does this mean you'll now accept their donation?**
   Due to limited resources during the shutdown, NPS will focus efforts on entering agreements with states. Local government, individuals, organizations and businesses are encouraged to work directly with the states regarding donations.

6. **Does this opportunity to re-open apply to all 401 national parks?**
   Yes.

7. **Can part of a park be opened? For example, just Old Faithful at Yellowstone?**
   No. Funding must be provided for the entire operation of the park.

8. **Why the requirement to open an entire park**?

The parks are staffed at the appropriate level to provide visitor services and protect the resources.

On background:
Many National Park Service employees have multiple roles in the park. A person collecting fees at the entrance station may be giving an interpretive program and staffing the visitor center. It is impractical, if not impossible, to determine which employees are needed to open just a part of the park.

Additionally, as we have seen in the first 10 days of the shutdown, visitors are eager enough to see parts of the park that are closed that they will remove barricades and enter closed areas, endangering themselves and staff that may be required to go rescue them in the event of an accident.

9. **Is there a minimum length of time to open with donations?**
Yes, four days. Anything shorter does not make sense because of the logistics involved in opening and closing most parks.

10. **Have you received any inquiries from states yet? If so, who?**
Yes, we have heard interest from several states… Discussions are in the early stages.

11. **How much money are we talking about to open, for example, Grand Canyon?**
The National Park Service will calculate costs for specific parks as requested by the state. Costs will be determined based on the normal staffing levels at a park on a daily basis.

12. **The National Park Service website is down and most offices are closed because of the furlough? How can I find out which parks will be opening?**
As agreements to open parks are reached, we will post them on www.doi.gov/shutdown. We will also work with states to notify local communities.

13. **I don't have enough money to open a park, but how can I show my support for national parks?**
The National Park Foundation is a congressionally-chartered organization that is the official fundraising partner of the National Park Service and enriches America's national parks through private support, not just through the shutdown but for the long-term. Individuals who wish to financially support the parks can do so through the National Park Foundation at www.nationalparks.org.

14. **For parks that open, will concession operations (hotels, restaurants, snack bars, shops, etc.) be available in those parks as well?**
Concessioners in parks that are opened through donations will be given the opportunity to open.

15. **Will campgrounds be open?**

Campgrounds managed by concessioners will be given the opportunity to operate. Campgrounds managed by the NPS will open on a case-by-case basis based on seasonal considerations.

16. How much notice will there be to the public before a park reopens?
We intend to give as much notice as possible, given the limited resources.

17. Will backcountry and wilderness areas of parks be open as well?
Whatever is normally open this time of year will be open *unless* winterization has already occurred.

18. Will parks that charge an entrance fee be collecting fees?
Consistent with how parks normally operate, fees will be collected. Fees do not pay for the day-to-day operation of the park; rather, they are a source of funds for special projects, including construction, special events, and more.

19. What about parks that cross state lines?
The matter will be considered in consultation with the relevant governors.

20. How long will it take the National Park Service to mobilize staff to reopen a park?
This depends on the complexity of park operations, but could occur as quickly as a day after the agreement is finalized.

21. I have a reservation in Recreation.gov for a campsite at one of the parks that has been re-opened. Will the reservation be honored even though the website is down?

Yes. Reservations that start or end during shutdown will only be cancelled after the end date of the reservation. If the park is only open for a portion of the reservation, customers can still come to the park and use their existing reservation for the portion of the time that the park is open. Customers not able to use their entire reservation are eligible for partial refunds.

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Yes.

Employee specific Q&A

1. **How do we account for time for those parks re-opened?**
You will receive specific guidance.

2. **What is the status of employees called back to work in re-opened parks?**
Employees will be "excepted."

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 5:36 PM
To: Nicole Buffa
Cc: Jody Lyle; Lena McDowall; Peggy O'Dell; Jon Jarvis; Rachel Jacobson; Kate Kelly; Kevin Haugrud; Blake Androff; Edward Boling
Subject: Re: Q&A for solicitor review
Attachments: Q_A_Donations to Reopen National Parks_10_11_13_FINAL.docx

heer is the final (at leats for today) of the Q&A that just went out to regions

On Fri, Oct 11, 2013 at 4:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Perfect. Thanks.

On Oct 11, 2013, at 4:25 PM, "Waldron, Suzanne" <sue_waldron@nps.gov> wrote:

> tweaking the Rec.gov questions with some new news so give me a few minutes and will send a final around
>
> On Fri, Oct 11, 2013 at 4:11 PM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
> Is this final? I'd like to share this with folks.
>
> On Friday, October 11, 2013, Waldron, Suzanne wrote:
> looping jon, peggy, and rachel for a look as well
>
> ---------- Forwarded message ----------
> From: **Kelly, Katherine** <kate_kelly@ios.doi.gov>
> Date: Fri, Oct 11, 2013 at 10:54 AM
> Subject: Q&A for solicitor review
> To: Ted Boling <Ted.Boling@sol.doi.gov>, "Haugrud, Jack" <jack.haugrud@sol.doi.gov>
> Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>, Suzanne Waldron <Sue_Waldron@nps.gov>
>
> Ted and Jack - here is the q and a we're working with for reporters today. Please see if this accurately captures what we have discussed.
>
> --
>
> Kate Kelly
> Director of Communications
> Department of the Interior
> (202) 208 2409
> kate_kelly@ios.doi.gov

--
Sue Waldron
Assistant Director, Communications
National Park Service
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--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

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From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 5:38 PM
To: Michael Caldwell; Maureen Foster; Peggy O'Dell
Cc: Ahern, Jane; Androff, Blake; Kate Kelly
Subject: Re: NYDN deadline query - Statue of Liberty/NY State report

looping in maureen and peggy

On Fri, Oct 11, 2013 at 5:20 PM, Michael Caldwell <mike_caldwell@nps.gov> wrote:
Okay. We need a go no go by 10 pm tonight to get the guards set for Sunday if that is in play. If Saturday is in play that needs to be known ASAP as that challenges our ability to get guards to post for screening ops and isn't realistic nor should be promised.

Mike Caldwell
Deputy Regional Director
Chief of Staff
National Park Service -
Northeast Region
200 Chestnut Street, Suite 502
Philadelphia, PA 19106

215-597-7059 - office
215-597-0815 - fax

Join the conversation about the Next 100 Years for America's National Parks

nextcenturyforparks.org

On Oct 11, 2013, at 5:06 PM, "Waldron, Suzanne" <sue_waldron@nps.gov> wrote:

heres the relase without ellis

still dont have numbers

On Fri, Oct 11, 2013 at 5:02 PM, Ahern, Jane <jane_ahern@nps.gov> wrote:
Please note: Ellis Island is not open, as it is still being repaired from Superstorm Sandy. Liberty Island would reopen.

On Fri, Oct 11, 2013 at 5:00 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
all but the important stuff like dates and dollars - sitting impatiently by the phone

its attached in case you hear before I do

also confirmed with Ted that we were not sending out releases until confirmation of the arrival of the money

On Fri, Oct 11, 2013 at 4:57 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
Do we have the press release?

On Fri, Oct 11, 2013 at 4:56 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
on phone with sol and maureen and soudns like its imminent

On Fri, Oct 11, 2013 at 4:48 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
Got it - just confirming that discussions are underway.

On Fri, Oct 11, 2013 at 4:43 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
blake you got this?

think all we can say is that discussions are underway?

On Fri, Oct 11, 2013 at 4:40 PM, Litterst, Michael <mike_litterst@nps.gov> wrote:

Just finding this (been in a cellular black hole for a couple of hours). For your consideration to respond.

---------- Forwarded message ----------
From: "Straw, Joseph" <jstraw@nydailynews.com>
Date: Oct 11, 2013 2:53 PM
Subject: NYDN deadline query - Statue of Liberty/NY State report
To: "mike_litterst@nps.gov" <mike_litterst@nps.gov>
Cc:

Dear Mike:

Hi, I hope you're holding up alright.

I am contributing today to an article about the Cuomo Administrations reported work to facilitate reopening of Liberty Island and the Statue of Liberty during the shutdown.

Are you able to provide any on-the-record comment or procedural background on whether the NPS is collaborating with other stakeholders to that end, and if so where things stand and when the park might reopen?

Deadline is 6 p.m.

Thanks,

Joe

Joseph Straw

Washington Bureau

New York Daily News

202/660-2435 (cell)

@NYDNstraw

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**********(NJ)

--
Sue Waldron
Assistant Director, Communications
National Park Service
(202) 208-3046

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Blake Androff
Deputy Director of Communications
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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

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

EXPERIENCE YOUR AMERICA

--
Sue Waldron
Assistant Director, Communications
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EXPERIENCE YOUR AMERICA

From: Rachel Jacobson <rachel_jacobson@ios.doi.gov>
Sent: Friday, October 11, 2013 5:41 PM
To: nicole_buffa@ios.doi.gov; sue_waldron@nps.gov
Cc: Blake_Androff@ios.doi.gov; Ted.Boling@sol.doi.gov; jack.haugrud@sol.doi.gov; Maureen_Foster@nps.gov; peggy_o'dell@nps.gov
Subject: Re: NY is signing.

I am reporting what is happening on the ground. And as you can see from the mail chain below, NY reported at 4:38 that they were signing.

From: Nicole Buffa [mailto:nicole_buffa@ios.doi.gov]
Sent: Friday, October 11, 2013 02:37 PM
To: Waldron, Suzanne <sue_waldron@nps.gov>
Cc: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Blake Androff <Blake_Androff@ios.doi.gov>; Ted Boling <Ted.Boling@sol.doi.gov>; Jack Haugrud <jack.haugrud@sol.doi.gov>
Subject: Re: NY is signing.

Jack tells me this is not the case. Lets have the lawyers be the ones to notify us. Thanks!

On Oct 11, 2013, at 5:03 PM, "Waldron, Suzanne" <sue_waldron@nps.gov> wrote:

> what do you need blake ?
>
> On Fri, Oct 11, 2013 at 4:58 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:
> Adding Sue
>
> ---
>
> **From**: Androff, Blake [mailto:blake_androff@ios.doi.gov]
> **Sent**: Friday, October 11, 2013 01:57 PM
> **To**: Rachel Jacobson <rachel_jacobson@ios.doi.gov>
> **Cc**: Nicole Buffa <nicole_buffa@ios.doi.gov>
> **Subject**: Re: Fw: NY is signing.
>
> I need the Comms plan. We need to do notifications, etc.
>
> On Fri, Oct 11, 2013 at 4:55 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:
>
> ---
>
> **From**: Maureen Foster [mailto:maureen_foster@nps.gov]
> **Sent**: Friday, October 11, 2013 01:49 PM
> **To**: Edward Boling <ted.boling@sol.doi.gov>; Rachel Jacobson <rachel_jacobson@ios.doi.gov>
> **Cc**: Peggy O'Dell <Peggy_O'Dell@nps.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>
> **Subject**: NY is signing.
>
> Maureen D. Foster

National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** Howard Glaser <Howard.Glaser@exec.ny.gov>
> **Date:** October 11, 2013, 4:38:41 PM EDT
> **To:** "'maureen_foster@nps.gov'" <maureen_foster@nps.gov>
> **Cc:** Alexander Cochran <Alexander.Cochran@exec.ny.gov>
>
> Maureen many thanks. We are signing now and will have to you shortly. We will arrange wire transfer soon as we get wire instructions.
> What is your sense of opening process. If funds are transferred tonight, what happens next?
> Hg
>
> **********
> WE WORK FOR THE PEOPLE
> Performance * Integrity * Pride

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

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

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

EXPERIENCE YOUR AMERICA

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 6:15 PM
To: Jonathan Jarvis
Cc: Foster, Maureen; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Suzanne Waldron; Blake Androff; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Fwd: NYS MOU Statue of Liberty
Attachments: NYSSTLI.pdf

Jon - NY-STLI is ready for your signature on this attachment.

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

---------- Forwarded message ----------
From: **John Regan** <John.Regan@exec.ny.gov>
Date: Fri, Oct 11, 2013 at 6:11 PM
Subject: RE: NYS MOU Statue of Liberty
To: "Boling, Edward" <ted.boling@sol.doi.gov>

Clean header.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:05 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

Not legally, it just looks bad. Send it back to me in Word and I will take it off.

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 Fri, Oct 11, 2013 at 6:02 PM, John Regan <John.Regan@exec.ny.gov> wrote:

I only have it with... is it a problem if it remains?

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:01 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

Do you want to take of the header and re-sign?

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 Fri, Oct 11, 2013 at 5:57 PM, John Regan <John.Regan@exec.ny.gov> wrote:

Attached please find the MOU signed by the Governor.

Thank you.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 5:50 PM
To: John Regan
Cc: Alexander Cochran; Howard Glaser; Foster, Maureen; Barry Roth; Nicole Buffa
Subject: Re: NYS MOU Statue of Liberty

John - attached is a draft agreement with most sections filled in. We need the New York contact and signature information filled in by you and all particulars confirmed ASAP. Please send us a draft final for our signature or call me at the number below.

Regards,

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 Fri, Oct 11, 2013 at 5:28 PM, John Regan <John.Regan@exec.ny.gov> wrote:

Ted - - Here is the agreement per your discussion with HG. We are standing by and awaiting return from you with the blanks filled in....

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 4:18 PM
To: Alexander Cochran
Subject: Re: any update?

Here is the template. The cost is $61,600/day.

I am really sorry that this has taken so long.

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)

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saved by the American people,

so that all may experience our heritage.

On Fri, Oct 11, 2013 at 3:04 PM, Alexander Cochran <Alexander.Cochran@exec.ny.gov> wrote:

ALEXANDER

Alexander Cochran
Special Counsel to the Governor

202.434.7112 (o)
518.763.2609 (c)

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 12:06 PM Eastern Standard Time
To: Howard Glaser
Cc: Alexander Cochran
Subject: Re:

Sorry for the delay. We are working to get those numbers. We are shutdown and have a skeleton staff.

I hope to have something by 12:30 or 1:00. We are doing our best with extremely limited resources.

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.

On Fri, Oct 11, 2013 at 10:42 AM, Howard Glaser <Howard.Glaser@exec.ny.gov> wrote:

Maureen - we have a lot of press inquiries. I don't want to tell them that nys is ready and willing to pay to reopen statue but that no one at nps will provide costs or MOU - but those are the facts right now.

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

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.

On Fri, Oct 11, 2013 at 10:42 AM, Howard Glaser <Howard.Glaser@exec.ny.gov> wrote:

Maureen - we have a lot of press inquiries. I don't want to tell them that nys is ready and willing to pay to reopen statue but that no one at nps will provide costs or MOU - but those are the facts right now.

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of New York

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of New York (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Statue of Liberty National Monument (hereinafter "STLI") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, the visitors to STLI through their economic activity, play a vital role in the economies and well-being of New York and other towns and cities located near STLI;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, STLI was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, STLI will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in STLI;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen STLI to public use and visitation and to operate and manage STLI during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen STLI to public use and visitation, the State will donate to the NPS, for each day that STLI is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $61,600.00. The amount of money listed in Exhibit A includes all normal costs of operating and managing STLI calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage STLI in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen STLI.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage STLI for a period of six days beginning at 12:01a.m. on October 12, 2013, and ending at 11:59 p.m. on October 17, 2013. The amount required to reopen, operate, and manage STLI for those six days is $369,300.00

4. If the State desires to donate additional amounts to keep STLI open beyond 11:59 p.m. on October 17, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage STLI for two calendar days, i.e., $123,200.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen STLI and will operate

and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close STLI to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing STLI. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Jonathan B. Jarvis, Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889

Email: jon.jarvis@nps.gov

For the State:

Governor Andrew M. Cuomo
State of New York

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of STLI under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of New York:

Andrew M. Cuomo

Governor, State of New York
Title

10/11/13
Date

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 6:01 PM
To: Sally Jewell
Cc: Jonathan Jarvis; nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Re: Colorado

We should discuss when folks are able. Thanks.

On Thursday, October 10, 2013, Sally Jewell wrote:

Jon – I made it very clear to the governor that it was fully open the park or nothing – he understood and said he wanted to fully open the park. Stephanie may not have spoken to him after my conversation – he was not in his office. Thanks, Sally

From: Jarvis, Jonathan [mailto:jon_jarvis@nps.gov]
Sent: Thursday, October 10, 2013 5:37 PM
To: Sally Jewell
Cc: nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Re: Colorado

Sally: Conference call with Utah underway right now. Many calls coming in: Montana, Virginia, Colorado. Colorado staff Stephanie pushing back on funding entire park, they just want the road open. We are holding our ground and giving them the full park numbers. Road issue is complicated due to snow and the flooding. Will keep you informed.

On Thu, Oct 10, 2013 at 5:21 PM, Sally Jewell [redacted]@ios.doi.gov> wrote:

Nikki and Jon –

I just got off the phone with Gov. Hickenlooper. They very much want to open RMNP tomorrow evening and are willing to sign an agreement and wire the money to us. He doesn't think they yet have the number they need from us for the cost of operations. The Gov. mentioned his staffer – Stephanie Donner – as the right POC. Nikki has evidently been in touch with her. A quick call back to her with next steps would be helpful.

I assume that we sent the numbers for UT earlier to the POC there. I have not heard back after my calls with AZ, AK or SD – let me know if any of you have.

Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

--
Jonathan B. Jarvis

Director, NPS

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:11 PM
To: Sally Jewell
Cc: Nicole Buffa; Jon Jarvis; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud
Subject: Re: Colorado

We had a good call with Governor Herbert's counsel and others. We're all agreed to keep the agreement relatively simple (simpler than Grand Canyon) and that we'd like to get this signed tonight so that the State can make a wire transfer to get the parks starting to open tomorrow. We are revising the draft now to address their intention to make an initial payment for four days of operation of a list of parks (not all 13) with any more funding to be wired by COB tomorrow.

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

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I assume that we sent the numbers for UT earlier to the POC there. I have not heard back after my calls with AZ, AK or SD – let me know if any of you have.

Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

From:	Boling, Edward <ted.boling@sol.doi.gov>
Sent:	Thursday, October 10, 2013 6:23 PM
To:	Jonathan Jarvis; Margaret O'Dell; Foster, Maureen; Bruce Sheaffer; Pam Haze; Rachel L Jacobson
Cc:	Jack Haugrud; Barry Roth; Robert Eaton; Edward Keable; Mark Teskey
Subject:	Draft final agreement with Utah
Attachments:	NPS-State of Utah donation agreement (proposed final).docx; NPS-State of Utah donation agreement (proposed final).docx

Please review ASAP and call me at 208-3125

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, those 13 units encompass approximately 2,320,729 acres (approximately 3,626 square miles) of land and attract more than 9.7 million visitors annually;

Whereas, the visitors to those 13 units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account identified in Exhibit A. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of four days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on

Monday, October 14, 2013. The amount required to reopen, operate, and manage those 8 units for four days is $666,288.32.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Monday, October 14, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. Because Monday, October 14, 2013, is a federal holiday, if the State desires for the NPS to operate and manage the 8 units after Monday, October 14, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 11, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Utah
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

_____
Name (signature)

Governor, State of Utah
Title

_____
Date

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, those 13 units encompass approximately 2,320,729 acres (approximately 3,626 square miles) of land and attract more than 9.7 million visitors annually;

Whereas, the visitors to those 13 units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account identified in Exhibit A. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of four days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on

Monday, October 14, 2013. The amount required to reopen, operate, and manage those 8 units for four days is $666,288.32.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Monday, October 14, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. Because Monday, October 14, 2013, is a federal holiday, if the State desires for the NPS to operate and manage the 8 units after Monday, October 14, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 11, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

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All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

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Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Utah
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

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A. Civil Rights

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B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

_____
Name (signature)

Governor, State of Utah
Title

_____
Date

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:24 PM
To: Margaret O'Dell
Subject: Re: Colorado

Where are you?

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 Thu, Oct 10, 2013 at 6:16 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:
On phone with them now and they may reconsider since road would normally be closed and is certainly buried under a lot of snow right now. We are just waiting for lawyers to come back in.

Sent from my iPhone

On Oct 10, 2013, at 6:01 PM, "Buffa, Nicole" <nicole_buffa@ios.doi.gov> wrote:

> We should discuss when folks are able. Thanks.
>
> On Thursday, October 10, 2013, Sally Jewell wrote:
>
> Jon – I made it very clear to the governor that it was fully open the park or nothing – he understood and said he wanted to fully open the park. Stephanie may not have spoken to him after my conversation – he was not in his office. Thanks, Sally
>
> **From:** Jarvis, Jonathan [mailto:jon_jarvis@nps.gov]
> **Sent:** Thursday, October 10, 2013 5:37 PM
> **To:** Sally Jewell
> **Cc:** nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
> **Subject:** Re: Colorado
>
> Sally: Conference call with Utah underway right now. Many calls coming in: Montana, Virginia, Colorado. Colorado staff Stephanie pushing back on funding entire park, they just

want the road open. We are holding our ground and giving them the full park numbers. Road issue is complicated due to snow and the flooding. Will keep you informed.

On Thu, Oct 10, 2013 at 5:21 PM, Sally Jewell [redacted]@ios.doi.gov> wrote:

Nikki and Jon –

I just got off the phone with Gov. Hickenlooper. They very much want to open RMNP tomorrow evening and are willing to sign an agreement and wire the money to us. He doesn't think they yet have the number they need from us for the cost of operations. The Gov. mentioned his staffer – Stephanie Donner – as the right POC. Nikki has evidently been in touch with her. A quick call back to her with next steps would be helpful.

I assume that we sent the numbers for UT earlier to the POC there. I have not heard back after my calls with AZ, AK or SD – let me know if any of you have.

Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

--
Jonathan B. Jarvis

Director, NPS

--

Nikki Buffa
Deputy Chief of Staff

US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:35 PM
To: Margaret O'Dell
Cc: Bruce Sheaffer
Subject: Re: Agreement

Bruce - Where are you?

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 Thu, Oct 10, 2013 at 6:26 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:
Ted Boling needs the list of Utah parks with the costs right now.
Please email to him

Sent from my iPhone

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:48 PM
To: Maureen Foster; Margaret O'Dell; Bruce Sheaffer
Subject: Re: Connecting via email

Thanks!
Are we clear to send the draft agreement to Utah?

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 Thu, Oct 10, 2013 at 6:45 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** "Foster, Maureen" <maureen_foster@nps.gov>
> **Date:** October 10, 2013, 3:53:31 PM EDT
> **To:** John Pearce <jpearce@utah.gov>
> **Subject: Re: Connecting via email**
>
> Here they are.
>
> _____
> 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.

On Thu, Oct 10, 2013 at 3:48 PM, John Pearce <jpearce@utah.gov> wrote:
Maureen,

Any luck with the cost figures?
Thanks
Jp

On Oct 10, 2013, at 12:57 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

> I am working to get you the cost figures.
>
> Talk to you soon. Conference
> call info will follow.
>
> Thanks.
>
> Maureen D. Foster
> National Park Service
> 202.208.5970 office
> 202.306.3845 cell

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:59 PM
To: Jonathan Jarvis; Margaret O'Dell; Foster, Maureen; Bruce Sheaffer; Pam Haze; Rachel L Jacobson
Cc: Jack Haugrud; Barry Roth; Robert Eaton; Edward Keable; Mark Teskey
Subject: Re: Draft final agreement with Utah

Peggy has cleared for NPS. I'm preparing to send this (in draft) to Utah now. Please call me if there are any objections.

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 Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Please review ASAP and call me at 208-3125

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

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 9:04 PM
To: Nicole Buffa; Katherine Kelly; Jonathan Jarvis; Suzanne Waldron; Foster, Maureen; Margaret O'Dell
Cc: Jack Haugrud
Subject: Proposed final NPS donation agreement with Utah
Attachments: NPS-State of Utah donation agreement (proposed final) DOI.docx

Attached is the proposal from Utah's counsel.

I have called the Governor's counsel and advised him that we are not prepared to execute the document this evening but that we will get back to him as soon as possible tomorrow morning. He was very concerned that the reopening of the parks would be delayed. They are prepared to sign and make the wire transfer as soon as we're ready.

Best,

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on

Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

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During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

_____
Name (signature)

Governor, State of Utah
Title

_____
Date

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 5:59 AM
To: Laura Davis
Cc: Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Sue_Waldron@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

(b) (5)

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 Fri, Oct 11, 2013 at 5:42 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:
Looks really good and thanks to Kate and Sue.

(b) (5)

Sent from my iPhone

On Oct 11, 2013, at 12:56 AM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:

(b) (5)

From: Kelly, Katherine [mailto:kate_kelly@ios.doi.gov]
Sent: Thursday, October 10, 2013 08:40 PM
To: Haugrud, Jack <jack.haugrud@sol.doi.gov>; Ted Boling <Ted.Boling@sol.doi.gov>; laura davis

<Laura_Davis@ios.doi.gov>; Nicole Buffa <nicole_buffa@ios.doi.gov>; O'Dell, Peggy <peggy_o'dell@nps.gov>; jon jarvis <Jon_Jarvis@nps.gov>; Suzanne Waldron <Sue_Waldron@nps.gov>; Androff, Blake J <Blake_Androff@ios.doi.gov>; maureen foster <Maureen_Foster@nps.gov>
Subject: draft Utah release

pretty cut and dry - please let me know what edits or additional information we should add. Edits back before 8am would be the most appreciated.

National Park Service Enters Agreement with State of Utah to Re-open Eight National Parks

The National Park Service today announced that it has entered into an agreement with the State of Utah that will allow the state's eight national parks to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this senseless shutdown," said Secretary Sally Jewell. "We appreciate the outpouring of support from the American people who want all 401 of their national parks open and look forward to replacing this band-aid as soon as Congress passes an appropriations bill."

Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park.

(b) (5) [redacted]

The agreement funds Utah's eight national parks for a period of 10 days, running from Friday, October 11 through Sunday, October 20 at the donated amount of $1,665,720.80.

The Antideficiency Act prohibits agencies from incurring obligations that are in advance of, or that exceed, an appropriation from Congress. During the shutdown, the National Park Service has closed and secured national park facilities and grounds and suspended all activities except for those essential to respond to emergencies involving the safety of human life or the protection of property.

###

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 6:05 AM
To: Foster, Maureen; Margaret O'Dell; Jonathan Jarvis
Cc: Jack Haugrud; Katherine Kelly; Nicole Buffa; Suzanne Waldron
Subject: Fwd: Draft agreement for Utah donation
Attachments: 20131010202132192.pdf

Jon, et al.: attached is the agreement as signed by Governor Herbert.
See you at 8:00.

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

---------- Forwarded message ----------
From: **John Pearce** <jpearce@utah.gov>
Date: Thu, Oct 10, 2013 at 11:39 PM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

Ted,

Thanks again for working late to help with the Agreement. To expedite the quick reopening of the parks, Governor Herbert has signed the agreement (a copy of which is attached to this email) in hopes that we can get a signed copy back from NPS before the start of our business day. That will allow us to finalize the wire transfer first thing in the morning. To that end, I have copied a number of members of the Governor's senior staff on this email and would ask that you please reply to all as soon as you have an executed agreement so that we might get the wire sent at the earliest opportunity and get the parks opened as soon as possible.

Please let me know if you have any questions. I look forward to hearing from you.
Best,
Jp

On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:

Thanks, John. We'll review ASAP.

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 Thu, Oct 10, 2013 at 8:06 PM, John Pearce <jpearce@utah.gov> wrote:
Mr. Boling,

Please find attached our proposed revisions to the Agreement in a track changes form. The only major change from the draft you sent is to modify the number of days the units will be initially opened from 4 to 10. Please let me know if you have any questions about that or any other proposed edit.

My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted]. Please let me know right away whether these changes are acceptable and if we can secure DOI approval this evening. I have a Governor ready to sign and personnel waiting to execute the wire transfer this evening so we can get the parks open as soon as possible tomorrow.

Best,
Jp

On Thu, Oct 10, 2013 at 5:08 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Mr. Pearce,

Attached is our draft agreement for donation of Utah funds for purposes of allowing the National Park Service to open the parks identified in the agreement and its Exhibit A. This draft has not been fully cleared within the Department of the Interior, but we believe we can obtain clearance and execution of this version this evening. I will stand by at the direct line below in case you would like to discuss it.

Regards,

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

Gary R Herbert
Name (signature)

Governor, State of Utah
Title

10/10/2013
Date

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 9:16 AM
To: Eaton, Robert
Cc: Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject: Re: Colorado is ready to sign its donation agreement ...

HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

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 Fri, Oct 11, 2013 at 9:01 AM, Eaton, Robert <robert.eaton@sol.doi.gov> wrote:
Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

This email is intended solely for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected by applicable law. If you are not the intended recipient or an employee or agent responsible for the delivery of this email to the intended recipient, you are hereby notified that dissemination, distribution, copying, or use of this email is strictly prohibited. If you received this email in error, please notify the sender immediately and destroy all copies.

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 9:27 AM
To: Davis, Laura
Cc: Suzanne Waldron; Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release
Attachments: NPS Utah Donation Agreement 10.11.2013.pdf

Attached is the final, signed agreement.

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 Fri, Oct 11, 2013 at 8:18 AM, Davis, Laura <laura_davis@ios.doi.gov> wrote:
I think better to keep this one clean and about what we are doing w Utah.

On Friday, October 11, 2013, Suzanne Waldron wrote:
One more thought After a cup of coffee. - (b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 6:49 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:

> (b) (5) [redacted]
>
> Sent from my iPhone
>
> On Oct 11, 2013, at 6:16 AM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
>
> (b) (5) [redacted]

(b) (5) [redacted]

Thanks kate. Will touch base when i get in

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 11, 2013, at 5:59 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

> Agreeing with those edits, (b) (5) [redacted]
>
> 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 Fri, Oct 11, 2013 at 5:42 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:
> Looks really good and thanks to Kate and Sue.
>
> Agree with Jack's edit or something like it. (b) (5) [redacted]
>
> Sent from my iPhone
>
> On Oct 11, 2013, at 12:56 AM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:

--

Laura Daniel Davis
Chief of Staff
US Department of the Interior
202-208-7351
Laura_Davis@ios.doi.gov

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Utah:

Gary R. Herbert

Name (signature)

Governor, State of Utah

Title

10/10/2013

Date

From:	Boling, Edward <ted.boling@sol.doi.gov>
Sent:	Friday, October 11, 2013 9:45 AM
To:	Foster, Maureen; Margaret O'Dell; Jonathan Jarvis; Robert Eaton; Barry Roth; Bruce Sheaffer
Subject:	Fwd: Draft agreement for Utah donation
Attachments:	NPS Utah Donation Agreement 10.11.2013.pdf

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

---------- Forwarded message ----------
From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Fri, Oct 11, 2013 at 9:42 AM
Subject: Re: Draft agreement for Utah donation
To: John Pearce <jpearce@utah.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

John -

Attached, please find the final agreement that Director Jarvis signed this morning.
In addition to your notifications per the agreement, please send me a reply when you've confirmed that the funds have been wired. The National Park Service staff are being notified that there is a signed agreement, but will need to confirm the receipt of funds as soon as possible.

Thanks again for facilitating the entry of this agreement so quickly.
Regards,

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 Thu, Oct 10, 2013 at 11:39 PM, John Pearce <jpearce@utah.gov> wrote:
Ted,

Thanks again for working late to help with the Agreement. To expedite the quick reopening of the parks, Governor Herbert has signed the agreement (a copy of which is attached to this email) in hopes that we can get a signed copy back from NPS before the start of our business day. That will allow us to finalize the wire transfer first thing in the morning. To that end, I have copied a number of members of the Governor's senior staff on this email and would ask that you please reply to all as soon as you have an executed agreement so that we might get the wire sent at the earliest opportunity and get the parks opened as soon as possible.

Please let me know if you have any questions. I look forward to hearing from you.
Best,
Jp

On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Thanks, John. We'll review ASAP.

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 Thu, Oct 10, 2013 at 8:06 PM, John Pearce <jpearce@utah.gov> wrote:
Mr. Boling,

Please find attached our proposed revisions to the Agreement in a track changes form. The only major change from the draft you sent is to modify the number of days the units will be initially opened from 4 to 10. Please let me know if you have any questions about that or any other proposed edit.

My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted]. Please let me know right away whether these changes are acceptable and if we can secure DOI approval this evening. I have a Governor ready to sign and personnel waiting to execute the wire transfer this evening so we can get the parks open as soon as possible tomorrow.

Best,
Jp

On Thu, Oct 10, 2013 at 5:08 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Mr. Pearce,

Attached is our draft agreement for donation of Utah funds for purposes of allowing the National Park Service to open the parks identified in the agreement and its Exhibit A. This draft has not been fully cleared within the Department of the Interior, but we believe we can obtain clearance and execution of this version this evening. I will stand by at the direct line below in case you would like to discuss it.

Regards,

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

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A. Civil Rights

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B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Utah:

Gary R. Herbert

Name (signature)

Governor, State of Utah

Title

10/10/2013

Date

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 10:50 AM
To: Peggy O'Dell; Rob Eaton
Cc: Maureen Foster
Subject: Policy

(b) (5) [redacted]

[redacted]

[redacted]

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

Sent from my iPhone

From: Blake Androff <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 10:57 AM
To: Waldron, Suzanne
Cc: Boling, Edward; Davis, Laura; Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

Generally, I would certainly like to be in a position to be able to do so.

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior

On Oct 11, 2013, at 10:32 AM, "Waldron, Suzanne" <sue_waldron@nps.gov> wrote:

is the agreement going to be posted? releasable?

On Fri, Oct 11, 2013 at 9:26 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Attached is the final, signed agreement.

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 Fri, Oct 11, 2013 at 8:18 AM, Davis, Laura <laura_davis@ios.doi.gov> wrote:
I think better to keep this one clean and about what we are doing w Utah.

On Friday, October 11, 2013, Suzanne Waldron wrote:
One more thought After a cup of coffee. - depending on how the np foundation thing works out want to keep the idea of including them in here as a plAce people who want to support all their parks can turn

Sent from my iPhone

On Oct 11, 2013, at 6:49 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:

Defer to NPS on how they like to talk abt parks!

Sent from my iPhone

On Oct 11, 2013, at 6:16 AM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

> We've been pretty consistent/successful with using 401 national parks (small n small p) to more easily get across the idea that they are all part of a system...the different designations confuse most people. "Oh a monument isnt a national park?
>
> Suggest sticking with this - and using Laura's tweaks to language (b) (5) [redacted]
>
> Agree with ted's change (b) (5) [redacted]
>
> Thanks kate. Will touch base when i get in
>
> Sue Waldron
> Assistant Director, Communications
> National Park Service
>
> Sent from my iPad
>
> On Oct 11, 2013, at 5:59 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:
>
> > Agreeing with those edits, (b) (5) [redacted]
> >
> > 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 Fri, Oct 11, 2013 at 5:42 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:
> > Looks really good and thanks to Kate and Sue.

Agree with Jack's edit or something like it. (b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 12:56 AM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:

--

Laura Daniel Davis
Chief of Staff
US Department of the Interior
202-208-7351
Laura_Davis@ios.doi.gov

--

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

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

EXPERIENCE YOUR AMERICA

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:08 AM
To: Bruce Sheaffer; Foster, Maureen; Margaret O'Dell
Subject: Fwd: Draft agreement for Utah donation

Have you confirmed receipt of funds?

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

---------- Forwarded message ----------
From: **John Pearce** <jpearce@utah.gov>
Date: Fri, Oct 11, 2013 at 10:32 AM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

I just received word that the wire has been sent. Please let me know
if you need anything else from us.
Best,
Jp

> On Oct 11, 2013, at 7:43 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:
>
> John -
>
> Attached, please find the final agreement that Director Jarvis signed this
> morning.
> In addition to your notifications per the agreement, please send me a reply
> when you've confirmed that the funds have been wired. The National Park
> Service staff are being notified that there is a signed agreement, but will

> need to confirm the receipt of funds as soon as possible.
>
> Thanks again for facilitating the entry of this agreement so quickly.
> Regards,
>
>
> Ted Boling****
>
> Deputy Solicitor -- Parks & Wildlife**
>
> U.S Department of the Interior****
>
> 1849 C Street NW****
>
> Washington, DC 20240****
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> 202-208-4423 (main)****
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> 202-208-5584 (fax)****
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> Ted.Boling@sol.doi.gov
>
>
>
>> On Thu, Oct 10, 2013 at 11:39 PM, John Pearce <jpearce@utah.gov> wrote:
>>
>> Ted,
>>
>> Thanks again for working late to help with the Agreement. To expedite the
>> quick reopening of the parks, Governor Herbert has signed the agreement (a
>> copy of which is attached to this email) in hopes that we can get a signed
>> copy back from NPS before the start of our business day. That will allow
>> us to finalize the wire transfer first thing in the morning. To that end,
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>> email and would ask that you please reply to all as soon as you have an
>> executed agreement so that we might get the wire sent at the earliest
>> opportunity and get the parks opened as soon as possible.
>>
>> Please let me know if you have any questions. I look forward to hearing
>> from you.
>> Best,
>> Jp
>>
>>
>> On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov>wrote:
>>
>>> Thanks, John. We'll review ASAP.
>>>
>>> Ted Boling****

>>>
>>> Deputy Solicitor -- Parks & Wildlife**
>>>
>>> U.S Department of the Interior****
>>>
>>> 1849 C Street NW****
>>>
>>> Washington, DC 20240****
>>>
>>> 202-208-4423 (main)****
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>>> 202-208-3125 (direct)****
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>>> 202-208-5584 (fax)****
>>>
>>> Ted.Boling@sol.doi.gov
>>>
>>>
>>>
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>>>> Mr. Boling,
>>>>
>>>> Please find attached our proposed revisions to the Agreement in a track
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>>>> the number of days the units will be initially opened from 4 to 10. Please
>>>> let me know if you have any questions about that or any other proposed edit.
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>>>> My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted]. Please
>>>> let me know right away whether these changes are acceptable and if we can
>>>> secure DOI approval this evening. I have a Governor ready to sign and
>>>> personnel waiting to execute the wire transfer this evening so we can get
>>>> the parks open as soon as possible tomorrow.
>>>>
>>>> Best,
>>>> Jp
>>>>
>>>>
>>>> On Thu, Oct 10, 2013 at 5:08 PM, Boling, Edward <ted.boling@sol.doi.gov>wrote:
>>>>
>>>>> Mr. Pearce,
>>>>>
>>>>> Attached is our draft agreement for donation of Utah funds for purposes
>>>>> of allowing the National Park Service to open the parks identified in the
>>>>> agreement and its Exhibit A. This draft has not been fully cleared within
>>>>> the Department of the Interior, but we believe we can obtain clearance and
>>>>> execution of this version this evening. I will stand by at the direct line
>>>>> below in case you would like to discuss it.
>>>>>
>>>>> Regards,
>>>>>

>>>>> 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 Utah Donation Agreement 10.11.2013.pdf>

From: Benjamin Milakofsky <benjamin_milakofsky@ios.doi.gov>
Sent: Friday, October 11, 2013 11:08 AM
To: Maureen Foster; Rachel Jacobson; Margaret O'Dell
Subject: Fwd: gov cuomo's office

I didn't want to break up your staff meeting but can one of you give me a buzz when you are done? Cell is best.
(b) (6) [redacted]

Thanks

Sent from my iPhone

Begin forwarded message:

> **From:** Alexander Cochran <Alexander.Cochran@exec.ny.gov>
> **Date:** October 11, 2013, 11:01:20 AM EDT
> **To:** "'Milakofsky, Benjamin'" <benjamin_milakofsky@ios.doi.gov>
> **Subject: RE: gov cuomo's office**
>
> Just called hit back 2024347112
>
> ALEXANDER
>
> Alexander Cochran
> Special Counsel to the Governor
> 202.434.7112 (O)
> 518.763.2609 (C)
>
> **From:** Milakofsky, Benjamin [mailto:benjamin_milakofsky@ios.doi.gov]
> **Sent:** Friday, October 11, 2013 11:00 AM
> **To:** Alexander Cochran
> **Subject:** Re: gov cuomo's office
>
> Alex
>
> My direct line is (202) 208-3437
>
> Ben
>
> On Fri, Oct 11, 2013 at 10:08 AM, Alexander Cochran <Alexander.Cochran@exec.ny.gov> wrote:
> Ben: what number can I call you on real quick?
>
> ALEXANDER

Alexander Cochran
Special Counsel to the Governor
202.434.7112 (O)
518.763.2609 (C)

****

WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

--

Ben Milakofsky

Deputy Chief of Staff

Department of the Interior

202-208-3437 (direct)

Ben_Milakofsky@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:26 AM
To: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer
Subject: Re: Draft agreement for Utah donation

Looping in others to spread the word that we now have funds for 8 parks in Utah.

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 Fri, Oct 11, 2013 at 11:20 AM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
We just received the Utah funds

Sent from my iPhone

On Oct 11, 2013, at 11:08 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

> Have you confirmed receipt of funds?
>
> 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
>
> ---------- Forwarded message ----------
> From: **John Pearce** <jpearce@utah.gov>
> Date: Fri, Oct 11, 2013 at 10:32 AM
> Subject: Re: Draft agreement for Utah donation

To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

I just received word that the wire has been sent. Please let me know if you need anything else from us.
Best,
Jp

> On Oct 11, 2013, at 7:43 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:
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> John -
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> Attached, please find the final agreement that Director Jarvis signed this
> morning.
> In addition to your notifications per the agreement, please send me a reply
> when you've confirmed that the funds have been wired. The National Park
> Service staff are being notified that there is a signed agreement, but will
> need to confirm the receipt of funds as soon as possible.
>
> Thanks again for facilitating the entry of this agreement so quickly.
> Regards,
>
>
> Ted Boling****
>
> Deputy Solicitor -- Parks & Wildlife**
>
> U.S Department of the Interior****
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> 1849 C Street NW****
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>> On Thu, Oct 10, 2013 at 11:39 PM, John Pearce <jpearce@utah.gov> wrote:
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>> Ted,
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>> Thanks again for working late to help with the Agreement. To expedite the
>> quick reopening of the parks, Governor Herbert has signed the agreement (a
>> copy of which is attached to this email) in hopes that we can get a signed
>> copy back from NPS before the start of our business day. That will allow
>> us to finalize the wire transfer first thing in the morning. To that end,
>> I have copied a number of members of the Governor's senior staff on this
>> email and would ask that you please reply to all as soon as you have an
>> executed agreement so that we might get the wire sent at the earliest
>> opportunity and get the parks opened as soon as possible.
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>> On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov>wrote:
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>>> Thanks, John. We'll review ASAP.
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>>> Deputy Solicitor -- Parks & Wildlife**
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>>>> changes form. The only major change from the draft you sent is to modify
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>>>> let me know if you have any questions about that or any other proposed edit.
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>>>> My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted]. Please
>>>> let me know right away whether these changes are acceptable and if we can
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>>>>> 202-208-5584 (fax)****
>>>>>
>>>>> Ted.Boling@sol.doi.gov
> <NPS Utah Donation Agreement 10.11.2013.pdf>

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:49 AM
To: Young - GovOffice, Douglas
Cc: Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: Re: NPS Agreement for ROMO

Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

Ted Boling
Deputy Solicitor -- Parks & Wildlife
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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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833

Douglas.young@state.co.us

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 11:50 AM
To: Boling, Edward
Cc: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer; Suzanne Waldron
Subject: Re: Draft agreement for Utah donation

She heard that the money has not cleared yet. Latest thoughts?

On Friday, October 11, 2013, Boling, Edward wrote:
Looping in others to spread the word that we now have funds for 8 parks in Utah.

Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
Washington, DC 20240
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To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

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>>>>> 202-208-3125 (direct)****
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>>>>> 202-208-5584 (fax)****
>>>>>
>>>>> Ted.Boling@sol.doi.gov
> <NPS Utah Donation Agreement 10.11.2013.pdf>

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 12:30 PM
To: Edward Boling
Cc: Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer
Subject: Re: NPS Agreement for ROMO

They need to adjust their expectations.

On Fri, Oct 11, 2013 at 12:23 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:
Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.

Sent from my iPad

Begin forwarded message:

> **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> **Date:** October 11, 2013, 12:13:03 PM EDT
> **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> **Subject: Re: NPS Agreement for ROMO**
>
> Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.
>
> Appreciate your help,
> Stephanie
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Ted Boling
Deputy Solicitor -- Parks & Wildlife
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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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 12:32 PM
To: Nicole Buffa
Cc: Edward Boling; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

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> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>,

Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
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Appreciate your help,
Stephanie

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1849 C Street NW
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Thank you,

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Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO
Attachments: NPS-State of Colorado donation agreement FINALreview.docx

Here's the draft final agreement for Rocky Mountain N.P., with edits approved by OMB and DOJ.
Let me know when we're cleared to send it back to CO for re-signing.

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

On Fri, Oct 11, 2013 at 12:35 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
I would like to get this one on the plan below. I'll do the OMB notifications, which is the next step (I think). So, please let me know where we are with template clearance so I can get hopping. Thanks!

On Oct 11, 2013, at 12:31 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

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U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Colorado
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take

affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

_____
Name (signature)

Governor, State of Colorado
Title

_____
Date

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 1:20 PM
To: Neimeyer, Sarah
Cc: Edward Boling; To: Davis, Laura; Cc: Suzanne Waldron; Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov; Pam Haze
Subject: Re: Hill Outreach for NPS Donatation Agreement with the State of Utah is complete

+Pam for approps outreach

Pam - this is for the agreement with Utah to open 8 national parks tomorrow. We'll be sending out a press release on behalf of the NPS this afternoon.

You might connect with Sarah if you have any questions of what is being shared with the Hill.

On Fri, Oct 11, 2013 at 11:13 AM, Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov> wrote:
State of Utah Senate and House Chiefs of Staff:

Michael Kennedy, Senator Hatch

Boyd Matheson, Senator Lee

Scott Parker, Rep. Bishop

Justin Harding, Rep. Chafitz

Meg Josheph, Rep. Matheson

Brian Steed, Rep. Stewart

House Natural Resources Committee

Todd Young, Majority Chief of Staff

Penny Dodge, Minority Staff Director

Senate Energy and Natural Resources Committee

Josh Sheinkman, Majority Staff Director

Karen Billups, Minority Staff Director

Leadership

Maryam Brown, Speaker Boehner

Aaron Cutler, Rep. Cantor

Ken Degraff, Rep. Pelosi

Mary Frances Repko, Rep. Hoyer

Alex McDonough, Senator Reid

Neil Chatterjee, Senator McConnell

--
Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 1:21 PM
To: Nicole Buffa
Cc: Edward Boling; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO

+Waldron

I have no comms materials. Once we get an approved version back from down the street, Waldron can switch out the Utah info for the Colorado info, but right now we don't have that.

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Thanks, Ted. I am working on getting clearance/doing notifications. Per the below:

Sarah – Are your hill notifications almost done? Do you need any help?

Blake – Do you have all the comms materials ready to hit send?

We'd like to have all these boxes checked before this agreement is signed and people on the ground are notified.

Thank you all,

Nikki

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

Here's the draft final agreement for Rocky Mountain N.P., with edits approved by OMB and DOJ.

Let me know when we're cleared to send it back to CO for re-signing.

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

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I would like to get this one on the plan below. I'll do the OMB notifications, which is the next step (I think). So, please let me know where we are with template clearance so I can get hopping. Thanks!

On Oct 11, 2013, at 12:31 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

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(b) (5)

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Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad
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> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> > **Subject: Re: NPS Agreement for ROMO**
> >
> > Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.
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On Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:

Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

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Office of the Governor

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(303) 866-3788 (direct)

stephanie.donner@state.co.us

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From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 1:36 PM
To: Neimeyer, Sarah
Cc: Androff, Blake; Nicole Buffa; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO
Attachments: NPS-State of Colorado donation agreement FINALreview.docx

Attached is draft and FYI only. It has not been sent to CO.
I can send you what we send to CO when we send it.

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On Fri, Oct 11, 2013 at 1:22 PM, Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov> wrote:
I need a copy of the CO agreement and then we can do the outreach.

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<josephagarcia@state.co.us>, eric brown
<eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

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Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

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Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

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Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take

affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

_____
Name (signature)

Governor, State of Colorado
Title

_____
Date

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 1:40 PM
To: Boling, Edward
Cc: Neimeyer, Sarah; Androff, Blake; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO

I only need to know whether this has deviated from the template in any way. Thanks!

Please do not sign until SN's notifications are done and Blake has Comms sign off. Thanks.

On Friday, October 11, 2013, Boling, Edward wrote:
Attached is draft and FYI only. It has not been sent to CO.
I can send you what we send to CO when we send it.

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

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Nikki

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

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Let me know when we're cleared to send it back to CO for re-signing.

Ted Boling
Deputy Solicitor -- Parks & Wildlife

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 1:51 PM
To: Kelly, Katherine
Cc: Haugrud, Jack; Ted Boling; laura davis; Nicole Buffa; O'Dell, Peggy; jon jarvis; Suzanne Waldron; maureen foster; Sarah Neimeyer; Benjamin Milakofsky
Subject: Re: draft Utah release

Copied below is the updated release. Please let me know **ASAP** if you have any concerns. We will try to get this out in the next 30 minutes.

Thanks!

Best,

Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of Utah to Re-open Eight National Parks

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of Utah that will allow eight national parks in the state to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park.

The agreement funds Utah's eight national parks for a period of 10 days, running from Friday, October 11 through Sunday, October 20 at the donated amount of $1,665,720.80.

The Antideficiency Act prohibits agencies from incurring obligations that are in advance of, or that exceed, an appropriation from Congress. During the shutdown, the National Park Service has closed and secured national park facilities and grounds and suspended all activities except for those essential to respond to emergencies involving the safety of human life or the protection of property.

###

On Thu, Oct 10, 2013 at 11:40 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
pretty cut and dry - please let me know what edits or additional information we should add. Edits back before 8am would be the most appreciated.

National Park Service Enters Agreement with State of Utah to Re-open Eight National Parks

The National Park Service today announced that it has entered into an agreement with the State of Utah that will allow the state's eight national parks to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this senseless shutdown," said Secretary Sally Jewell. "We appreciate the outpouring of support from the American people who want all 401 of their national parks open and look forward to replacing this band-aid as soon as Congress passes an appropriations bill."

Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park.

"This is the best solution to a bad situation," said NPS Director Jonathan B. Jarvis. "This agreement ensures that NPS professionals will be on duty to welcome and provide for the safety of visitors and the protection of park resources."

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###

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

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Sent: Friday, October 11, 2013 2:51 PM
To: Neimeyer, Sarah
Cc: Boling, Edward; Androff, Blake; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
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Blake - Are you ok with that?

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Here's the draft final agreement for Rocky Mountain N.P., with edits approved by OMB and DOJ.

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(b) (5)

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Sent from my iPad

Begin forwarded message:

> **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> **Date:** October 11, 2013, 12:13:03 PM EDT
> **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> **Subject: Re: NPS Agreement for ROMO**
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Thank you,

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Doug Young
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Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
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Stephanie F. Donner

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Office of the Governor

136 State Capitol Building

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Sarah C. Neimeyer, Director
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US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

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To: Buffa, Nicole
Cc: Neimeyer, Sarah; Boling, Edward; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
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yes - sounds perfect

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Doug

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Doug Young
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Cc: Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown; nikki.buffa@doi.gov
Subject: Re: NPS Agreement for ROMO
Attachments: NPS-State of Colorado donation agreement FINALreview.docx

Doug - thanks for your patience. Attached is our proposed final agreement. The changed paragraph is B.2., which now reads:

The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

If that works for Colorado, please remove the header, have your authorized official sign, and send me a pdf of the signed copy. I'm available at the number below if necessary..

Best,

Ted Boling
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Hey all--

Any word on ETA for final draft?

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Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Colorado
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take

affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

_____
Name (signature)

Governor, State of Colorado
Title

_____
Date

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 3:42 PM
To: Androff, Blake
Cc: Buffa, Nicole; Neimeyer, Sarah; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO
Attachments: NPS Colorado Donation Agreement.pdf

Here's the final for Rocky Mountain N.P.!

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 Fri, Oct 11, 2013 at 2:57 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
yes - sounds perfect

On Fri, Oct 11, 2013 at 2:51 PM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
Hi Team - I think this agreement can be sent to CO asap. Just ask them to have their comms coordinate with our comms.

Blake - Are you ok with that?

thanks,
Nikki

On Fri, Oct 11, 2013 at 1:42 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Sarah - there are some notifications that need to be done before this is signed. Will come find you.

On Oct 11, 2013, at 1:37 PM, "Neimeyer, Sarah" <sarah_neimeyer@ios.doi.gov> wrote:

> I"d prefer to send up the final signed CO document when it's completed to the Hill.
>
> On Fri, Oct 11, 2013 at 1:36 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
> Attached is draft and FYI only. It has not been sent to CO.

I can send you what we send to CO when we send it.

Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
Washington, DC 20240
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Ted.Boling@sol.doi.gov

On Fri, Oct 11, 2013 at 1:22 PM, Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov> wrote:
I need a copy of the CO agreement and then we can do the outreach.

On Fri, Oct 11, 2013 at 1:21 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
+Waldron

I have no comms materials. Once we get an approved version back from down the street, Waldron can switch out the Utah info for the Colorado info, but right now we don't have that.

On Fri, Oct 11, 2013 at 1:18 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Thanks, Ted. I am working on getting clearance/doing notifications. Per the below:

Sarah – Are your hill notifications almost done? Do you need any help?

Blake – Do you have all the comms materials ready to hit send?

We'd like to have all these boxes checked before this agreement is signed and people on the ground are notified.

Thank you all,

Nikki

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

Here's the draft final agreement for Rocky Mountain N.P., with edits approved by OMB and DOJ.

Let me know when we're cleared to send it back to CO for re-signing.

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 Fri, Oct 11, 2013 at 12:35 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

I would like to get this one on the plan below. I'll do the OMB notifications, which is the next step (I think). So, please let me know where we are with template clearance so I can get hopping. Thanks!

On Oct 11, 2013, at 12:31 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> > **Subject: Re: NPS Agreement for ROMO**
> >
> > Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,

Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:

Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:

Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Blake Androff
Deputy Director of Communications
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Office: (202) 208-6416 | Cell: (202) 725-7435

--

Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

--

Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557

Fax - (202) 208-5533

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
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National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
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Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Chief of Staff
Governor
State of Colorado
136 State Capitol
Denver, CO 80203
Telephone: (303) 866-6290

Telefax: (303) 866-2003
Email: roxane.white@state.co.us

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Colorado:

Name (signature)

Joseph A. Garcia, Lt. Governor, State of Colorado
Acting pursuant to Colo. Const. Article IV, Section 13(5)

Title

10/11/2013

Date

From:	Boling, Edward <ted.boling@sol.doi.gov>
Sent:	Friday, October 11, 2013 3:43 PM
To:	Young - GovOffice, Douglas
Cc:	Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown; Buffa, Nicole; Michelle Zale - GovOffice; Scott Wasserman - GOVOFFICE
Subject:	Re: NPS Agreement for ROMO
Attachments:	NPS Colorado Donation Agreement.pdf

Thanks, Doug. Here's the final agreement.
NPS would like to talk about your question once we've gotten mobilized.

Best,

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 Fri, Oct 11, 2013 at 3:15 PM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Final sate signed copy attached.

Also, we are wondering when our payment beings to apply. Since it will not be open today, would our days paid start tomorrow?

Thanks all!

Doug

On Fri, Oct 11, 2013 at 12:57 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Doug - thanks for your patience. Attached is our proposed final agreement. The changed paragraph is B.2., which now reads:

The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

If that works for Colorado, please remove the header, have your authorized official sign, and send me a pdf of the signed copy. I'm available at the number below if necessary..

Best,

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

On Fri, Oct 11, 2013 at 2:25 PM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Hey all--

Any word on ETA for final draft?

Thanks,

Doug

On Fri, Oct 11, 2013 at 9:48 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

Ted Boling
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On Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

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Doug Young
Senior Policy Director
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Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Chief of Staff
Governor
State of Colorado
136 State Capitol
Denver, CO 80203
Telephone: (303) 866-6290

Telefax: (303) 866-2003
Email: roxane.white@state.co.us

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Colorado:

Name (signature)

Joseph A. Garcia, Lt. Governor, State of Colorado
Acting pursuant to Colo. Const. Article IV, Section 13(5)

Title

10/11/2013

Date

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:34 PM
To: Foster, Maureen
Cc: Sheaffer, Bruce; Rachel Jacobson; Jon Jarvis; Peggy O'Dell
Subject: Re: Any updates on treasury? Secretary wants to know.

Rob sent the template to you

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

Sent from my iPhone

On Oct 11, 2013, at 4:31 PM, "Foster, Maureen" <maureen_foster@nps.gov> wrote:

Can we get the form so that I send it to NY State? They want to send it today by 6:30.

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.

On Fri, Oct 11, 2013 at 4:29 PM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
The wire system closes at 6:30 pm and is closed weekends and holidays.

On Fri, Oct 11, 2013 at 4:09 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

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

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:35 PM
To: Rachel Jacobson
Cc: Bruce_Sheaffer@nps.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov; peggy_o'dell@nps.gov
Subject: Re: Any updates on treasury? Secretary wants to know.

Yes.

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

Sent from my iPhone

On Oct 11, 2013, at 4:33 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

So unless $$$ wored before then, no openings until tues?

From: Sheaffer, Bruce [mailto:bruce_sheaffer@nps.gov]
Sent: Friday, October 11, 2013 01:29 PM
To: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Maureen Foster <Maureen_Foster@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

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

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:36 PM
To: Rachel Jacobson
Cc: Bruce_Sheaffer@nps.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov; peggy_o'dell@nps.gov; Edward Boling
Subject: Re: Any updates on treasury? Secretary wants to know.

Yes plus adding Ted

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

Sent from my iPhone

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To: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Maureen Foster <Maureen_Foster@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
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C. Bruce Sheaffer
Comptroller
National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:36 PM
To: Rachel Jacobson
Cc: Maureen_Foster@nps.gov; Bruce_Sheaffer@nps.gov; Jon_Jarvis@nps.gov; peggy_o'dell@nps.gov; jack.haugrud@sol.doi.gov; Ted.Boling@sol.doi.gov; nicole_buffa@ios.doi.gov
Subject: Re: Is CO AGREEMENT THE TEMPLATE THAT CAN BE USED FOR OTHER STATES??

Yes

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

Sent from my iPhone

On Oct 11, 2013, at 4:35 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 01:31 PM
To: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Cc: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

Can we get the form so that I send it to NY State? They want to send it today by 6:30.

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)

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

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 4:52 PM
To: Maureen Foster
Cc: Rachel Jacobson; Peggy O'Dell; Jon Jarvis; Suzanne Waldron
Subject: Re: NY is signing.

Please send us the agreement that they are signing.
Sue needs grist for the communications mill.

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 Fri, Oct 11, 2013 at 4:49 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** Howard Glaser <Howard.Glaser@exec.ny.gov>
> **Date:** October 11, 2013, 4:38:41 PM EDT
> **To:** "'maureen_foster@nps.gov'" <maureen_foster@nps.gov>
> **Cc:** Alexander Cochran <Alexander.Cochran@exec.ny.gov>
>
> Maureen many thanks. We are signing now and will have to you shortly. We will arrange wire transfer soon as we get wire instructions.
> What is your sense of opening process. If funds are transferred tonight, what happens next?
> Hg
>
> **********
> WE WORK FOR THE PEOPLE
> Performance * Integrity * Pride

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 5:11 PM
To: Androff, Blake
Cc: Edward Boling; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Process and Plans for tonight

Just a reminder. I recognize that these timelines are going to be condensed. But we still have a process we need to stick to please. See below.

Maureen/Peggy - Please let me know, where we are on various agreements that are flying around here. So we can start notifications and preparing comms. I am hearing all sorts of things and we need to be sync'd up.

What are the next two agreements that are ready to be signed?

On Fri, Oct 11, 2013 at 12:31 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad

Begin forwarded message:

From: "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
Date: October 11, 2013, 12:13:03 PM EDT
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Nikki Buffa
Deputy Chief of Staff

US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 5:28 PM
To: Rachel Jacobson
Cc: Blake Androff; Foster, Maureen; Robert Eaton; kevin_waldron@nps.gov; Nicole Buffa; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Current status of States:

NY was set to send funds for 4 days, but now understands that the last 2 would be shutdown days per paragraph A.5. Now they will send me their version of the draft agreement, so we can confirm that we have the right timeframe.

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 Fri, Oct 11, 2013 at 5:24 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:
These four are in the works, all need Coms prepared and SOL review of all docs:

1. NY - Statute of Liberty $61,600 per day
2. SD - Rushmore. $15,200 per day.
3. AZ - Grand Canyon $93,000 per day
4. Missouri: St. Louis Arch $30,800 per day

This one is not as far along:
5. TN - Great Smokey Mountains. More complicated b/c partially in NC.

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 5:56 PM
To: Nicole Buffa
Cc: Rachel Jacobson; Blake Androff; Foster, Maureen; Robert Eaton; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Current status of States:

If they extend - we must be assured that we can also get confirmation of the receipt of all funds today.

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 Fri, Oct 11, 2013 at 5:53 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
We'll need everyone to send their money to treasury by 630pm tonight in order to effectuate any new agreements. I'm trying to see if I can get this extended but I'm not entirely confident.

On Oct 11, 2013, at 5:27 PM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

> NY was set to send funds for 4 days, but now understands that the last 2 would be shutdown days per paragraph A.5. Now they will send me their version of the draft agreement, so we can confirm that we have the right timeframe.
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> Ted Boling
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From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 6:08 PM
To: Boling, Edward
Cc: Rachel Jacobson; Blake Androff; Foster, Maureen; Robert Eaton; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Current status of States:

We need to assume they won't extend. Has any state other than NY, CO, and UT sent money to treasury?

On Fri, Oct 11, 2013 at 5:55 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
If they extend - we must be assured that we can also get confirmation of the receipt of all funds today.

Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
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> Ted Boling
> Deputy Solicitor -- Parks & Wildlife
> U.S Department of the Interior
> 1849 C Street NW
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--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 6:15 PM
To: Jonathan Jarvis
Cc: Foster, Maureen; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Suzanne Waldron; Blake Androff; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Fwd: NYS MOU Statue of Liberty
Attachments: NYSSTLI.pdf

Jon - NY-STLI is ready for your signature on this attachment.

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

---------- Forwarded message ----------
From: **John Regan** <John.Regan@exec.ny.gov>
Date: Fri, Oct 11, 2013 at 6:11 PM
Subject: RE: NYS MOU Statue of Liberty
To: "Boling, Edward" <ted.boling@sol.doi.gov>

Clean header.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:05 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

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U.S Department of the Interior
1849 C Street NW
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202-208-3125 (direct)
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Cc: Alexander Cochran; Howard Glaser; Foster, Maureen; Barry Roth; Nicole Buffa
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Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of New York

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of New York (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Statue of Liberty National Monument (hereinafter "STLI") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, the visitors to STLI through their economic activity, play a vital role in the economies and well-being of New York and other towns and cities located near STLI;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, STLI was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, STLI will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in STLI;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen STLI to public use and visitation and to operate and manage STLI during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen STLI to public use and visitation, the State will donate to the NPS, for each day that STLI is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $61,600.00. The amount of money listed in Exhibit A includes all normal costs of operating and managing STLI calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage STLI in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen STLI.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage STLI for a period of six days beginning at 12:01a.m. on October 12, 2013, and ending at 11:59 p.m. on October 17, 2013. The amount required to reopen, operate, and manage STLI for those six days is $369,300.00

4. If the State desires to donate additional amounts to keep STLI open beyond 11:59 p.m. on October 17, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage STLI for two calendar days, i.e., $123,200.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen STLI and will operate

and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close STLI to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing STLI. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Jonathan B. Jarvis, Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889

Email: jon.jarvis@nps.gov

For the State:

Governor Andrew M. Cuomo
State of New York

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of STLI under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of New York:

Andrew M. Cuomo

Governor, State of New York
Title

10/11/13
Date

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 6:29 PM
To: Boling, Edward
Cc: Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Suzanne Waldron; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Re: NYS MOU Statue of Liberty

Has the money hit the bank?

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Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 6:38 PM
To: Waldron, Suzanne
Cc: Foster, Maureen; Boling, Edward; Jonathan Jarvis; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Re: NYS MOU Statue of Liberty

Reviewing now

On Fri, Oct 11, 2013 at 6:35 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
release

On Fri, Oct 11, 2013 at 6:31 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
yes

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

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Sue Waldron
Assistant Director, Communications
National Park Service
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Visit us at www.nps.gov

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From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 7:17 PM
To: Waldron, Suzanne
Cc: Bruce Sheaffer; Maureen Foster; Peggy O'Dell; Blake Androff
Subject: Re: confiming status for news releases

GRCA is for 7 days.
Bruce will confirm $

Ted Boling
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On Fri, Oct 11, 2013 at 7:12 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
NY - agreement signed money transfer confirmed - release ready to go STLI only
The agreement funds the park for a period of six days, running from October 12 through October 17 at the donated amount of $369,300.

South Dakota - agreeement signed - money transfer confirmed - release ready to go mount rushmore only
The agreement funds the park for a period of 10 days, running from October 14 through October 23 at the donated amount of $152,000.

Arizona - agreement ???? money ????? Grand Canyon only
The agreement funds the park for a period of six days, running from October 12 through October 18 at the donated amount of $651,000.

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

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

EXPERIENCE YOUR AMERICA

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 7:20 PM
To: Haze, Pam
Cc: Margaret O'Dell; Nicole Buffa; Sarah Neimeyer; Ted Boling; Jack Haugrud; Sue Waldron; Jon Jarvis; Rachel Jacobson
Subject: Re: Process and Plans for tonight

Thanks

On Fri, Oct 11, 2013 at 7:18 PM, Haze, Pam <pam_haze@ios.doi.gov> wrote:
Appropriations covered - all good.

On Fri, Oct 11, 2013 at 7:16 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:
Arizona signed by Jon. State has to sign. Money is here. Press release being worked on

South Dakota. Agreement signed by both and money is here.

Missouri not happening tonight. Their bank stops electronic transfers at 3:30.

Blake and Sue working on press. When can we tell parks? Is Pam going to tell appropriators? Do we need to do anything else?

Sent from my iPhone

On Oct 11, 2013, at 6:28 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

> Pam - can you notify appropriators that NY is going? We'll be opening the statue.
>
> Team NPS - any other near final?
>
> On Oct 11, 2013, at 5:16 PM, "Haze, Pam" <pam_haze@ios.doi.gov> wrote:
>
> > I'm doing approps notifications so please keep me in the loop. thanks
> >
> > On Fri, Oct 11, 2013 at 5:11 PM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
> > Just a reminder. I recognize that these timelines are going to be condensed. But we still have a process we need to stick to please. See below.
> >
> > Maureen/Peggy - Please let me know, where we are on various agreements that are flying around here. So we can start notifications and preparing comms. I am hearing all sorts of things and we need to be sync'd up.
> >
> > What are the next two agreements that are ready to be signed?

On Fri, Oct 11, 2013 at 12:31 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton

<robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 7:36 PM
To: Waldron, Suzanne
Cc: Boling, Edward; Bruce Sheaffer; Maureen Foster; Peggy O'Dell
Subject: Re: confiming status for news releases

Need press release. Gov Brewer just tweeted the news.

@GovBrewer 3m

Great news! I've just negotiated a deal for **#AZ** to fully reopen **@GrandCanyonNPS** tomorrow!

On Fri, Oct 11, 2013 at 7:20 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
thanksk Ted

On Fri, Oct 11, 2013 at 7:16 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
GRCA is for 7 days.
Bruce will confirm $

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 Fri, Oct 11, 2013 at 7:12 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
NY - agreement signed money transfer confirmed - release ready to go STLI only
The agreement funds the park for a period of six days, running from October 12 through October 17 at the donated amount of $369,300.

South Dakota - agreeement signed - money transfer confirmed - release ready to go mount rushmore only
The agreement funds the park for a period of 10 days, running from October 14 through October 23 at the donated amount of $152,000.

Arizona - agreement ???? money ????? Grand Canyon only

The agreement funds the park for a period of six days, running from October 12 through October 18 at the donated amount of $651,000.

--
Sue Waldron
Assistant Director, Communications
National Park Service
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--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 7:46 PM
To: Jonathan Jarvis
Cc: Sally Jewell; Sarah Neimeyer; Laura Davis; Blake Androff; Peggy O'Dell; Rachel Jacobson; Kevin Haugrud; Robert Eaton; Ted Boling; Barry Roth; Kate P Kelly
Subject: Re: Agreements

Yes. Good work everyone! Two additions (please let me know if I get this wrong, team):

- MO: MO was unable to get their money transferred to us in time, their issue not ours. NPS reports that MO was not concerned, and I notified folks who also didn't seem concerned.
- Assorted Concessionaires: Jack was able to get sign-off from OMB on our concessionaire rubric and we are applying it to 12 or so concessionaires throughout the country. They should receive reopening notifications soon. Blake is preparing an "if asked" statement.

We do not believe Treasury will be able to accept any additional monies until Tuesday so we are closed for business. Please let us know if you have any questions.

thanks,
Nikki

On Fri, Oct 11, 2013 at 7:41 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:
Sally: signed agreements and money wired. Notices sent to open

South Dakota for 10 days of Mt Rushmore.
Arizona for 7 days of Grand Canyon
New York for 6 days of the Statue
Colorado for 9 days of Rocky
Utah for 10 days of eight parks.

Done till Tuesday. Coms in the loop.

Hard work by everybody!!!! Thank you!!

Sent from my iPhone

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861

nicole_buffa@ios.doi.gov

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 7:48 PM
To: Peggy O'Dell; Maureen Foster
Subject: Fwd: Media

more from CO.

---------- Forwarded message ----------
From: **Patterson, Kyle** <kyle_patterson@nps.gov>
Date: Fri, Oct 11, 2013 at 7:09 PM
Subject: Re: Media
To: Roxane White - GovOffice <roxane.white@state.co.us>
Cc: Nicole Buffa <nicole_buffa@ios.doi.gov>, "Brown - GovOffice, Eric" <eric.brown@state.co.us>, "douglaseyoung(b) (6) [redacted] <douglaseyoung(b) (6) [redacted]>, "blake_androff@ios.doi.gov" <blake_androff@ios.doi.gov>, Vaughn Baker <Vaughn_Baker@nps.gov>

Thanks Roxane. Consider these incorporated!!

On Fri, Oct 11, 2013 at 4:53 PM, Roxane White - GovOffice <roxane.white@state.co.us> wrote:
Two needs:
Road will help us get recovery so saying as soon as we can safely open we are committed to doing so (fingers crossed)!

The Governor authorized these funds to help with recovery (we can't do all our National Parks and chose RMNP due to help with physical and economic recovery).

That's all we need.

Roxane White
Chief of Staff
Colorado Governor Hickenlooper
136 State Capitol Building
Denver, CO 80203
303-866-6290
Follow on facebook and twitter,@RoxPWhite

Under CO Open Records Act, all messages sent to or by me from this account may be subject to public disclosure.

From: Patterson, Kyle [mailto:kyle_patterson@nps.gov]
Sent: Friday, October 11, 2013 04:48 PM
To: Roxane White - GovOffice <roxane.white@state.co.us>
Cc: Nicole Buffa <nicole_buffa@ios.doi.gov>; Brown - GovOffice, Eric <eric.brown@state.co.us>; douglaseyoung(b) (6) [redacted] <douglaseyoung(b) (6) [redacted]; blake_androff@ios.doi.gov <blake_androff@ios.doi.gov>; Vaughn Baker <Vaughn_Baker@nps.gov>

Subject: Re: Media

Absolutely - we do too!

Eric, when you get a chance .... please send me those additional points Roxane is referring to. We have a couple of pending interview requests and we can get those across. Thank you!

On Fri, Oct 11, 2013 at 4:35 PM, Roxane White - GovOffice <roxane.white@state.co.us> wrote:
As the funders, please coordinate with us. All we needed was a couple of additional lines. We want the partnership and funding to all be successful. Thanks so much!

Roxane White
Chief of Staff
Colorado Governor Hickenlooper
136 State Capitol Building
Denver, CO 80203
303-866-6290
Follow on facebook and twitter,@RoxPWhite

Under CO Open Records Act, all messages sent to or by me from this account may be subject to public disclosure.

From: Patterson, Kyle [mailto:kyle_patterson@nps.gov]
Sent: Friday, October 11, 2013 04:32 PM
To: Nicole Buffa <nicole_buffa@ios.doi.gov>
Cc: Roxane White - GovOffice <roxane.white@state.co.us>; eric.brown@state.co.us <eric.brown@state.co.us>; douglaseyoung(b) (6) [redacted] <douglaseyoun(b) (6) [redacted]; blake_androff@ios.doi.gov <blake_androff@ios.doi.gov>; Vaughn Baker <Vaughn_Baker@nps.gov>
Subject: Re: Media

Vaughn Baker the park's superintendent just spoke with Doug Young. Our remarks leading up to DOI's news release were intended to manage expectations about what people could expect at RMNP over this first weekend in particular. We wanted people to understand that it was primarily the lower elevation destinations that would be open this weekend. We also understand from Doug the importance of connecting the opening of the park to the flood recovery effort for our local communities. We will continue to emphasize that when we have the opportunity to do so.

The initial reaction I have received from the email to the media and community members has been overwhelmingly positive! We will continue to thank the Governor's office for making this possible.

On Fri, Oct 11, 2013 at 4:19 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
We had no idea the locals were doing a release. Will figure this out.

On Oct 11, 2013, at 6:19 PM, Roxane White - GovOffice
<roxane.white@state.co.us> wrote:

> Not the local one.
>
> Roxane White

> Chief of Staff
> Colorado Governor Hickenlooper
> 136 State Capitol Building
> Denver, CO 80203
> 303-866-6290
> Follow on facebook and twitter,@RoxPWhite
>
> Under CO Open Records Act, all messages sent to or by me from this account
> may be subject to public disclosure.
>
> ----- Original Message -----
> From: Nicole Buffa [mailto:nicole_buffa@ios.doi.gov]
> Sent: Friday, October 11, 2013 04:18 PM
> To: Roxane White - GovOffice <roxane.white@state.co.us>
> Cc: kyle_patterson@nps.gov <kyle_patterson@nps.gov>;
> eric.brown@state.co.us <eric.brown@state.co.us>; douglaseyoung(b) (6) [redacted]
> <douglaseyoung(b) (6) [redacted], Blake Androff <blake_androff@ios.doi.gov>
> Subject: Re: Media
>
> Adding Blake. My understanding is that your press folks had this
> release before we sent and we didn't hear any objections.
>
> On Oct 11, 2013, at 6:15 PM, Roxane White - GovOffice
> <roxane.white@state.co.us> wrote:
>
>> Could we please coordinate the media. The press release you just sent
> was
>> very concerning. Doug has tried to reach you. Eric is our media person.
>>
>> Roxane White
>> Chief of Staff
>> Colorado Governor Hickenlooper
>> 136 State Capitol Building
>> Denver, CO 80203
>> 303-866-6290
>> Follow on facebook and twitter,@RoxPWhite
>>
>> Under CO Open Records Act, all messages sent to or by me from this
> account
>> may be subject to public disclosure.

--
- Kyle

Kyle Patterson
Public Information Officer/Management Specialist
Rocky Mountain National Park
(970) 586-1363

www.nps.gov/romo

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

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--
- Kyle

Kyle Patterson
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- Kyle

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EXPERIENCE YOUR AMERICA

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 8:02 PM
To: Margaret O'Dell; Suzanne Waldron
Subject: Fwd: National Park Service Enters Agreement with State of Arizona to Re-open Grand Canyon

Do we have any info on public opening for GRCA?

---------- Forwarded message ----------
From: **Berry, Walter** <wberry@ap.org>
Date: Fri, Oct 11, 2013 at 8:01 PM
Subject: RE: National Park Service Enters Agreement with State of Arizona to Re-open Grand Canyon
To: "Androff, Blake" <blake_androff@ios.doi.gov>

What time will it re-open tomorrow ? At dawn ?

From: Androff, Blake [mailto:blake_androff@ios.doi.gov]
Sent: Friday, October 11, 2013 4:58 PM
To: Blake Androff
Subject: National Park Service Enters Agreement with State of Arizona to Re-open Grand Canyon

Date: October 11, 2013

Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of Arizona to Re-open Grand Canyon

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of Arizona that will allow Grand Canyon National Park to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Arizona during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, Arizona will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Grand Canyon National Park.

The agreement funds the park for a period of seven days, running from October 12 through October 18 at the donated amount of $651,000.

###

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

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[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 8:06 PM
To: Jonathan Jarvis; Margaret O'Dell; Suzanne Waldron; Laura Davis; Katherine Kelly; Nicole Buffa; Benjamin Milakofsky
Subject: Fwd: Governor Brewer Negotiates Deal to Reopen Grand Canyon
Attachments: pr Grand Canyon Agreement (10-11-13).pdf

Gov Brewer's PR

---------- Forwarded message ----------
From: **Ann Dockendorff** <ADockendorff@az.gov>
Date: Fri, Oct 11, 2013 at 8:04 PM
Subject: Governor Brewer Negotiates Deal to Reopen Grand Canyon
To: "Androff, Blake" <blake_androff@ios.doi.gov>

Release attached.

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
October 11, 2013

CONTACT: Ann Dockendorff
(602) 542-7029
ADockendorff@az.gov

Governor Jan Brewer Negotiates Deal to Reopen Grand Canyon

PHOENIX – Governor Jan Brewer today negotiated an agreement with the U.S. Department of Interior to reopen Grand Canyon National Park using state and local funds amid the ongoing federal government shutdown.

Reopening the Park has been a core focus of the Governor since the initial threat of the shutdown weeks ago.

"I'm gratified the Obama administration agreed to reverse its policy and allow Arizona to reopen Grand Canyon, Arizona's most treasured landmark and a crucial driver of revenue to the state," said Governor Brewer.

"With a long weekend in front of us, I am thrilled Grand Canyon will be open and fully operational – not only for our national and global travelers who have long-awaited to experience one of the world's Seven Natural Wonders, but for the nearby businesses and communities whose livelihood depends on the tourism it attracts. I must especially acknowledge Tusayan Mayor Greg Bryan, who has pledged private and town dollars to see this park reopened. I also thank the Arizona Office of Tourism, Arizona Department of Administration, the Arizona State Treasurer and private businesses for their leadership and contributions to this important effort.

"While this deal will buy us some time and bring back lost revenue to the state, I would hope our elected officials in Washington move urgently to negotiate an immediate end to this government standstill. Arizona is doing what it can to keep the Grand Canyon up and running, but we cannot pay the federal government's tab for long. That said, I am proud to announce Grand Canyon will be open for business for the Columbus Day weekend."

Under the agreement negotiated by Governor Brewer, the state will pay the National Park Service $651,000 – $93,000 per-day – to reopen Grand Canyon and fully fund park operations for up to at least seven days using state and other monies. The State of Arizona urges its congressional delegation to secure reimbursement of all state dollars used to reopen Grand Canyon. The state will continue to assess next steps if the federal shutdown has not ended in those seven days.

###

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 9:02 PM
To: Peggy O'Dell; Rachel Jacobson
Subject: Fwd: Agreements

Will one of you reply to Nikki

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

Sent from my iPhone

Begin forwarded message:

> **From:** "Buffa, Nicole" <nicole_buffa@ios.doi.gov>
> **Date:** October 11, 2013, 7:46:21 PM EDT
> **To:** Jonathan Jarvis <jon_jarvis@nps.gov>
> **Cc:** Sally Jewell <[redacted]@ios.doi.gov>, Sarah Neimeyer <sarah_Neimeyer@ios.doi.gov>, Laura Davis <Laura_Davis@ios.doi.gov>, Blake Androff <Blake_Androff@ios.doi.gov>, "Peggy O'Dell" <Peggy_O'Dell@nps.gov>, Rachel Jacobson <Rachel_Jacobson@ios.doi.gov>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Kate P Kelly <Kate_Kelly@ios.doi.gov>
> **Subject: Re: Agreements**
>
> Yes. Good work everyone! Two additions (please let me know if I get this wrong, team):
>
> - MO: MO was unable to get their money transferred to us in time, their issue not ours. NPS reports that MO was not concerned, and I notified folks who also didn't seem concerned.
> - Assorted Concessionaires: Jack was able to get sign-off from OMB on our concessionaire rubric and we are applying it to 12 or so concessionaires throughout the country. They should receive reopening notifications soon. Blake is preparing an "if asked" statement.
>
> We do not believe Treasury will be able to accept any additional monies until Tuesday so we are closed for business. Please let us know if you have any questions.
>
> thanks,
> Nikki
>
> On Fri, Oct 11, 2013 at 7:41 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:
> Sally: signed agreements and money wired. Notices sent to open
>
> South Dakota for 10 days of Mt Rushmore.

Arizona for 7 days of Grand Canyon
New York for 6 days of the Statue
Colorado for 9 days of Rocky
Utah for 10 days of eight parks.

Done till Tuesday. Coms in the loop.

Hard work by everybody!!!! Thank you!!

Sent from my iPhone

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 9:52 PM
To: Suzanne Waldron
Cc: Jarvis Jon; O'Dell Peggy; Foster Maureen; Sheaffer Bruce; Lyle Jody; Kelly Kate
Subject: Re: Stories

I don't see that - can you paste the text you are referring to?

On Fri, Oct 11, 2013 at 9:50 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
Note this one calls grand canyon a "partial" opening???

http://www.startribune.com/politics/national/227337681.html?page=2&c=y

http://www.usatoday.com/story/news/politics/2013/10/11/utah-national-parks-reopen-government-shutdown/2966785/

http://www.washingtonpost.com/politics/interior-allows-almost-a-dozen-iconic-national-parks-to-reopen-with-state-funding/2013/10/11/b010aa82-3296-11e3-8627-c5d7de0a046b_story.html

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 10:23 PM
To: Suzanne Waldron
Cc: Jarvis Jon; O'Dell Peggy; Foster Maureen; Sheaffer Bruce; Lyle Jody; Kelly Kate
Subject: Re: Stories

What accounts for the difference in price?

On Fri, Oct 11, 2013 at 10:07 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
In Arizona, Republican Gov. Jan Brewer balked at spending about $112,000 a day for a full reopening of the Grand Canyon. She said a partial reopening would be much cheaper while allowing tourists to visit and businesses to benefit.

"The daily cost difference is enormous, especially without assurances that Arizona will be reimbursed," said Andrew Wilder, a spokesman for Brewer.

In the end, Arizona agreed to pay the Park Service $651,000 to keep the Grand Canyon open for seven days. The $93,000 a day is less than the $112,000 the federal government had said was needed to fund park operations each day.

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 11, 2013, at 9:51 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> I don't see that - can you paste the text you are referring to?
>
> On Fri, Oct 11, 2013 at 9:50 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
> Note this one calls grand canyon a "partial" opening???
>
> http://www.startribune.com/politics/national/227337681.html?page=2&c=y
>
> http://www.usatoday.com/story/news/politics/2013/10/11/utah-national-parks-reopen-government-shutdown/2966785/
>
> http://www.washingtonpost.com/politics/interior-allows-almost-a-dozen-iconic-national-parks-to-reopen-with-state-funding/2013/10/11/b010aa82-3296-11e3-8627-c5d7dc0a046b_story.html
>
> Sue Waldron
> Assistant Director, Communications

National Park Service

Sent from my iPad

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Bruce Sheaffer <bruce_sheaffer@nps.gov>
Sent: Saturday, October 12, 2013 9:48 AM
To: Jonathan Jarvis
Cc: Suzanne Waldron; Androff, Blake; O'Dell Peggy; Foster Maureen; Lyle Jody; Kelly Kate
Subject: Re: Stories

I am unaware of the 112,000. I talked to the superintendent dave uberaba and our calculations were in agreement. It includes cost of operations at the level of last October.

Sent from my iPad

On Oct 12, 2013, at 8:10 AM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:

> I am fairly sure the difference is that full funding would have included the north rim of the canyon which is now closed for the season.
>
> Sent from my iPhone
>
> On Oct 11, 2013, at 10:28 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
>
> > First i heard of it, we need bruce to weigh in, he's the guy with the numbers
> >
> > Sue Waldron
> > Assistant Director, Communications
> > National Park Service
> >
> > Sent from my iPad
> >
> > On Oct 11, 2013, at 10:22 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:
> >
> > > What accounts for the difference in price?
> > >
> > > On Fri, Oct 11, 2013 at 10:07 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
> > > In Arizona, Republican Gov. Jan Brewer balked at spending about $112,000 a day for a full reopening of the Grand Canyon. She said a partial reopening would be much cheaper while allowing tourists to visit and businesses to benefit.
> > >
> > > "The daily cost difference is enormous, especially without assurances that Arizona will be reimbursed," said Andrew Wilder, a spokesman for Brewer.
> > >
> > > In the end, Arizona agreed to pay the Park Service $651,000 to keep the Grand Canyon open for seven days. The $93,000 a day is

less than the $112,000 the federal government had said was needed to fund park operations each day.

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 11, 2013, at 9:51 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> I don't see that - can you paste the text you are referring to?
>
> On Fri, Oct 11, 2013 at 9:50 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
> Note this one calls grand canyon a "partial" opening???
>
> http://www.startribune.com/politics/national/227337681.html?page=2&c=y
>
> http://www.usatoday.com/story/news/politics/2013/10/11/utah-national-parks-reopen-government-shutdown/2966785/
>
> http://www.washingtonpost.com/politics/interior-allows-almost-a-dozen-iconic-national-parks-to-reopen-with-state-funding/2013/10/11/b010aa82-3296-11e3-8627-c5d7de0a046b_story.html
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> Sue Waldron
> Assistant Director, Communications
> National Park Service
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> Sent from my iPad

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--

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Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Sunday, October 13, 2013 11:53 AM
To: Suzanne Waldron
Cc: Warren, John; O'Dell Peggy; Foster Maureen; Sheaffer Bruce; Boling Edward; KEABLE Ed; Ahern, Jane; Blake Androff; Mike Litterst; Kate Kelly; David Luchsinger; Joshua Laird; Mike_Caldwell@nps.gov
Subject: Re: Ny1 News Inquiry

(b) (5)

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

Sent from my iPhone

On Oct 13, 2013, at 11:43 AM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

> John looping others - the dates for opening are established in the signed agreement so suggest we hold on saying anything other than what is in the agreement til sol has weighed in. Copying them and others on this
>
> Sue Waldron
> Assistant Director, Communications
> National Park Service
>
> Sent from my iPad
>
> On Oct 13, 2013, at 11:26 AM, "Warren, John" <john_warren@nps.gov> wrote:
>
>> FYI: Governor Cuomo chose to make his 11 AM announcement in Battery Park City, an NYC park with a good view of the Statue, but not where visitors board ferries. Nothing took place on NPS turf (Liberty Island) and we did not attend.
>>
>> Also: I note that the press release from DOI states that the dates we will be open are Oct. 12-17. It actually took us a day longer than that to reopen, so the dates are now October 13-18. Maybe the PR on the web could be tweaked? DOI press release is here: http://www.doi.gov/news/pressreleases/national-park-service-enters-agreement-with-state-of-new-york-to-re-open-statue-of-liberty.cfm
>>
>> I have added the info about the park being open for six days to the alerts on the STLI and ELIS webpages, using the DOI PR for basic language. Employees on

the social media team have added the message to the STLI Facebook page as well.

John Harlan Warren
cell 917-299-3843

On Sat, Oct 12, 2013 at 11:38 AM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

Being a part of the opening announcement would be great. Stick to the tpts we sent and make them
Work for your park

Dave uberauga is participating with az guv at grand canyon event this morning
Sent from my iPhone

On Oct 12, 2013, at 10:18 AM, "Ahern, Jane" <jane_ahern@nps.gov> wrote:

> Sue: I've asked Dave Luchsinger to bring John Warren back from furlough status (he is currently back at GATE and not at STLI but since GATE remains closed and we need a PR contact at STLI...). I want to be sure John is clear on what you/Peggy and DOI want from the park on the local front for the press event the Governor is going to hold. John will be the park POC. He will need guidance, direction. I've attached the first of what will be MANY press requests to film the reopening. I will forward John all the material you sent yesterday to TPs etc.
>
> JOHN: I have a series of general TPs and Q&As from Sue Waldron's shop that I will forward to you immediately. Let's wait for more guidance from Sue and DOI about the press event. Since we are not officially reopened until tomorrow I suspect the event will be then, but you will be our eyes and ears locally. Sue and DOI are in communications with the Governor's Office.
>
> Jane
>
> ---------- Forwarded message ----------
> From: **John Warren** <john_warren@nps.gov>
> Date: Sat, Oct 12, 2013 at 9:52 AM
> Subject: Fwd: Ny1 News Inquiry
> To: David Luchsinger <david_luchsinger@nps.gov>
> Cc: Jane Ahern <Jane_Ahern@nps.gov>
>
> Begin forwarded message:
>
> > **From:** "Kaner, Yan" <yan.kaner@ny1news.com>
> > **Date:** October 12, 2013, 8:14:40 AM EDT

To: "'John_Warren@nps.gov'"
<John_Warren@nps.gov>
Subject: Ny1 News Inquiry

Hi John,

How are you? Sorry to bother you on a weekend. Trying to see if I can have a camera crew today on the statue of liberty.. since it is reopening today. Let me know if this is possible. Also if anyone is aval to speak with us on camera.

Thank you!

<Picture (Device Independent Bitmap) 1.jpg>

Yan Kaner
Researcher
Email: Yan.Kaner@ny1news.com or desk@ny1news.com
Newsroom: (212)-379-3456
Cell: (347)-532-0013

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<Picture (Device Independent Bitmap) 1.jpg>

--
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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From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Tuesday, October 15, 2013 9:35 AM
To: Jonathan Jarvis
Cc: Sarah Neimeyer; Laura Davis; Blake Androff; Peggy O'Dell; Rachel Jacobson; Kevin Haugrud; Robert Eaton; Ted Boling; Barry Roth; Kate P Kelly
Subject: Re: Agreements

Removing Sally from this chain:

Team - Can someone please send us an update on where we are in negotiations with various states? Happy to discuss by phone as well. As a fyi only, I have heard from the governor's office in AR (and forwarded to Maureen) and continue to hear from McCaskill's office.

thanks in advance,
Nikki

On Fri, Oct 11, 2013 at 7:46 PM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
Yes. Good work everyone! Two additions (please let me know if I get this wrong, team):

- MO: MO was unable to get their money transferred to us in time, their issue not ours. NPS reports that MO was not concerned, and I notified folks who also didn't seem concerned.
- Assorted Concessionaires: Jack was able to get sign-off from OMB on our concessionaire rubric and we are applying it to 12 or so concessionaires throughout the country. They should receive reopening notifications soon. Blake is preparing an "if asked" statement.

We do not believe Treasury will be able to accept any additional monies until Tuesday so we are closed for business. Please let us know if you have any questions.

thanks,
Nikki

On Fri, Oct 11, 2013 at 7:41 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:
Sally: signed agreements and money wired. Notices sent to open

South Dakota for 10 days of Mt Rushmore.
Arizona for 7 days of Grand Canyon
New York for 6 days of the Statue
Colorado for 9 days of Rocky
Utah for 10 days of eight parks.

Done till Tuesday. Coms in the loop.

Hard work by everybody!!!! Thank you!!

Sent from my iPhone

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Tuesday, October 15, 2013 10:00 AM
To: Maureen Foster; Margaret O'Dell
Cc: Suzanne Waldron; Michael Litterst; Katherine Kelly; Nicole Buffa
Subject: Fwd: quick question

Did we receive any requests from ND to reopen any parks?

---------- Forwarded message ----------
From: **Erika Bolstad** <erika.bolstad@gmail.com>
Date: Tue, Oct 15, 2013 at 9:47 AM
Subject: quick question
To: blake_androff@ios.doi.gov

Hey Blake, hope all is well in shutdown mode. Seems like it's pretty close to an end.

I'm in North Dakota again, doing some book research -- and also doing some freelancing for Environment & Energy and a travel piece for the Washington Post about finding your family roots.

I'm in Medora today, in part to do a story about the effects of the shutdown on national parks for E&E, using Theodore Roosevelt National Park as an example.

I'm trying to find out whether anyone reached out to the Interior Department (governor's office or state) and asked to get TR park re-opened? Do you know if anyone with the state of North Dakota talked to the Interior Department about it?

It seems curious that there was a major push to ensure the federal waterfowl production areas were accessible for pheasant season....but there wasn't much concern about the park. (And maybe you can point me to someone on the ground here who can talk more about it.)

Much thanks in advance!
Erika

--
Erika Bolstad
202-365-3765
www.erikabolstad.com
twitter: erikabolstad
#theprairieproject

--
Blake Androff

Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Tuesday, October 15, 2013 5:55 PM
To: Foster, Maureen
Cc: Nicole Buffa; Sarah Neimeyer; Pam Haze; Michael Litterst; Katherine Kelly; Peggy O'Dell
Subject: Re: Agreement with TN for Great Smoky Mts

Mike - please send the press release.

On Tue, Oct 15, 2013 at 5:53 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
The Tennessee agreement has been signed by the Director and the Governor. The wire transfer is complete.

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)

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

On Tue, Oct 15, 2013 at 5:31 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
The wire transfer is complete. Jon will sign as soon as he gets out of his meeting. The governor has signed.

Maureen D. Foster
Chief of Staff
National Park Service
1849 C Street, NW, Room 3114
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On Tue, Oct 15, 2013 at 3:56 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
I sent the note over. Share away, Blake.

On Oct 15, 2013, at 3:49 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> Thanks. We have the press release, which I'll share with OMB once Nikki sends over a note to give them a heads up.
>
> We'll then be ready to send ONCE the funding has hit the bank and the agreement has been signed and is in hand.
>
> On Tue, Oct 15, 2013 at 3:45 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
> The agreement has been sent to the state. The state has the wire transfer form.

Maureen D. Foster
Chief of Staff
National Park Service
1849 C Street, NW, Room 3114
Washington, DC 20240
202.208.5970 (direct)
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On Tue, Oct 15, 2013 at 3:11 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
All:

The agreement with Tennessee is in the final stages. I am preparing the agreement to send to the state. The state is preparing to do the wire transfer but has not done it yet.

The park will be open for 5 days from October 16, 2013, to October 20,2013, at a cost of $60,000/day with a total cost of $304,440.

Please let me know ASAP if you have any questions.

Maureen

_____

Maureen D. Foster
Chief of Staff
National Park Service
1849 C Street, NW, Room 3114
Washington, DC 20240
202.208.5970 (direct)
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--
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Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Tuesday, October 15, 2013 6:09 PM
To: Litterst, Michael
Cc: Foster, Maureen; Nicole Buffa; Sarah Neimeyer; Pam Haze; Katherine Kelly; Peggy O'Dell
Subject: Re: Agreement with TN for Great Smoky Mts

Nope -- good

On Tue, Oct 15, 2013 at 6:03 PM, Litterst, Michael <mike_litterst@nps.gov> wrote:
No changes to what I sent up earlier?

~~~~~~~~~~~~~~~~~~~~

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.

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~~~~~~~~~~~~~~~~~~~~

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

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Wednesday, October 02, 2013 8:09 PM
To: Suzanne Waldron
Cc: Carol Johnson; Jennifer Mummart; Michael Litterst; Superintendent Bob Vogel; Peggy O'Dell
Subject: Re: Money from RNC for WWII Memorial

I think that we can use the language in the SD letter.

Maureen D. Foster
National Park Service
202.208.5970

On Oct 2, 2013, at 7:58 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

> Who said we didnt have staff to review the donation as the reason!
>
> A statement is about done on the offer from south Dakota to open rushmore it will be the base for every other answer
>
> Looping maureen and peggy on to see if we can use what we have on this
>
> Sent from my iPhone
>
> On Oct 2, 2013, at 7:23 PM, Carol Johnson <carol_b_johnson@nps.gov> wrote:
>
>> I'm completely out of the loop on this one (thank god) Any takers?
>>
>> Sent from my iPhone
>>
>> Begin forwarded message:
>>
>>> **From:** "Reynolds, Catherine" <ReynoldsC@cbsnews.com>
>>> **Date:** October 2, 2013, 7:20:32 PM EDT
>>> **To:** "'Carol Johnson - National Park Service (Carol_B_Johnson@nps.gov)'" <Carol_B_Johnson@nps.gov>
>>> **Subject: Money from RNC for WWII Memorial**
>>>
>>> Hi Carol. Hope all is well. I'm working on one of our government shutdown stories that will include the RNC's offer to donate money to reopen the WWII Memorial. I just saw a report in the Washington Post that says the Park Service is declining the offer because there's not enough staff to review the offer. I'm just looking to confirm this information for our story. Thanks so much for your help!
>>>
>>> Catherine

Catherine Reynolds
Producer
CBS This Morning
o: 202-457-4370 c: 646-479-0131
@reynoldscat
reynoldsc@cbsnews.com

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Wednesday, October 02, 2013 9:02 PM
To: Suzanne Waldron
Cc: Androff Blake; Kelly Kate; Carol Johnson; Jennifer Mummart; Michael Litterst; Superintendent Bob Vogel; Peggy O'Dell
Subject: Re: Money from RNC for WWII Memorial

(b) (5)

Maureen D. Foster
National Park Service
202.208.5970

On Oct 2, 2013, at 8:46 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

Ok looping in kate et al for awareness

Mike you take lead on this. can you get back to catherine and see if we can tamp this down for tonight?

If not here's a shot at a statement based on rushmore letter that others will have to weigh in on BEFORE we offer it to her.

(b) (5)

The Memorial is one of 401 national parks in the National Park System. The National Park System is managed for the common benefit of all the people of the United States, and requires federal appropriations to fulfill its mission and responsibilities. As a result of the lapse in federal appropriations, the entire National Park System is closed and cannot be reopened until funding is restored. Beyond the legal constraints involved, it would not befeasible or appropriate to open some parks or some parts of parks while other parts of the National Park System remain closed to the public.

We continue to hope for a speedy resolution to the lapse in federal appropriation so that we may reopen America's 401other national parks for the enjoyment of millions of visitors.

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 2, 2013, at 8:09 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

I think that we can use the language in the SD letter.

Maureen D. Foster
National Park Service
202.208.5970

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Sent from my iPhone

On Oct 2, 2013, at 7:23 PM, Carol Johnson <carol_b_johnson@nps.gov> wrote:

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Any takers?

Sent from my iPhone

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From: "Reynolds, Catherine" <ReynoldsC@cbsnews.com>
Date: October 2, 2013, 7:20:32 PM EDT
To: "'Carol Johnson - National Park Service (Carol_B_Johnson@nps.gov)'" <Carol_B_Johnson@nps.gov>
Subject: Money from RNC for WWII Memorial

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Catherine

Catherine Reynolds
Producer
CBS This Morning
o: 202-457-4370 c: 646-479-0131
@reynoldscat
reynoldsc@cbsnews.com

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Wednesday, October 02, 2013 9:07 PM
To: Suzanne Waldron
Cc: Androff Blake; Kelly Kate; Carol Johnson; Jennifer Mummart; Michael Litterst; Superintendent Bob Vogel; Peggy O'Dell
Subject: Re: Money from RNC for WWII Memorial

Just to reiterate that the NPS did not accept donations to keep any park open--not specific to this park.

Maureen D. Foster
National Park Service
202.208.5970

On Oct 2, 2013, at 9:04 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

> Worked for SD but no reference to it for RNC unless someone has seen their offer!
>
> Sue Waldron
> Assistant Director, Communications
> National Park Service
>
> Sent from my iPad
>
> On Oct 2, 2013, at 9:02 PM, Maureen Foster <maureen_foster@nps.gov> wrote:
>
> (b) (5) [redacted]
>
> Maureen D. Foster
> National Park Service
> 202.208.5970
>
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>
> Ok looping in kate et al for awareness
>
> Mike you take lead on this. can you get back to catherine and see if we can tamp this down for tonight?
>
> If not here's a shot at a statement based on rushmore letter that others will have to weigh in on BEFORE we offer it to her.
>
> (b) (5) [redacted]

(b) (5)

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Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 2, 2013, at 8:09 PM, Maureen Foster
<maureen_foster@nps.gov> wrote:

> I think that we can use the language in the SD letter.
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> Maureen D. Foster
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> 202.208.5970
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> > Who said we didnt have staff to review the donation as the reason!
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> >
> > Looping maureen and peggy on to see if we can use what we have on this

Sent from my iPhone

On Oct 2, 2013, at 7:23 PM, Carol Johnson <carol_b_johnson@nps.gov> wrote:

> I'm completely out of the loop on this one (thank god) Any takers?
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> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Reynolds, Catherine" <ReynoldsC@cbsnews.com>
> > **Date:** October 2, 2013, 7:20:32 PM EDT
> > **To:** "'Carol Johnson - National Park Service (Carol_B_Johnson@nps.gov)'" <Carol_B_Johnson@nps.gov>
> > **Subject:** **Money from RNC for WWII**

Memor ial

Hi Carol. Hope all is well. I'm working on one of our govern ment shutdo wn stories that will include the RNC's offer to donate money to reopen the WWII Memori al. I just saw a report in the Washin gton Post that says the Park Service is declinin g the offer becaus e there's not enough staff to

review the offer. I'm just looking to confirm this information for our story. Thanks so much for your help!

Catherine

Catherine Reynolds Producer CBS This Morning o: 202-457-4370 c: 646-479-0131 @reynoldscat reynoldsc@cbsnews.com

From: Carol Johnson <carol_b_johnson@nps.gov>
Sent: Wednesday, October 02, 2013 9:08 PM
To: Suzanne Waldron; Superintendent Bob Vogel; Peggy O'Dell; Mike Litterst; Maureen Foster; Jennifer Mummart; Katherine Kelly; Blake Androff
Subject: Fwd: Money from RNC for WWII Memorial

Nag, nag, nag

Sent from my iPad

Begin forwarded message:

> **From:** "Reynolds, Catherine" <ReynoldsC@cbsnews.com>
> **Date:** October 2, 2013, 9:02:39 PM EDT
> **To:** "carol_b_johnson@nps.gov" <carol_b_johnson@nps.gov>
> **Subject: Money from RNC for WWII Memorial**
>
> Hi Carol. Hope all is well. I'm working on one of our government shutdown stories that will include the RNC's offer to donate money to reopen the WWII Memorial. I just saw a report in the Washington Post that says the Park Service is declining the offer because there's not enough staff to review the offer. I'm just looking to confirm this information for our story. Thanks so much for your help!
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> Catherine
>
> *Catherine Reynolds*
> *Producer*
> *CBS This Morning*
> *o: 202-457-4370 c: 646-479-0131*
> *@reynoldscat*
> *reynoldsc@cbsnews.com*

From: Suzanne Waldron <sue_waldron@nps.gov>
Sent: Wednesday, October 02, 2013 9:08 PM
To: Carol Johnson
Cc: Superintendent Bob Vogel; Peggy O'Dell; Mike Litterst; Maureen Foster; Jennifer Mummart; Katherine Kelly; Blake Androff
Subject: Re: Money from RNC for WWII Memorial

Working on it. See other emails traffic

Asking mike to take lead

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 2, 2013, at 9:07 PM, Carol Johnson <carol_b_johnson@nps.gov> wrote:

> Nag, nag, nag
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> Sent from my iPad
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> Begin forwarded message:
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> > **Date:** October 2, 2013, 9:02:39 PM EDT
> > **To:** "carol_b_johnson@nps.gov" <carol_b_johnson@nps.gov>
> > **Subject: Money from RNC for WWII Memorial**
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> > Catherine
> >
> > *Catherine Reynolds*
> > *Producer*
> > *CBS This Morning*
> > *o: 202-457-4370 c: 646-479-0131*
> > *@reynoldscat*
> > *reynoldsc@cbsnews.com*

From: Carol Johnson <carol_b_johnson@nps.gov>
Sent: Wednesday, October 02, 2013 9:13 PM
Cc: Bob Vogel; Jennifer Mummart; Litterst, Michael; Maureen Foster; Suzanne Waldron; Peggy O'Dell; Kate Kelly; Blake Androff
Subject: Re: CBS News Inquiry Re: RNC Donation

Same outlet, different person

Sent from my iPad

On Oct 2, 2013, at 9:06 PM, "Costa, Tim" <CostaT@cbsnews.com> wrote:

> Hello-
>
> Hope this message finds you well. My name is Tim Costa and I'm a producer with CBS This Morning here in Washington.
>
> I'm working on one of our government shutdown stories that will include the RNC's offer to donate money to reopen the WWII Memorial. I just saw a report in the Washington Post that says the Park Service is declining the offer because there's not enough staff to review the offer. I'm just looking to confirm this information for our story. Thanks so much for your help! Very much appreciated.
>
> Best,
> Tim Costa
> CBS This Morning
> 202-457-4371

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Wednesday, October 02, 2013 9:14 PM
To: Carol Johnson
Cc: Bob Vogel; Jennifer Mummart; Maureen Foster; Suzanne Waldron; Peggy O'Dell; Kate Kelly; Blake Androff
Subject: Re: CBS News Inquiry Re: RNC Donation

I just confirmed; they're both working the same story (left hand, right hand and all that). I said I would copy both on my response.

~~~~~~~~~~~~~~~~~~

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 Wed, Oct 2, 2013 at 9:12 PM, Carol Johnson <carol_b_johnson@nps.gov> wrote:
Same outlet, different person

Sent from my iPad

On Oct 2, 2013, at 9:06 PM, "Costa, Tim" <CostaT@cbsnews.com> wrote:

Hello-

Hope this message finds you well. My name is Tim Costa and I'm a producer with CBS This Morning here in Washington.

I'm working on one of our government shutdown stories that will include the RNC's offer to donate money to reopen the WWII Memorial. I just saw a report in the Washington Post that says the Park Service is declining the offer because there's not enough staff to review the offer.
~~~~~~~~~~~~~~~~~~

I'm just looking to confirm this information for our story. Thanks so much for your help! Very much appreciated.

Best,

Tim Costa

CBS This Morning

202-457-4371

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Wednesday, October 02, 2013 9:52 PM
To: Margaret O'Dell
Cc: Maureen Foster; Suzanne Waldron; Androff Blake; Kelly Kate; Carol Johnson; Jennifer Mummart; Superintendent Bob Vogel
Subject: Re: Money from RNC for WWII Memorial

Just got off the phone with Catherine Reynolds, the CBS producer. She asked me off the bat, as she did in the e-mail, to confirm that what she had read in the Post was true - that the reason we were declining was because we didn't have the staff to review/process the offer. I pointed out that the Post story contained considerably more information about why we declined. I said that while staffing was a contributing factor, it certainly was not a primary reason. I told her that we view the National Park System as just that - a single entity and that with everything shut down, we do not think it feasible or appropriate to selectively open some parks while others remain closed.

She seemed happy and satisfied with the response, and appreciative of a call this late. She did ask a follow-up on the staffing issue about whether or not we even have people available to process such requests, and I told her that the vast majority of our administrative staffs are on furlough.

I told her we would have a formal statement on the issue of donations/offers to open specific parks. She would like to receive it, but did say they are working on a piece right now for Thursday's CBS This Morning.

Mike

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EXPERIENCE YOUR AMERICA

On Wed, Oct 2, 2013 at 9:34 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:
Sounds reasonable to me.

Sent from my iPhone
~~~~~~~~~~~~~~~~~~~

On Oct 2, 2013, at 9:06 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

Just to reiterate that the NPS did not accept donations to keep any park open--not specific to this park.

Maureen D. Foster
National Park Service
202.208.5970

On Oct 2, 2013, at 9:04 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

Worked for SD but no reference to it for RNC unless someone has seen their offer!

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 2, 2013, at 9:02 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

(b) (5) [redacted]

Maureen D. Foster
National Park Service
202.208.5970

On Oct 2, 2013, at 8:46 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

Ok looping in kate et al for awareness

Mike you take lead on this. can you get back to catherine and see if we can tamp this down for tonight?

If not here's a shot at a statement based on rushmore letter that others will have to weigh in on BEFORE we offer it to her.

(b) (5) [redacted]

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A statement is about done on the offer from south Dakota to open rushmore it will be the base for every other answer

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Sent from my iPhone

On Oct 2, 2013, at 7:23 PM, Carol Johnson <carol_b_johnson@nps.gov> wrote:

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> Sent from my iPhone
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> Begin forwarded message:
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> **From:**
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Reynolds, Catherine" <ReynoldsC@cbsnews.com>

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<Carol_B_Johnson@nps.gov>

Subject: Money from RNC

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From: Johnson, Carol <carol_b_johnson@nps.gov>
Sent: Thursday, October 03, 2013 9:21 AM
To: Litterst, Michael
Cc: Margaret O'Dell; Maureen Foster; Suzanne Waldron; Androff Blake; Kelly Kate; Jennifer Mummart; Superintendent Bob Vogel
Subject: Re: Money from RNC for WWII Memorial

(b) (5) [redacted]

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Carol Bradley Johnson
Communications Officer
National Park Service
National Mall and Memorial Parks
900 Ohio Drive, SW
Washington, D.C. 20024

Phone: 202-245-4700

From: Alvarez, Michael <michael_alvarez@nps.gov>
Sent: Tuesday, October 08, 2013 4:34 PM
To: Bruce Sheaffer
Cc: Margaret O'Dell
Subject: Harpers Ferry Center's Carryover Funding...

Hello Bruce,

Just learned that HFC's carryover has been swept for emergency response and SAR funding. Don Kodak made decisions concerning who would work during the shutdown and who would not based on our these carryover funds that did not relying on a lapsed appropriations. Therefore if our overhead account hasn't any funding we find our situation much like everyone's else who relies on a lapsed appropriation. I'll need to furlough our Excepted Team members and only keep on one essential person in accordance with Director Jarvis's Contingency Plan for Lapsed appropriation.

I'll need to orderly close down contractors and contracts beginning immediately unless you advise otherwise.

Please advise.

Thanks,

Facilities, Services, and Property helps the National Park Service acquire interpretive tools and services by providing a safe, healthy, and productive work environment at the Harpers Ferry Center!

Communicate, Collaborate, Succeed....!

Michael Alvarez, Deputy Associate Manager
Office of Facilities, Services, and Property
National Park Service
Harpers Ferry Center
67 Mather Place
Harpers Ferry, WV 25425-0050
Office phone (304)-535-6276
Cell phone (240)-997-5826

From: Alvarez, Michael <michael_alvarez@nps.gov>
Sent: Wednesday, October 09, 2013 10:12 AM
To: Bruce Sheaffer
Cc: Margaret O'Dell
Subject: Re: Harpers Ferry Center's Carryover Funding...

Hello Bruce,

Thanks for the quick reply. I will be making decisions concerning the work this afternoon but looks like I'll furlough two tomorrow based on work.

My question is was HAFC's FY 13/14 Repair Rehab Account 134P103607: P ONPS Multi YR swept as well? And my other question is can I pay our Excepted team - Contracting and the COR out of this account to keep our construction contracts going to ensure continuance of pay for these folks? I believe shutting these contracts down now will result in increased costs for delay later on. I really would like to continue working the two Contractor Officers, Construction COR, IT Specialist, and Facility Manager during this shutdown.

Thanks,

Please advise.

Facilities, Services, and Property helps the National Park Service acquire interpretive tools and services by providing a safe, healthy, and productive work environment at the Harpers Ferry Center!

Communicate, Collaborate, Succeed....!

Michael Alvarez, Deputy Associate Manager
Office of Facilities, Services, and Property
National Park Service
Harpers Ferry Center
67 Mather Place
Harpers Ferry, WV 25425-0050
Office phone (304)-535-6276
Cell phone (240)-997-5826

On Tue, Oct 8, 2013 at 4:39 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Make your decision on need. Not funds. We will get it into the correct account when this is over

Sent from my iPhone

On Oct 8, 2013, at 4:34 PM, "Alvarez, Michael" <michael_alvarez@nps.gov> wrote:

Hello Bruce,

Just learned that HFC's carryover has been swept for emergency response and SAR funding. Don Kodak made decisions concerning who would work during the shutdown and who would not based on our these carryover funds that did not relying on a lapsed appropriations. Therefore if our overhead account hasn't any funding we find our situation much like everyone's else who relies on a lapsed appropriation. I'll need to furlough our Excepted Team members and only keep on one essential person in accordance with Director Jarvis's Contingency Plan for Lapsed appropriation.

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National Park Service
Harpers Ferry Center
67 Mather Place
Harpers Ferry, WV 25425-0050
Office phone (304)-535-6276
Cell phone (240)-997-5826

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Friday, October 04, 2013 5:48 PM
To: Michael Caldwell; Jane Ahern; Lisa Mendelson; Jennifer Mummart; William Reynolds; Patricia Trap; Patricia Rooney; Colin Campbell; Patricia Neubacher; John Quinley; Craig Dalby; mike_litterst@nps.gov; Jeffrey Compton; Shawn Benge; Sam Whittington; Bruce Sheaffer; Lena McDowall; Suzanne Waldron; Robert Maclean; Jonathan Jarvis; Margaret O'Dell; Michael Alvarez; Joel Hard; Charles Cuvelier; Patrick Breen; Cam Sholly; Maureen Foster
Cc: Kate Kelly; Blake Androff; Tim Fullerton
Subject: Statement in response to offers of support to open parks
Attachments: Shutdown - donations statement.docx

As discussed on the call this afternoon, attached is the approved statement for replying to inquiries about offers of donated funds/services to reopen individual parks or parts of parks. Feel free to refer those inquiries to our office; if parks supply the statement to local media, please ensure I am copied so we can track what inquiries are coming in.

If you have any questions, please feel free to contact me.

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
~~~~~~~~~~~~~~~~~~~

Statement of Mike Litterst, National Park Service Acting Chief Spokesperson:

America's 401 national parks are a source of pride for all Americans and serve as important economic engines for local communities across the nation and we appreciate the generous offers of support and temporary assistance to reopen various individual parks around the country.

There are 401 national parks that comprise the National Park System, which is managed for the common benefit of all the people of the United States, and requires federal appropriations to fulfill its mission and responsibilities. As a result of the lapse in that funding, the entire National Park System is closed and cannot be reopened until funding is restored. Beyond the legal constraints involved, it would not be appropriate or feasible to open some parks or some parts of parks while other parts of the National Park System remain closed to the public.

The National Park Service shares in the frustration of the more than 700,000 people who are being turned away from our parks each day. We continue to hope for a speedy resolution to the lapse in federal appropriation so that we may reopen America's 401 national parks for the enjoyment of millions of visitors.

From:	David Uberuaga <dave_uberuaga@nps.gov>
Sent:	Friday, October 04, 2013 8:43 PM
To:	Jon Jarvis; Bruce Sheaffer; Colin Campbell
Cc:	Diane Chalfant
Subject:	Senator McCain & Flake letter to Secretary Jewell Fwd: Grand Canyon Closure and Donated Funds
Attachments:	Letter to Sec. Jewell re Donated Funds to Operate GCNP.pdf

Jon, Bruce, Colin
Just received this letter from Senator Flake's General Council regarding the offers for donated funds to open GRCA.

Let me how I can help with the response. Since day one of the closure I was worried that this would escalate to you all.
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:** "Kiefer, Kris (Flake)" <Kris_Kiefer@flake.senate.gov>
> **To:** "dave_uberuaga@nps.gov" <dave_uberuaga@nps.gov>
> **Cc:** "Chandler, Clint (Flake)" <Clint_Chandler@flake.senate.gov>
> **Subject: Grand Canyon Closure and Donated Funds**
>
> Superintendent Uberuaga,
>
> Please find attached a letter that Senators Flake and McCain sent to Secretary Jewell this evening regarding the use of donated funds to operate Grand Canyon National Park.
>
> Thanks,
> Kris
>
> Kris Kiefer | General Counsel
> Office of Senator Jeff Flake
> Russell 368 | Washington, DC 20510 | 202-224-4521

United States Senate

WASHINGTON, DC 20510

October 4, 2013

The Honorable Sally Jewell
Secretary
Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Jewell:

It is our understanding that local communities and private entities in Arizona have offered to donate non-federal funds sufficient to open the Grand Canyon National Park. In addition, it has been reported that the National Park Service ("NPS") has refused to work with them, indicating that the donor's actions are irrelevant.

As we understand it, federal statutes extend broad discretionary authority for the Secretary to accept donated funds for purposes of operating the national park system. For example, during the 1995 government shutdown, then-Secretary Babbitt used this authority to open portions of the Grand Canyon National Park with a combination of funds donated by private entities and the State of Arizona. Similar authority was also used just last year, when the Department of the Interior (the "Department") accepted a $7.5 million private donation to refurbish the Washington Monument.

We are certain that you share our hope that the current government shutdown is resolved as soon as possible. In the meantime, however, we fail to understand why the Department and the NPS would dismiss the efforts of Arizonans trying to proactively address this situation. We write to request your immediate attention to this issue and to be provided your understanding of the existing authority the NPS has to work with private non-federal donors, as well as an explanation as to why the Department and the NPS are apparently unwilling to work cooperatively with those in Arizona who are trying to keep open one of the crown jewels of the national park system.

We appreciate your prompt consideration of this issue, and we look forward to your response.

Sincerely,

JEFF FLAKE
United States Senator

JOHN MCCAIN
United States Senator

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Friday, October 04, 2013 9:48 PM
To: David Uberuaga
Cc: Jon Jarvis; Bruce Sheaffer; Diane Chalfant
Subject: Re: Senator McCain & Flake letter to Secretary Jewell Fwd: Grand Canyon Closure and Donated Funds

Thanks Dave

Sent from my iPhone

On Oct 4, 2013, at 6:43 PM, David Uberuaga <dave_uberuaga@nps.gov> wrote:

> Jon, Bruce, Colin
> Just received this letter from Senator Flake's General Council regarding the offers for donated funds to open GRCA.
>
> Let me how I can help with the response. Since day one of the closure I was worried that this would escalate to you all.
> 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:** "Kiefer, Kris (Flake)" <Kris_Kiefer@flake.senate.gov>
> > **To:** "dave_uberuaga@nps.gov" <dave_uberuaga@nps.gov>
> > **Cc:** "Chandler, Clint (Flake)" <Clint_Chandler@flake.senate.gov>
> > **Subject: Grand Canyon Closure and Donated Funds**
> >
> > Superintendent Uberuaga,
> >
> > Please find attached a letter that Senators Flake and McCain sent to Secretary Jewell this evening regarding the use of donated funds to operate Grand Canyon National Park.
> >
> > Thanks,
> > Kris
> >
> > Kris Kiefer | General Counsel
> > Office of Senator Jeff Flake
> > Russell 368 | Washington, DC 20510 | 202-224-4521

<Letter to Sec. Jewell re Donated Funds to Operate GCNP.pdf>

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Saturday, October 05, 2013 9:26 AM
To: Bruce Sheaffer
Subject: Fwd: Letter to Sec. Jewell re Grand Canyon
Attachments: Letter to Sec. Jewell re Donated Funds to Operate GCNP.pdf

Maureen D. Foster
National Park Service
202.208.5970

Begin forwarded message:

From: Sarah Neimeyer <sarah_neimeyer@ios.doi.gov>
To: Maureen Foster <maureen_foster@nps.gov>, Jon Jarvis <Jon_Jarvis@nps.gov>
Subject: Fwd: Letter to Sec. Jewell re Grand Canyon

Sent from my iPhone

Begin forwarded message:

From: "Kiefer, Kris (Flake)" <Kris_Kiefer@flake.senate.gov>
Date: October 4, 2013 7:35:16 PM EDT
To: '"sarah_neimeyer@ios.doi.gov"' <sarah_neimeyer@ios.doi.gov>, '"
elaine_hackett@nps.gov"' <elaine_hackett@nps.gov>
Cc: "Morse, Chandler (Flake)" <Chandler_Morse@flake.senate.gov>
Subject: *Letter to Sec. Jewell re Grand Canyon*

Sarah and Elaine,

Please find attached a letter from Senators Flake and McCain regarding the Grand Canyon. If you have any questions, please let me know.

Thanks,

Kris

Kris Kiefer* **| **General Counsel

Office of Senator Jeff Flake
Russell 368 | Washington, DC 20510 | 202-224-4521*

United States Senate

WASHINGTON, DC 20510

October 4, 2013

The Honorable Sally Jewell
Secretary
Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Jewell:

It is our understanding that local communities and private entities in Arizona have offered to donate non-federal funds sufficient to open the Grand Canyon National Park. In addition, it has been reported that the National Park Service ("NPS") has refused to work with them, indicating that the donor's actions are irrelevant.

As we understand it, federal statutes extend broad discretionary authority for the Secretary to accept donated funds for purposes of operating the national park system. For example, during the 1995 government shutdown, then-Secretary Babbitt used this authority to open portions of the Grand Canyon National Park with a combination of funds donated by private entities and the State of Arizona. Similar authority was also used just last year, when the Department of the Interior (the "Department") accepted a $7.5 million private donation to refurbish the Washington Monument.

We are certain that you share our hope that the current government shutdown is resolved as soon as possible. In the meantime, however, we fail to understand why the Department and the NPS would dismiss the efforts of Arizonans trying to proactively address this situation. We write to request your immediate attention to this issue and to be provided your understanding of the existing authority the NPS has to work with private non-federal donors, as well as an explanation as to why the Department and the NPS are apparently unwilling to work cooperatively with those in Arizona who are trying to keep open one of the crown jewels of the national park system.

We appreciate your prompt consideration of this issue, and we look forward to your response.

Sincerely,

JEFF FLAKE
United States Senator

JOHN MCCAIN
United States Senator

From:	LesStrang, Dave <Dave.LesStrang@mail.house.gov>
Sent:	Monday, October 07, 2013 1:58 PM
To:	Bruce Sheaffer; 'Haze, Pam'
Subject:	FW: Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park
Attachments:	Congressional letter Final.pdf; Presidential Letter.pdf; Donation offer to open Province Lands VC Approval (March 2013).pdf

Pam & Bruce-

I'm getting a lot of questions about whether national parks can be re-opened using non-federal sources of funding. The article below and attachments explains on such effort. Would appreciate any guidance you can provide. Thanks.

Dave

Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park

AZ News | *October 3 2013*

By Clara Beard

TUSAYAN, Ariz. – The town of Tusayan, which sits just outside the gates of Grand Canyon National Park, generated more than $290,000 in sales tax in October of last year. But the money won't be coming in this year, thanks to the federal government shutdown.

"Everyday, it impacts us," Tusayan mayor Greg Bryan said about the shutdown. 'This national park has no interest or willingness to allow us to provide them funding."

A few days ago, Tusayan's Red Feather Properties pledged $25,000 to help keep the park open, and encouraged other businesses to follow suite. As of yesterday, local businesses generated around $125,000 to help reopen the park. Coupled with the town's commitment, that sum totals $325,000.

But, even with those financial promises, park officials say they aren't accepting third-party donations.

At Tusayan's council meeting last night, Grand Canyon National Park Superintendent Dave Uberuaga said that the park wasn't allowed to accept any third-party donations to re-open the park. Currently, the council is trying to find out who made that call.

"If it is a policy, we need to ask, when did it take place? When was it put into place? It was obviously not in place in 1995 when the funds were provided," Bryan said.

During the 1995 federal shutdown, then Governor Fife Symington gathered state resources and private donations to keep the park partially open for 21 days.

"Some have reflected back on the 1995 event, and say 'well, we did it then, why can't we do it now,'" Uberuaga told council members. "Bottom line, any third-party funding of the national park opening will not occur. This is a fundamental core operation of the federal government provided for by government appropriations by the U.S. Congress."

The town has calls out to Flagstaff Mayor Jerry Nabours, Williams Mayor John Moore and Sedona Mayor Rob Adams to see if they can help Tusayan's cause.

The Grand Canyon Trust's Roger Clark has offered his support. Arizona Department of Transportation and Coconino County Supervisor Art Babbot said they will help however they can.

Speaker of the House Andy Tobin also gave Tusayan his full support. Bryan said that Tobin believes the state has up to half a million dollars to give in this sort of situation.

"Speaker Andy Tobin told us tonight that our governor is in favor, the governor wants to do something, she just keeps being told, 'no there's nothing, no there's nothing,' we just need to get this thing moving sooner than later," Bryan said.

Council member Bill Fitzgerald asked how the town would estimate how much it would cost per day to keep the park running.

Bryan said a rough estimate is $19,000 a day.

"We're not going to get an estimate from the superintendent because he's not going to want to provide any sense of support for the action, so we'll have to guess," Bryan said. "We figure $25,000 a day. Bare in mind we're not talking just our monies; we're talking hopefully several hundred thousand from the state. I don't think we would enter into anything without that backing."

Council member John Rueter said the town must pursue a partial opening to the fullest.

"I think Tusayan needs to lead, in this case, the effort to get the park open," Rueter said. "We have a contingency plan in our budget for economic disasters, and this is very quickly becoming an economic disaster."

While legislators continue to squabble in Washington, Bryan said the town will work to find a way to reopen the park.

"It's our intent to push it," Bryan said.

Derrick A. Crandall, Counselor
National Park Hospitality Association
1200 G Street, N.W. Suite 650
Washington, D.C. 20005
202-682-9530, F 202-682-9529
www.parkpartners.org

REOPEN PARKS TO THE PEOPLE

October 2, 2013

Honorable Harry Reid, Majority Leader
United States Senate
Washington, DC 20510

Honorable John Boehner, Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Honorable Mitch McConnell, Minority Leader
United States Senate
Washington, DC 20510

Honorable Nancy Pelosi, Minority Leader
U.S. House of Representatives
Washington, DC 20515

Dear Messrs. Reid, Boehner and McConnell and Ms. Pelosi:

We are writing to help you understand the significant consequences arising from the federal shutdown and the closure of America's national parks. While we understand the intensity of feelings which prompted an inability of the Congress and the Administration to agree to even short-term funding of federal agencies including the National Park Service, we hope that you understand the real impact on millions of lives in addition to furloughed federal employees.

The National Park Service has announced that some 21,000 of its employees have been furloughed. But the impacts extend well beyond that. There are nearly 300 million visits to national parks each year. Park visitors depend upon some 25,000 concessioner employees and thousands of not-for-profit organization employees for lodging, food, supplies and souvenirs, transportation, education and interpretation. Some 20,000 youth work on federal lands each year through conservation corps, restoring habitat and maintaining trails and more. Gateway communities also serve these visitors - in many cases, concessioner operations are the largest source of tax revenues in these communities. All of this activity - and its economic and social benefits - has been halted by the government shutdown.

An estimated 700,000+ individual park experiences will now be denied every day. And it's not only the American people who will be turned away. Some 10% of all park visits are by international guests - whose spending helps the nation have a favorable balance of trade in tourism. Recent estimates are that one US job is created for every 35 inbound travelers to the USA. And national parks figure importantly in the National Strategy for Travel and Tourism, which has set a national goal of strengthening the U.S. economy by increasing the number of international visitors to 100 million by 2021. Reaching this goal will not be helped by disgruntled visitors here in the US now, denied access to parks, nor by the uncertainty being caused by the widespread publicity about US national parks being gated and closed.

1200 G Street, NW • Suite 650 • Washington, DC 20005

This shutdown unfairly harms the American people and the businesses helping our economy to grow. It comes on the heels of significant budget reductions that have already limited opportunities for visitors, harmed the tourist economy, and strained park resources. The shutdown needs to be ended swiftly and a lesson learned. Please find a way to resolve issues on budgets and other national issues without imposing unjustified, unnecessary pain on the rest of the nation. We ask your help in making certain that the pain resulting from closures of and budget cuts for our parks and other public lands ends quickly.

Sincerely,

National Park Hospitality Association
National Parks Conservation Association
US Travel Association
National Tour Association
Southeast Tourism Society
Destination Marketing Association International
America Outdoors Association
Association of Partners for Public Lands
American Recreation Coalition

cc: Hon. Barbara Mikulski
Hon. Richard Shelby
Hon. Jack Reed
Hon. Lisa Murkowski
Hon. Ron Wyden
Hon. Mark Udall
Hon. Rob Portman
Hon. Hal Rogers
Hon. Nita Lowey
Hon. Mike Simpson
Hon. Jim Moran
Hon. Doc Hastings
Hon. Peter DeFazio
Hon. Rob Bishop
Hon. Raúl Grijalva

REOPEN PARKS TO THE PEOPLE

October 3, 2013

The Honorable Barack Obama
President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

We are writing to help you understand the significant consequences arising from the federal shutdown and the closure of America's national parks. While we understand the intensity of feelings which prompted an inability of the Congress and the Administration to agree to even short-term funding of federal agencies including the National Park Service, we hope that you understand the real impact on millions of lives in addition to furloughed federal employees.

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1200 G Street, NW • Suite 650 • Washington, DC 20005

resources. The shutdown needs to be ended swiftly and a lesson learned. Please find a way to resolve issues on budgets and other national issues without imposing unjustified, unnecessary pain on the rest of the nation. We ask your help in making certain that the pain resulting from closures of and budget cuts for our parks and other public lands ends quickly.

Sincerely,

America Outdoors Association
American Hiking Society
American Recreation Coalition
American Society of Travel Agents
Association of Partners for Public Lands
Destination Marketing Association International
National Park Hospitality Association
National Parks Conservation Association
National Tour Association
Southeast Tourism Society
The Corps Network
US Travel Association

cc: Hon. Sylvia Mathews Burwell, Director, Office of Management and Budget
Hon. Sally Jewell, Secretary, U.S. Department of the Interior
Hon. Jon Jarvis, Director, National Park Service

United States Department of the Interior

NATIONAL PARK SERVICE
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667
508.771.2144
508.349.9052 Fax

March 29, 2013

Memorandum

To: Deputy Regional Director, Northeast Region

From: Superintendent, Cape Cod National Seashore

Subject: Donation offer to open Province Lands Visitor Center on a reduced schedule

The proposed closure of the Province Lands Visitor Center (PLVC) as part of the Cape Cod National Seashore (CACO) sequestration plan has been upsetting to the greater Cape Community and has received a lot of attention in the press. The $376,000 reduction in our FY '13 remaining budget and the reduction of staff by 22 seasonal employees, forced us to consider this closure as part of our plan. Recently, we were approached by the Friends of Cape Cod National Seashore offering to donate funds to open the PLVC for at least a partial summer season.

The PLVC is one of two CACO visitor centers. The Salt Pond Visitor Center is open twelve months and is located in Eastham in the southern end of the seashore. The PLVC is a seasonal visitor center, open May 1 – October 31 in recent years (previous budget cuts have already reduced the shoulder seasons) and serves 261,000 visits/year. PLVC staff provides information/orientation, issue passes and beach fire permits, present interpretive programs, handle call volume typical of a Chamber of Commerce office, and offer a range of movies and deck talks. Visitors have a distant view of whales from the observation decks and exhibits include an interactive NOAH exhibit with real-time tracking of maritime traffic and North Atlantic Right Whales via sound buoys. This is also a seasonal Eastern National sales outlet which grosses approximately 1/3 of their total summer sales. The PLVC staff has developed a partnership with the Provincetown tourism community including the Office of Travel and Tourism, the 100 year old Pilgrim Monument, the Chamber of Commerce, the Provincetown Business Guild, and the tour bus community. The SPVC can get up to 15 busses/day. These functions will all be lost with the planned closure.

In addition, the PLVC provided an important resource protection and visitor safety function because of its location at the head of the 7.2 mile Province Lands Bike Trail, and hiking trails through the parabolic dunes and the Dune Shacks of the Peaked Hill Bars Historic District. The bike trail was the first bike trail constructed by the NPS in the early 1960's. The trail was completely renovated recently with LIC and ARRA funds. PLVC staff regularly helps direct visitors and provides important safety information about the trail. They are often first responders to bike accidents and assist Rangers in locating bike riders on the challenging winding trail. (Bike accidents are the number one cause of visitor injuries at CACO. We have embarked on an aggressive bike safety program and continue to upgrade our trails and count on seasonal staff to implement this program.)

We have determined that a reduced schedule of Memorial Day – Labor Day for five days/week would be possible with the generous donation from Friends of Cape Cod National Seashore. A reduced schedule for seven days/week during the same time frame might be possible with a slight increase in funding from Friends as well. They would strive to provide the higher funding level for a 7 day operation but cannot commit to it presently. These funds would pay for 3 additional seasonal rangers that are not currently included in our sequestration plan, necessitating an increase to our current seasonal hiring spreadsheet. Staffing and supervision would be covered by permanent staff. This reduced operation would be focused primarily on Information/Orientation, visitor safety, and critical resource protection. It would not allow for the full range of interpretive services normally offered. It would allow for the Eastern National Operation to recoup the majority of their projected annual sales at this location.

I'm requesting approval to make a significant change to the CACO Sequestration Plan submitted in January based on the generous offer by a very passionate and dedicated Friends Group. This proposal constitutes a substantial change to our financial position that would enable us to offer this critical service to the public. If approved, hiring can take place in time to open this facility on the reduced schedule beginning May 27, 2013. Thank you for your consideration.

Approved X

Disapproved _____

From: Pam Haze <pam_haze@ios.doi.gov>
Sent: Monday, October 07, 2013 2:03 PM
To: Bruce Sheaffer
Subject: Fwd: Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park
Attachments: Congressional letter Final.pdf; Presidential Letter.pdf; Donation offer to open Province Lands VC Approval (March 2013).pdf

Can we talk in a bit?

Sent from my iPhone

Begin forwarded message:

> **From:** "LesStrang, Dave" <Dave.LesStrang@mail.house.gov>
> **Date:** October 7, 2013, 1:57:33 PM EDT
> **To:** Bruce Sheaffer <bruce_sheaffer@nps.gov>, "'Haze, Pam'" <pam_haze@ios.doi.gov>
> **Subject: FW: Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park**
>
> Pam & Bruce-
>
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Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park

AZ News | *October 3 2013*

By Clara Beard

TUSAYAN, Ariz. – The town of Tusayan, which sits just outside the gates of Grand Canyon National Park, generated more than $290,000 in sales tax in October of last year. But the money won't be coming in this year, thanks to the federal government shutdown.

"Everyday, it impacts us," Tusayan mayor Greg Bryan said about the shutdown. 'This national park has no interest or willingness to allow us to provide them funding."

A few days ago, Tusayan's Red Feather Properties pledged $25,000 to help keep the park open, and encouraged other businesses to follow suite. As of yesterday, local businesses generated around $125,000 to help reopen the park. Coupled with the town's commitment, that sum totals $325,000.

But, even with those financial promises, park officials say they aren't accepting third-party donations.

At Tusayan's council meeting last night, Grand Canyon National Park Superintendent Dave Uberuaga said that the park wasn't allowed to accept any third-party donations to re-open the park. Currently, the council is trying to find out who made that call.

"If it is a policy, we need to ask, when did it take place? When was it put into place? It was obviously not in place in 1995 when the funds were provided," Bryan said.

During the 1995 federal shutdown, then Governor Fife Symington gathered state resources and private donations to keep the park partially open for 21 days.

"Some have reflected back on the 1995 event, and say 'well, we did it then, why can't we do it now,'" Uberuaga told council members. "Bottom line, any third-party funding of the national park opening will not occur. This is a fundamental core operation of the federal government provided for by government appropriations by the U.S. Congress."

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"Speaker Andy Tobin told us tonight that our governor is in favor, the governor wants to do something, she just keeps being told, 'no there's nothing, no there's nothing,' we just need to get this thing moving sooner than later," Bryan said.

Council member Bill Fitzgerald asked how the town would estimate how much it would cost per day to keep the park running.

Bryan said a rough estimate is $19,000 a day.

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"It's our intent to push it," Bryan said.

Derrick A. Crandall, Counselor
National Park Hospitality Association
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Washington, D.C. 20005
202-682-9530, F 202-682-9529
www.parkpartners.org

REOPEN PARKS TO THE PEOPLE

October 2, 2013

Honorable Harry Reid, Majority Leader
United States Senate
Washington, DC 20510

Honorable John Boehner, Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Honorable Mitch McConnell, Minority Leader
United States Senate
Washington, DC 20510

Honorable Nancy Pelosi, Minority Leader
U.S. House of Representatives
Washington, DC 20515

Dear Messrs. Reid, Boehner and McConnell and Ms. Pelosi:

We are writing to help you understand the significant consequences arising from the federal shutdown and the closure of America's national parks. While we understand the intensity of feelings which prompted an inability of the Congress and the Administration to agree to even short-term funding of federal agencies including the National Park Service, we hope that you understand the real impact on millions of lives in addition to furloughed federal employees.

The National Park Service has announced that some 21,000 of its employees have been furloughed. But the impacts extend well beyond that. There are nearly 300 million visits to national parks each year. Park visitors depend upon some 25,000 concessioner employees and thousands of not-for-profit organization employees for lodging, food, supplies and souvenirs, transportation, education and interpretation. Some 20,000 youth work on federal lands each year through conservation corps, restoring habitat and maintaining trails and more. Gateway communities also serve these visitors - in many cases, concessioner operations are the largest source of tax revenues in these communities. All of this activity - and its economic and social benefits - has been halted by the government shutdown.

An estimated 700,000+ individual park experiences will now be denied every day. And it's not only the American people who will be turned away. Some 10% of all park visits are by international guests - whose spending helps the nation have a favorable balance of trade in tourism. Recent estimates are that one US job is created for every 35 inbound travelers to the USA. And national parks figure importantly in the National Strategy for Travel and Tourism, which has set a national goal of strengthening the U.S. economy by increasing the number of international visitors to 100 million by 2021. Reaching this goal will not be helped by disgruntled visitors here in the US now, denied access to parks, nor by the uncertainty being caused by the widespread publicity about US national parks being gated and closed.

1200 G Street, NW • Suite 650 • Washington, DC 20005

This shutdown unfairly harms the American people and the businesses helping our economy to grow. It comes on the heels of significant budget reductions that have already limited opportunities for visitors, harmed the tourist economy, and strained park resources. The shutdown needs to be ended swiftly and a lesson learned. Please find a way to resolve issues on budgets and other national issues without imposing unjustified, unnecessary pain on the rest of the nation. We ask your help in making certain that the pain resulting from closures of and budget cuts for our parks and other public lands ends quickly.

Sincerely,

National Park Hospitality Association
National Parks Conservation Association
US Travel Association
National Tour Association
Southeast Tourism Society
Destination Marketing Association International
America Outdoors Association
Association of Partners for Public Lands
American Recreation Coalition

cc: Hon. Barbara Mikulski
Hon. Richard Shelby
Hon. Jack Reed
Hon. Lisa Murkowski
Hon. Ron Wyden
Hon. Mark Udall
Hon. Rob Portman
Hon. Hal Rogers
Hon. Nita Lowey
Hon. Mike Simpson
Hon. Jim Moran
Hon. Doc Hastings
Hon. Peter DeFazio
Hon. Rob Bishop
Hon. Raúl Grijalva

REOPEN PARKS TO THE PEOPLE

October 3, 2013

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President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

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Southeast Tourism Society
The Corps Network
US Travel Association

cc: Hon. Sylvia Mathews Burwell, Director, Office of Management and Budget
Hon. Sally Jewell, Secretary, U.S. Department of the Interior
Hon. Jon Jarvis, Director, National Park Service

United States Department of the Interior

NATIONAL PARK SERVICE
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667
508.771.2144
508.349.9052 Fax

March 29, 2013

Memorandum

To: Deputy Regional Director, Northeast Region

From: Superintendent, Cape Cod National Seashore

Subject: Donation offer to open Province Lands Visitor Center on a reduced schedule

The proposed closure of the Province Lands Visitor Center (PLVC) as part of the Cape Cod National Seashore (CACO) sequestration plan has been upsetting to the greater Cape Community and has received a lot of attention in the press. The $376,000 reduction in our FY '13 remaining budget and the reduction of staff by 22 seasonal employees, forced us to consider this closure as part of our plan. Recently, we were approached by the Friends of Cape Cod National Seashore offering to donate funds to open the PLVC for at least a partial summer season.

The PLVC is one of two CACO visitor centers. The Salt Pond Visitor Center is open twelve months and is located in Eastham in the southern end of the seashore. The PLVC is a seasonal visitor center, open May 1 – October 31 in recent years (previous budget cuts have already reduced the shoulder seasons) and serves 261,000 visits/year. PLVC staff provides information/orientation, issue passes and beach fire permits, present interpretive programs, handle call volume typical of a Chamber of Commerce office, and offer a range of movies and deck talks. Visitors have a distant view of whales from the observation decks and exhibits include an interactive NOAH exhibit with real-time tracking of maritime traffic and North Atlantic Right Whales via sound buoys. This is also a seasonal Eastern National sales outlet which grosses approximately 1/3 of their total summer sales. The PLVC staff has developed a partnership with the Provincetown tourism community including the Office of Travel and Tourism, the 100 year old Pilgrim Monument, the Chamber of Commerce, the Provincetown Business Guild, and the tour bus community. The SPVC can get up to 15 busses/day. These functions will all be lost with the planned closure.

In addition, the PLVC provided an important resource protection and visitor safety function because of its location at the head of the 7.2 mile Province Lands Bike Trail, and hiking trails through the parabolic dunes and the Dune Shacks of the Peaked Hill Bars Historic District. The bike trail was the first bike trail constructed by the NPS in the early 1960's. The trail was completely renovated recently with LIC and ARRA funds. PLVC staff regularly helps direct visitors and provides important safety information about the trail. They are often first responders to bike accidents and assist Rangers in locating bike riders on the challenging winding trail. (Bike accidents are the number one cause of visitor injuries at CACO. We have embarked on an aggressive bike safety program and continue to upgrade our trails and count on seasonal staff to implement this program.)

We have determined that a reduced schedule of Memorial Day – Labor Day for five days/week would be possible with the generous donation from Friends of Cape Cod National Seashore. A reduced schedule for seven days/week during the same time frame might be possible with a slight increase in funding from Friends as well. They would strive to provide the higher funding level for a 7 day operation but cannot commit to it presently. These funds would pay for 3 additional seasonal rangers that are not currently included in our sequestration plan, necessitating an increase to our current seasonal hiring spreadsheet. Staffing and supervision would be covered by permanent staff. This reduced operation would be focused primarily on Information/Orientation, visitor safety, and critical resource protection. It would not allow for the full range of interpretive services normally offered. It would allow for the Eastern National Operation to recoup the majority of their projected annual sales at this location.

I'm requesting approval to make a significant change to the CACO Sequestration Plan submitted in January based on the generous offer by a very passionate and dedicated Friends Group. This proposal constitutes a substantial change to our financial position that would enable us to offer this critical service to the public. If approved, hiring can take place in time to open this facility on the reduced schedule beginning May 27, 2013. Thank you for your consideration.

Approved X

Disapproved _____

From: Haze, Pam <pam_haze@ios.doi.gov>
Sent: Monday, October 07, 2013 3:07 PM
To: LesStrang, Dave
Cc: Bruce Sheaffer
Subject: Re: FW: Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park

NPS is sending out a statement that basically says we cannot do that see below.

Statement of Mike Litterst, National Park Service Acting Chief Spokesperson:

America's 401 national parks are a source of pride for all Americans and serve as important economic engines for local communities across the nation and we appreciate the generous offers of support and temporary assistance to reopen various individual parks around the country.

There are 401 national parks that comprise the National Park System, which is managed for the common benefit of all the people of the United States, and requires federal appropriations to fulfill its mission and responsibilities. As a result of the lapse in that funding, the entire National Park System is closed and cannot be reopened until funding is restored. Beyond the legal constraints involved, it would not be appropriate or feasible to open some parks or some parts of parks while other parts of the National Park System remain closed to the public.

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Sent: Monday, October 07, 2013 3:17 PM
To: LesStrang, Dave
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Subject: Re: Tusayan council and local businesses pledge $325,000 in hopes to reopen Grand Canyon National Park

My understanding is that it is not different. In 1995 we did not accept donations. In 1996 we accepted donations for a couple sites but did not execute them. We are holding firm that we cannot piecemeal operations of a park.

Sent from my iPhone

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From: Stone, Eric <eric_stone@nps.gov>
Sent: Wednesday, October 09, 2013 8:51 PM
To: Bruce Sheaffer; Jennifer Greatorex
Subject: Utah Parks Pay Period 201319 Totals

Bruce,

Below are the total payroll costs for the 7 parks you asked about for the last full pay period posted.

Park	Total PP201319	Total Per Day	Total Per Weekday
ARCH	$78,649.65	$5,617.83	$7,864.97
BRCA	$191,058.00	$13,647.00	$19,105.80
CANY	$296,050.03	$21,146.43	$29,605.00
CARE	$96,463.99	$6,890.29	$9,646.40
CEBR	$33,070.09	$2,362.15	$3,307.01
GLCA	$484,486.84	$34,606.20	$48,448.68
ZION*	$511,494.82	$36,535.34	$51,149.48
Total	$1,691,273.42	$120,805.24	$169,127.34

*ZION had $43.5K charged against the fire fund in this pay period, so this amount may need to be normalized

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

From: Jennifer Greatorex <jennifer_greatorex@nps.gov>
Sent: Thursday, October 10, 2013 8:49 AM
To: bruce_sheaffer@nps.gov; Eric_Stone@nps.gov; timothy_bailey@nps.gov
Subject: Re: Utah Parks Pay Period 201319 Totals

We are working on it.

From: Sheaffer, Bruce [mailto:bruce_sheaffer@nps.gov]
Sent: Thursday, October 10, 2013 04:52 AM
To: Stone, Eric <eric_stone@nps.gov>; Jennifer Greatorex <jennifer_greatorex@nps.gov>; Timothy Bailey <timothy_bailey@nps.gov>
Subject: Re: Utah Parks Pay Period 201319 Totals

would you do the same for Shenandoah, Rocky mtn, carlsbad caverns, independence and grand canyon. if possible, could you put a chart together that has each park and 5 columns for Per Day.. don't worry about extending for the number of days.

total salary charges, salary charges plus 15% in-park support, subtotal, overhead charges of 18.6% and total.

I need the Utah group asap... and please stand by for others...

On Wed, Oct 9, 2013 at 8:51 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Bruce,

Below are the total payroll costs for the 7 parks you asked about for the last full pay period posted.

Park	Total PP201319	Total Per Day	Total Per Weekday
ARCH	$78,649.65	$5,617.83	$7,864.97
BRCA	$191,058.00	$13,647.00	$19,105.80
CANY	$296,050.03	$21,146.43	$29,605.00
CARE	$96,463.99	$6,890.29	$9,646.40
CEBR	$33,070.09	$2,362.15	$3,307.01
GLCA	$484,486.84	$34,606.20	$48,448.68
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Thanks,

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National Park Service
Office: 703.487.9087

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eric_stone@nps.gov

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

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 9:00 AM
To: Sheaffer, Bruce
Cc: Jennifer Greatorex; Timothy Bailey
Subject: Re: Utah Parks Pay Period 201319 Totals
Attachments: Park Costs per Day.xlsx

Bruce,

Here's what I threw together. I've also attached the Excel file. Please let me know if this is what you were looking for.

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
ARCH	(b) (5)				$7,662.16
BRCA					$18,613.14
CANY					$28,841.62
CARE					$9,397.66
CEBR					$3,221.74
GLCA					$47,199.40
ZION					$49,830.56
TOTAL UTAH	**$120,805.24**	**$18,120.79**	**$138,926.03**	**$25,840.24**	**$164,766.27**

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5)				$138,624.73
INDE					$62,594.27
ROMO					$85,639.82
SHEN					$54,365.10
CAVE					$21,642.94
TOTAL OTHER	**$266,050.92**	**$39,907.64**	**$305,958.56**	**$56,908.29**	**$362,866.85**

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 7:52 AM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
would you do the same for Shenandoah, Rocky mtn, carlsbad caverns, independence and grand canyon. if possible, could you put a chart together that has each park and 5 columns for Per Day.. don't worry about extending for the number of days.

total salary charges, salary charges plus 15% in-park support, subtotal, overhead charges of 18.6% and total.

I need the Utah group asap... and please stand by for others...

On Wed, Oct 9, 2013 at 8:51 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Bruce,

Below are the total payroll costs for the 7 parks you asked about for the last full pay period posted.

Park	Total PP201319	Total Per Day	Total Per Weekday
ARCH	$78,649.65	$5,617.83	$7,864.97
BRCA	$191,058.00	$13,647.00	$19,105.80
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CEBR	$33,070.09	$2,362.15	$3,307.01
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*ZION had $43.5K charged against the fire fund in this pay period, so this amount may need to be normalized

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
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--
C. Bruce Sheaffer
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202-208-4566
bruce_sheaffer@nps.gov

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
ARCH	(b) (5)				$7,662.16
BRCA					$18,613.14
CANY					$28,841.62
CARE					$9,397.66
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TOTAL UTAH	**$120,805.24**	**$18,120.79**	**$138,926.03**	**$25,840.24**	**$164,766.27**

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5)				$138,624.73
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ROMO					$85,639.82
SHEN					$54,365.10
CAVE					$21,642.94
TOTAL OTHER	**$266,050.92**	**$39,907.64**	**$305,958.56**	**$56,908.29**	**$362,866.85**

From: Greatorex, Jennifer <jennifer_greatorex@nps.gov>
Sent: Thursday, October 10, 2013 9:21 AM
To: Bruce Sheaffer
Subject: Re: WIre Transfer Form

Bruce,

Here is the wire transfer form we used last time.

Jennifer

Jennifer Greatorex
Accounting Operations Center Manager
National Park Service
13461 Sunrise Valley Drive
Herndon, VA 20171

703.487.9133 Phone
703.217.3247 Cell Phone
703.487.9196 Fax
email: jennifer_greatorex@nps.gov

On Fri, Aug 23, 2013 at 10:01 AM, Greatorex, Jennifer <jennifer_greatorex@nps.gov> wrote:
Bruce,

Here is the form to send the wire transfer to NPS.

Jennifer Greatorex
Accounting Operations Center Manager
National Park Service
13461 Sunrise Valley Drive
Herndon, VA 20171

703.487.9133 Phone
703.217.3247 Cell Phone
703.487.9196 Fax
email: jennifer_greatorex@nps.gov

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 9:21 AM
To: Sheaffer, Bruce
Cc: Jennifer Greatorex; Timothy Bailey
Subject: Re: Utah Parks Pay Period 201319 Totals
Attachments: Park Costs per Day.xlsx

Natural Bridges added. Working on access to do this by October pay periods now. Will let you know an ETA as soon as I have one.

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
ARCH	(b) (5)				$7,662.16
BRCA					$18,613.14
CANY					$28,841.62
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CEBR					$3,221.74
GLCA					$47,199.40
NABR					$1,806.18
ZION					$49,830.56
TOTAL UTAH	$122,129.52	$18,319.43	$140,448.95	$26,123.50	$166,572.46

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5)				$138,624.73
INDE					$62,594.27
ROMO					$85,639.82
SHEN					$54,365.10
CAVE					$21,642.94
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Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 7:52 AM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
would you do the same for Shenandoah, Rocky mtn, carlsbad caverns, independence and grand canyon. if possible, could you put a chart together that has each park and 5 columns for Per Day.. don't worry about extending for the number of days.

total salary charges, salary charges plus 15% in-park support, subtotal, overhead charges of 18.6% and total.

I need the Utah group asap... and please stand by for others...

On Wed, Oct 9, 2013 at 8:51 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Bruce,

Below are the total payroll costs for the 7 parks you asked about for the last full pay period posted.

Park	Total PP201319	Total Per Day	Total Per Weekday
ARCH	$78,649.65	$5,617.83	$7,864.97
BRCA	$191,058.00	$13,647.00	$19,105.80
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GLCA	$484,486.84	$34,606.20	$48,448.68
ZION*	$511,494.82	$36,535.34	$51,149.48
Total	$1,691,273.42	$120,805.24	$169,127.34

*ZION had $43.5K charged against the fire fund in this pay period, so this amount may need to be normalized

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
ARCH	(b) (5) [redacted]				$7,662.16
BRCA					$18,613.14
CANY					$28,841.62
CARE					$9,397.66
CEBR					$3,221.74
GLCA					$47,199.40
NABR					$1,806.18
ZION					$49,830.56
TOTAL UTAH	**$122,129.52**	**$18,319.43**	**$140,448.95**	**$26,123.50**	**$166,572.46**

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5) [redacted]				$138,624.73
INDE					$62,594.27
ROMO					$85,639.82
SHEN					$54,365.10
CAVE					$21,642.94
TOTAL OTHER	**$266,050.92**	**$39,907.64**	**$305,958.56**	**$56,908.29**	**$362,866.85**

From: Bailey, Timothy <timothy_bailey@nps.gov>
Sent: Thursday, October 10, 2013 9:37 AM
To: Sheaffer, Bruce
Cc: Jennifer Greatorex; Jennifer Madello; John Spernoga
Subject: Re: need wire transfer form
Attachments: Federal Wire Transfer Form.doc

Good Morning All,

Attached is the wire transfer information.

If you have any additional questions or concerns, feel free to contact me at any time.

Respectfully,

Timothy Bailey
Supervisory Financial Operations Specialist
Payment and Travel Management Team

NPS, Accounting Operations Center
Attention: Payment and Travel Management Team
13461 Sunrise Valley Drive
Herndon, VA 20171

Email: timothy_bailey@nps.gov
Customer Service Line: (703) 487-9000
Direct Phone Line: (703) 487-9129
Fax: (703) 487-9196
Web: http://www.aoc.nps.gov

On Thu, Oct 10, 2013 at 7:57 AM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
I can't find the one you sent before.. this will be a state transferring the funds.. it will be a donation.. and we have been clear that we would not order the parks open until we verify we have the funds. we will also have to determine how we clear charges to the donation after the fact.

--
C. Bruce Sheaffer
Comptroller
National Park Service
202-208-4566

bruce_sheaffer@nps.gov

Federal Wire Transfer Form

The information listed below was provided to us by Treasury for use in instructing Concessionaires vendors or any Vendors on how to wire money.

Type 1000,
Fund Transfer Message
TO
TREAS NYC

Field Name	Code	Value
TYPE/SUBTYPY Code	(1510)	1000
AMOUNT	(2000)	$
SENDER FI	(b) (4)	Sender's ABA # and Bank Name
SENDER REFERENCE	(3320)	Filled by Sender
RECEIVER FI	(3400)	021030004 Federal Reserve Bank of New York City
BENEFICIARY	(4200)	D AGENCY 'S ALC (14100099)
ORIGINATOR TO BENEFICIARY INFO	(6000)	VENDOR NAME & PHONE NUMBER PARK NAME; PARK PHONE # NPS COST ACCT OR BILL NUMBER VENDOR CODE (FFS VENDOR)

If you have any questions, please contact Marcia Clarke at (703) 487-9023 or Marcia_Dillon@nps.gov.

From: Haze, Pam <pam_haze@ios.doi.gov>
Sent: Thursday, October 10, 2013 10:43 AM
To: Bruce Sheaffer; Beverly Stephens
Subject: donations

Mark Teskey is asked by Jack to evaluate the donations issue for Utah. Mark is looking for help - I advised he should talk with you. Are you tied up?

From: Bailey, Timothy <timothy_bailey@nps.gov>
Sent: Thursday, October 10, 2013 12:01 PM
To: Bruce Sheaffer
Subject: Revised Wire Form
Attachments: Federal Wire Transfer Form.doc

If you have any additional questions or concerns, feel free to contact me at any time.

Respectfully,

Timothy Bailey
Supervisory Financial Operations Specialist
Payment and Travel Management Team

NPS, Accounting Operations Center
Attention: Payment and Travel Management Team
13461 Sunrise Valley Drive
Herndon, VA 20171

Email: timothy_bailey@nps.gov
Customer Service Line: (703) 487-9000
Direct Phone Line: (703) 487-9129
Fax: (703) 487-9196
Web: http://www.aoc.nps.gov

Federal Wire Transfer Form

The information listed below was provided to us by Treasury for use in instructing Concessionaires vendors or any Vendors on how to wire money.

Type 1000,
Fund Transfer Message
TO
TREAS NYC

Field Name	Code	Value
TYPE/SUBTYPY Code	(1510)	1000
AMOUNT	(2000)	$
SENDER FI	(b) (4)	Sender's ABA # and Bank Name
SENDER REFERENCE	(3320)	Filled by Sender
RECEIVER FI	(3400)	021030004 Federal Reserve Bank of New York City
BENEFICIARY	(4200)	D AGENCY 'S ALC (14100099)
ORIGINATOR TO BENEFICIARY INFO	(6000)	From State of Utah for NPS Utah Parks

If you have any questions, please contact Timothy Bailey at (703) 487-9129 or Timothy_Bailey@nps.gov.

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 12:44 PM
To: Douglas Glenn
Cc: Jennifer Greatorex; Bruce Sheaffer
Subject: NPS ALC is 14100099

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Thursday, October 10, 2013 1:04 PM
To: Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Sue Waldron; Cam Sholly; Blake Androff; Kate Kelly; Lena McDowall; Bruce Sheaffer
Subject: ABC News (via AP) - Feds Tell Governors Some National Parks Could Reopen If They Use State Money for Operations

First version of the story is out (just a single line):

http://abcnews.go.com/Politics/wireStory/boehners-office-gop-sending-small-group-obama-meeting-20520165

~~~~~~~~~~~~~~~~~~

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
~~~~~~~~~~~~~~~~~~

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 1:15 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: Parks Daily Cost based on October 2012 Payroll
Attachments: Park Costs per Day.xlsx

Bruce,

Pricing it based on October of last year versus mid-September, and removing fire, reimbursable, and lump sum leave, the parks daily cost decreased by an average of 17%.

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
ARCH	(b) (5)				$6,418.89
BRCA					$15,730.06
CANY					$28,083.45
CARE					$7,331.10
CEBR					$3,148.68
GLCA					$39,203.30
NABR					$1,222.21
ZION					$36,319.03
TOTAL UTAH	$100,782.12	$15,117.32	$115,899.43	$21,557.29	$137,456.73

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5)				$118,417.38
INDE					$60,756.13
ROMO					$50,054.15
SHEN					$51,512.65
CAVE					$19,782.17
TOTAL OTHER	$220,340.56	$33,051.08	$253,391.64	$47,130.85	$300,522.49

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, and Lump Sum Leave

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
ARCH	$5,617.83	$842.67	$6,460.51	$1,201.65	**$7,662.16**
BRCA	$13,647.00	$2,047.05	15,694.05	$2,919.09	**$18,613.14**
CANY	$21,146.43	$3,171.96	24,318.40	$4,523.22	**$28,841.62**
CARE	$6,890.29	$1,033.54	7,923.83	$1,473.83	**$9,397.66**
CEBR	$2,362.15	$354.32	2,716.47	$505.26	**$3,221.74**
GLCA	$34,606.20	$5,190.93	39,797.13	$7,402.27	**$47,199.40**
NABR	$1,324.28	$198.64	1,522.92	$283.26	**$1,806.18**
ZION	$36,535.34	$5,480.30	42,015.65	$7,814.91	**$49,830.56**
TOTAL UTAH	**$122,129.52**	**$18,319.43**	**$140,448.95**	**$26,123.50**	**$166,572.46**

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	$101,638.48	$15,245.77	116,884.26	$21,740.47	**$138,624.73**
INDE	$45,893.59	$6,884.04	52,777.63	$9,816.64	**$62,594.27**
ROMO	$62,790.40	$9,418.56	72,208.96	$13,430.87	**$85,639.82**
SHEN	$39,860.03	$5,979.00	45,839.04	$8,526.06	**$54,365.10**
CAVE	$15,868.42	$2,380.26	18,248.69	$3,394.26	**$21,642.94**
TOTAL OTHER	**$266,050.92**	**$39,907.64**	**$305,958.56**	**$56,908.29**	**$362,866.85**

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day		
ARCH	$4,706.27	$705.94	$5,412.22	$1,006.67	**$6,418.89**	-$1,243.27	-16%
BRCA	$11,533.15	$1,729.97	13,263.12	$2,466.94	**$15,730.06**	-$2,883.08	-15%
CANY	$20,590.55	$3,088.58	23,679.13	$4,404.32	**$28,083.45**	-$758.16	-3%
CARE	$5,375.10	$806.27	6,181.37	$1,149.73	**$7,331.10**	-$2,066.56	-22%
CEBR	$2,308.59	$346.29	2,654.87	$493.81	**$3,148.68**	-$73.06	-2%
GLCA	$28,743.53	$4,311.53	33,055.06	$6,148.24	**$39,203.30**	-$7,996.10	-17%
NABR	$896.12	$134.42	1,030.53	$191.68	**$1,222.21**	-$583.97	-32%
ZION	$26,628.80	$3,994.32	30,623.12	$5,695.90	**$36,319.03**	-$13,511.53	-27%
TOTAL UTAH	**$100,782.12**	**$15,117.32**	**$115,899.43**	**$21,557.29**	**$137,456.73**	-$29,115.73	-17%

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day		
GRCA	$86,822.63	$13,023.39	99,846.02	$18,571.36	**$118,417.38**	-$20,207.34	-15%
INDE	$44,545.89	$6,681.88	51,227.77	$9,528.36	**$60,756.13**	-$1,838.13	-3%
ROMO	$36,699.28	$5,504.89	42,204.18	$7,849.98	**$50,054.15**	-$35,585.67	-42%
SHEN	$37,768.64	$5,665.30	43,433.94	$8,078.71	**$51,512.65**	-$2,852.45	-5%
CAVE	$14,504.12	$2,175.62	16,679.74	$3,102.43	**$19,782.17**	-$1,860.77	-9%
TOTAL OTHER	**$220,340.56**	**$33,051.08**	**$253,391.64**	**$47,130.85**	**$300,522.49**	-$62,344.37	-17%

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, and Lump Sum Leave

From: Glenn, Douglas <douglas_glenn@ios.doi.gov>
Sent: Thursday, October 10, 2013 1:19 PM
To: christina.ho@fms.treas.gov
Cc: Bruce Sheaffer
Subject: Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 1:24 PM
To: Lisa Mendelson; Michael Caldwell; Gordon Wissinger; Robert Maclean; Patricia Trap; Patty Neubacher; Colin Campbell; Joel Hard; Lena McDowall; Bruce Sheaffer; Cam Sholly; Sue Waldron; Michael Litterst; Peggy O'Dell; Jon Jarvis
Subject: Statement on Agreements with Governors

Statement of Interior Spokesman Blake Androff:

As a result of the government shutdown, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary Jewell will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

The Interior Department will begin conversations about how to proceed as expeditiously as current limited resources allow. We continue to call on Congress to act swiftly to enact appropriations for the entire government so that we can re-open all 401 national parks for the American people.

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.

From: David Uberuaga <dave_uberuaga@nps.gov>
Sent: Tuesday, October 01, 2013 4:55 PM
To: Bruce Sheaffer
Cc: Rena Fugate; Diane Chalfant
Subject: Need a policy or law statement or reference.

Bruce,
Can't find the technical worded answer but I have been. getting offers and some backdoor pressure from entities to "help pay to keep the park opened". I have had one serious offer from the Arizona State Park's Director who said he has state reserve funds he could loan the NPS to keep the park open. We also have some river guides looking for some rich guys to donate to the park as well through social media and emails. My response has been " **thank you but a loan or a donation is not an option under this current governmentwide shutdown caused by a lack of appropriations ".**
If I had a specific citation I think it would be helpful or just an affirmation of the statement above with any changes you would suggest.

Thanks,

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

Sent from my I phone

From: Fugate, Rena <rena_fugate@nps.gov>
Sent: Tuesday, October 01, 2013 5:26 PM
To: David Uberuaga
Cc: Bruce Sheaffer; Diane Chalfant; Colin Campbell
Subject: Re: Need a policy or law statement or reference.

Hi Dave:
I know this is an inviting offer from the state and others to help keep the park open and folks working.

However, on page 6 of the shutdown procedures it states in reference to overtures to cover costs by states or other organizations that the offers should be "respectfully rejected." It continues, " In accordance with Title 16 of the USCode, the National Park System is to be managed for the common benefit of all the people of the United States, and is funded primarily by the federal appropriations to achieve this responsibility. Beyond the legal issues involved, it will not be appropriate to open some parks or some parts of parks with non-appropriate or non-federal funding while other parts of the National Park System remain closed."

I hope this information provides support for your position.

Rena Fugate
ARD Business & Technology
NPS, Intermountain Region
Office: 303 969 2544
Cell: 720 560 2515
Fax: 303 969 2337

On Tue, Oct 1, 2013 at 2:54 PM, David Uberuaga <dave_uberuaga@nps.gov> wrote:
Bruce,
Can't find the technical worded answer but I have been. getting offers and some backdoor pressure from entities to "help pay to keep the park opened". I have had one serious offer from the Arizona State Park's Director who said he has state reserve funds he could loan the NPS to keep the park open. We also have some river guides looking for some rich guys to donate to the park as well through social media and emails. My response has been " **thank you but a loan or a donation is not an option under this current governmentwide shutdown caused by a lack of appropriations ".**
If I had a specific citation I think it would be helpful or just an affirmation of the statement above with any changes you would suggest.

Thanks,

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

Sent from my I phone

From: David Uberuaga <dave_uberuaga@nps.gov>
Sent: Tuesday, October 01, 2013 8:51 PM
To: Bruce Sheaffer
Cc: Diane Chalfant
Subject: Re: Need a policy or law statement or reference.

Thanks Bruce! I have no intentions of accepting nor do I want any outside funding help. However some hospitality corporations in Arizona are starting a campaign to raise donations to reopen Grand Canyon. On the local radio the first company offered to donate $25K and asked others to do the same. The State Parks director called and offered to loan the park state money from the State Park's reserve funds . He had been encouraged by some of our federal congressional delegation & the Governors office to make funds available. I politely said NO THANK YOU to the State & to the Corporate leaders that have called me.
I am just looking for a more sophisticated and technical reason to say no thank you.

Thanks
Dave

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

Sent from my I phone

On Oct 1, 2013, at 3:57 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:

> I will get you some info on this tomorrow am. A policy call had been made that we will not engage in piece meal reopening and we cannot provide the needed level of administrative and mgt support from central offices
>
> Sent from my iPhone
>
> On Oct 1, 2013, at 4:54 PM, David Uberuaga <dave_uberuaga@nps.gov> wrote:
>
>> Bruce,
>> Can't find the technical worded answer but I have been. getting offers and some backdoor pressure from entities to "help pay to keep the park opened". I have had one serious offer from the Arizona State Park's Director who said he has state reserve funds he could loan the NPS to keep the park open. We also have some river guides looking for some rich guys to donate to the park as well through social media and emails. My response has been
>> " **thank you but a loan or a donation is not an option under this current governmentwide shutdown caused by a lack of appropriations ".**
>> If I had a specific citation I think it would be helpful or just an affirmation of the statement above with any changes you would suggest.
>>
>> Thanks,

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

Sent from my I phone

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Thursday, October 10, 2013 1:24 PM
To: Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Sue Waldron; Cam Sholly; Blake Androff; Kate Kelly; Bruce Sheaffer; Lena McDowall
Subject: AP - Feds to let states pay to open parks

Full story...

Feds to let states pay to open parks

By By Matthew Daly October 10, 2013

WASHINGTON (AP) — The Obama administration said Thursday it will allow states to use their own money to reopen some national parks that have been closed because of the government shutdown.

Governors in at least four states have asked for authority to reopen national parks within their borders because of the economic impacts caused by the park closures.

Interior Secretary Sally Jewell said the government will consider offers to pay for park operations, but will not surrender control of national parks to the states.

Utah Gov. Gary Herbert has said his state has resources that could be used to operate the parks if federal funding is not available. Governors of South Dakota, Arizona and Colorado have made similar requests.

October is a peak month for tourism in many parts of the West.

Herbert said in a letter Tuesday to President Barack Obama that the shutdown of national parks has been "devastating" to individuals and businesses that rely on park operations for their livelihood. Utah is home to five national parks, including Zion, Bryce and Arches, which attract visitors from around the world.

"The current federally mandated closure is decimating the bottom line of bed-and-breakfast business owners and operators in Torrey (Utah), outfitters at Bryce Canyon City and restaurant owners in Moab," Herbert wrote.

He estimated the economic impact of the federal government shutdown on Utah at about $100 million.

Blake Androff, a spokesman for Jewell, said the Interior Department will consider agreements with governors who "indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states."

Decisions about which parks to reopen and for how long have not been made, Androff said.

Figures compiled by a coalition of retired park service workers indicate that some 700,000 people a day would have been visiting the parks and that the surrounding areas are losing $76 million in visitor spending per day.

The park service said it is losing $450,000 per day in revenue from entrance fees and other in-park expenditures, such as campground fees and boat rentals.

~~~~~~~~~~~~~~~~~~

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
~~~~~~~~~~~~~~~~~~

From: David Uberuaga <dave_uberuaga@nps.gov>
Sent: Thursday, October 10, 2013 1:27 PM
To: Bruce Sheaffer
Subject: Bruce ?? what's going ? Fwd: Statement of the Department of the Interior on willingness to consider agreements with Governors to fully fund the re-opening of national parks in their states

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

Sent from my I phone

Begin forwarded message:

From: Susan Schroeder <SSchroeder@grandcanyon.org>
Date: October 10, 2013, 10:14:52 AM MST
To: CHRISTINE MULDOON [redacted] (b) (6), Linda Pallas [redacted] (b) (6) larry.clark <larry.clark@bioconsultinc.com>, Howard Weiner [redacted] (b) (6), Robert Stieve [redacted] (b) (6), Marsha Sitterley [redacted] (b) (6) robbie.aiken [redacted] (b) (6), Greg Batie [redacted] (b) (6) "Sally Clayton" <[redacted] (b) (6)>, Jim McDowell <[redacted] (b) (6) Steve Watson [redacted] (b) (6)
Cc: Leadership Team <LeadershipTeam@grandcanyon.org>, "Dave_Uberuaga@nps.gov" <Dave_Uberuaga@nps.gov>
Subject: Statement of the Department of the Interior on willingness to consider agreements with Governors to fully fund the re-opening of national parks in their states

Hello everyone,
More news re the shutdown impacts on National Parks.
It looks like Secretary of Interior Jewell will "consider agreements with State Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states".
We'll keep you posted.
Susan

From: npsforum@lists.appl.org [mailto:npsforum@lists.appl.org] **On Behalf Of** Dan Puskar
Sent: Thursday, October 10, 2013 10:06 AM
To: NPSforum@lists.appl.org; parkfriends@npogroups.org
Subject: [npsforum] Statement of the Department of the Interior on willingness to consider agreements with Governors to fully fund the re-opening of national parks in their states

Dear NPS partners:

Please see the release just issued by DOI regarding the potential opening of national parks with the support of state government. We will continue to share out information as we receive it.

Dan

Dan Puskar
Executive Director
Association of Partners for Public Lands
301.946.9475 ext. 221
www.appl.org
---------- Forwarded message ----------
Date: Thu, Oct 10, 2013 at 1:01 PM
Subject: Statement of the Department of the Interior on willingness to consider agreements with Governors to fully fund the re-opening of national parks in their states
To:

This statement just issued - wanted you to be aware and to share with your members

Statement of Interior Spokesman Blake Androff

As a result of the government shutdown, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary Jewell will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

The Interior Department will begin conversations about how to proceed as expeditiously as current limited resources allow. We continue to call on Congress to act swiftly to enact appropriations for the entire government so that we can re-open all 401 national parks for the American people.

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

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

EXPERIENCE YOUR AMERICA

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 1:29 PM
To: Lisa Mendelson; Michael Caldwell; Gordon Wissinger; Robert Maclean; Patricia Trap; Patty Neubacher; Colin Campbell; Joel Hard; Lena McDowall; Bruce Sheaffer; Cam Sholly; Sue Waldron; Michael Litterst; Peggy O'Dell; Jon Jarvis
Subject: Re: Statement on Agreements with Governors

Please release to parks.

Maureen D. Foster
National Park Service
202.208.5970

On Oct 10, 2013, at 1:24 PM, "Foster, Maureen" <maureen_foster@nps.gov> wrote:

Statement of Interior Spokesman Blake Androff:

As a result of the government shutdown, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary Jewell will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

The Interior Department will begin conversations about how to proceed as expeditiously as current limited resources allow. We continue to call on Congress to act swiftly to enact appropriations for the entire government so that we can re-open all 401 national parks for the American people.

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)

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

From: Glenn, Douglas <douglas_glenn@ios.doi.gov>
Sent: Thursday, October 10, 2013 1:32 PM
To: Bruce Sheaffer
Subject: Fwd: Fwd: NPS ALC is 14100099

Stay tuned....

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: <christina.ho@fms.treas.gov>
Date: Thu, Oct 10, 2013 at 1:19 PM
Subject: Re: Fwd: NPS ALC is 14100099
To: "Glenn, Douglas" <douglas_glenn@ios.doi.gov>

I am going to check to see if this is something that can be easily done and get back to you.

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>

Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

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From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Thursday, October 10, 2013 2:35 PM
To: Bruce Sheaffer
Subject: Fwd: Calls

Sent from my iPhone

Begin forwarded message:

> **From:** "Walls, Erin" <erin_walls@ios.doi.gov>
> **Date:** October 10, 2013, 2:24:50 PM EDT
> **To:** Nicole Buffa <nicole_buffa@ios.doi.gov>
> **Cc:** Jonathan Jarvis <jon_jarvis@nps.gov>
> **Subject: Re: Calls**
>
> 801-538-1504 direct
> (b) (6) [redacted] cell
>
> On Thu, Oct 10, 2013 at 2:05 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
> Erin - can you please track this down through the gov's office?
>
> On Oct 10, 2013, at 1:52 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:
>
>> Do you have the number for John Pierce from governor of Utah office. ?
>>
>> Sent from my iPhone
>>
>> On Oct 10, 2013, at 12:35 PM, "Buffa, Nicole" <nicole_buffa@ios.doi.gov> wrote:
>>
>>> She's talked to brewer, Vilsack, and is on the phone with daugaard now. So far so good.
>>>
>>> --
>>>
>>> Nikki Buffa
>>> Deputy Chief of Staff
>>> US Department of the Interior
>>> 202-219-3861
>>> nicole_buffa@ios.doi.gov

--

Erin Walls
Special Assistant to the Secretary
U.S. Department of the Interior
202-208-6087
erin_walls@ios.doi.gov

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Thursday, October 10, 2013 2:36 PM
To: Maureen Foster; Bruce Sheaffer
Subject: Fwd: Open National Parks

Sent from my iPhone

Begin forwarded message:

> **From:** "Elton, Joe (DCR)" <Joe.Elton@dcr.virginia.gov>
> **Date:** October 10, 2013, 2:22:52 PM EDT
> **To:** 'jon_jarvis' <jon_jarvis@nps.gov>, 'tom' <tom@naspd.org>
> **Subject: FW: Open National Parks**
>
> Jon -
>
> Hoping you can help answer Doug's questions.
>
> -----Original Message-----
> **From:** Domenech, Doug (GOV)
> **Sent:** Thursday, October 10, 2013 02:15 PM Eastern Standard Time
> **To:** Elton, Joe (DCR)
> **Cc:** Johnson, David (DCR)
> **Subject:** Open National Parks
>
> Apparently DOI is saying they will open National Parks if states will pay. Governor is asking what the cost is per park in VA and if we have the money to do it? Would the money spent by the state be reimbursed?
>
> Joe can you call Jon Jarvis?

From: Stephens, Beverly <grace_stephens@nps.gov>
Sent: Thursday, October 10, 2013 2:46 PM
To: Bruce Sheaffer
Subject: Fwd: NPS re-openings

should I respond to this? or start telling Leif, Dave, et al to call Maureen, who is connecting all congressional inquiries to the appropriate field office?

---------- Forwarded message ----------
From: **Fonnesbeck, Leif (Appropriations)** <Leif_Fonnesbeck@appro.senate.gov>
Date: Thu, Oct 10, 2013 at 2:41 PM
Subject: NPS re-openings
To: Beverly Stephens <grace_stephens@nps.gov>

Is there someone that people can contact if there state is interested in having some of their Parks re-opened? I'm already getting calls from offices.

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

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 3:40 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: 5 Non-Utah Parks without Fee Program salaries

I'll work on the other parks we discussed now.

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5)				$92,202.62
INDE					$60,756.13
ROMO					$40,285.78
SHEN					$40,430.11
CAVE					$18,205.22
TOTAL OTHER	**$184,676.20**	**$27,701.43**	**$212,377.63**	**$39,502.24**	**$251,879.87**

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

Park	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	[redacted]				$92,202.62
INDE					$60,756.13
ROMO					$40,285.78
SHEN					$40,430.11
CAVE					$18,205.22
TOTAL OTHER	**$184,676.20**	**$27,701.43**	**$212,377.63**	**$39,502.24**	**$251,879.87**

(b) (5)

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

From: christina.ho@fms.treas.gov
Sent: Thursday, October 10, 2013 4:16 PM
To: Glenn, Douglas
Cc: Bruce Sheaffer
Subject: Re: Fwd: NPS ALC is 14100099

Are they using pay.gov?

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 4:25 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: Additional Parks Daily Cost

Per our discussion, this continues the methodology of average salary cost per day based on 2 full pay periods in October 2012, excluding charges to reimbursables, fire funds, fee funds, and Lump Sum Leave.

The IBC Quicktime staff is still trying to determine if their process will delete the project accounts they setup for me today, so I'll check tomorrow and add these additional parks if their process is working, just in case.

Park	State(s)	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	AZ	(b) (5)				$92,202.62
PEFO	AZ					$10,653.95
SAGU	AZ					$12,122.65
LAKE	AZ/NV					$59,745.48
MEVE	CO					$24,228.38
ROMO	CO					$40,285.78
DINO	CO/UT					$9,167.72
CAVE	NM					$18,205.22
INDE	PA					$60,756.13
BADL	SD					$14,825.61
MORU	SD					$15,160.18
WICA	SD					$8,354.61
ASIS	VA					$15,050.25
BLRI	VA					$52,427.20
SHEN	VA					$40,430.11
TOTAL OTHER		$128,106.68	$19,216.00	$147,322.69	$27,402.02	$174,724.71

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

Park	State(s)	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	AZ	(b) (5)				$92,202.62
PEFO	AZ					$10,653.95
SAGU	AZ					$12,122.65
LAKE	AZ/NV					$59,745.48
MEVE	CO					$24,228.38
ROMO	CO					$40,285.78
DINO	CO/UT					$9,167.72
CAVE	NM					$18,205.22
INDE	PA					$60,756.13
BADL	SD					$14,825.61
MORU	SD					$15,160.18
WICA	SD					$8,354.61
ASIS	VA					$15,050.25
BLRI	VA					$52,427.20
SHEN	VA					$40,430.11
TOTAL OTHER		**$128,106.68**	**$19,216.00**	**$147,322.69**	**$27,402.02**	**$174,724.71**

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 4:43 PM
To: Bruce Sheaffer
Subject: Fwd: Great Smoky Mountains National Park - State of Tennessee

Another figure needed please.

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)

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

---------- Forwarded message ----------
From: **Martin, Allison (Alexander)** <Allison_Martin@alexander.senate.gov>
Date: Thu, Oct 10, 2013 at 4:34 PM
Subject: Great Smoky Mountains National Park - State of Tennessee
To: "maureen_foster@nps.gov" <maureen_foster@nps.gov>
Cc: "Swager, Curtis (Alexander)" <Curtis_Swager@alexander.senate.gov>

Ms. Foster,

Governor Bill Haslam's office has asked Senator Alexander to obtain information about how to petition NPS to reopen the Great Smoky Mountains National Park. We understand you are handling state requests.

As this is the most visited national park and a major economic contributor we want to move on this as soon as possible.

You can reach Mr. Swager and I anytime via email or at the following numbers:

Allison Martin 202-224-1208

(b) (6) [redacted] (cell)

Curtis Swager 202-224-8989

Allison Martin

Deputy Legislative Director & Counsel

Office of Senator Lamar Alexander

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 4:43 PM
To: Glenn, Douglas
Cc: christina.ho@fms.treas.gov; Bruce Sheaffer; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

Doug,

We are providing them a wire transfer form, so that's how we're expecting to receive the donations.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 4:41 PM, Glenn, Douglas <douglas_glenn@ios.doi.gov> wrote:
Bruce, Eric, Jennifer,

Any idea how the state plans to donate to you?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Thu, Oct 10, 2013 at 4:16 PM, <christina.ho@fms.treas.gov> wrote:

Are they using pay.gov?

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 4:47 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: Re: Can you do the mall nma

Added Rock Creek Park too since that's been in the news so much. I'll just add these to the large list as they come so you don't have to print off multiple tables.

Park	State(s)	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	AZ	(b) (5) [redacted]				$92,202.62
PEFO	AZ					$10,653.95
SAGU	AZ					$12,122.65
LAKE	AZ/NV					$59,745.48
MEVE	CO					$24,228.38
ROMO	CO					$40,285.78
DINO	CO/UT					$9,167.72
NAMA	DC					$86,902.99
ROCR	DC					$19,613.93
CAVE	NM					$18,205.22
INDE	PA					$60,756.13
BADL	SD					$14,825.61
MORU	SD					$15,160.18
WICA	SD					$8,354.61
ASIS	VA					$15,050.25
BLRI	VA					$52,427.20
SHEN	VA					$40,430.11
TOTAL OTHER		**$128,106.68**	**$19,216.00**	**$147,322.69**	**$27,402.02**	**$174,724.71**

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:38 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
And fords theater

Sent from my iPhone

From: Fugate, Rena <rena_fugate@nps.gov>
Sent: Thursday, October 10, 2013 4:55 PM
To: Bruce Sheaffer
Subject: Do you need any help from us in calculating costs for our parks?

Rena Fugate
ARD Business & Technology
NPS, Intermountain Region
Office: 303 969 2544
Cell: 720 560 2515
Fax: 303 969 2337

From: christina.ho@fms.treas.gov
Sent: Thursday, October 10, 2013 4:50 PM
To: Stone, Eric
Cc: Bruce Sheaffer; Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

Do you have any ideas on how much it might be?

"Stone, Eric" <eric_stone@nps.gov>

10/10/2013 04:36 PM

To "Glenn, Douglas" <douglas_glenn@ios.doi.gov>
cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject Re: Fwd: NPS ALC is 14100099

Doug,

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Thanks,

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cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
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Chrisina,

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Is that possible? What can do or given you that would help in this request?

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To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
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From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 5:08 PM
To: Bruce Sheaffer
Subject: Re: Can you do the mall nma

It is, but a certain group of cost centers (just figured it out). I'll strip them out in a few minutes and resend.

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 4:54 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Do you know if fords theater is in Nama numbers

Sent from my iPhone

On Oct 10, 2013, at 4:47 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

> Added Rock Creek Park too since that's been in the news so much. I'll just add these to the large list as they come so you don't have to print off multiple tables.
>
> <image.png>
>
> Thanks,
>
> Eric Stone, CFM
> FBMS Program Manager/Bureau Lead
> National Park Service
> Office: 703.487.9087
> Cell: 703.201.1842
> eric_stone@nps.gov
>
> To learn more about FBMS, go to http://share.nps.gov/FBMS
>
> On Thu, Oct 10, 2013 at 4:38 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
> And fords theater
>
> Sent from my iPhone

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 5:11 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: Re: Can you do the mall nma

Here's a new extract breaking out Ford's Theater from NAMA.

Park	State(s)	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	AZ	(b) (5) [redacted]				$92,202.62
PEFO	AZ					$10,653.95
SAGU	AZ					$12,122.65
LAKE	AZ/NV					$59,745.48
MEVE	CO					$24,228.38
ROMO	CO					$40,285.78
DINO	CO/UT					$9,167.72
FOTH	DC					$3,057.04
NAMA	DC					$83,845.95
ROCR	DC					$19,613.93
CAVE	NM					$18,205.22
INDE	PA					$60,756.13
BADL	SD					$14,825.61
MORU	SD					$15,160.18
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*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

Thanks,

Eric Stone, CFM
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eric_stone@nps.gov

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And fords theater

Sent from my iPhone

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 5:18 PM
To: christina.ho@fms.treas.gov
Cc: Bruce Sheaffer; Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

Christina,

We're still talking with several states, and not sure if amounts have been solidified. Bruce?

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:49 PM, <christina.ho@fms.treas.gov> wrote:

Do you have any ideas on how much it might be?

"Stone, Eric" <eric_stone@nps.gov>

10/10/2013 04:36 PM

To "Glenn, Douglas" <douglas_glenn@ios.doi.gov>
cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject Re: Fwd: NPS ALC is 14100099

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National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

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Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 5:24 PM
To: Sally Jewell
Cc: nikki_buffa@ios.doi.gov; Jon Jarvis; Rachel Jacobson; Kevin Haugrud; Edward Boling; Bruce Sheaffer; Maureen Foster
Subject: Re: Colorado

We are on the phone with Utah right now. We have had a preliminary conversation already based on Nikki's Info. We will get with CO next.
Sent from my iPhone

On Oct 10, 2013, at 5:21 PM, Sally Jewell [redacted]@ios.doi.gov> wrote:

> Nikki and Jon –
>
> I just got off the phone with Gov. Hickenlooper. They very much want to open RMNP tomorrow evening and are willing to sign an agreement and wire the money to us. He doesn't think they yet have the number they need from us for the cost of operations. The Gov. mentioned his staffer – Stephanie Donner – as the right POC. Nikki has evidently been in touch with her. A quick call back to her with next steps would be helpful.
>
> I assume that we sent the numbers for UT earlier to the POC there. I have not heard back after my calls with AZ, AK or SD – let me know if any of you have.
>
> Hope the template agreement is coming along.
>
> Thanks for everyone's hard work!
>
> Sally

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 5:41 PM
To: Bruce Sheaffer
Subject: Fwd: CO Estes Park contact, please.

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** "Margaret O'Dell" <peggy_o'dell@nps.gov>
> **Date:** October 10, 2013, 2:02:50 PM EDT
> **To:** Maureen Foster <maureen_foster@nps.gov>
> **Subject: Fwd: CO Estes Park contact, please.**
>
> I think this is for you. Her contact info is below.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 10, 2013, 1:47:38 PM EDT
> > **To:** Nicole Buffa <nicole_buffa@ios.doi.gov>
> > **Cc:** Roxane White - GovOffice <roxane.white@state.co.us>, Peggy O'Dell <peggy_o'dell@nps.gov>
> > **Subject: Re: CO Estes Park contact, please.**
> >
> > Thanks. Peggy, can you give me (Stephanie Donner) a quick call on my cell (b) (6) [redacted]? Thank you so much!
> >
> > On Thursday, October 10, 2013, Nicole Buffa wrote:
> > Peggy O'Dell is the appropriate contact for you guys to start. I've cc'd her here.
> >
> > On Oct 10, 2013, at 1:45 PM, Roxane White - GovOffice <roxane.white@state.co.us> wrote:
> >
> > > Can you send us the contact person, please.
> > >
> > > Roxane White
> > > Chief of Staff

> Colorado Governor Hickenlooper
> 136 State Capitol Building
> Denver, CO 80203
> 303-866-6290
> Follow on facebook and twitter,@RoxPWhite
>
> Under CO Open Records Act, all messages sent to or by me from this account
> may be subject to public disclosure.
>
> ----- Original Message -----
> From: Nicole Buffa [mailto:nicole_buffa@ios.doi.gov]
> Sent: Thursday, October 10, 2013 11:36 AM
> To: Roxane White - GovOffice <roxane.white@state.co.us>
> Cc: stephanie.donner@state.co.us <stephanie.donner@state.co.us>
> Subject: Re: CO Estes Park contact, please.
>
> Great!
>
> On Oct 10, 2013, at 1:13 PM, Roxane White - GovOffice
> <roxane.white@state.co.us> wrote:
>
>> We will start the discussion. Thanks!
>>
>> Roxane White
>> Chief of Staff
>> Colorado Governor Hickenlooper
>> 136 State Capitol Building
>> Denver, CO 80203
>> 303-866-6290
>> Follow on facebook and twitter,@RoxPWhite
>>
>> Under CO Open Records Act, all messages sent to or by me from this
> account
>> may be subject to public disclosure.

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 6:00 PM
To: Sally Jewell; Jon Jarvis; Nicole Buffa; Laura Davis
Cc: Bruce Sheaffer; Edward Boling; Robert Eaton; Maureen Foster; Sue Waldron
Subject: Utah

Conversation went well. Lawyers exchanging draft agreement language.
They are familiar with the 1995 agreement which we are using as the general basis for what our great lawyers have drafted.

Told them we needed four days of money up front and then must always have two days worth of money in our account at all times or we would have to start shutdown procedures. We will not engage in opening and closing parks on a daily basis. They are interested in all seven of the parks that are on our list.

They asked if they could get a cut of fees collected and we explained that fees are not authorized to be spent on operations but rather for upkeep and maintenance projects so no they would not get a cut. We may see pushback on that point.

They have the electronic transfer info. They are hoping to get a signed agreement tonight still.

Will keep you posted.

Sent from my iPhone

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 6:06 PM
To: Bruce Sheaffer
Subject: Fwd: Commonwealth of Puerto Rico national parks

Another one.

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** Erin Cohan <ecohan@prfaa.pr.gov>
> **Date:** October 10, 2013, 6:04:15 PM EDT
> **To:** "'maureen_foster@nps.gov'" <maureen_foster@nps.gov>
> **Cc:** Juan E Hernández <jhernandez@prfaa.pr.gov>
> **Subject: Commonwealth of Puerto Rico national parks**
>
> Maureen,
>
> The Commonwealth of Puerto Rico is interested in entering an agreement with the U.S. Department of the Interior I to open its two national parks. The governor's chief of staff would like more information about what the daily cost would be that the Commonwealth would incur. Please provide any information you can at your earliest convenience.
>
> In addition, please let me know what additional information you need from Puerto Rico, as we will be happy to provide whatever you need. Thank you for your time.
>
> Regards,
>
> Erin Cohan
>
> **Erin Cohan**
> Director, Intergovernmental Affairs
>
> **Commonwealth of Puerto Rico**
> **Federal Affairs Administration (PRFAA)**
> 1100 17th Street N.W.
> Suite 800
> Washington, D.C. 20036
> **Tel:** (202) 778-0710
> **Email:** ecohan@prfaa.pr.gov
> **Web:** www.prfaa.pr.gov

From: Sally Jewell <[redacted]os.doi.gov>
Sent: Thursday, October 10, 2013 6:12 PM
To: Margaret O'Dell; Jonathan Jarvis; Nicole Buffa; Laura Davis
Cc: Bruce Sheaffer; Edward Boling; Robert Eaton; Maureen Foster; Suzanne Waldron
Subject: RE: Utah

Thanks - good work everyone!

-----Original Message-----
From: Margaret O'Dell [mailto:peggy_o'dell@nps.gov]
Sent: Thursday, October 10, 2013 6:00 PM
To: Sally Jewell; Jon Jarvis; Nicole Buffa; Laura Davis
Cc: Bruce Sheaffer; Edward Boling; Robert Eaton; Maureen Foster; Sue Waldron
Subject: Utah

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They have the electronic transfer info. They are hoping to get a signed agreement tonight still.

Will keep you posted.

Sent from my iPhone

From: John Pearce <jpearce@utah.gov>
Sent: Thursday, October 10, 2013 6:17 PM
To: Sheaffer, Bruce
Subject: Re: treasury transfer form

Bruce,
Thanks for sending this. We will be in touch this evening.
Best,
Jp

On Oct 10, 2013, at 4:15 PM, "Sheaffer, Bruce" <bruce_sheaffer@nps.gov> wrote:

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

<Federal Wire Transfer Form (3).docx>

From:	Boling, Edward <ted.boling@sol.doi.gov>
Sent:	Thursday, October 10, 2013 6:23 PM
To:	Jonathan Jarvis; Margaret O'Dell; Foster, Maureen; Bruce Sheaffer; Pam Haze; Rachel L Jacobson
Cc:	Jack Haugrud; Barry Roth; Robert Eaton; Edward Keable; Mark Teskey
Subject:	Draft final agreement with Utah
Attachments:	NPS-State of Utah donation agreement (proposed final).docx; NPS-State of Utah donation agreement (proposed final).docx

Please review ASAP and call me at 208-3125

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, those 13 units encompass approximately 2,320,729 acres (approximately 3,626 square miles) of land and attract more than 9.7 million visitors annually;

Whereas, the visitors to those 13 units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account identified in Exhibit A. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of four days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on

Monday, October 14, 2013. The amount required to reopen, operate, and manage those 8 units for four days is $666,288.32.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Monday, October 14, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. Because Monday, October 14, 2013, is a federal holiday, if the State desires for the NPS to operate and manage the 8 units after Monday, October 14, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 11, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Utah
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

_____
Name (signature)

Governor, State of Utah
Title

_____
Date

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

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Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

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Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account identified in Exhibit A. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of four days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on

Monday, October 14, 2013. The amount required to reopen, operate, and manage those 8 units for four days is $666,288.32.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Monday, October 14, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

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B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

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Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Utah
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

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E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

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In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

_____
Name (signature)

Governor, State of Utah
Title

_____
Date

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 6:25 PM
To: Sheaffer, Bruce
Cc: christina.ho@fms.treas.gov; Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

Christina,

Just got off the phone with the NPS Comptroller. Would it be possible for you to notify everyone on this email as soon as any deposits hit that ALC tonight? We need to make quick decisions and notify the parks whether or not they are able to reopen tomorrow and Saturday.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 5:49 PM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
we expect that Utah will transfer funds tonight, approx $666,000.. Colorado may follow shortly for 161,200. I need to know if someone can confirm when the funds are received.

On Thu, Oct 10, 2013 at 5:18 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Christina,

We're still talking with several states, and not sure if amounts have been solidified. Bruce?

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 4:49 PM, <christina.ho@fms.treas.gov> wrote:

Do you have any ideas on how much it might be?

"Stone, Eric" <eric_stone@nps.gov>

10/10/2013 04:36 PM

To "Glenn, Douglas" <douglas_glenn@ios.doi.gov>
cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject Re: Fwd: NPS ALC is 14100099

Doug,

We are providing them a wire transfer form, so that's how we're expecting to receive the donations.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:41 PM, Glenn, Douglas <douglas_glenn@ios.doi.gov> wrote:
Bruce, Eric, Jennifer,

Any idea how the state plans to donate to you?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Thu, Oct 10, 2013 at 4:16 PM, <christina.ho@fms.treas.gov> wrote:

Are they using pay.gov?

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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---------- This E-mail and its attachments (if any) are intended solely for the use of the addressee(s) and may contain sensitive but unclassified information. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and destroy the E-mail and any attachments.

---------- This E-mail and its attachments (if any) are intended solely for the use of the addressee(s) and may contain sensitive but unclassified information. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and destroy the E-mail and any attachments.

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

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 6:27 PM
To: Bruce Sheaffer
Cc: Edward Boling
Subject: Agreement

Ted Boling needs the list of Utah parks with the costs right now.
Please email to him

Sent from my iPhone

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:35 PM
To: Margaret O'Dell
Cc: Bruce Sheaffer
Subject: Re: Agreement

Bruce - Where are you?

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 Thu, Oct 10, 2013 at 6:26 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:
Ted Boling needs the list of Utah parks with the costs right now.
Please email to him

Sent from my iPhone

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:48 PM
To: Maureen Foster; Margaret O'Dell; Bruce Sheaffer
Subject: Re: Connecting via email

Thanks!
Are we clear to send the draft agreement to Utah?

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 Thu, Oct 10, 2013 at 6:45 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** "Foster, Maureen" <maureen_foster@nps.gov>
> **Date:** October 10, 2013, 3:53:31 PM EDT
> **To:** John Pearce <jpearce@utah.gov>
> **Subject: Re: Connecting via email**
>
> Here they are.
>
> _____
> 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.

On Thu, Oct 10, 2013 at 3:48 PM, John Pearce <jpearce@utah.gov> wrote:
Maureen,

Any luck with the cost figures?
Thanks
Jp

On Oct 10, 2013, at 12:57 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

> I am working to get you the cost figures.
>
> Talk to you soon. Conference
> call info will follow.
>
> Thanks.
>
> Maureen D. Foster
> National Park Service
> 202.208.5970 office
> 202.306.3845 cell

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 6:49 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: Re: Can you do the mall nma

STLI added to the table. Unfortunately, the Statue and Ellis Island combined their FBMS Cost Centers, and I see zero with a position org that equals the old Ellis Island org, so I cannot break them out.

Park	Total PP201222_23	State(s)	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	(b) (5) [redacted]						$92,202.62
PEFO							$10,653.95
SAGU							$12,122.65
LAKE							$59,745.48
MEVE							$24,228.38
ROMO							$40,285.78
DINO							$9,167.72
FOTH							$3,057.04
NAMA							$83,845.95
ROCR							$19,613.93
CAVE							$18,205.22
STLI							$39,202.39
INDE							$60,756.13
BADL							$14,825.61
MORU							$15,160.18
WICA							$8,354.61
ASIS							$15,050.25
BLRI							$52,427.20
SHEN							$40,430.11
TOTAL OTHER			$128,106.68	$19,216.00	$147,322.69	$27,402.02	$174,724.71

*Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 6:35 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Can you add Statue of Liberty and separate Ellis island

Sent from my iPhone

On Oct 10, 2013, at 5:11 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

Here's a new extract breaking out Ford's Theater from NAMA.

<image.png>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:54 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Do you know if fords theater is in Nama numbers

Sent from my iPhone

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>
> <image.png>
>
> Thanks,
>
> Eric Stone, CFM
> FBMS Program Manager/Bureau Lead
> National Park Service
> Office: 703.487.9087
> Cell: 703.201.1842
> eric_stone@nps.gov
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>
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> And fords theater
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From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 6:59 PM
To: Bruce Sheaffer
Subject: Re: Can you do the mall nma

Well they setup a specific cost center group, but not sure I could trust it. Does $2.4M for two pay periods seem possible?

Eric Stone, CFM
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Sent from my iPhone

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:59 PM
To: Jonathan Jarvis; Margaret O'Dell; Foster, Maureen; Bruce Sheaffer; Pam Haze; Rachel L Jacobson
Cc: Jack Haugrud; Barry Roth; Robert Eaton; Edward Keable; Mark Teskey
Subject: Re: Draft final agreement with Utah

Peggy has cleared for NPS. I'm preparing to send this (in draft) to Utah now. Please call me if there are any objections.

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 Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Please review ASAP and call me at 208-3125

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

From: Bob Vogel <bob_vogel@nps.gov>
Sent: Thursday, October 10, 2013 7:04 PM
To: Sheaffer, Bruce
Subject: Re: per day cost

Thanks

On Oct 10, 2013, at 6:24 PM, "Sheaffer, Bruce" <bruce_sheaffer@nps.gov> wrote:

> NAMA alone is $84,000/day
>
> Fords is $3,100
>
> remember there is a 4 day minimum
> --
> C. Bruce Sheaffer
> Comptroller
> National Park Service
> 202-208-4566
> bruce_sheaffer@nps.gov

From: O'Dell, Margaret <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 7:10 PM
To: Sally Jewell; Jon Jarvis; Maureen Foster; Bruce Sheaffer; Edward Boling; Robert Eaton; Barry Roth; Sue Waldron; Colin Campbell
Subject: Colorado

Just off phone with CO. They are interested in funding 9 days of full park operation. However, they really want Trail Ridge Road open and it is not open now because of the deep snow with more on the way tonight and tomorrow. We put them in touch with the region and the park to help them understand if it is at all likely that we could get Trail Ridge Road open again within these 9 days. We will not compromise on safety when it comes to whether the road will reopen and the state says they are in full agreement with that.

Rob is sending them the draft agreement and they have the electronic transfer info. During the call they were asking if we could get this done tonight. If they sign agreement and wire money we will give the region and park the go ahead to open in the morning.

After the call, they spoke with Maureen about sending out a press release saying the park and state working together to see if we can get the road opened safely. Maureen discussing now.

Seems like they have not yet made up their mind about investing in reopening without assurance the road can safely be opened. Will keep you informed.

I think we are moving to NY to discuss reopening Statue of Liberty next.....

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 7:14 PM
To: Bruce Sheaffer
Subject: Re: Can you do the mall nma

Ya, no way that's correct. I could take the total USPP payroll and apply the percentage of FTEs that the greenbook has for NYC sites if you'd like.

Eric Stone, CFM
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Cell: 703.201.1842
eric_stone@nps.gov

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<bruce_sheaffer@nps.gov> wrote:
And fords theater

Sent from my iPhone

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Thursday, October 10, 2013 7:31 PM
To: O'Dell, Margaret; Kate Kelly; Blake Androff
Cc: Sally Jewell; Jon Jarvis; Maureen Foster; Bruce Sheaffer; Edward Boling; Robert Eaton; Barry Roth; Colin Campbell
Subject: Re: Colorado

adding kate and blake

recommend we hold on all press releases til its a done deal and coordinate a release time

On Thu, Oct 10, 2013 at 7:09 PM, O'Dell, Margaret <peggy_o'dell@nps.gov> wrote:
Just off phone with CO. They are interested in funding 9 days of full park operation. However, they really want Trail Ridge Road open and it is not open now because of the deep snow with more on the way tonight and tomorrow. We put them in touch with the region and the park to help them understand if it is at all likely that we could get Trail Ridge Road open again within these 9 days. We will not compromise on safety when it comes to whether the road will reopen and the state says they are in full agreement with that.

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I think we are moving to NY to discuss reopening Statue of Liberty next.....

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

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

EXPERIENCE YOUR AMERICA

From: Pam Haze <pam_haze@ios.doi.gov>
Sent: Thursday, October 10, 2013 7:34 PM
To: Boling, Edward
Cc: Jonathan Jarvis; Margaret O'Dell; Foster, Maureen; Bruce Sheaffer; Rachel L Jacobson; Jack Haugrud; Barry Roth; Robert Eaton; Edward Keable; Mark Teskey
Subject: Re: Draft final agreement with Utah

Okay

Sent from my iPhone

On Oct 10, 2013, at 6:23 PM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

Please review ASAP and call me at 208-3125

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

<NPS-State of Utah donation agreement (proposed final).docx>

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From: Kelly, Katherine <kate_kelly@ios.doi.gov>
Sent: Thursday, October 10, 2013 7:35 PM
To: Waldron, Suzanne
Cc: O'Dell, Margaret; Blake Androff; Jon Jarvis; Maureen Foster; Bruce Sheaffer; Edward Boling; Robert Eaton; Barry Roth; Colin Campbell
Subject: Re: Colorado

Removing Sally. Agree on holding on anything joint.

On Thu, Oct 10, 2013 at 7:31 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
adding kate and blake

recommend we hold on all press releases til its a done deal and coordinate a release time

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--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Thursday, October 10, 2013 7:35 PM
To: Maureen Foster; Margaret O'Dell; Jon Jarvis; Bruce Sheaffer
Subject: Fwd: Sandoval won't use state money to open National Parks

You can cross off Nevada from the interested list.

---------- Forwarded message ----------
From: **Dalby, Craig** <craig_dalby@nps.gov>
Date: Thu, Oct 10, 2013 at 4:25 PM
Subject: Fwd: Sandoval won't use state money to open National Parks
To: Patricia Neubacher <patty_neubacher@nps.gov>, Rene Buehl <rene_buehl@nps.gov>, Palmer Jenkins <chip_jenkins@nps.gov>, Scott Wanek <scott_wanek@nps.gov>, Christine Lehnertz <chris_lehnertz@nps.gov>

Craig Dalby
Chief, Public Information
Pacific West Region
National Park Service
206-220-4261

---------- Forwarded message ----------
From: **Christie Vanover** <christie_vanover@nps.gov>
Date: Thu, Oct 10, 2013 at 3:27 PM
Subject: Sandoval won't use state money to open National Parks
To: William Dickinson <william_k_dickinson@nps.gov>, Gary Warshefski <gary_warshefski@nps.gov>, Mary Hinson <mary_hinson@nps.gov>, Adam Kelsey <adam_kelsey@nps.gov>, Christopher Raynolds <chris_raynolds@nps.gov>
Cc: Craig Dalby <craig_dalby@nps.gov>, Michael Litterst <mike_litterst@nps.gov>

Las Vegas Sun:
ow.ly/pHIss

Sent from my iPhone
Christie Vanover
Public Affairs Officer
Lake Mead National Recreation Area
702-283-2344

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

From: christina.ho@fms.treas.gov
Sent: Thursday, October 10, 2013 7:48 PM
To: Sheaffer, Bruce; Stone, Eric
Cc: Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

We are looking into it. If it is not a lot of work, we would help. Otherwise, we would have to wait until the lapse is over as many of our employees are furloughed and we do not have that many people.

Sent from my FMS handheld

From: "Sheaffer, Bruce" [bruce_sheaffer@nps.gov]
Sent: 10/10/2013 05:49 PM AST
To: "Stone, Eric" <eric_stone@nps.gov>
Cc: Christina Ho; "Glenn, Douglas" <douglas_glenn@ios.doi.gov>; Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject: Re: Fwd: NPS ALC is 14100099

we expect that Utah will transfer funds tonight, approx $666,000.. Colorado may follow shortly for 161,200. I need to know if someone can confirm when the funds are received.

On Thu, Oct 10, 2013 at 5:18 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Christina,

We're still talking with several states, and not sure if amounts have been solidified. Bruce?

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On Thu, Oct 10, 2013 at 4:49 PM, <christina.ho@fms.treas.gov> wrote:

Do you have any ideas on how much it might be?

"Stone, Eric" <eric_stone@nps.gov>

10/10/2013 04:36 PM

To "Glenn, Douglas" <douglas_glenn@ios.doi.gov>
cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject Re: Fwd: NPS ALC is 14100099

Doug,

We are providing them a wire transfer form, so that's how we're expecting to receive the donations.

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On Thu, Oct 10, 2013 at 4:41 PM, Glenn, Douglas <douglas_glenn@ios.doi.gov> wrote:
Bruce, Eric, Jennifer,

Any idea how the state plans to donate to you?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

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Are they using pay.gov?

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

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

From: christina.ho@fms.treas.gov
Sent: Thursday, October 10, 2013 7:49 PM
To: Stone, Eric; Sheaffer, Bruce
Cc: Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

There is no way I could do that tonight. This is not considered excepted activities and I cannot call my furloughed employees into work for this. We were just going to see if this was something that would be easy for us to check.

Sent from my FMS handheld

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Cc: Christina Ho; "Glenn, Douglas" <douglas_glenn@ios.doi.gov>; Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject: Re: Fwd: NPS ALC is 14100099

Christina,

Just got off the phone with the NPS Comptroller. Would it be possible for you to notify everyone on this email as soon as any deposits hit that ALC tonight? We need to make quick decisions and notify the parks whether or not they are able to reopen tomorrow and Saturday.

Thanks,

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

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 7:59 PM
To: Sheaffer, Bruce
Cc: Maureen Foster; Robert Eaton; Barry Roth
Subject: Re: Arrangements with Treasury

Thanks Bruce. I don't expect any wire transfers until we have signed agreements. Utah has our draft now. Rob is sending a draft to Colorado in a minute or two.

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 Thu, Oct 10, 2013 at 7:51 PM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
Not necessary to make prior arrangement with Treasury to accept funds from Utah. Treasury is set up to accept funds as long as the correct forms are used. Utah has the proper forms, and as far as we know there are no issues with Treasury's systems. Not possible to get confirmation tonight that the donation came through, but we'll be able to check in the morning when the DOI person with ALC access is back on the job. I asked both Utah and Colorado representatives to notify me when they had transmitted the funds. I haven't received an e-mail from either of them.

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

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 7:59 PM
To: christina.ho@fms.treas.gov
Cc: Sheaffer, Bruce; Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

Christina,

Please let me know which Treasury system this would be visible in. We can try to get the appropriate National Park Service staff with access available to check.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 7:49 PM, <christina.ho@fms.treas.gov> wrote:

There is no way I could do that tonight. This is not considered excepted activities and I cannot call my furloughed employees into work for this. We were just going to see if this was something that would be easy for us to check.

Sent from my FMS handheld

From: "Stone, Eric" [eric_stone@nps.gov]
Sent: 10/10/2013 06:24 PM AST
To: "Sheaffer, Bruce" <bruce_sheaffer@nps.gov>
Cc: Christina Ho; "Glenn, Douglas" <douglas_glenn@ios.doi.gov>; Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject: Re: Fwd: NPS ALC is 14100099

Christina,

Just got off the phone with the NPS Comptroller. Would it be possible for you to notify everyone on this email as soon as any deposits hit that ALC tonight? We need to make quick decisions and notify the parks whether or not they are able to reopen tomorrow and Saturday.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 5:49 PM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
we expect that Utah will transfer funds tonight, approx $666,000.. Colorado may follow shortly for 161,200. I need to know if someone can confirm when the funds are received.

On Thu, Oct 10, 2013 at 5:18 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Christina,

We're still talking with several states, and not sure if amounts have been solidified. Bruce?

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:49 PM, <christina.ho@fms.treas.gov> wrote:

Do you have any ideas on how much it might be?

"Stone, Eric" <eric_stone@nps.gov>

10/10/2013 04:36 PM

To "Glenn, Douglas" <douglas_glenn@ios.doi.gov>
cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject Re: Fwd: NPS ALC is 14100099

Doug,

We are providing them a wire transfer form, so that's how we're expecting to receive the donations.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:41 PM, Glenn, Douglas <douglas_glenn@ios.doi.gov> wrote:
Bruce, Eric, Jennifer,

Any idea how the state plans to donate to you?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Thu, Oct 10, 2013 at 4:16 PM, <christina.ho@fms.treas.gov> wrote:

Are they using pay.gov?

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

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

From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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

From:	Eaton, Robert <robert.eaton@sol.doi.gov>
Sent:	Thursday, October 10, 2013 8:04 PM
To:	stephanie.donner@state.co.us
Cc:	Kevin Haugrud; Edward Boling; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster
Subject:	Draft donation agreement
Attachments:	NPS-State of Colorado donation agreement (10-10-13 draft).docx

Stephanie,

Attached is a draft agreement to enable the NPS to use funds donated by the State of Colorado to reopen, operate, and manage Rocky Mountain National Park during the shutdown period. Please review and let me know your thoughts at your earliest convenience. My direct number is (b) (6) [redacted] Thanks.

Rob

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Colorado
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take

affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

_____
Name (signature)

Governor, State of Colorado
Title

_____
Date

From: Donner - GovOffice, Stephanie <stephanie.donner@state.co.us>
Sent: Thursday, October 10, 2013 8:18 PM
To: Eaton, Robert
Cc: Kevin Haugrud; Edward Boling; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster
Subject: Re: Draft donation agreement

Thank you. I don't think we are going to proceed tonight.

On Thursday, October 10, 2013, Eaton, Robert wrote:
Stephanie,

Attached is a draft agreement to enable the NPS to use funds donated by the State of Colorado to reopen, operate, and manage Rocky Mountain National Park during the shutdown period. Please review and let me know your thoughts at your earliest convenience. My direct number is (b) (6) [redacted] Thanks.

Rob

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
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Telephone: (202) 208-7957
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--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 8:33 PM
To: Bruce Sheaffer
Cc: Jennifer Greatorex
Subject: Re: Can you do the mall nma

Here it is. Added right below the STLI figures.

Park	State(s)	Salary Costs Per Day	In-Park Support	Subtotal Per Day	Overhead	Total Per Day
GRCA	AZ	(b) (5) [redacted]				$92,202.62
PEFO	AZ					$10,653.95
SAGU	AZ					$12,122.65
LAKE	AZ/NV					$59,745.48
MEVE	CO					$24,228.38
ROMO	CO					$40,285.78
DINO	CO/UT					$9,167.72
FOTH	DC					$3,057.04
NAMA	DC					$83,845.95
ROCR	DC					$19,613.93
CAVE	NM					$18,205.22
STLI	NY					$39,202.39
USPP-NY*	NY					$69,205.80
INDE	PA					$60,756.13
BADL	SD					$14,825.61
MORU	SD					$15,160.18
WICA	SD					$8,354.61
ASIS	VA					$15,050.25
BLRI	VA					$52,427.20
SHEN	VA					$40,430.11
TOTAL OTHER		$128,106.68	$19,216.00	$147,322.69	$27,402.02	$174,724.71

Costs based on October 2012 average payroll per day, excluding Fire, Reimbursable, Fee Program Staff, and Lump Sum Leave

*USPP-NY costs based on total USPP payroll times 18.8%, the percentage of USPP NYC FTEs per Greenbook

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 8:17 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Ok. Please do that

Sent from my iPhone

On Oct 10, 2013, at 7:13 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

Ya, no way that's correct. I could take the total USPP payroll and apply the percentage of FTEs that the greenbook has for NYC sites if you'd like.

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
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Office: 703.487.9087
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eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 6:59 PM, Stone, Eric <eric_stone@nps.gov> wrote:
Well they setup a specific cost center group, but not sure I could trust it. Does $2.4M for two pay periods seem possible?

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 6:56 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Is there a code for USPP assigned to statue

Sent from my iPhone

On Oct 10, 2013, at 6:49 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

STLI added to the table. Unfortunately, the Statue and Ellis Island combined their FBMS Cost Centers, and I see zero with a position org that equals the old Ellis Island org, so I cannot break them out.

<image.png>

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842

eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 6:35 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Can you add Statue of Liberty and separate Ellis island

Sent from my iPhone

On Oct 10, 2013, at 5:11 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

> Here's a new extract breaking out Ford's Theater from NAMA.
>
> <image.png>
>
> Thanks,
>
> Eric Stone, CFM
> FBMS Program Manager/Bureau Lead
> National Park Service
> Office: 703.487.9087
> Cell: 703.201.1842
> eric_stone@nps.gov
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>
> On Thu, Oct 10, 2013 at 4:54 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
> Do you know if fords theater is in Nama numbers
>
> Sent from my iPhone
>
> On Oct 10, 2013, at 4:47 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:
>
>> Added Rock Creek Park too since that's been in the news so much. I'll just add these to the large list as they come so you don't have to print off multiple tables.
>>
>> <image.png>
>>
>> Thanks,
>>
>> Eric Stone, CFM
>> FBMS Program Manager/Bureau Lead

National Park Service
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eric_stone@nps.gov

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http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 4:38 PM, Bruce Sheaffer
<bruce_sheaffer@nps.gov> wrote:
And fords theater

Sent from my iPhone

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 8:36 PM
To: Bruce Sheaffer
Subject: Re: Can you do the mall nma

Valid point. There is a cost center with $545K for two pay periods with the title of Staten Island/Statue of Liberty. That may be our best bet to separate it from the rest of NYC, if they actually charged the right places this year...

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 8:30 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
Problem is that more ate at gateway than s pfvl

Sent from my iPhone

On Oct 10, 2013, at 7:13 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

> Ya, no way that's correct. I could take the total USPP payroll and apply the percentage of FTEs that the greenbook has for NYC sites if you'd like.
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Sent from my iPhone

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> On Thu, Oct 10, 2013 at 4:38 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
> And fords theater
>
> Sent from my iPhone

From: christina.ho@fms.treas.gov
Sent: Thursday, October 10, 2013 8:29 PM
To: Stone, Eric
Cc: Sheaffer, Bruce; Glenn, Douglas; Jennifer Greatorex
Subject: Re: Fwd: NPS ALC is 14100099

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Sent from my FMS handheld

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Sent: 10/10/2013 07:59 PM AST
To: Christina Ho
Cc: "Sheaffer, Bruce" <bruce_sheaffer@nps.gov>; "Glenn, Douglas" <douglas_glenn@ios.doi.gov>; Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject: Re: Fwd: NPS ALC is 14100099

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Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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10/10/2013 04:36 PM

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cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
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Doug,

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

From: Stone, Eric <eric_stone@nps.gov>
Sent: Thursday, October 10, 2013 9:27 PM
To: Bruce Sheaffer
Subject: Re: Can you do the mall nma

Soo all the parks on the Utah list plus Rocky? To whom should I send them? I can do that first thing in the morning.

Thanks

On Thursday, October 10, 2013, Bruce Sheaffer wrote:
Also we need to get all the Utah parks and rocky mount instructions on
time cards

Sent from my iPhone

On Oct 10, 2013, at 8:33 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:

> Here it is. Added right below the STLI figures.
>
> [image: Inline image 1]
>
> Eric Stone, CFM
> FBMS Program Manager/Bureau Lead
> National Park Service
> Office: 703.487.9087
> Cell: 703.201.1842
> eric_stone@nps.gov
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>
>
> On Thu, Oct 10, 2013 at 8:17 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov>wrote:
>
>> Ok. Please do that
>>
>> Sent from my iPhone
>>
>> On Oct 10, 2013, at 7:13 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:
>>
>> Ya, no way that's correct. I could take the total USPP payroll and apply
>> the percentage of FTEs that the greenbook has for NYC sites if you'd like.
>>
>> Eric Stone, CFM
>> FBMS Program Manager/Bureau Lead
>> National Park Service
>> Office: 703.487.9087

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>> eric_stone@nps.gov
>>
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>>
>>
>> On Thu, Oct 10, 2013 at 6:59 PM, Stone, Eric <eric_stone@nps.gov> wrote:
>>
>>> Well they setup a specific cost center group, but not sure I could trust
>>> it. Does $2.4M for two pay periods seem possible?
>>>
>>> Eric Stone, CFM
>>> FBMS Program Manager/Bureau Lead
>>> National Park Service
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>>> Cell: 703.201.1842
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>>>
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>>>
>>>
>>> On Thu, Oct 10, 2013 at 6:56 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov>wrote:
>>>
>>>> Is there a code for USPP assigned to statue
>>>>
>>>> Sent from my iPhone
>>>>
>>>> On Oct 10, 2013, at 6:49 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:
>>>>
>>>> STLI added to the table. Unfortunately, the Statue and Ellis Island
>>>> combined their FBMS Cost Centers, and I see zero with a position org that
>>>> equals the old Ellis Island org, so I cannot break them out.
>>>>
>>>> <image.png>
>>>>
>>>> Eric Stone, CFM
>>>> FBMS Program Manager/Bureau Lead
>>>> National Park Service
>>>> Office: 703.487.9087
>>>> Cell: 703.201.1842
>>>> eric_stone@nps.gov
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>>>>
>>>>
>>>> On Thu, Oct 10, 2013 at 6:35 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov>wrote:
>>>>
>>>>> Can you add Statue of Liberty and separate Ellis island
>>>>>
>>>>> Sent from my iPhone
>>>>>

>>>>> On Oct 10, 2013, at 5:11 PM, "Stone, Eric" <eric_stone@nps.gov> wrote:
>>>>>
>>>>> Here's a new extract breaking out Ford's Theater from NAMA.
>>>>>
>>>>> <image.png>
>>>>>
>>>>> Thanks,
>>>>>
>>>>> Eric Stone, CFM
>>>>> FBMS Program Manager/Bureau Lead
>>>>> National Park Service
>>>>> Office: 703.487.9087
>>>>> Cell: 703.201.1842
>>>>> eric_stone@nps.gov
>>>>>
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>>>>>
>>>>>
>>>>> On Thu, Oct 10, 2013 at 4:54 PM, Bruce Sheaffer <bruce_sheaffer@nps.gov
>>>>>> wrote:
>>>>>
>>>>>> Do you know if fords theater is in Nama numbers
>>>>>>
>>> <Capture.JPG>

--
Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

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From: Suzanne Waldron <sue_waldron@nps.gov>
Sent: Thursday, October 10, 2013 9:59 PM
To: Ahern, Jane; Maureen Foster; Peggy O'Dell; Bruce Sheaffer
Cc: Michael Caldwell; Michael Litterst
Subject: Re: PA Response

Thanks jane. Looping others

Sent from my iPhone

On Oct 10, 2013, at 9:15 PM, "Ahern, Jane" <jane_ahern@nps.gov> wrote:

> Gov. Tom Corbett's office says it doesn't have the money to reopen national parks as it uses the little free cash it has to keep social services programs running amid a partial federal government shutdown.
>
> http://www.nbcphiladelphia.com/news/local/Pa-Short-Cash-to-Open-National-Parks-227274371.html
>
> --
> 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
> *The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in*
>
> *error, please notify us immediately, and delete the original message.*

From: Fugate, Rena <rena_fugate@nps.gov>
Sent: Friday, October 11, 2013 7:24 AM
To: Bruce Sheaffer
Cc: Colin Campbell; Mary Risser; Billy Shott
Subject: Question re agreement and funding to open parks

Good Morning:
These are questions have been raised related to opening our parks. Thanks for any guidance; I know this is new territory for everyone. Please let me know what we should be doing.

1. A couple of our parks made note that funding to manage the park comes from other fund sources. E.g.; reimbursables and project funds. Was this support considered when the cost of running the park on a daily basis was calculated?

2. Several of our parks have service contracts that were suspended. E.g., trash pick up and shuttle contracts. Can we assume that the parks can unsuspend these contracts?

BRCA sent this note; "Our shuttle contract is paid through a congressionally authorized Transportation Fee (not FLREA). The money is in the Transportation Fee account...I just seek approval to go ahead and proceed with the contract in place, spending these nonappropriated Transportation Fee funds as we re-open the park" If BRCA is opened, I assume they can spend these funds?

3. Will we have a WBS or other accounting info set up for tracking purposes?

4. What if the cost of operating the park exceeds the donated funds? How will we be asked to track the funding?

5. Will the donated funds be expected to pay for any SARs?

.6. If we need SHRO or MABO assistance and need to call these folks in, will the donated funds cover these costs. In our region, these are regional employees.

Thanks again for your support.

Rena Fugate
ARD Business & Technology
NPS, Intermountain Region
Office: 303 969 2544
Cell: 720 560 2515
Fax: 303 969 2337

From: Greatorex, Jennifer <jennifer_greatorex@nps.gov>
Sent: Friday, October 11, 2013 7:49 AM
To: Bruce Sheaffer
Subject: Fwd: Fwd: NPS ALC is 14100099

fyi

Jennifer Greatorex
Accounting Operations Center Manager
National Park Service
13461 Sunrise Valley Drive
Herndon, VA 20171

703.487.9133 Phone
703.217.3247 Cell Phone
703.487.9196 Fax
email: jennifer_greatorex@nps.gov

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From: <christina.ho@fms.treas.gov>
Date: Fri, Oct 11, 2013 at 7:36 AM
Subject: Re: Fwd: NPS ALC is 14100099
To: "Greatorex, Jennifer" <jennifer_greatorex@nps.gov>
Cc: "Stone, Eric" <eric_stone@nps.gov>

I have already asked the person in charge of that area to check first thing in the morning. Will let you know as soon as I hear.

Sent from my FMS handheld

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Sent: 10/11/2013 07:36 AM AST
To: Christina Ho
Cc: "Stone, Eric" <eric_stone@nps.gov>
Subject: Re: Fwd: NPS ALC is 14100099

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Jennifer

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

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Friday, October 11, 2013 8:06 AM
To: Bruce Sheaffer
Subject: Wire

Let me know if the money was wired.

Sent from my iPhone

From: Glenn, Douglas <douglas_glenn@ios.doi.gov>
Sent: Friday, October 11, 2013 8:48 AM
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Subject: Fwd: Fwd: NPS ALC is 14100099

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To: "Greatorex, Jennifer" <jennifer_greatorex@nps.gov>
Cc: "Stone, Eric" <eric_stone@nps.gov>, douglas_glenn@ios.doi.gov

We are checking. No donation funds came in as of COB yesterday. The Fedwire system opens at 8:30 a.m. this morning. We are monitoring.

"Greatorex, Jennifer" <jennifer_greatorex@nps.gov>

10/11/2013 07:29 AM

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eric_stone@nps.gov

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On Thu, Oct 10, 2013 at 4:49 PM, <christina.ho@fms.treas.gov> wrote:

Do you have any ideas on how much it might be?

"Stone, Eric"
<eric_stone@nps.gov>

10/10/2013 04:36 PM

To "Glenn, Douglas" <douglas_glenn@ios.doi.gov>

cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>

Doug,

We are providing them a wire transfer form, so that's how we're expecting to receive the donations.

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

On Thu, Oct 10, 2013 at 4:41 PM, Glenn, Douglas <douglas_glenn@ios.doi.gov> wrote:
Bruce, Eric, Jennifer,

Any idea how the state plans to donate to you?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Thu, Oct 10, 2013 at 4:16 PM, <christina.ho@fms.treas.gov> wrote:

Are they using pay.gov?
"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/10/2013 01:12 PM

To "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>
cc Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject Fwd: NPS ALC is 14100099

Chrisina,

I understand Wyoming wants to donate funds to the National Park Service to keep several parks open in that state. We can call folks in from furlough to monitor ALC 14100099 but if Treasury has someone available that can give us a heads up when the anticipated EFT hits our ALC, it would be very helpful.

Is that possible? What can do or given you that would help in this request?

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

---------- Forwarded message ----------
From: **Stone, Eric** <eric_stone@nps.gov>
Date: Thu, Oct 10, 2013 at 12:43 PM
Subject: NPS ALC is 14100099
To: Douglas Glenn <douglas_glenn@ios.doi.gov>
Cc: Jennifer Greatorex <jennifer_greatorex@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>

Thanks,

Eric Stone, CFM
FBMS Program Manager/Bureau Lead
National Park Service
Office: 703.487.9087
Cell: 703.201.1842
eric_stone@nps.gov

To learn more about FBMS, go to http://share.nps.gov/FBMS

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--
C. Bruce Sheaffer
Comptroller

National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Eaton, Robert <robert.eaton@sol.doi.gov>
Sent: Friday, October 11, 2013 9:01 AM
To: Kevin Haugrud; Edward Boling; Barry Roth
Cc: Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject: Colorado is ready to sign its donation agreement ...

Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 9:16 AM
To: Eaton, Robert
Cc: Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject: Re: Colorado is ready to sign its donation agreement ...

HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

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 Fri, Oct 11, 2013 at 9:01 AM, Eaton, Robert <robert.eaton@sol.doi.gov> wrote:
Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

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From:	Eaton, Robert <robert.eaton@sol.doi.gov>
Sent:	Friday, October 11, 2013 9:29 AM
To:	Boling, Edward
Cc:	Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject:	Re: Colorado is ready to sign its donation agreement ...
Attachments:	NPS-State of Colorado donation agreement (10-10-13 draft).docx

Attached. Same version as I sent to Stephanie and this group last night. She intends to delete the header and complete the information for the State's designated representative before having the Lieutenant Governor sign.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
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On Fri, Oct 11, 2013 at 9:15 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

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 Fri, Oct 11, 2013 at 9:01 AM, Eaton, Robert <robert.eaton@sol.doi.gov> wrote:
Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
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Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Colorado
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take

affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

_____
Name (signature)

Governor, State of Colorado
Title

_____
Date

From: Eaton, Robert <robert.eaton@sol.doi.gov>
Sent: Friday, October 11, 2013 9:33 AM
To: Boling, Edward
Cc: Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject: Re: Colorado is ready to sign its donation agreement ...

I just left Stephanie a voice message apprising her of our need to get internal clearances. In my message I said I hoped I would be able to call her back in an hour or so.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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On Fri, Oct 11, 2013 at 9:15 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

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 Fri, Oct 11, 2013 at 9:01 AM, Eaton, Robert <robert.eaton@sol.doi.gov> wrote:

Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

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From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 9:45 AM
To: Foster, Maureen; Margaret O'Dell; Jonathan Jarvis; Robert Eaton; Barry Roth; Bruce Sheaffer
Subject: Fwd: Draft agreement for Utah donation
Attachments: NPS Utah Donation Agreement 10.11.2013.pdf

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

---------- Forwarded message ----------
From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Fri, Oct 11, 2013 at 9:42 AM
Subject: Re: Draft agreement for Utah donation
To: John Pearce <jpearce@utah.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

John -

Attached, please find the final agreement that Director Jarvis signed this morning.
In addition to your notifications per the agreement, please send me a reply when you've confirmed that the funds have been wired. The National Park Service staff are being notified that there is a signed agreement, but will need to confirm the receipt of funds as soon as possible.

Thanks again for facilitating the entry of this agreement so quickly.
Regards,

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 Thu, Oct 10, 2013 at 11:39 PM, John Pearce <jpearce@utah.gov> wrote:
Ted,

Thanks again for working late to help with the Agreement. To expedite the quick reopening of the parks, Governor Herbert has signed the agreement (a copy of which is attached to this email) in hopes that we can get a signed copy back from NPS before the start of our business day. That will allow us to finalize the wire transfer first thing in the morning. To that end, I have copied a number of members of the Governor's senior staff on this email and would ask that you please reply to all as soon as you have an executed agreement so that we might get the wire sent at the earliest opportunity and get the parks opened as soon as possible.

Please let me know if you have any questions. I look forward to hearing from you.
Best,
Jp

On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Thanks, John. We'll review ASAP.

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 Thu, Oct 10, 2013 at 8:06 PM, John Pearce <jpearce@utah.gov> wrote:
Mr. Boling,

Please find attached our proposed revisions to the Agreement in a track changes form. The only major change from the draft you sent is to modify the number of days the units will be initially opened from 4 to 10. Please let me know if you have any questions about that or any other proposed edit.

My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted] Please let me know right away whether these changes are acceptable and if we can secure DOI approval this evening. I have a Governor ready to sign and personnel waiting to execute the wire transfer this evening so we can get the parks open as soon as possible tomorrow.

Best,
Jp

On Thu, Oct 10, 2013 at 5:08 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Mr. Pearce,

Attached is our draft agreement for donation of Utah funds for purposes of allowing the National Park Service to open the parks identified in the agreement and its Exhibit A. This draft has not been fully cleared within the Department of the Interior, but we believe we can obtain clearance and execution of this version this evening. I will stand by at the direct line below in case you would like to discuss it.

Regards,

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Utah:

Gary R. Herbert

Name (signature)

Governor, State of Utah

Title

10/10/2013

Date

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:08 AM
To: Bruce Sheaffer; Foster, Maureen; Margaret O'Dell
Subject: Fwd: Draft agreement for Utah donation

Have you confirmed receipt of funds?

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

---------- Forwarded message ----------
From: **John Pearce** <jpearce@utah.gov>
Date: Fri, Oct 11, 2013 at 10:32 AM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

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>>>>> 202-208-5584 (fax)****
>>>>>
>>>>> Ted.Boling@sol.doi.gov
> <NPS Utah Donation Agreement 10.11.2013.pdf>

From: Glenn, Douglas <douglas_glenn@ios.doi.gov>
Sent: Friday, October 11, 2013 11:17 AM
To: Corvelli.McDaniel@fms.treas.gov
Cc: christina.ho@fms.treas.gov; Bruce Sheaffer; Eric Stone; Jennifer Greatorex
Subject: Re: NPS ALC 14100099

Thank you!

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Fri, Oct 11, 2013 at 11:08 AM, <Corvelli.McDaniel@fms.treas.gov> wrote:

Hello

We just received a wire transfer in the amount of $1,665,720.80 from the State of Utah. The wire references "Re-Open Utah National Parks" (NPS ALC is 14100099). We will keep an eye out for wires that may come in from other State's to this particular ALC for the purpose of funding the re-opening of national parks/monuments.

Please call on us if you need us.

Corvelli

Corvelli A. McDaniel
US Treasury, Bureau of the Fiscal Service
Deputy Assistant Commissioner, Collections and Deposits Group
401 14th Street, SW, Room 323
Washington, DC 20020
202 874 7115 (office)
202 345 6566 (blackberry)
---------- This E-mail and its attachments (if any) are intended solely for the use of the addressee(s) and may contain sensitive but unclassified information. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and destroy the E-mail and any attachments.

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:26 AM
To: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer
Subject: Re: Draft agreement for Utah donation

Looping in others to spread the word that we now have funds for 8 parks in Utah.

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

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Sent from my iPhone

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> From: **John Pearce** <jpearce@utah.gov>
> Date: Fri, Oct 11, 2013 at 10:32 AM
> Subject: Re: Draft agreement for Utah donation

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Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

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>>>>> Ted.Boling@sol.doi.gov
> <NPS Utah Donation Agreement 10.11.2013.pdf>

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 11:29 AM
To: Bruce Sheaffer
Subject: Fwd: Virginia National Parks

Here is the list of Virginia parks.

Thanks.

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.

---------- Forwarded message ----------
From: **Domenech, Doug (GOV)** <Doug.Domenech@governor.virginia.gov>
Date: Fri, Oct 11, 2013 at 11:26 AM
Subject: RE: Virginia National Parks
To: "Foster, Maureen" <maureen_foster@nps.gov>
Cc: "Elton, Joe (DCR)" <Joe.Elton@dcr.virginia.gov>

Thanks Maureen. We may not be able to do all these but here is a starting list.

1. Shenandoah NP and the Skyline Drive
2. Cumberland Gap NP
3. The Blue Ridge [redacted] is open, but facilities are not, so if you could pick which facilities to open I'd go with Peaks of Otter and Mabry Mill
4. Colonial [redacted] and Jamestowne/Yorktown.
5. Petersburg, Richmond, Fredericksburg and Appomattox National Battlefields.

Let me know the next step.

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 8:53 AM
To: Domenech, Doug (GOV)
Cc: Elton, Joe (DCR)
Subject: Re: Virginia National Parks

Good morning, Doug.

I exchanged email with Joe Elton last night as well.

If you provide me a list of parks in Virginia that the State would like to consider opening, we will gather the cost information. We will then set up a conference call to discuss the agreement format, terms of the agreement, and funds transfer mechanism.

I look forward to hearing from you.

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

The National Park Service cares for special places

saved by the American people,

so that all may experience our heritage.

On Fri, Oct 11, 2013 at 8:20 AM, Domenech, Doug (GOV) <Doug.Domenech@governor.virginia.gov> wrote:

Maureen - I am the Virginia Secretary of Natural Resources. We are interested in the process needed to open certain NPS sites in the state. Can you advise?

Thanks.

Doug

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 11:36 AM
To: Boling, Edward
Cc: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer
Subject: Re: Draft agreement for Utah donation

Thanks, all.

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>>>>> below in case you would like to discuss it.
>>>>>
>>>>> Regards,
>>>>>
>>>>> 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 Utah Donation Agreement 10.11.2013.pdf>

From: Glenn, Douglas <douglas_glenn@ios.doi.gov>
Sent: Friday, October 11, 2013 11:40 AM
To: Corvelli.McDaniel@fms.treas.gov
Cc: christina.ho@fms.treas.gov; Eric Stone; Jennifer Greatorex; Bruce Sheaffer
Subject: Re: NPS ALC 14100099

Hi Corvelli,

Our Park Service folks (cc'd) will have to answer that.

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Fri, Oct 11, 2013 at 11:27 AM, <Corvelli.McDaniel@fms.treas.gov> wrote:

Hello

Are you expecting a wire from California related to Yosemite? We see a couple of wires with a reference to Yosemite but the references are not as clear in terms of the funds being specifically for the "re-opening of national parks in CA". I know that CA wasn't one of the 4 or so states that were more proactive about funding the re-opening of national parks (South Dakota, Arizona, Colorado). Just curious.

Thanks

Corvelli

"Glenn, Douglas" <douglas_glenn@ios.doi.gov>

10/11/2013 11:10 AM

To <Corvelli.McDaniel@fms.treas.gov>
cc "christina.ho@fms.treas.gov" <christina.ho@fms.treas.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Eric Stone <eric_stone@nps.gov>, Jennifer Greatorex <Jennifer_Greatorex@nps.gov>
Subject Re: NPS ALC 14100099

Thank you!

Thank you,
Douglas A. Glenn
DCFO & Director, Office of Financial Management

On Fri, Oct 11, 2013 at 11:08 AM, <Corvelli.McDaniel@fms.treas.gov> wrote:

Hello

We just received a wire transfer in the amount of $1,665,720.80 from the State of Utah. The wire references "Re-Open Utah National Parks" (NPS ALC is 14100099). We will keep an eye out for wires that may come in from other State's to this particular ALC for the purpose of funding the re-opening of national parks/monuments.

Please call on us if you need us.

Corvelli

Corvelli A. McDaniel
US Treasury, Bureau of the Fiscal Service
Deputy Assistant Commissioner, Collections and Deposits Group
401 14th Street, SW, Room 323
Washington, DC 20020
202 874 7115 (office)
202 345 6566 (blackberry)
---------- This E-mail and its attachments (if any) are intended solely for the use of the addressee(s) and may contain sensitive but unclassified information. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately and destroy the E-mail and any attachments.

From: Young - GovOffice, Douglas <douglas.young@state.co.us>
Sent: Friday, October 11, 2013 11:44 AM
To: Kevin Haugrud; Edward Boling; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; robert.eaton@sol.doi.gov; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: NPS Agreement for ROMO
Attachments: NPS-State of Colorado donation agreement (10-11-13 Signed).pdf

Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Chief of Staff
Governor
State of Colorado
136 State Capitol
Denver, CO 80203
Telephone: (303) 866-6290

Telefax: (303) 866-2003
Email: roxane.white@state.co.us

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

Garcia
Name (signature)

Joseph A. Garcia, Lt. Governor, State of Colorado
Acting pursuant to Colo. Const. Article IV, Section 13(5)
Title

10/11/2013
Date

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:49 AM
To: Young - GovOffice, Douglas
Cc: Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: Re: NPS Agreement for ROMO

Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

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Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833

Douglas.young@state.co.us

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 11:50 AM
To: Boling, Edward
Cc: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer; Suzanne Waldron
Subject: Re: Draft agreement for Utah donation

She heard that the money has not cleared yet. Latest thoughts?

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Looping in others to spread the word that we now have funds for 8 parks in Utah.

Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
Washington, DC 20240
202-208-4423 (main)
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We just received the Utah funds

Sent from my iPhone

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> Have you confirmed receipt of funds?
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> Ted Boling
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> 202-208-4423 (main)
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> Ted.Boling@sol.doi.gov

---------- Forwarded message ----------
From: **John Pearce** <jpearce@utah.gov>
Date: Fri, Oct 11, 2013 at 10:32 AM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

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if you need anything else from us.
Best,
Jp

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> In addition to your notifications per the agreement, please send me a reply
> when you've confirmed that the funds have been wired. The National Park
> Service staff are being notified that there is a signed agreement, but will
> need to confirm the receipt of funds as soon as possible.
>
> Thanks again for facilitating the entry of this agreement so quickly.
> Regards,
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>>> Thanks, John. We'll review ASAP.
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>>> Ted Boling****
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>>>> My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted] Please
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>>>> secure DOI approval this evening. I have a Governor ready to sign and
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> <NPS Utah Donation Agreement 10.11.2013.pdf>

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 12:00 PM
To: Buffa, Nicole
Cc: Boling, Edward; Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer; Suzanne Waldron
Subject: Re: Draft agreement for Utah donation

The money has cleared. Bruce confirmed it at 11:20 a.m.

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.

On Fri, Oct 11, 2013 at 11:49 AM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
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Ted Boling
Deputy Solicitor -- Parks & Wildlife
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> <NPS Utah Donation Agreement 10.11.2013.pdf>

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Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Young - GovOffice, Douglas <douglas.young@state.co.us>
Sent: Friday, October 11, 2013 12:02 PM
To: Boling, Edward
Cc: Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: Re: NPS Agreement for ROMO

Thanks...standing by....

On Fri, Oct 11, 2013 at 9:48 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Doug,

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Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director

Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

From: Young - GovOffice, Douglas <douglas.young@state.co.us>
Sent: Friday, October 11, 2013 12:11 PM
To: Boling, Edward
Cc: Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: Re: NPS Agreement for ROMO

Ted, we moved quickly as we are hoping to have the Park opened very soon, perhaps as soon as tomorrow morning. What should our expectations be in this regard?

Thanks much.

On Fri, Oct 11, 2013 at 9:48 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
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(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

From: Donner - GovOffice, Stephanie <stephanie.donner@state.co.us>
Sent: Friday, October 11, 2013 12:13 PM
To: Boling, Edward
Cc: Young - GovOffice, Douglas; Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
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--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Patricia Trap <patricia_trap@nps.gov>
Sent: Friday, October 11, 2013 12:50 PM
To: Maureen Foster; Peggy O'Dell; Bruce Sheaffer
Subject: 2 calls from SD governors office

The gov told the secretary he wanted the financial numbers for opening MORU. The numbers were to be sent to the gov's policy advisor Matt Konenkamp; Matt has called me twice wanting the numbers, and said he tried to contact "Intergovernmental Affairs," but could not reach anyone.

Can you give me a name and contact info to direct him toward?

Patty

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 12:51 PM
To: Patricia Trap
Cc: Peggy O'Dell; Bruce Sheaffer
Subject: Re: 2 calls from SD governors office

He needs to contact me. I am the point of contact for the state agreements.

I will get them from Bruce but he should not reach out to Bruce.

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

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Patty

From: Patricia Trap <patricia_trap@nps.gov>
Sent: Friday, October 11, 2013 1:05 PM
To: Foster, Maureen
Cc: Peggy O'Dell; Bruce Sheaffer
Subject: Re: 2 calls from SD governors office

Will do. For you: the park will not be able to open quickly. They are still dealing with effects of snowstorm. They have only removed dead/hazardous trees in areas essential for excepted employees; much more needs to be done for visitors.

On top of that, it is raining, turning to I've and power is down again. It is flooding in the adjacent town of Keystone.

Matt and I have been working closely regarding the pullouts, cones, and other issues at MORU. He has a law/negotiations background, so has been challenging at times.

Patty

On Oct 11, 2013, at 11:51 AM, "Foster, Maureen" <maureen_foster@nps.gov> wrote:

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>
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> Maureen
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> _____
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From: Young - GovOffice, Douglas <douglas.young@state.co.us>
Sent: Friday, October 11, 2013 1:22 PM
To: Boling, Edward
Cc: Kevin Haugrud; Barry Roth; Margaret O'Dell; Bruce Sheaffer; Maureen Foster; Robert Eaton; Stephanie Donner - GovOffice; roxane white; Joseph Garcia - GovOffice; eric brown
Subject: Re: NPS Agreement for ROMO

Please make sure to send to me the final agreement as Stephanie is now traveling. Thanks.

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Douglas.young@state.co.us

From: Kelly, Katherine <kate_kelly@ios.doi.gov>
Sent: Tuesday, October 08, 2013 3:55 PM
To: laura davis; Nicole Buffa; Androff, Blake J; Ted Boling; Haugrud, Jack; jon jarvis; O'Dell, Peggy
Subject: Fwd: Response to Utah's request to reopen closed National Park areas with state and private funds...

Below is the release from the UT Gov on the letter to POTUS.... NPS will continue to use this same response we've been using with other requests, like AZ. Please share any concerns in the next 30 mins. We'll also flag for WH/OMB.

"America's 401 national parks are a source of pride for all Americans and serve as important economic engines for local communities across the nation. We appreciate the generous offers of support and temporary assistance to reopen various individual parks around the country.

"There are 401 national parks that comprise the National Park System, which is managed for the common benefit of all the people of the United States, and requires federal appropriations to fulfill its mission and responsibilities. As a result of the lapse in that funding, the entire National Park System is closed and cannot be reopened until funding is restored. Beyond the legal constraints involved, it would not be appropriate or feasible to open some parks or some parts of parks while other parts of the National Park System remain closed to the public.

"The National Park Service shares in the frustration of the more than 700,000 people who are being turned away from our parks each day. We continue to hope for a speedy resolution to the lapse in federal appropriation so that we may reopen America's 401 national parks for the enjoyment of millions of visitors."

Governor Urges President to Re-open Utah's National Parks, Monuments

SALT LAKE CITY – Utah Governor Gary R. Herbert today formally requested President Obama re-open the state's five national parks, several national monuments, historic sites and recreation areas.

In his Oct. 8, 2013, letter to Obama, Governor Herbert said the shutdown of Utah's national parks, monuments and other federal facilities is "devastating individuals and businesses that rely on these areas for their livelihood."

If the President won't free up federal funds to maintain and operate Utah's national parks and monuments, Governor Herbert asked him to authorize Utah to use state and private funds to re-open them to the public.

"It is within the power and authority of the Executive Branch to allow the national parks and monuments to be reopened. We have a solution in place. We just need, literally, the keys to the gates. I cannot overstate that time is of the essence," the Governor continued in the letter.

In addition, the Governor included emergency declarations from several Utah counties that highlight the dire economic situation as result of the shutdown.

October is a peak month for tourism in many parts of Utah. The economic impact of the federal government shutdown on the state is approximately $100 million.

###

Nate McDonald
Public Information Officer
Office of the Governor
State of Utah
801-538-1509 (o)
801-694-0294 (c)

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Tuesday, October 08, 2013 4:04 PM
To: Katherine Kelly; Laura Davis; Blake Androff; Edward Boling; Kevin Haugrud; Jonathan Jarvis; Margaret O'Dell
Subject: RE: Response to Utah's request to reopen closed National Park areas with state and private funds...

Good here.

From: Kelly, Katherine [mailto:kate_kelly@ios.doi.gov]
Sent: Tuesday, October 08, 2013 3:55 PM
To: laura davis; Nicole Buffa; Androff, Blake J; Ted Boling; Haugrud, Jack; jon jarvis; O'Dell, Peggy
Subject: Fwd: Response to Utah's request to reopen closed National Park areas with state and private funds...

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Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Haugrud, Kevin <jack.haugrud@sol.doi.gov>
Sent: Tuesday, October 08, 2013 4:08 PM
To: Nicole Buffa
Cc: Katherine Kelly; Laura Davis; Blake Androff; Edward Boling; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Response to Utah's request to reopen closed National Park areas with state and private funds...

And good with the Solicitors.

On Tue, Oct 8, 2013 at 4:04 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

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Sent: Tuesday, October 08, 2013 3:55 PM
To: laura davis; Nicole Buffa; Androff, Blake J; Ted Boling; Haugrud, Jack; jon jarvis; O'Dell, Peggy
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Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Laura Davis <laura_davis@ios.doi.gov>
Sent: Tuesday, October 08, 2013 4:24 PM
To: Haugrud Jack; Jarvis Jon; O'Dell Peggy; Buffa Nikki; Kelly Kate; Androff Blake; Iacobucci Francis; ted.boling@sol.doi.gov
Subject: Fwd: Time Certain Call with Secretary Jewell and Governor Gary R. Herbert, Utah
Attachments: Pres. Obama Request to Open Utah's National Parks Oct 8 2013.pdf; Grand County, Utah.pdf; Iron County, Utah.pdf; Kane County, Utah.pdf; San Juan County, Utah.pdf; Piute County, Utah.pdf; Washington County, Utah.pdf; Garfield County, Utah.pdf

Sent from my iPhone

Begin forwarded message:

From: Fran Stultz <fstultz@utah.gov>
To: "Laura_Davis@ios.doi.gov" <Laura_Davis@ios.doi.gov>
Cc: "Arnold, Phil" <prarnold@utah.gov>, Jess Anderson <jessanderson@utah.gov>, "Contreras, Roy" <rcontreras@utah.gov>
Subject: Time Certain Call with Secretary Jewell and Governor Gary R. Herbert, Utah

Dear Ms. Davis -

Attached please find a copy of a letter to President Obama. The letter is cc'd to Secretary Jewell.
Governor Herbert respectfully requests a time certain telephone call with Secretary Jewell this evening. Recognizing the hour is mid to late afternoon in Washington D.C., the Governor would like to speak with Secretary Jewell at 5:45 pm or after (ET).

Please contact me at your earliest convenience. Thank you, Fran

Fran Stultz*
*Executive Assistant to the Governor
State of Utah
fstultz@utah.gov
801-538-1680, direct line
801-550-5156, mobile

If I am not available when you call, please call Governor Herbert's security at 801-232-4681 and they will transfer the call to the Governor or will know how to reach me.

Thank you, Fran

*
*

STATE OF UTAH

GARY R. HERBERT
GOVERNOR

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

GREG BELL
LIEUTENANT GOVERNOR

October 8, 2013

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I am pleased to be the Governor of a state that is home to the "Mighty Five" – five stunningly beautiful and unique national parks: Zion, Bryce, Canyonlands, Capitol Reef, and Arches. In addition, Utah is home to several national monuments, historic sites, and recreation areas, including Glen Canyon, Rainbow Bridge, Hovenweep, Natural Bridges, Grand Staircase/Escalante, Monument Valley, Timpanogos Cave, Golden Spike, Dinosaur, Flaming Gorge, and Cedar Breaks. Each of these sites is a national treasure.

As Governor, I am writing on behalf of the people who call these areas home, as well as the millions of tourists who visit these venues annually. The unwarranted shut down of the national parks and other federal facilities is devastating individuals and businesses that rely on these areas for their livelihood. These closures must end immediately.

To that end, I formally request that, absent federal funding to maintain and operate national parks and monuments located in Utah, the State of Utah be authorized to use state, local, and private funds to reopen these areas to the public.

October is a peak season for tourism in many parts of Utah. The current federally-mandated closure is decimating the bottom line of bed-and-breakfast business owners and operators in Torrey, outfitters at Bryce Canyon City, and restaurant owners in Moab. All businesses are unfairly suffering the consequences of inaction and a lack of leadership in Washington. Economic disruptions caused by the closure have risen to the level of being an "internal disturbance" under the law, and several counties have declared local emergencies. Copies of these declarations are enclosed with this letter.

I look forward to working with local officials and the superintendent of each national park and site in Utah to determine a plan whereby we will be able to reopen these parks expeditiously. All that is necessary at this point is the permission to proceed from you and Department of Interior Secretary Jewell.

It is within the power and authority of the Executive Branch to allow the national parks and monuments to be reopened. We have a solution in place. We just need, literally, the keys to the gates. I cannot overstate that time is of the essence. We look forward to hearing from you soon.

Sincerely,

Gary R. Herbert
Governor

Enclosures (7)

cc: Secretary Sally Jewell
Senate Speaker Harry Reid
Senate Minority Leader Mitch McConnell
House Speaker John Boehner
House Minority Leader Nancy Pelosi
Senator Orrin Hatch
Senator Mike Lee
Congressman Bob Bishop
Congressman Jason Chaffetz
Congressman Jim Matheson
Congressman Chris Stewart
John Jones, President of the Utah Association of Counties

PROCLAMATION
DECLARING A STATE OF LOCAL EMERGENCY IN GRAND COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT OF THE CLOSURE OF ARCHES AND CANYONLANDS NATIONAL PARKS AND FEDERALLY MANAGED CAMPGROUNDS AND RIVERWAYS

WHEREAS, Grand County is a political subdivision of the State of Utah;

WHEREAS, over 75% of land in Grand County is managed by the federal government;

WHEREAS, Arches National Park ("Arches") or "the Park" is located in Grand County;

WHEREAS, Grand County is the gateway to Island in the Sky District of Canyonlands National Park ("Canyonlands"), located in San Juan County;

WHEREAS, Grand County receives approximately 2.5 million visitors annually, with over two-thirds of those visitors utilizing commercial areas of Grand County to gain access to the Parks;

WHEREAS, those visitors not only enjoy the natural beauties of Arches and Canyonlands, but also enjoy the accommodations, restaurants, and shopping venues in Grand County;

WHEREAS, a significant number of residents in Grand County rely on the tourism industry created by Arches and Canyonlands visitors for income;

WHEREAS, approximately 76% of Grand County's economy is dependent upon tourism;

WHEREAS, over 90,000 visitors come to Arches in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October;

WHEREAS, visitors also come to Grand County to recreate in federally managed lands outside of the national parks—especially during the elk, deer, and bear hunt season that occurs annually during October;

WHEREAS, the operation of federally managed campgrounds and riverways brings tourism to Grand County;

WHEREAS, on October 1, 2013, the federal government closed Arches and Canyonlands, as well as all of the other National Parks, National Recreation Facilities, and federally managed campgrounds and riverways in the State of Utah;

WHEREAS, this closure is having a devastating impact on those Grand County residents who rely on visitors to all federally managed lands;

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in Grand County because of the lack of spending by those residents directly impacted by the lack of tourists;

WHEREAS, Grand County estimates over $2.6 million in lost revenue to date since October 1, 2013 in commercial business alone;

WHEREAS, Canyonlands Natural History Association estimates losses of $119,000 in Grand County to date since October 1, 2013;

WHEREAS, Grand County estimates continued loss in revenue of $380,000 per day; WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for Grand County to declare a Local Emergency;

NOW, THEREFORE, pursuant to Utah Code Annotated Section 53-2a-208, on behalf of the citizens of Grand County, the Grand County Council declares Grand County to be in a state of "Local Emergency";

FURTHERMORE, pursuant to Utah Code Annotated Section 53-2a-208(2)(d), Grand County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

GRAND COUNTY COUNCIL

Gene Ciarus, Grand County Council Chair
October 8, 2013

ATTEST:

Diana Carroll
Grand County Clerk/Auditor

RESOLUTION 2013-11

PROCLAMATION
DECLARING A STATE OF LOCAL EMERGENCY IN IRON COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT OF THE CLOSURE OF FEDERALLY MANAGED LANDS

WHEREAS, Iron County is a political subdivision of the State of Utah;

WHEREAS, over 60% of land in Iron County is managed by the federal government;

WHEREAS, Zion National Park ("Zion" or "the Park") is located in Washington, Kane, and Iron Counties;

WHEREAS, Cedar Breaks National Monument is located within Iron County, which brings a significant amount of visitors into Iron County;

WHEREAS, Zion receives approximately 3 million visitors annually, a significant portion of those visitors pass through commercial areas of Iron County to gain access to Park;

WHEREAS, those visitors not only enjoy the natural beauties of Zion and other federally managed lands, but also enjoy the accommodations, restaurants, and shopping venues in the County;

WHEREAS, Iron County is a corridor for many individuals seeking to recreate in surrounding National Parks and federally managed land, including Bryce Canyon National Park;

WHEREAS, a significant number of residents in Iron County rely on the tourism industry created by the use of federally managed land for income;

WHEREAS, a significant portion of the annual visitors come to federally managed lands in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October;

WHEREAS, visitors also come to Iron County to recreate in federally managed lands — especially during the deer hunt that occurs annually in October;

WHEREAS, the operation of federally managed lands brings tourism to Iron County;

WHEREAS, on October 1, 2013, the federal government closed Zion National Park, as well as all of the other National Parks, National Recreation Facilities, including the Cedar Breaks National Monument, and federally managed campgrounds in the State of Utah;

WHEREAS, this closure is having a devastating impact on those Iron County residents that rely on visitors to federally managed land;

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in Iron County because of the lack of spending by those residents directly impacted by the lack of tourists; and

WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for Iron County to declare a Local Emergency.

NOW, THEREFORE, pursuant to Utah Code Annotated Section 53-2a-208 (West 2013), on behalf of the citizens of Iron County, the Iron County Commission declares Iron County to be in a state of "Local Emergency";

FURTHERMORE, pursuant to Utah Code Annotated Section 53-2a-208(d), Iron County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

IRON COUNTY COMMISSION

Alma Adams, County Commission Chair

October 7, 2013

COUNTY OF IRON
COUNTY CLERK
STATE OF UTAH

ATTEST:

David Yardley
Iron County Clerk

KANE COUNTY RESOLUTION 2013-18

**A RESOLUTION OF PROCLAMATION
DECLARING A STATE OF "LOCAL EMERGENCY"
IN KANE COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT
OF THE CLOSURE OF ZION NATIONAL PARK
AND OTHER FEDERALLY ADMINISTERED PUBLIC LANDS**

WHEREAS, Kane County is a political subdivision of the State of Utah; and

WHEREAS, over 86% of land in Kane County is managed by the federal government; and

WHEREAS, Zion National Park ("Zion" or "the Park") is located in Kane, Washington, and Iron Counties; and

WHEREAS, Bryce Canyon National Park, Glen Canyon National Recreation Area, the Grand Stair Case-Escalante National Monument, the Vermillion Cliffs National Monument, Grand Canyon National Park, the Dixie National Forest, The Kaibab National Forest, Pipe Spring National Monument are located in or adjacent to Kane County and provide a significant economic impact on Kane County; and

WHEREAS, Zion receives approximately 3 million visitors annually, and the vast majority of those visitors pass through commercial areas of Kane County to gain access to Park;

WHEREAS, those visitors not only enjoy the natural beauties of these federally administered public lands, but also enjoy the accommodations, restaurants, shopping, and visiting other parts of Kane County;

WHEREAS, a significant number of residents in Kane County rely on the tourism industry created by visitors to these federally administered public lands; and

WHEREAS, a significant portion of the annual visitors come to these areas in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October or later; and

WHEREAS, on October 1, 2013, the federal government closed Zion National Park and these other areas due to lack of funds; and

WHEREAS, this closure is having a devastating impact on those Kane County residents that rely on visitors to federally managed land; and

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in Kane County because of the lack of spending by those residents directly impacted by the lack of tourists; and

WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for Kane County to declare a Local Emergency.

NOW THEREFORE, BE IT RESOLVED BY THE KANE COUNTY, STATE OF UTAH, BOARD OF COMMISSIONERS, AS FOLLOWS:

1. Pursuant to Utah Code Section 53-2a-208, on behalf of the citizens of Kane County, the Kane County Commission declares Kane County to be in a state of "Local Emergency";

2. Pursuant to Utah Code Section 53-2a-208, Kane County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

ADOPTED this 7th day of October, 2013.

DIRK CLAYSON, Chair,
Board of Commissioners,
Kane County

ATTEST:

KARLA JOHNSON
Kane County Clerk/Auditor

SEAL COUNTY CLERK/AUDITOR
BE JUST
KANE COUNTY STATE OF UTAH

PROCLAMATION
DECLARING A STATE OF LOCAL EMERGENCY IN SAN JUAN COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT OF THE CLOSURE OF CANYONLANDS NATIONAL PARK, NATURAL BRIDGES AND HOVENWEEP NATIONAL MONUMENTS AND THE FEDERALLY MANAGED HALLS CROSSING MARINA

WHEREAS, San Juan County is a political subdivision of the State of Utah;

WHEREAS, over 84% of land in San Juan County is managed by the federal government;

WHEREAS, Canyonlands National Park ("the Park") is located in San Juan and Grand Counties;

WHEREAS, Canyonlands receives approximately 460,000 visitors annually, and many of those visitors pass through commercial areas of County to gain access to Park;

WHEREAS, those visitors not only enjoy the natural beauties of Canyonlands, but also enjoy the accommodations, restaurants, shopping venues in the County;

WHEREAS, a significant number of residents in San Juan County rely on the tourism industry created by Canyonlands visitors for income;

WHEREAS, a significant portion of the annual visitors come to Canyonlands in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October;

WHEREAS, the Natural Bridges and Hovenweep National Monuments also bring tourism to San Juan County;

WHEREAS, the operation of the Halls Crossing Marina on Lake Powell also brings toursim to San Juan County;

WHEREAS, on October 1, 2013, the federal government closed Canyonlands National Park, Natural Bridges and Hovenweep National Monuments and the Halls Crossing Marina, as well as all of the other National Parks, National Monuments, National Recreational Facilities, and federal managed campgrounds in the State of Utah;

WHEREAS, this closure is having a devastating impact on those San Juan County residents that rely on visitors to federally managed land, especially those that rely almost exclusively on visitors to Canyonlands and Halls Crossing Marina at Lake Powell;

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in San Juan County County because of the lack of spending by those residents directly impacted by the lack of tourists;

WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for San Juan County to declare a Local Emergency; and

WHEREAS, these economic disruptions will negatively affect the health, safety and welfare of San Juan County residents, and San Juan County's ability to care for the health, safety and welfare of its citizens.

NOW, THEREFORE, pursuant to Utah Code Annotated Section 53-2a-208 (West 2013), on behalf of the citizens of San Juan County, the San Juan County Commission declares San Juan County to be in a state of "Local Emergency";

FURTHERMORE, pursuant to Utah Code Annotated Section 53-2a-208(d), San Juan County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

BOARD OF SAN JUAN COUNTY
COMMISSIONERS

Phil Lyman, Commissioner
Board of San Juan County Commissioners
October 7, 2013

ATTEST:

Norman L. Johnson
San Juan County Clerk

PROCLAMATION

DECLARING A STATE OF LOCAL EMERGENCY IN PIUTE COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT OF THE CLOSURE OF BRYCE CANYON, ZION, CAPITOL REEF, AND GRAND CANYON NATIONAL PARKS AND FEDERALLY MANAGED LANDS AND CAMPGROUNDS

WHEREAS, PIUTE County is a political subdivision of the State of Utah;

WHEREAS, over 74% of land in Piute County is managed by the federal government;

WHEREAS, Zion receives approximately 3 million visitors annually, The Grand Canyon receives over 5 Million visitors annually, Bryce Canyon receives over 1.5 Million visitors annually and Capitol Reef receives over 400k visitors annually;

WHEREAS, Piute County is a primary corridor for many of those visitors seeking to recreate in the above National Parks and public lands;

WHEREAS, those visitors not only enjoy the natural beauties of the Parks, but also enjoy the accommodations, restaurants, and shopping venues in the County;

WHEREAS, a significant number of residents in Piute County rely on the tourism industry created by visitors for income and many people are employed in nearby businesses that support the national parks and recreation areas;

WHEREAS, a significant portion of the annual visitors come to the parks in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October;

WHEREAS, the Paiute OHV Trail system is located throughout Piute County and is the primary tourism attraction and is located entirely on public lands;

WHEREAS, visitors also come to Piute County to recreate on federally managed lands—especially during the hunting seasons that occur annually in October and November;

WHEREAS, the operation of federally managed land and facilities bring tourism to Piute County;

WHEREAS, on October 1, 2013, the federal government closed the National Parks, National Recreation Facilities, and federally managed campgrounds in the State of Utah, and have stated on Department of Interior and Department of Agriculture websites that public lands and recreation facilities are closed;

WHEREAS, this closure is having a devastating impact on those Piute County residents that rely on visitors to federally managed lands and parks;

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in Piute County because of the lack of spending by those residents directly impacted by the lack of tourists;

WHEREAS, Piute County has duty and jurisdiction to ensure the health, safety, and welfare of it's citizens;

WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for Piute County to declare a Local Emergency.

NOW, THEREFORE, pursuant to Utah Code Annotated Section 53-2a-208 (West 2013), on behalf of the citizens of Piute County, the Piute County Commission declares Piute County to be in a state of "Local Emergency";

FURTHERMORE, pursuant to Utah Code Annotated Section 53-2a-208(d), Piute County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

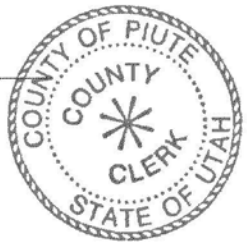
PIUTE COUNTY COMMISSION

Travas Blood, County Commission Chair

October 7, 2013

ATTEST:

Valeen Brown
Piute County Clerk



PROCLAMATION
DECLARING A STATE OF LOCAL EMERGENCY IN WASHINGTON COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT OF THE CLOSURE OF ZION NATIONAL PARK AND FEDERALLY MANAGED CAMPGROUNDS

WHEREAS, Washington County is a political subdivision of the State of Utah;

WHEREAS, over 75% of land in Washington County is managed by the federal government;

WHEREAS, Zion National Park ("Zion" or "the Park") is located in Washington, Kane, and Iron Counties;

WHEREAS, Zion receives approximately 3 million visitors annually, and the vast majority of those visitors pass through commercial areas of Washington County to gain access to Park;

WHEREAS, those visitors not only enjoy the natural beauties of Zion, but also enjoy the accommodations, restaurants, and shopping venues in the County;

WHEREAS, a significant number of residents in Washington County rely on the tourism industry created by Zion visitors for income;

WHEREAS, a significant portion of the annual visitors come to Zion in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October;

WHEREAS, visitors also come to Washington County to recreate in federally managed lands outside of Zion—especially during the deer hunt that occurs annually in October;

WHEREAS, the operation of federally managed campgrounds brings tourism to Washington County;

WHEREAS, on October 1, 2013, the federal government closed Zion National Park, as well as all of the other National Parks, National Recreation Facilities, and federally managed campgrounds in the State of Utah;

WHEREAS, this closure is having a devastating impact on those Washington County residents that rely on visitors to federally managed land, especially those that rely almost exclusively on visitors to Zion;

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in Washington County because of the lack of spending by those residents directly impacted by the lack of tourists; and

WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for Washington County to declare a Local Emergency.

NOW, THEREFORE, pursuant to Utah Code Annotated Section 53-2a-208 (West 2013), on behalf of the citizens of Washington County, the Washington County Commission declares Washington County to be in a state of "Local Emergency";

FURTHERMORE, pursuant to Utah Code Annotated Section 53-2a-208(d), Washington County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

WASHINGTON COUNTY COMMISSION

James Eardley, County Commission Chair
October ___, 2013

ATTEST:

Kim W. Hafen
Washington County Clerk

GARFIELD COUNTY RESOLUTION 2013-4

PROCLAMATION
DECLARING A STATE OF LOCAL EMERGENCY IN GARFIELD COUNTY, UTAH DUE TO THE ECONOMIC DISRUPTIONS ARISING OUT OF THE CLOSURE OF BRYCE CANYON, CAPITOL REEF, GLEN CANYON RECREATION AREA, CANYONLANDS PARK, ESCALANTE NATIONAL STAIRCASE, AND FEDERALLY MANAGED CAMPGROUNDS

WHEREAS, Garfield County is a political subdivision of the State of Utah;

WHEREAS, over 90% of land in Garfield County is managed by the federal government;

WHEREAS, Bryce Canyon, Capitol Reef, Glen Canyon Recreation Area, parts of Canyonlands National Park and the Escalante National Staircase (hereinafter referred to as "parks") are located in Garfield County;

WHEREAS, The parks receive over one and a half million visitors annually, and the vast majority of those visitors pass through commercial areas of Garfield County to gain access to the parks;

WHEREAS, those visitors not only enjoy the natural beauties of the parks, but also enjoy the accommodations, restaurants, and shopping venues in the County;

WHEREAS, a significant number of residents in Garfield County rely on the tourism industry created by the parks visitors for income;

WHEREAS, a significant portion of the annual visitors come to the parks in the month of October to enjoy the fall temperatures and avoid the summer crowds—by no means has the tourism season ended at the beginning of October;

WHEREAS, visitors also come to Garfield County to recreate in federally managed lands outside of the parks—especially during the deer hunt that occurs annually in October;

WHEREAS, the operation of federally managed campgrounds brings tourism to Garfield County;

WHEREAS, on October 1, 2013, the federal government closed these parks, as well as all of the other National Parks, National Recreation Facilities, and federally managed campgrounds in the State of Utah;

WHEREAS, this closure is having a devastating impact on those Garfield County residents that rely on visitors to federally managed land, especially those that rely almost exclusively on visitors to the parks;

WHEREAS, this severe and direct impact has an indirect impact on the rest of the economy in Garfield County because of the lack of spending by those residents directly impacted by the lack of tourists; and

WHEREAS, the overall economic disruptions caused by the closure, which is an "internal disturbance" under the law, are sufficient for Garfield County to declare a Local Emergency.

NOW, THEREFORE, pursuant to Utah Code Annotated Section 53-2a-208 (West 2013), on behalf of the citizens of Garfield County, the Garfield County Commission declares Garfield County to be in a state of "Local Emergency":

FURTHERMORE, pursuant to Utah Code Annotated Section 53-2a-208(d), Garfield County is authorized to provide all appropriate aid and assistance in relation to this Proclamation.

GARFIELD COUNTY COMMISSION

Clare Ramsay, County Commission Chair
October 7, 2013

ATTEST:

Camille Moore
Garfield County Clerk

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 4:00 PM
To: Margaret O'Dell; Sally Jewell; Jonathan Jarvis; Bruce Sheaffer; Kevin Haugrud; Edward Boling; Barry Roth; Robert Eaton; Nicole Buffa; Laura Davis; Blake Androff; Katherine Kelly; Suzanne Waldron; Jody Lyle
Subject: RE: Utah parks

Turning visitors away is simply not in our DNA!

-----Original Message-----
From: Margaret O'Dell [mailto:peggy_o'dell@nps.gov]
Sent: Friday, October 11, 2013 3:57 PM
To: Sally Jewell; Jon Jarvis; Bruce Sheaffer; Jack Haugrud; Edward Boling; Barry Roth; Robert Eaton; Nicole Buffa; Laura Davis; Blake J Androff; Kate Kelly; Sue Waldron; Jody Lyle
Subject: Utah parks

Bruce and Capitol Reef will mostly be open today and the other six tomorrow. Staff generally happy to be back to work.

Sent from my iPhone

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Friday, October 11, 2013 4:05 PM
To: Sue Waldron
Subject: Fwd: DRAFT Release for Re-opening parks
Attachments: ShutdownvDRAFT2.doc

Lets talk

Sent from my iPhone

Begin forwarded message:

> **From:** Neil Mulholland <neil@nationalparks.org>
> **Date:** October 11, 2013, 1:47:21 PM EDT
> **To:** Jon Jarvis <jon_jarvis@nps.gov>
> **Subject: DRAFT Release for Re-opening parks**
>
> Jon,
>
> I look forward to your comments.
>
> Neil
>
> Neil Mulholland
> President & CEO
> National Park Foundation
> 1201 Eye Street NW, Suite 550B
> Washington, DC 20005
> 202.354.6464 direct
> 303.916.1910 cell
> [cid:3DD48C37-A824-42D3-920C-3D495617BF1E]<http://www.nationalparks.org/>

(b) (5)

[redacted]

(b) (5)

[redacted]

From: Eaton, Robert <robert.eaton@sol.doi.gov>
Sent: Friday, October 11, 2013 4:10 PM
To: Jonathan Jarvis; Margaret O'Dell; Bruce Sheaffer; Maureen Foster
Cc: Kevin Haugrud; Edward Boling; Barry Roth
Subject: NPS-State donation agreement template
Attachments: NPS-State donation agreement (10-11-13 template).docx

Jon, Peggy, Bruce, and Maureen,

Please see attached, and please feel free to share with one and all. We may need to discuss and negotiate a park's opening time and closing time on a case-by-case basis.

Rob

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Friday, October 11, 2013 4:17 PM
To: Neil Mulholland
Subject: Re: DRAFT Release for Re-opening parks

Am reviewing. I want to talk to Sally about it

Sent from my iPhone

On Oct 11, 2013, at 1:47 PM, Neil Mulholland <neil@nationalparks.org> wrote:

> Jon,
>
> I look forward to your comments.
>
> Neil
>
> Neil Mulholland
> President & CEO
> National Park Foundation
> 1201 Eye Street NW, Suite 550B
> Washington, DC 20005
> 202.354.6464 direct
> 303.916.1910 cell
> [cid:3DD48C37-A824-42D3-920C-3D495617BF1E]<http://www.nationalparks.org/>
>
>
> <ShutdownvDRAFT2.doc>

From:	Waldron, Suzanne <sue_waldron@nps.gov>
Sent:	Friday, October 11, 2013 4:24 PM
To:	Jon Jarvis; Peggy O'Dell; Maureen Foster; Bruce Sheaffer; Lena McDowall; Cam Sholly; Jeffrey Compton; Raymond Vela; Sue Masica; Colin Campbell; Patricia Neubacher; Patricia Trap; Lisa Mendelson; Michael Caldwell; Shawn Benge; Robert Maclean; Michael Alvarez; Sam Whittington
Subject:	Fwd: National Park Service Enters Agreement with State of Colorado to Re-open Rocky Mountain National Park
Attachments:	TPTS for donations re_opening parks_FINAL.docx

Here's the Colorado news release just out

Attached are the taling points for parks that are re-openinng under a donation agreement (but fine reading for everyone)

Will send along the Q&A after we finetune the Rec.gov answers with some new news....

---------- Forwarded message ----------
From: **Androff, Blake** <blake_androff@ios.doi.gov>
Date: Fri, Oct 11, 2013 at 4:15 PM
Subject: National Park Service Enters Agreement with State of Colorado to Re-open Rocky Mountain National Park
To: Blake Androff <blake_androff@ios.doi.gov>

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of Colorado to Re-open Rocky Mountain National Park

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of Colorado that will allow Rocky Mountain National Park to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Colorado during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, Colorado will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Rocky Mountain National Park.

The agreement funds the park for a period of 10 days, running from Friday, October 11 through Sunday, October 20 at the donated amount of $362,700.

###

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

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

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

EXPERIENCE YOUR AMERICA

(b) (5)

(b) (5)

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 4:28 PM
To: Jon Jarvis; Peggy O'Dell
Cc: Ted Boling; Jack Haugrud
Subject: Treasury

I've been talking to the COS at Treasury about these transfers. Do you want me to ask about the weekend?

From: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Sent: Friday, October 11, 2013 4:30 PM
To: Rachel Jacobson; Barry N Roth; Jon Jarvis; Maureen Foster; Peggy O'Dell
Subject: Re: Any updates on treasury? Secretary wants to know.

The wire system closes at 6:30 pm and is closed weekends and holidays.

On Fri, Oct 11, 2013 at 4:09 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

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

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 4:32 PM
To: Sheaffer, Bruce
Cc: Rachel Jacobson; Barry N Roth; Jon Jarvis; Peggy O'Dell
Subject: Re: Any updates on treasury? Secretary wants to know.

Can we get the form so that I send it to NY State? They want to send it today by 6:30.

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.

On Fri, Oct 11, 2013 at 4:29 PM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
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C. Bruce Sheaffer
Comptroller
National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Rachel Jacobson <rachel_jacobson@ios.doi.gov>
Sent: Friday, October 11, 2013 4:33 PM
To: Bruce_Sheaffer@nps.gov; BARRY.ROTH@sol.doi.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov; peggy_o'dell@nps.gov
Subject: Re: Any updates on treasury? Secretary wants to know.

So unless $$$ wored before then, no openings until tues?

From: Sheaffer, Bruce [mailto:bruce_sheaffer@nps.gov]
Sent: Friday, October 11, 2013 01:29 PM
To: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Maureen Foster <Maureen_Foster@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

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

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:34 PM
To: Foster, Maureen
Cc: Sheaffer, Bruce; Rachel Jacobson; Jon Jarvis; Peggy O'Dell
Subject: Re: Any updates on treasury? Secretary wants to know.

Rob sent the template to you

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

Sent from my iPhone

On Oct 11, 2013, at 4:31 PM, "Foster, Maureen" <maureen_foster@nps.gov> wrote:

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Maureen D. Foster
Chief of Staff
National Park Service
1849 C Street, NW, Room 3114
Washington, DC 20240
202.208.5970 (direct)
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--
C. Bruce Sheaffer
Comptroller
National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:35 PM
To: Rachel Jacobson
Cc: Bruce_Sheaffer@nps.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov; peggy_o'dell@nps.gov
Subject: Re: Any updates on treasury? Secretary wants to know.

Yes.

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

Sent from my iPhone

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Sent: Friday, October 11, 2013 01:29 PM
To: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Maureen Foster <Maureen_Foster@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

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

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To: Maureen_Foster@nps.gov; Bruce_Sheaffer@nps.gov
Cc: BARRY.ROTH@sol.doi.gov; Jon_Jarvis@nps.gov; peggy_o'dell@nps.gov; jack.haugrud@sol.doi.gov; Ted.Boling@sol.doi.gov; nicole_buffa@ios.doi.gov
Subject: Is CO AGREEMENT THE TEMPLATE THAT CAN BE USED FOR OTHER STATES??

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 01:31 PM
To: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Cc: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

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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.

On Fri, Oct 11, 2013 at 4:29 PM, Sheaffer, Bruce <bruce_sheaffer@nps.gov> wrote:
The wire system closes at 6:30 pm and is closed weekends and holidays.

On Fri, Oct 11, 2013 at 4:09 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

--
C. Bruce Sheaffer
Comptroller

National Park Service
202-208-4566
bruce_sheaffer@nps.gov

From: Barry Roth <barry.roth@sol.doi.gov>
Sent: Friday, October 11, 2013 4:36 PM
To: Rachel Jacobson
Cc: Bruce_Sheaffer@nps.gov; Jon_Jarvis@nps.gov; Maureen_Foster@nps.gov; peggy_o'dell@nps.gov; Edward Boling
Subject: Re: Any updates on treasury? Secretary wants to know.

Yes plus adding Ted

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

Sent from my iPhone

On Oct 11, 2013, at 4:33 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

So unless $$$ wored before then, no openings until tues?

From: Sheaffer, Bruce [mailto:bruce_sheaffer@nps.gov]
Sent: Friday, October 11, 2013 01:29 PM
To: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Maureen Foster <Maureen_Foster@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

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To: Rachel Jacobson
Cc: Maureen_Foster@nps.gov; Bruce_Sheaffer@nps.gov; Jon_Jarvis@nps.gov; peggy_o'dell@nps.gov; jack.haugrud@sol.doi.gov; Ted.Boling@sol.doi.gov; nicole_buffa@ios.doi.gov
Subject: Re: Is CO AGREEMENT THE TEMPLATE THAT CAN BE USED FOR OTHER STATES??

Yes

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

Sent from my iPhone

On Oct 11, 2013, at 4:35 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 01:31 PM
To: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Cc: Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Barry N Roth <BARRY.ROTH@sol.doi.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Any updates on treasury? Secretary wants to know.

Can we get the form so that I send it to NY State? They want to send it today by 6:30.

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)

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

From: Maureen Foster <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 4:50 PM
To: Edward Boling; Rachel Jacobson
Cc: Peggy O'Dell; Jon Jarvis
Subject: NY is signing.

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** Howard Glaser <Howard.Glaser@exec.ny.gov>
> **Date:** October 11, 2013, 4:38:41 PM EDT
> **To:** "'maureen_foster@nps.gov'" <maureen_foster@nps.gov>
> **Cc:** Alexander Cochran <Alexander.Cochran@exec.ny.gov>
>
> Maureen many thanks. We are signing now and will have to you shortly. We will arrange wire transfer soon as we get wire instructions.
> What is your sense of opening process. If funds are transferred tonight, what happens next?
> Hg
>
> **********
> WE WORK FOR THE PEOPLE
> Performance * Integrity * Pride

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 4:52 PM
To: Maureen Foster
Cc: Rachel Jacobson; Peggy O'Dell; Jon Jarvis; Suzanne Waldron
Subject: Re: NY is signing.

Please send us the agreement that they are signing.
Sue needs grist for the communications mill.

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 Fri, Oct 11, 2013 at 4:49 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

Begin forwarded message:

> **From:** Howard Glaser <Howard.Glaser@exec.ny.gov>
> **Date:** October 11, 2013, 4:38:41 PM EDT
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>
> **********
> WE WORK FOR THE PEOPLE
> Performance * Integrity * Pride

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 4:53 PM
To: Edward Boling; Rachel Jacobson; Peggy O'Dell; Jon Jarvis; Sue Waldron
Subject: New York and South Dakota are preparing money.

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: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 4:58 PM
To: Boling, Edward
Cc: Maureen Foster; Rachel Jacobson; Peggy O'Dell; Jon Jarvis
Subject: Re: NY is signing.

just need to ocnfirm parks - only statue and ellis - right?

dates? - 4 days from XX to XX

and amount

On Fri, Oct 11, 2013 at 4:52 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Please send us the agreement that they are signing.
Sue needs grist for the communications mill.

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 Fri, Oct 11, 2013 at 4:49 PM, Maureen Foster <maureen_foster@nps.gov> wrote:

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

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> **Date:** October 11, 2013, 4:38:41 PM EDT
> **To:** "'maureen_foster@nps.gov'" <maureen_foster@nps.gov>
> **Cc:** Alexander Cochran <Alexander.Cochran@exec.ny.gov>
>
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What is your sense of opening process. If funds are transferred tonight, what happens next?
Hg

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

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

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

EXPERIENCE YOUR AMERICA

From: Rachel Jacobson <rachel_jacobson@ios.doi.gov>
Sent: Friday, October 11, 2013 4:58 PM
To: sue_waldron@nps.gov; Ted.Boling@sol.doi.gov
Cc: Maureen_Foster@nps.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Blake_Androff@ios.doi.gov
Subject: Re: NY is signing.

Not ellis.

From: Waldron, Suzanne [mailto:sue_waldron@nps.gov]
Sent: Friday, October 11, 2013 01:57 PM
To: Boling, Edward <ted.boling@sol.doi.gov>
Cc: Maureen Foster <maureen_foster@nps.gov>; Rachel Jacobson <rachel_jacobson@ios.doi.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>; Jon Jarvis <Jon_Jarvis@nps.gov>
Subject: Re: NY is signing.

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Sue needs grist for the communications mill.

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

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Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

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> **To:** "'maureen_foster@nps.gov'" <maureen_foster@nps.gov>
> **Cc:** Alexander Cochran <Alexander.Cochran@exec.ny.gov>
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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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EXPERIENCE YOUR AMERICA

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 5:11 PM
To: Androff, Blake
Cc: Edward Boling; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Process and Plans for tonight

Just a reminder. I recognize that these timelines are going to be condensed. But we still have a process we need to stick to please. See below.

Maureen/Peggy - Please let me know, where we are on various agreements that are flying around here. So we can start notifications and preparing comms. I am hearing all sorts of things and we need to be sync'd up.

What are the next two agreements that are ready to be signed?

On Fri, Oct 11, 2013 at 12:31 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad

Begin forwarded message:

From: "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
Date: October 11, 2013, 12:13:03 PM EDT
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Nikki Buffa
Deputy Chief of Staff

US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of New York

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of New York (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Statue of Liberty National Monument (hereinafter "STLI") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, the visitors to STLI through their economic activity, play a vital role in the economies and well-being of New York and other towns and cities located near STLI;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, STLI was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, STLI will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in STLI;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen STLI to public use and visitation and to operate and manage STLI during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen STLI to public use and visitation, the State will donate to the NPS, for each day that STLI is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $61,600.00. The amount of money listed in Exhibit A includes all normal costs of operating and managing STLI calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage STLI in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen STLI.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage STLI for a period of six days beginning at 12:01a.m. on October 12, 2013, and ending at 11:59 p.m. on October 17, 2013. The amount required to reopen, operate, and manage STLI for those six days is $369,300.00

4. If the State desires to donate additional amounts to keep STLI open beyond 11:59 p.m. on October 17, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage STLI for two calendar days, i.e., $123,200.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen STLI and will operate

and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close STLI to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing STLI. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Jonathan B. Jarvis, Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889

Email: jon.jarvis@nps.gov

For the State:

Governor Andrew M. Cuomo
State of New York

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of STLI under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of New York:

Andrew M. Cuomo

Governor, State of New York
Title

10/11/13
Date

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 6:29 PM
To: Boling, Edward
Cc: Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Suzanne Waldron; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Re: NYS MOU Statue of Liberty

Has the money hit the bank?

On Fri, Oct 11, 2013 at 6:15 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Jon - NY-STLI is ready for your signature on this attachment.

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

---------- Forwarded message ----------
From: **John Regan** <John.Regan@exec.ny.gov>
Date: Fri, Oct 11, 2013 at 6:11 PM
Subject: RE: NYS MOU Statue of Liberty
To: "Boling, Edward" <ted.boling@sol.doi.gov>

Clean header.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:05 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

Not legally, it just looks bad. Send it back to me in Word and I will take it off.

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 Fri, Oct 11, 2013 at 6:02 PM, John Regan <John.Regan@exec.ny.gov> wrote:

I only have it with... is it a problem if it remains?

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:01 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

Do you want to take of the header and re-sign?

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 Fri, Oct 11, 2013 at 5:57 PM, John Regan <John.Regan@exec.ny.gov> wrote:

Attached please find the MOU signed by the Governor.

Thank you.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 5:50 PM
To: John Regan
Cc: Alexander Cochran; Howard Glaser; Foster, Maureen; Barry Roth; Nicole Buffa
Subject: Re: NYS MOU Statue of Liberty

John - attached is a draft agreement with most sections filled in. We need the New York contact and signature information filled in by you and all particulars confirmed ASAP. Please send us a draft final for our signature or call me at the number below.

Regards,

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 Fri, Oct 11, 2013 at 5:28 PM, John Regan <John.Regan@exec.ny.gov> wrote:

Ted - - Here is the agreement per your discussion with HG. We are standing by and awaiting return from you with the blanks filled in....

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 4:18 PM
To: Alexander Cochran
Subject: Re: any update?

Here is the template. The cost is $61,600/day.

I am really sorry that this has taken so long.

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)

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Alexander Cochran
Special Counsel to the Governor

202.434.7112 (o)
518.763.2609 (c)

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To: Howard Glaser
Cc: Alexander Cochran
Subject: Re:

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Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 6:32 PM
To: Androff, Blake
Cc: Boling, Edward; Jonathan Jarvis; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Suzanne Waldron; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Re: NYS MOU Statue of Liberty

yes

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To: "Boling, Edward" <ted.boling@sol.doi.gov>

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To: Androff, Blake
Cc: Boling, Edward; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Sarah Neimeyer; Pam Haze; Barry Roth
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Ny money in. Az almost Rushmore almost. No on missouri til next week

Looking at ny release and will send update

Sent from my iPhone

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From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 6:36 PM
To: Foster, Maureen
Cc: Androff, Blake; Boling, Edward; Jonathan Jarvis; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Re: NYS MOU Statue of Liberty
Attachments: News Release_NY_DRAFT_revised.docx

release

On Fri, Oct 11, 2013 at 6:31 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
yes

Maureen D. Foster
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Draft NY ---- 10/11/13 6 pm

(b) (5)

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Here is the template. The cost is $61,600/day.

I am really sorry that this has taken so long.

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

The National Park Service cares for special places

saved by the American people,

so that all may experience our heritage.

On Fri, Oct 11, 2013 at 3:04 PM, Alexander Cochran <Alexander.Cochran@exec.ny.gov> wrote:

ALEXANDER

Alexander Cochran
Special Counsel to the Governor

202.434.7112 (o)
518.763.2609 (c)

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 12:06 PM Eastern Standard Time
To: Howard Glaser
Cc: Alexander Cochran
Subject: Re:

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--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 6:38 PM
To: Waldron, Suzanne
Cc: Foster, Maureen; Boling, Edward; Jonathan Jarvis; Margaret O'Dell; Jack Haugrud; Nicole Buffa; Sarah Neimeyer; Pam Haze; Barry Roth
Subject: Re: NYS MOU Statue of Liberty

Reviewing now

On Fri, Oct 11, 2013 at 6:35 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
release

On Fri, Oct 11, 2013 at 6:31 PM, Foster, Maureen <maureen_foster@nps.gov> wrote:
yes

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)

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On Fri, Oct 11, 2013 at 6:29 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
Has the money hit the bank?

On Fri, Oct 11, 2013 at 6:15 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Jon - NY-STLI is ready for your signature on this attachment.

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

---------- Forwarded message ----------
From: **John Regan** <John.Regan@exec.ny.gov>
Date: Fri, Oct 11, 2013 at 6:11 PM
Subject: RE: NYS MOU Statue of Liberty
To: "Boling, Edward" <ted.boling@sol.doi.gov>

Clean header.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:05 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

Not legally, it just looks bad. Send it back to me in Word and I will take it off.

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 Fri, Oct 11, 2013 at 6:02 PM, John Regan <John.Regan@exec.ny.gov> wrote:

I only have it with... is it a problem if it remains?

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 6:01 PM
To: John Regan
Subject: Re: NYS MOU Statue of Liberty

Do you want to take of the header and re-sign?

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 Fri, Oct 11, 2013 at 5:57 PM, John Regan <John.Regan@exec.ny.gov> wrote:

Attached please find the MOU signed by the Governor.

Thank you.

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 5:50 PM
To: John Regan
Cc: Alexander Cochran; Howard Glaser; Foster, Maureen; Barry Roth; Nicole Buffa
Subject: Re: NYS MOU Statue of Liberty

John - attached is a draft agreement with most sections filled in. We need the New York contact and signature information filled in by you and all particulars confirmed ASAP. Please send us a draft final for our signature or call me at the number below.

Regards,

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 Fri, Oct 11, 2013 at 5:28 PM, John Regan <John.Regan@exec.ny.gov> wrote:

Ted - - Here is the agreement per your discussion with HG. We are standing by and awaiting return from you with the blanks filled in....

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 4:18 PM
To: Alexander Cochran
Subject: Re: any update?

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Maureen D. Foster

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U.S. Department of the Interior
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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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EXPERIENCE YOUR AMERICA

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Blake Androff
Deputy Director of Communications

U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 6:50 PM
To: Sally Jewell
Cc: Laura Davis; Katherine Kelly; Nicole Buffa; Jonathan Jarvis; Sarah Neimeyer
Subject: NY Press Release

Sally --

We hope to make the NY announcement in the next 30 minutes.

Best,

Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of New York to Re-open Statue of Liberty

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of New York that will allow Statue of Liberty National Monument to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in New York during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, New York will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Statue of Liberty National Monument.

The agreement funds the park for a period of six days, running from October 12 through October 17 at the donated amount of $369,300.

###

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Derrick Crandall <dcrandall@funoutdoors.com>
Sent: Friday, October 11, 2013 6:58 PM
To: Jon Jarvis (Jon_Jarvis@nps.gov)
Subject: Statue of Liberty

Yay!!!!!

Hornblower and Evelyn Hill hope to start up Sunday. Can you urge that?

Derrick

Sent from my Motorola ATRIX™ 4G on AT&T

From: Sally Jewell <[redacted]@ios.doi.gov>
Sent: Friday, October 11, 2013 7:14 PM
To: Androff, Blake
Cc: Laura Davis; Katherine Kelly; Nicole Buffa; Jonathan Jarvis; Sarah Neimeyer
Subject: Re: NY Press Release

Got it - thanks Blake.

Can others please let me know where we are with regard to deadlines on agreements and wire transfers for tonight?

Thanks for everyone's hard work.

Sally

, Blake" <blake_androff@ios.doi.gov> wrote:

> Sally --
>
> We hope to make the NY announcement in the next 30 minutes.
>
> Best,
>
> Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

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U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Friday, October 11, 2013 7:16 PM
To: Nicole Buffa
Cc: Haze, Pam; Sarah Neimeyer; Ted Boling; Jack Haugrud; Blake Androff; Sue Waldron; Jon Jarvis; Rachel Jacobson
Subject: Re: Process and Plans for tonight

Arizona signed by Jon. State has to sign. Money is here. Press release being worked on

South Dakota. Agreement signed by both and money is here.

Missouri not happening tonight. Their bank stops electronic transfers at 3:30.

Blake and Sue working on press. When can we tell parks? Is Pam going to tell appropriators? Do we need to do anything else?

Sent from my iPhone

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>
> Team NPS - any other near final?
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> > I'm doing approps notifications so please keep me in the loop. thanks
> >
> > On Fri, Oct 11, 2013 at 5:11 PM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
> > Just a reminder. I recognize that these timelines are going to be condensed. But we still have a process we need to stick to please. See below.
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(b) (5)

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> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> > **Subject: Re: NPS Agreement for ROMO**
> >
> > Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

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202-208-4423 (main)
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On Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research

136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

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Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

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stephanie.donner@state.co.us

--

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U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Haze, Pam <pam_haze@ios.doi.gov>
Sent: Friday, October 11, 2013 7:19 PM
To: Margaret O'Dell
Cc: Nicole Buffa; Sarah Neimeyer; Ted Boling; Jack Haugrud; Blake Androff; Sue Waldron; Jon Jarvis; Rachel Jacobson
Subject: Re: Process and Plans for tonight

Appropriations covered - all good.

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brown <eric.brown@state.co.us>
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> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton

<robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 7:46 PM
To: Sally Jewell
Cc: Laura Davis; Nicole Buffa; Benjamin Milakofsky; Katherine Kelly; Jonathan Jarvis; Sarah Neimeyer
Subject: Arizona Press Release

Sally --

Grand Canyon press release is in the queue. Gov Brewer's office is very excited and is out talking with press now so we'll issue very soon.

Best,

Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of Arizona to Re-open Grand Canyon

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of Arizona that will allow Grand Canyon National Park to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Arizona during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, Arizona will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Grand Canyon National Park.

The agreement funds the park for a period of seven days, running from October 12 through October 18 at the donated amount of $651,000.

###

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Dan Wenk <dan_wenk@nps.gov>
Sent: Thursday, October 03, 2013 5:45 PM
To: Margaret O'Dell
Subject: Re: Governor Call

I won't I told them no and explained why this is different from the help the provided during sequester.

Sent from my iPad

On Oct 3, 2013, at 3:42 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

> Thanks for your voicemail. SD Governor got a letter today saying no
> thank you. Please alert us if you get a letter offering anything.
> Sent from my iPhone

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Friday, October 04, 2013 1:12 AM
To: Margaret O'Dell
Subject: Fwd: State pressure to open GRCA continues all day.

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** David Uberuaga <dave_uberuaga@nps.gov>
> **Date:** October 3, 2013, 5:46:05 PM MDT
> **To:** Colin Campbell <Colin_Campbell@nps.gov>, Diane Chalfant <Diane_Chalfant@nps.gov>
> **Subject: State pressure to open GRCA continues all day.**
>
> Colin,
> Had several reporters asking why Grand Canyon wouldn't accept State Money. AZ state speaker of the house, Andy Tobin called to discuss state Legislation that would allow state funds to be transferred to Grand Canyon. He was upset when I explained that I appreciated the gesture but that I would not accept the state funds to re-open Grand Canyon. He asked if I had my marching orders from Washington DC and if we could work out something for the State of Arizona. I reiterated my position and that of the NPS Director that only federal appropriations would re-open the park. He didn't want to accept the position and would be talking to the Governor's office about other options. NO worries just a heads up for you.
> The Town Council of Tusayan are making plans to Authorize town funds to be made available in case there are any new developments. I attended their emergency town council meeting and explained the park's position. "The park is closed and while I appreciate the gesture to help fund a re-opening, only federal appropriations will get the park reopened. third party funding will not be accepted to replace federal appropriations. "
> FYI
> No need to send back up troops.
> 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:** Kirby-Lynn Shedlowski <kirbylynn_shedlowski@nps.gov>
> > **Date:** October 3, 2013, 3:53:25 PM MST
> > **To:** "dave_uberuaga@nps.gov" <dave_uberuaga@nps.gov>
> > **Subject: Fwd: fyi**

For when you call Howie Fisher.

Sent from my iPhone

Kirby-Lynn Shedlowski
Public Affairs Specialist
Grand Canyon National Park
928-606-9905 mobile
929-638-7958 office

Begin forwarded message:

> **From:** - Capitol Media Services <capmedia@hotmail.com>
> **Date:** October 3, 2013, 3:36:37 PM MST
> **To:** "kirbylynn_shedlowski@nps.gov" <kirbylynn_shedlowski@nps.gov>
> **Subject: fyi**
>
> here's what i wrote in 1995. (sometimes it's good to be on the same beat for a long time.)
>
> feel free to share this with the superintendent.
>
> thanks. looking forward to his call.
>
> -- howie fischer
> capitol media services
> capmedia@hotmail.com
>
> 602-390-1850
>
> State deal to keep Grand Canyon open
> Howard Fischer, Capitol Media Services
> Publication Date: December 19,
> 1995 Page: 1A Section: NEWS Edition: tue
>
> PHOENIX - It will still be Grand Canyon National Park.
> But beginning tomorrow, it will be sponsored by Phoenix developer John F. Long.
> U.S. Department of Interior officials signed an agreement last night allowing the state to pay federal employees and keep part of the park open until a federal budget is signed.
> State officials said they will sign the accord this morning.
> The pact does not officially take effect until tomorrow morning, but visitors still will be able to see the Canyon today. The gates remain open, but there is no one to collect admission fees or provide information.
> Under the deal, Arizona will put $17,000 into a federal account each day. It costs an estimated $17,000 a day for staff to provide public access to most of the park's popular areas. The state also will indemnify the federal government for any lawsuits filed

against it by park visitors.
Although Mather Point, Grand Canyon Village, the hotels and the concessions are open, visitors will not be allowed to hike into the Canyon or float down the Colorado River.
Ellen Bonnin-Bilbrey, spokeswoman for the Arizona State Parks Department, said money for the first three days will come from Long, who last week agreed to contribute $52,875 to keep the park open.
If there still is no budget accord by Friday night, then the deposit for the weekend will come from the state Parks Department.
Bonnin-Bilbrey said there is enough allocated for another 12 days of operation.
Gov. Fife Symington said if there still is no budget accord when those funds run out, he will find additional cash to keep the park operating until Congress approves a new budget or a continuing resolution to let closed agencies reopen while negotiations continue.
The deal actually could provide a windfall for the Department of Interior.
In the past, whenever a federal agency was shut down, the workers were paid for their time off after a new budget was approved. In this case, the workers will have been paid - with state dollars.
Lisa Hauser, the governor's counsel, said federal law does not allow the Interior Department to reimburse the state.
But she said state officials still believe the pact is a good deal because Arizona could lose more in tourist dollars from a closed Canyon than the $17,000 a day it costs to keep it open.
The 1.2 million-acre park - which attracts nearly 5 million visitors a year - was closed for four days last month, the first closure in the park's 76-year history.

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Friday, October 04, 2013 1:13 AM
To: Margaret O'Dell; Suzanne Waldron
Subject: Fwd: NEWS: President Obama Can/Should Find Way To Open Grand Canyon As Before

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** David Uberuaga <dave_uberuaga@nps.gov>
> **Date:** October 3, 2013, 8:26:31 PM MDT
> **To:** Colin Campbell <Colin_Campbell@nps.gov>, Diane Chalfant <Diane_Chalfant@nps.gov>
> **Subject: Fwd: NEWS: President Obama Can/Should Find Way To Open Grand Canyon As Before**
>
> Colin, Heads up!
> Not sure if this will make it out of the state but wanted to give you the latest push today.
>
> Dave Uberuaga
> Superintendent,
> Grand Canyon National Park Dave_Uberuaga@nps.gov.
> 928-606-7802 Cell
>
> Sent from my I phone
>
> Begin forwarded message:
>
> > **From:** Maureen Oltrogge <maureen_oltrogge@nps.gov>
> > **Date:** October 3, 2013, 5:52:36 PM MST
> > **To:** Dave Uberuaga <dave_uberuaga@nps.gov>, Diane Chalfant <diane_chalfant@nps.gov>, Kirby-Lynn Shedlowski <kirbylynn_shedlowski@nps.gov>, Jeremy Lusher <jeremy_lusher@nps.gov>
> > **Subject: Fwd: NEWS: President Obama Can/Should Find Way To Open Grand Canyon As Before**
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:
> >
> > > **From:** Mike Scerbo <mscerbo@rosemoserallynpr.com>
> > > **Date:** October 3, 2013, 4:05:54 PM MST
> > > **To:** <maureen_oltrogge@nps.gov>

Subject: NEWS: President Obama Can/Should Find Way To Open Grand Canyon As Before

FOR IMMEDIATE RELEASE
THURSDAY OCTOBER 3, 2013

CONTACT:
Clarinda Vail
Manager, Red Feather Properties
cjvail1@msn.com
928 606 0360

Unacceptable. Gov. Symington and Pres. Clinton Found A Way. Obama And Brewer Must Find A Way To Get Grand Canyon Open

'Mr. Obama Tear Down These Barack-cades'

(TUSAYAN, Ariz.) Red Feather Properties, which has been serving tourists in northern Arizona for nearly a century, is calling on the Obama administration to reconsider its rejection of third party funds to keep the Grand Canyon open. The South-Rim based company is also asking Governor Brewer to reconsider her statement that that 'The Grand Canyon is not a priority."

Red Feather Properties is urging both sides to find a way to use private donations, state funds or local governments to keep this national treasure open while Washington sorts out its budget battles. The South-Rim based company has already pledged $25,000.

During a government shutdown in 1995, then-Governor Fife Symington worked with Bill Clinton and used state resources and private donations to keep the Grand Canyon partially open.

However Governor Brewer's spokesman told Capitol Media Services Jan Brewer does not intend to repeat Symington's efforts."This isn't 1995,' said press aide Andrew Wilder. "We are not in a position to craft a situation like was done in 1995."

Perhaps that's because the Obama administration has rejected the use of third party funds to keep the Canyon, and other national parks, open.

Red Feather Properties Manager Clarinda Vail said, "If neither side is going to make an attempt, then nothing is going to get done. Thousands of tourists from around the world come here every day to see the Grand Canyon. What kind of impression does it give them when they travel here and find out its closed? Even worse, what are the long-term impacts as people plan their vacations and are forced to wonder whether bickering in Washington DC will prompt another closure of this national treasure."

In addition, the federal Government has closed Highway 64 at the Grand Canyon National Park to keep tourists from getting a passing glance of the Canyon.

Vail says she doesn't blame the local National Park employees because the policies are being established in Washington DC.

Meanwhile the adjacent Town of Tusayan is suffering economically. It's Mayor, Greg Bryan, worked with Vail to present the third party donation plan, only to be turned down.

Vail added, "The President needs to take down the Barack-cades that not only block the way to a national treasure but also block a funding source that our local community is willing to provide."

Red Feather Properties is pledging $25,000 to help keep the Grand Canyon open and is urging business owners around the State of Arizona and around the United States to do the same. Other options include utilizing funds from the adjacent Town of Tusayan, Arizona State Parks' funds or an emergency legislative solution.

Red Feather Properties owns and operates the Red Feather Lodge in Tusayan and owns a number of commercial properties in Tusayan and has been serving tourists in Northern Arizona for nearly a century.

-30-

This message was sent to maureen_oltrogge@nps.gov from:

Rose+Moser+Allyn Public and Online Relations | 7144 E Stetson Drive Suite 400 | Scottsdale, AZ 85251

Manage Your Subscription

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Sunday, October 06, 2013 5:48 PM
To: Margaret O'Dell
Subject: Fwd: Utah Counties meeting re OPEN GRAND CANYON NATIONAL PARK

FYI, sorting it out

Sent from my iPhone

Begin forwarded message:

> **From:** "Carey, Brian" <brian_carey@nps.gov>
> **Date:** October 6, 2013, 2:06:35 PM MDT
> **To:** Colin Campbell <Colin_Campbell@nps.gov>, Billy Shott <Billy_Shott@nps.gov>, Rena Fugate <Rena_Fugate@nps.gov>
> **Subject: Fwd: Utah Counties meeting re OPEN GRAND CANYON NATIONAL PARK**
>
> We think this is about Grand Canyon and not Glen Canyon but it is a bit odd that these are Utah counties calling the meeting. Todd pass along the message to Dave U.
>
> Brian Carey
> Management Assistant
> Glen Canyon National Recreation Area
> Rainbow Bridge National Monument
> PO Box 1507
> (for ground delivery only - 691 Scenic View Drive)
> Page, AZ 86040-1507
> 928.608.6209 w
> 928.640.0324 m
> 928.608.6204 f
>
> ---------- Forwarded message ----------
> From: **Brindle, Todd** <todd_brindle@nps.gov>
> Date: Sun, Oct 6, 2013 at 10:52 AM
> Subject: Fwd: Utah Counties meeting re OPEN GRAND CANYON NATIONAL PARK
> To: Brian Carey <Brian_Carey@nps.gov>
>
> Please give IMRO a heads up in case this is about GLCA. I forwarded to Dave U with the correct spelling.
>
> Todd W. Brindle

Superintendent
Glen Canyon National Recreation Area
Rainbow Bridge National Monument
P.O. Box 1507
691 Scenic View Drive
Page, AZ 86040

(928) 608-6210 office
(928) 640-1586 cell
(928) 608-6204 fax

SAFETY - SERVICE - TEAMWORK

---------- Forwarded message ----------
From: **Fowler, Lena** <lfowler@coconino.az.gov>
Date: Sun, Oct 6, 2013 at 10:14 AM
Subject: RE: Utah Counties meeting re OPEN GRAND CANYON NATIONAL PARK
To: "Brindle, Todd" <todd_brindle@nps.gov>

I'm not sure. That's why I emailed to you and Dave (He's email returned so I left phone message for him. Utah Washington County Alan Gardner is calling the meeting. The text says Grand Canyon. We'll see. I'll forward meeting info

Lena

Lena Fowler

District 5 Supervisor

Coconino County

P.O. Box 948 / 49 Maple Street

Tuba City, AZ 86045

Phone: 928-283-4518 / 928-679-7750

Fax: 928-283-6366

www.coconino.az.gov

Follow Coconino County on:

From: Brindle, Todd [mailto:todd_brindle@nps.gov]
Sent: Sunday, October 06, 2013 10:11 AM
To: Fowler, Lena
Subject: Re: Utah Counties meeting re OPEN GRAND CANYON NATIONAL PARK

Thanks Lena. Grand Canyon is in AZ. Do they mean Glen Canyon?

Todd W. Brindle
Superintendent
Glen Canyon National Recreation Area
Rainbow Bridge National Monument
P.O. Box 1507
691 Scenic View Drive
Page AZ 86040

Sent from my smartphone
928 640-1586

On Oct 6, 2013 9:34 AM, "Fowler, Lena" <lfowler@coconino.az.gov> wrote:

Good morning,

I'm sure you're aware of this meeting.

I've been informed the Utah Six County Association of Governments (Juab, Millard, Piute, Sanpete, Sevier and Wayne counties) and Kane County are meeting tomorrow, Monday, Oct. 7 at 8 a.m. AZ time in St. George, Utah to discuss opening the Grand Canyon National Park. Supervisor Liz Archuleta and I been invited. I'll forward meeting details when I receive.

Lena

[Description: Description: Description: Description: COCO LOGO]<http://www.coconino.az.gov/index.aspx>Lena Fowler
District 5 Supervisor
Coconino County
P.O. Box 948 / 49 Maple Street
Tuba City, AZ 86045
Phone: 928-283-4518 / 928-679-7750
Fax: 928-283-6366
www.coconino.az.gov<http://www.coconino.az.gov>
Follow Coconino County on: [cid:image003.png@01CEC276.23499F40]

COCONINO
COUNTY ARIZONA

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Sunday, October 06, 2013 7:59 PM
To: Margaret O'Dell
Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call

Any concerns if we attend? Or have them submit written requests to Director?

Sent from my iPhone

Begin forwarded message:

> **From:** "Carey, Brian" <brian_carey@nps.gov>
> **Date:** October 6, 2013, 4:57:55 PM MDT
> **To:** Colin Campbell <Colin_Campbell@nps.gov>, Rena Fugate <Rena_Fugate@nps.gov>, Billy Shott <Billy_Shott@nps.gov>
> **Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call**
>
> A heads up on a phone call being hosted by US Representative Kirkpatrick's office.
>
> Todd would like to know if there is any guidance on attendance at these types of meetings should he be asked to attend or call in.
>
> I am imagining that we could provide information on the mechanics of the closures at our particular parks and relay the Director's guidance on respectfully rejecting offers of third party assistance. But that it would be best to decline any attendance since there would undoubtedly be discussions of strategic lobbying, etc.
>
> Brian Carey
> Management Assistant
> Glen Canyon National Recreation Area
> Rainbow Bridge National Monument
> PO Box 1507
> (for ground delivery only - 691 Scenic View Drive)
> Page, AZ 86040-1507
> 928.608.6209 w
> 928.640.0324 m
> 928.608.6204 f
>
> ---------- Forwarded message ----------
> From: **Brindle, Todd** <todd_brindle@nps.gov>
> Date: Sun, Oct 6, 2013 at 3:35 PM
> Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call
> To: Brian Carey <Brian_Carey@nps.gov>

Another meeting - Congressional. Not sure if it pertains to us but please give IMRO a heads up. What is WASO guidance should we be invited to these types of meetings?

Todd W. Brindle
Superintendent
Glen Canyon National Recreation Area
Rainbow Bridge National Monument
P.O. Box 1507
691 Scenic View Drive
Page, AZ 86040

(928) 608-6210 office
(928) 640-1586 cell
(928) 608-6204 fax

SAFETY - SERVICE - TEAMWORK

---------- Forwarded message ----------
From: **Fowler, Lena** <lfowler@coconino.az.gov>
Date: Sun, Oct 6, 2013 at 1:45 PM
Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call
To: Dave Uberuaga <dave_uberuaga@nps.gov>, "Todd W. Brindle" <Todd_Brindle@nps.gov>

Read email below.

Sent from my iPhone

Begin forwarded message:

> **From:** "Archuleta, Liz" <larchuleta@coconino.az.gov>
> **Date:** October 6, 2013 at 1:41:32 PM MST
> **To:** BOS+3 <bos+3@coconino.az.gov>, BOS/Assistants <bos-assistants@coconino.az.gov>, BOS+3 <bos+3@coconino.az.gov>
> **Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call**
>
> Dear Board Members,
> Please read the email below. I will be on the call representing Coconino County. I asked Matt to join me as the incoming Chair. Matt has agreed to step aside to have Art on the call to give the perspective of Tusayan business owners. I realize all of us might wish to be on the call however that is not possible since we are not posted for a quorum and the intention of the invitation is specific to the chair of the board. I will clearly communicate the impacts to our county. If you have specific key messages you would like for me to convey, please get me talking points no later than 10:00 tomorrow morning.
> Thank you,
> Liz

Elizabeth Archuleta, Coconino County Supervisors
District 2
219 East Cherry
Flagstaff, AZ. 86001
Phone: 928 679-7152

Begin forwarded message:

From: "Frisby, Sam" <Sam.Frisby@mail.house.gov>
Date: October 4, 2013 at 12:53:42 PM MST
To: Undisclosed recipients:;
Subject: Ann Kirkpatrick - Grand Canyon Closure Conference Call

I want to bring leaders of the Grand Canyon community together on Monday, October 7th, for a call to discuss the government shut down and how it is affecting Northern Arizona and the local communities.

The call will be Monday, October 7th, at 10:30 AM PST (1:30 PM EST). Please dial: Non-responsive and enter the code: Non-responsive

Please contact my scheduler, Sam Frisby, to let her know if you will be able to join the call. You can reach her at Sam.Frisby@mail.house.gov or 202-225-3361.

Thank you and I look forward to speaking with you Monday.

Sincerely,

Congresswoman Ann Kirkpatrick

Best,

Samantha Frisby | Scheduler

Office of Congresswoman Ann Kirkpatrick (AZ-01)

330 Cannon House Office Building | Washington D.C. | 202-225-3361

Connect with Rep. Kirkpatrick: Facebook | Twitter | E-newsletter

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Sunday, October 06, 2013 9:04 PM
To: Margaret O'Dell; Suzanne Waldron; Cam Sholly
Subject: Fwd: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown

Just in

Sent from my iPhone

Begin forwarded message:

> **From:** David Uberuaga <dave_uberuaga@nps.gov>
> **Date:** October 6, 2013, 6:57:18 PM MDT
> **To:** Colin Campbell <Colin_Campbell@nps.gov>
> **Subject: Fwd: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown**
>
> Dave Uberuaga
> Superintendent,
> Grand Canyon National Park Dave_Uberuaga@nps.gov.
> 928-606-7802 Cell
>
> Sent from my I phone
>
> Begin forwarded message:
>
> > **From:** Maureen Oltrogge <maureen_oltrogge@nps.gov>
> > **Date:** October 6, 2013, 5:05:30 PM MST
> > **To:** Dave Uberuaga <dave_uberuaga@nps.gov>, Diane Chalfant <diane_chalfant@nps.gov>, Kirby-Lynn Shedlowski <kirbylynn_shedlowski@nps.gov>, Jeremy Lusher <jeremy_lusher@nps.gov>, Deborah Brenchley <debbie_brenchley@nps.gov>, Brian Bloom <brian_bloom@nps.gov>, Bil Vandergraff <bil_vandergraff@nps.gov>
> > **Subject: Fwd: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown**
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:

From: Mike Scerbo <mscerbo@rosemoserallynpr.com>
Date: October 6, 2013, 2:31:00 PM MST
To: <maureen_oltrogge@nps.gov>
Subject: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown

FOR IMMEDIATE RELEASE
SUNDAY OCTOBER 6, 2013

CONTACT:
Clarinda Vail
Manager, Red Feather Properties
cjvail1@msn.com
928 606 0360

Fed Up With The Feds
South Rim Community/ Businesses Lead Tuesday 1pm Protest At The Grand Canyon

(TUSAYAN, Ariz.) There is going to be a protest at the gates of the Grand Canyon as businesses in Northern Arizona and the people who work there suffer because the federal government has turned down offers of financial assistance from South Rim business owners, the State of Arizona, and the adjacent town of Tusayan to partially open the Grand Canyon during the government shutdown as was done in 1995.

The protesters will gather at 1pm October 8th in the ADOT right-of-way just south of the Grand Canyon National Park South Rim entrance gates. (In front of where the old Moqui Lodge was.)

The Town of Tusayan voted to appropriate more than $200,000 and businesses in the town have pledged another $150,000 to fund a partial opening of the Grand Canyon National Park during the government shutdown. The economic loss caused by closing the Canyon has created huge losses for businesses in northern Arizona.

On October 4th, Arizona Senators John McCain and Jeff Flake wrote a letter to the Secretary of the Interior requesting that the department reconsider its refusal to use non-federal funds to operate the Canyon as was done during a government shutdown in 1995. The letter states in part: "We

fail to understand why the Department and the NPS would dismiss the efforts of Arizonans trying to proactively address this situation."

Governor Brewer, House Speaker Andy Tobin, and Senate President Andy Biggs also wrote President Obama asking the administration to allow the use of non-federal funds to operate the Canyon. The letter states in part: "You have the opportunity to ease that burden by allowing major economic and historic attractions, like Grand Canyon National Park, to remain operational. We hope that you will reopen our National Parks or allow us to do it ourselves."

Sadly, Governor Brewer has thus far been unable to repeat then-Governor Symington's success in partially opening the Canyon during a Government shutdown in 1995. That may have something to do with the fact that the Obama Administration is unwilling to negotiate with respect to the Grand Canyon or any other national parks.

In fact, a Park Ranger in Washington DC was quoted by The Washington Times as saying, "We've been told to make life as difficult for people as we can. It's disgusting."

Red Feather Properties, which has been serving tourists in northern Arizona for nearly a century, initiated the idea and pledged the first $25,000. Red Feather Properties Manager Clarinda Vail said, "We thank our senators, our Governor and our legislative leaders for their support during this crisis in Northern Arizona. We pray that their efforts will change some minds within the Obama Administration."

Who: South Rim residents and business leaders
What: Protest at the Grand Canyon
When: Tuesday October 8 at 1pm
Where: ADOT Right of way next to the South Rim Boundary of the Grand Canyon National Park

Red Feather Properties owns and operates the Red Feather Lodge in Tusayan and owns a number of commercial properties in Tusayan and has been serving tourists in Northern Arizona for nearly a century. Tusayan is adjacent to the South Rim bordering the Grand Canyon National Park.

-30-

This message was sent to maureen_oltrogge@nps.gov from:

Rose+Moser+Allyn Public and Online Relations | 7144 E Stetson Drive Suite 400 | Scottsdale, AZ 85251

From: Suzanne Waldron <sue_waldron@nps.gov>
Sent: Sunday, October 06, 2013 9:53 PM
To: Colin Campbell; Foster Maureen; Jarvis Jon; Litterst Mike; Kelly Kate; Androff Blake; Sheaffer Bruce
Cc: Margaret O'Dell; Cam Sholly
Subject: Re: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown

Looping others

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 6, 2013, at 9:03 PM, Colin Campbell <colin_campbell@nps.gov> wrote:

> Just in
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** David Uberuaga <dave_uberuaga@nps.gov>
> > **Date:** October 6, 2013, 6:57:18 PM MDT
> > **To:** Colin Campbell <Colin_Campbell@nps.gov>
> > **Subject: Fwd: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown**
> >
> > Dave Uberuaga
> > Superintendent,
> > Grand Canyon National Park Dave_Uberuaga@nps.gov.
> > 928-606-7802 Cell
> >
> > Sent from my I phone
> >
> > Begin forwarded message:
> >
> > > **From:** Maureen Oltrogge <maureen_oltrogge@nps.gov>
> > > **Date:** October 6, 2013, 5:05:30 PM MST
> > > **To:** Dave Uberuaga <dave_uberuaga@nps.gov>, Diane Chalfant <diane_chalfant@nps.gov>, Kirby-Lynn Shedlowski

<kirbylynn_shedlowski@nps.gov>, Jeremy Lusher <jeremy_lusher@nps.gov>, Deborah Brenchley <debbie_brenchley@nps.gov>, Brian Bloom <brian_bloom@nps.gov>, Bil Vandergraff <bil_vandergraff@nps.gov>
Subject: Fwd: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown

Sent from my iPhone

Begin forwarded message:

> **From:** Mike Scerbo <mscerbo@rosemoserallynpr.com>
> **Date:** October 6, 2013, 2:31:00 PM MST
> **To:** <maureen_oltrogge@nps.gov>
> **Subject: Media Alert: Tuesday 1pm Protest At The Grand Canyon: Business Leaders, Northern Arizona Residents Fed Up With Federal Shutdown**
>
> **FOR IMMEDIATE RELEASE**
> SUNDAY OCTOBER 6, 2013
>
> **CONTACT:**
> **Clarinda Vail**
> Manager, Red Feather Properties
> cjvail1@msn.com
> 928 606 0360
>
> Fed Up With The Feds
> **South Rim Community/ Businesses Lead Tuesday 1pm Protest At The Grand Canyon**
>
> **(TUSAYAN, Ariz.)** There is going to be a protest at the gates of the Grand Canyon as businesses in Northern Arizona and the people who work there suffer because the federal government has turned down offers of financial assistance from South Rim business owners, the State of Arizona, and the adjacent town of Tusayan to partially open the Grand Canyon

during the government shutdown as was done in 1995.

The protesters will gather at 1pm October 8th in the ADOT right-of-way just south of the Grand Canyon National Park South Rim entrance gates. (In front of where the old Moqui Lodge was.)

The Town of Tusayan voted to appropriate more than $200,000 and businesses in the town have pledged another $150,000 to fund a partial opening of the Grand Canyon National Park during the government shutdown. The economic loss caused by closing the Canyon has created huge losses for businesses in northern Arizona.

On October 4th, Arizona Senators John McCain and Jeff Flake wrote a letter to the Secretary of the Interior requesting that the department reconsider its refusal to use non-federal funds to operate the Canyon as was done during a government shutdown in 1995. The letter states in part: "We fail to understand why the Department and the NPS would dismiss the efforts of Arizonans trying to proactively address this situation."

Governor Brewer, House Speaker Andy Tobin, and Senate President Andy Biggs also wrote President Obama asking the administration to allow the use of non-federal funds to operate the Canyon. The letter states in part: "You have the opportunity to ease that burden by allowing major economic and historic attractions, like Grand Canyon National Park, to remain operational. We hope that you will reopen our National Parks or allow us to do it ourselves."

Sadly, Governor Brewer has thus far been unable to repeat then-Governor Symington's success in partially opening the Canyon during a Government shutdown in 1995. That may have something to do with the fact that the Obama Administration is unwilling to negotiate with respect to the Grand Canyon or any other national parks.

In fact, a Park Ranger in Washington DC was quoted by The Washington Times as saying, “We’ve been told to make life as difficult for people as we can. It’s disgusting.”

Red Feather Properties, which has been serving tourists in northern Arizona for nearly a century, initiated the idea and pledged the first $25,000. Red Feather Properties Manager Clarinda Vail said, "We thank our senators, our Governor and our legislative leaders for their support during this crisis in Northern Arizona. We pray that their efforts will change some minds within the Obama Administration."

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-30-

This message was sent to maureen_oltrogge@nps.gov from:

Rose+Moser+Allyn Public and Online Relations | 7144 E Stetson Drive Suite 400 | Scottsdale, AZ 85251

Manage Your Subscription

From: Colin Campbell <colin_campbell@nps.gov>
Sent: Sunday, October 06, 2013 10:07 PM
To: Margaret O'Dell
Subject: Re: Ann Kirkpatrick - Grand Canyon Closure Conference Call

I'll be in by 7, or any time by cell. Supt. Brindle or Dave U, Diane Chalfant would probably be best. Uncertain as to most recent conversations with congressional staff.

Sent from my iPhone

On Oct 6, 2013, at 7:26 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

> We need to be sure the person we send can navigate the atmosphere and pressure that is likely to come. Has the park had a conversation with the congressional staff yet? Lets talk on Monday. What is a good time for you!
>
> Sent from my iPhone
>
> On Oct 6, 2013, at 7:58 PM, Colin Campbell <colin_campbell@nps.gov> wrote:
>
>> Any concerns if we attend? Or have them submit written requests to Director?
>>
>> Sent from my iPhone
>>
>> Begin forwarded message:
>>
>>> **From:** "Carey, Brian" <brian_carey@nps.gov>
>>> **Date:** October 6, 2013, 4:57:55 PM MDT
>>> **To:** Colin Campbell <Colin_Campbell@nps.gov>, Rena Fugate <Rena_Fugate@nps.gov>, Billy Shott <Billy_Shott@nps.gov>
>>> **Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call**
>>>
>>> A heads up on a phone call being hosted by US Representative Kirkpatrick's office.
>>>
>>> Todd would like to know if there is any guidance on attendance at these types of meetings should he be asked to attend or call in.
>>>
>>> I am imagining that we could provide information on the mechanics of the closures at our particular parks and relay the Director's guidance on respectfully rejecting offers of third party assistance. But that it would be best to decline any attendance since there would undoubtedly be discussions of strategic lobbying, etc.

Brian Carey
Management Assistant
Glen Canyon National Recreation Area
Rainbow Bridge National Monument
PO Box 1507
(for ground delivery only - 691 Scenic View Drive)
Page, AZ 86040-1507
928.608.6209 w
928.640.0324 m
928.608.6204 f

---------- Forwarded message ----------
From: **Brindle, Todd** <todd_brindle@nps.gov>
Date: Sun, Oct 6, 2013 at 3:35 PM
Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call
To: Brian Carey <Brian_Carey@nps.gov>

Another meeting - Congressional. Not sure if it pertains to us but please give IMRO a heads up. What is WASO guidance should we be invited to these types of meetings?

Todd W. Brindle
Superintendent
Glen Canyon National Recreation Area
Rainbow Bridge National Monument
P.O. Box 1507
691 Scenic View Drive
Page, AZ 86040

(928) 608-6210 office
(928) 640-1586 cell
(928) 608-6204 fax

SAFETY - SERVICE - TEAMWORK

---------- Forwarded message ----------
From: **Fowler, Lena** <lfowler@coconino.az.gov>
Date: Sun, Oct 6, 2013 at 1:45 PM
Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call
To: Dave Uberuaga <dave_uberuaga@nps.gov>, "Todd W. Brindle" <Todd_Brindle@nps.gov>

Read email below.

Sent from my iPhone

Begin forwarded message:

> **From:** "Archuleta, Liz" <larchuleta@coconino.az.gov>
> **Date:** October 6, 2013 at 1:41:32 PM MST
> **To:** BOS+3 <bos+3@coconino.az.gov>, BOS/Assistants <bos-assistants@coconino.az.gov>, BOS+3 <bos+3@coconino.az.gov>
> **Subject: Fwd: Ann Kirkpatrick - Grand Canyon Closure Conference Call**
>
> Dear Board Members,
> Please read the email below. I will be on the call representing Coconino County. I asked Matt to join me as the incoming Chair. Matt has agreed to step aside to have Art on the call to give the perspective of Tusayan business owners. I realize all of us might wish to be on the call however that is not possible since we are not posted for a quorum and the intention of the invitation is specific to the chair of the board. I will clearly communicate the impacts to our county. If you have specific key messages you would like for me to convey, please get me talking points no later than 10:00 tomorrow morning.
> Thank you,
> Liz
>
> Elizabeth Archuleta, Coconino County Supervisors District 2
> 219 East Cherry
> Flagstaff, AZ. 86001
> Phone: 928 679-7152
>
> Begin forwarded message:
>
> > **From:** "Frisby, Sam" <Sam.Frisby@mail.house.gov>
> > **Date:** October 4, 2013 at 12:53:42 PM MST
> > **To:** Undisclosed recipients:;
> > **Subject: Ann Kirkpatrick - Grand Canyon Closure Conference Call**
> >
> > I want to bring leaders of the Grand Canyon community together on Monday, October 7th, for a call to

discuss the government shut down and how it is affecting Northern Arizona and the local communities.

The call will be Monday, October 7th, at 10:30 AM PST (1:30 PM EST). Please dial: Non-responsive and enter the code: Non-responsive

Please contact my scheduler, Sam Frisby, to let her know if you will be able to join the call. You can reach her at Sam.Frisby@mail.house.gov or 202-225-3361.

Thank you and I look forward to speaking with you Monday.

Sincerely,

Congresswoman Ann Kirkpatrick

Best,

Samantha Frisby | Scheduler

Office of Congresswoman Ann Kirkpatrick (AZ-01)

330 Cannon House Office Building | Washington D.C. | 202-225-3361

Connect with Rep. Kirkpatrick: Facebook | Twitter | E-newsletter

From: Davis, Laura <laura_davis@ios.doi.gov>
Sent: Monday, October 07, 2013 8:26 AM
To: Jarvis, Jon; Peggy O'Dell; Maureen Foster; Jack Haugrud; Edward Boling; Nikki Buffa; Kate Kelly; Blake Androff; Rachel Jacobson
Cc: Erin Walls; Mariagrazia Caminiti
Subject: Requests from States and others

Good morning,
Thinking it would be a good idea to sit down this morning to talk about the additional incoming, or expected additional incoming per press reports, of requests to "reopen" one part or another of the NPS system. I want to be sure we have a timely process for handling the requests as they come in - and potentially for chasing the requests down if they just show up in the press, as some have seemed to so far. We may also wish to discuss the research that Ted and Barry have been doing, as well as Alaska specifically, for which part we will include Dan and Betsy. I can meet anytime between 11 and 2.
Laura

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Monday, October 07, 2013 8:32 AM
To: Davis, Laura
Cc: Peggy O'Dell; Maureen Foster; Jack Haugrud; Edward Boling; Nikki Buffa; Kate Kelly; Blake Androff; Rachel Jacobson; Erin Walls; Mariagrazia Caminiti
Subject: Re: Requests from States and others

We are meeting this morning with NPS leadership to discuss this topic at 10:15. We have completed a great deal of research and file forensics on the 1995 situation. Howabout be come up around 11:30 to discuss a game plan.

Jon

On Mon, Oct 7, 2013 at 8:25 AM, Davis, Laura <laura_davis@ios.doi.gov> wrote:
Good morning,
Thinking it would be a good idea to sit down this morning to talk about the additional incoming, or expected additional incoming per press reports, of requests to "reopen" one part or another of the NPS system. I want to be sure we have a timely process for handling the requests as they come in - and potentially for chasing the requests down if they just show up in the press, as some have seemed to so far. We may also wish to discuss the research that Ted and Barry have been doing, as well as Alaska specifically, for which part we will include Dan and Betsy. I can meet anytime between 11 and 2.
Laura

--
Jonathan B. Jarvis
Director, NPS

From: Davis, Laura <laura_davis@ios.doi.gov>
Sent: Monday, October 07, 2013 8:35 AM
To: Jarvis, Jonathan
Cc: Peggy O'Dell; Maureen Foster; Jack Haugrud; Edward Boling; Nikki Buffa; Kate Kelly; Blake Androff; Rachel Jacobson; Erin Walls; Mariagrazia Caminiti
Subject: Re: Requests from States and others

Sounds good. See you then. Thanks.

On Mon, Oct 7, 2013 at 8:31 AM, Jarvis, Jonathan <jon_jarvis@nps.gov> wrote:
We are meeting this morning with NPS leadership to discuss this topic at 10:15. We have completed a great deal of research and file forensics on the 1995 situation. Howabout be come up around 11:30 to discuss a game plan.

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Laura

--
Jonathan B. Jarvis
Director, NPS

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Thursday, October 03, 2013 4:24 PM
To: Laura Davis; Nicole Buffa; Margaret O'Dell; Maureen Foster; Jonathan Jarvis; Kevin Haugrud; Edward Boling; Pam Haze
Cc: Suzanne Waldron; Michael Litterst; Katherine Kelly
Subject: Statement on donation offers

NPS getting additional requests for comment on whether they will accept donation offers to open parts of parks or individual parks.

Draft statement based on the SD letter. Please let me know if you have any suggested edits.

(b) (5)

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 03, 2013 4:26 PM
To: Androff, Blake
Cc: Laura Davis; Margaret O'Dell; Maureen Foster; Jonathan Jarvis; Kevin Haugrud; Edward Boling; Pam Haze; Suzanne Waldron; Michael Litterst; Katherine Kelly
Subject: Re: Statement on donation offers

I like it.

On Oct 3, 2013, at 4:24 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> NPS getting additional requests for comment on whether they will accept donation offers to open parts of parks or individual parks.
>
> Draft statement based on the SD letter. Please let me know if you have any suggested edits.

(b) (5)

--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Davis, Laura <laura_davis@ios.doi.gov>
Sent: Thursday, October 03, 2013 4:28 PM
To: Androff, Blake
Cc: Nicole Buffa; Margaret O'Dell; Maureen Foster; Jonathan Jarvis; Kevin Haugrud; Edward Boling; Pam Haze; Suzanne Waldron; Michael Litterst; Katherine Kelly
Subject: Re: Statement on donation offers

Good here. Thanks.

On Thu, Oct 3, 2013 at 4:24 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
NPS getting additional requests for comment on whether they will accept donation offers to open parts of parks or individual parks.

Draft statement based on the SD letter. Please let me know if you have any suggested edits.

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--
Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 03, 2013 4:31 PM
To: Davis, Laura
Cc: Androff, Blake; Nicole Buffa; Margaret O'Dell; Maureen Foster; Jonathan Jarvis; Kevin Haugrud; Pam Haze; Suzanne Waldron; Michael Litterst; Katherine Kelly
Subject: Re: Statement on donation offers

Good here too.

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 Thu, Oct 3, 2013 at 4:28 PM, Davis, Laura <laura_davis@ios.doi.gov> wrote:
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(b) (5)

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Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Thursday, October 03, 2013 4:54 PM
To: Androff, Blake
Cc: Laura Davis; Nicole Buffa; Margaret O'Dell; Maureen Foster; Kevin Haugrud; Edward Boling; Pam Haze; Suzanne Waldron; Michael Litterst; Katherine Kelly
Subject: Re: Statement on donation offers

Why not use this opportunity to direct them to the National Park Foundation.

Sent from my iPhone

On Oct 3, 2013, at 4:24 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

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(b) (5)

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Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Kelly, Katherine <kate_kelly@ios.doi.gov>
Sent: Tuesday, October 08, 2013 3:55 PM
To: laura davis; Nicole Buffa; Androff, Blake J; Ted Boling; Haugrud, Jack; jon jarvis; O'Dell, Peggy
Subject: Fwd: Response to Utah's request to reopen closed National Park areas with state and private funds...

Below is the release from the UT Gov on the letter to POTUS.... NPS will continue to use this same response we've been using with other requests, like AZ. Please share any concerns in the next 30 mins. We'll also flag for WH/OMB.

"America's 401 national parks are a source of pride for all Americans and serve as important economic engines for local communities across the nation. We appreciate the generous offers of support and temporary assistance to reopen various individual parks around the country.

"There are 401 national parks that comprise the National Park System, which is managed for the common benefit of all the people of the United States, and requires federal appropriations to fulfill its mission and responsibilities. As a result of the lapse in that funding, the entire National Park System is closed and cannot be reopened until funding is restored. Beyond the legal constraints involved, it would not be appropriate or feasible to open some parks or some parts of parks while other parts of the National Park System remain closed to the public.

"The National Park Service shares in the frustration of the more than 700,000 people who are being turned away from our parks each day. We continue to hope for a speedy resolution to the lapse in federal appropriation so that we may reopen America's 401 national parks for the enjoyment of millions of visitors."

Governor Urges President to Re-open Utah's National Parks, Monuments

SALT LAKE CITY – Utah Governor Gary R. Herbert today formally requested President Obama re-open the state's five national parks, several national monuments, historic sites and recreation areas.

In his Oct. 8, 2013, letter to Obama, Governor Herbert said the shutdown of Utah's national parks, monuments and other federal facilities is "devastating individuals and businesses that rely on these areas for their livelihood."

If the President won't free up federal funds to maintain and operate Utah's national parks and monuments, Governor Herbert asked him to authorize Utah to use state and private funds to re-open them to the public.

"It is within the power and authority of the Executive Branch to allow the national parks and monuments to be reopened. We have a solution in place. We just need, literally, the keys to the gates. I cannot overstate that time is of the essence," the Governor continued in the letter.

In addition, the Governor included emergency declarations from several Utah counties that highlight the dire economic situation as result of the shutdown.

October is a peak month for tourism in many parts of Utah. The economic impact of the federal government shutdown on the state is approximately $100 million.

###

Nate McDonald
Public Information Officer
Office of the Governor
State of Utah
801-538-1509 (o)
801-694-0294 (c)

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Tuesday, October 08, 2013 4:04 PM
To: Katherine Kelly; Laura Davis; Blake Androff; Edward Boling; Kevin Haugrud; Jonathan Jarvis; Margaret O'Dell
Subject: RE: Response to Utah's request to reopen closed National Park areas with state and private funds...

Good here.

From: Kelly, Katherine [mailto:kate_kelly@ios.doi.gov]
Sent: Tuesday, October 08, 2013 3:55 PM
To: laura davis; Nicole Buffa; Androff, Blake J; Ted Boling; Haugrud, Jack; jon jarvis; O'Dell, Peggy
Subject: Fwd: Response to Utah's request to reopen closed National Park areas with state and private funds...

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Nate McDonald
Public Information Officer
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801-538-1509 (o)
801-694-0294 (c)

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Haugrud, Kevin <jack.haugrud@sol.doi.gov>
Sent: Tuesday, October 08, 2013 4:08 PM
To: Nicole Buffa
Cc: Katherine Kelly; Laura Davis; Blake Androff; Edward Boling; Jonathan Jarvis; Margaret O'Dell
Subject: Re: Response to Utah's request to reopen closed National Park areas with state and private funds...

And good with the Solicitors.

On Tue, Oct 8, 2013 at 4:04 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Good here.

From: Kelly, Katherine [mailto:kate_kelly@ios.doi.gov]
Sent: Tuesday, October 08, 2013 3:55 PM
To: laura davis; Nicole Buffa; Androff, Blake J; Ted Boling; Haugrud, Jack; jon jarvis; O'Dell, Peggy
Subject: Fwd: Response to Utah's request to reopen closed National Park areas with state and private funds...

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October is a peak month for tourism in many parts of Utah. The economic impact of the federal government shutdown on the state is approximately $100 million.

###

Nate McDonald
Public Information Officer
Office of the Governor
State of Utah
801-538-1509 (o)
801-694-0294 (c)

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Wednesday, October 09, 2013 5:24 PM
To: Jonathan Jarvis; Margaret O'Dell; Cam Sholly
Subject: Fwd: Washington County and Zion NP

Jon, Peggy & Cam - see BLM LE report of the Washington County plans to open Zion at 8am tomorrow.

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

---------- Forwarded message ----------
From: **Larvie, Veronica** <veronica.larvie@sol.doi.gov>
Date: Wed, Oct 9, 2013 at 5:16 PM
Subject: Fwd: Washington County and Zion NP
To: Bret Birdsong <bret.birdsong@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>, Laura Brown <Laura.Brown@sol.doi.gov>, Amy Sosin <amy.sosin@sol.doi.gov>, Kim Fondren <kim.fondren@sol.doi.gov>

Hi all,
this is a Washington County generated email solicitation asking for volunteers to assist with opening Zion NP tomorrow morning. Several BLM rangers received this as they are included on the search and rescue distribution list. BLM forwarded it on to their LE management.

Veronica Larvie
125 So. State Street

Salt Lake City, UT 84138
801.524.5677 ext. 238
Veronica.larvie@sol.doi.gov

---------- Forwarded message ----------
From: **Stover, Rand** <rstover@blm.gov>
Date: Wed, Oct 9, 2013 at 3:13 PM
Subject: Washington County and Zion NP
To: Daniel Love <dlove@blm.gov>, Eric Boik <eboik@blm.gov>

I just talked to Ranger Curtis Racker about some potential action Washington County is planning at Zion National Park. Ranger Racker belongs to a mass text group which notifies local law enforcement officers and medical personnel of Search and Rescue activities in Washington County. The organizer of the mass text group is believed to be Washington County Sheriff's Sergeant Darrell Cashin. A few minutes ago, Ranger Racker received the following text:
"89362 wrote: S: Need assistance..all members please Read Washington County is opening Zion National Park. We are opening the Park at 0800 to 2000 hours everyday starting at 0800 tomorrow morning. The county will pay 15.00 per hour plus pay your gas for those who wish to help. We need 4 guys for tomorrow and 6 on Friday and Saturday. We will need help everyday for a while. Please text or call me if you are interested in helping. Thanks, Darrell, 632-9074 To confirm: reply with 'YES' and send."

Please let me know if you have any questions. Thanks.

--

Rand Stover
Assistant Special Agent in Charge
Bureau of Land Management
440 West 200 South, Suite 500
Salt Lake City, UT 84101
(801)539-4085 office
(801)592-5841 cell
(801)539-4220 fax

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From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Wednesday, October 09, 2013 7:49 PM
To: Joel Hard
Subject: Fwd: Sec Letter to Gov Parnell
Attachments: Jewell Parnell Final.pdf

FYI. This puts us into the same situation as FWS.

Sent from my iPhone

Begin forwarded message:

> **From:** "Androff, Blake" <blake_androff@ios.doi.gov>
> **To:** Laura Davis <Laura_davis@ios.doi.gov>, Nicole Buffa <Nicole_buffa@ios.doi.gov>, Rachel Jacobson <Rachel_Jacobson@ios.doi.gov>, Jonathan Jarvis <Jon_jarvis@nps.gov>, Dan Ashe <d_m_ashe@fws.gov>, Margaret O'Dell <Peggy_O'Dell@nps.gov>, Maureen Foster <Maureen_Foster@nps.gov>, Suzanne Waldron <Sue_Waldron@nps.gov>, Michael Litterst <Mike_Litterst@nps.gov>, Betsy Hildebrandt <betsy_hildebrandt@fws.gov>, Bruce Decker <bruce_decker@fws.gov>, Matthew Huggler <Matthew_Huggler@fws.gov>, Sarah Neimeyer <Sarah_neimeyer@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Celia Boddington <cbodding@blm.gov>
> **Cc:** Katherine Kelly <Kate_Kelly@ios.doi.gov>, Tim Fullerton <tim_fullerton@ios.doi.gov>
> **Subject: Sec Letter to Gov Parnell**
>
> Attached is the letter that was sent to Gov Parnell's office re: FWS, NPS and BLM access in Alaska.
>
> We will share the letter with the handful of reporters who have been following this issue.
>
> Please let me know if you have any questions.
>
> Best,
>
> Blake
>
> *From:* "Howarth, Robert" <robert_howarth@ios.doi.gov>
>
> *Date:* October 9, 2013, 5:23:59 PM EDT
>
> *To:* mike.nizich@alaska.gov, kip.knudson@alaska.gov
>
> *Cc:* "Director, OES Fay Iudicello" <fay_iudicello@ios.doi.gov>, Terri Johnson <terri_johnson@ios.doi.gov>, Sarah Neimeyer <sarah_neimeyer@ios.doi.gov>, Nicole Buffa <nikki_buffa@ios.doi.gov>
>
> *Subject:* *Letter from Secretary of the Interior*

Good evening Mr. Nizich and Mr. Knudson. Please find attached a letter from Secretary Jewell to Governor Parnell in response to his October 4 letter.

Should you have any questions, please contact me.

Regards,

Rob Howarth

--

Robert Howarth
Deputy Director for Correspondence and FOIA Management
Office of the Executive Secretariat and Regulatory Affairs
Department of the Interior
1849 C Street, NW
Washington, DC 20240

202-208-3181
202-208-4451 (direct)
202-549-8961 (cell)

--

Blake Androff

Deputy Director of Communications****

U.S. Department of the Interior****

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

THE SECRETARY OF THE INTERIOR
WASHINGTON

OCT 09 2013

The Honorable Sean Parnell
Governor of Alaska
Juneau, Alaska 99811

Dear Governor Parnell:

Thank you for your phone call and follow-up letter on October 4, 2013. I fully appreciate your concern regarding access to National Wildlife Refuges, National Parks and Preserves, and public lands during this difficult period of government shutdown. We continue to hope for a speedy resolution to the lapse in Federal appropriations so that we may reopen all of these lands for the use and enjoyment of Alaskans and visitors to your State.

As we discussed during our conversation, due to the lapse in funds appropriated by the United States Congress for the operation of the National Park System and the National Wildlife Refuge System, a nationwide closure has been implemented to maintain public health and safety and to protect park and refuge resources during the shutdown period. Consistent with the legal limitations on spending in the absence of appropriations and the Department of the Interior's Contingency Plans, available at www.doi.gov/shutdown, only a relatively small number of personnel are on duty during the shutdown period. Those personnel are not sufficient to provide a full range of public and resource protection services. Therefore, in light of the shutdown and Contingency Plan, measures less restrictive than a national closure are not sufficient to maintain public health and safety and to protect park and refuge resources.

While nationwide closures have had to be implemented, the park and refuge closures in Alaska fully respect the unique provisions set forth in the Alaska National Interest Lands Conservation Act (ANILCA). Consistent with our regulations implementing ANILCA, the park and refuge closures in Alaska will expire automatically at the end of the shutdown period or no later than October 31, 2013. Also specific to Alaska, the closures in both parks and refuges allow for the continuation of subsistence uses and access to in-holdings authorized by ANILCA. In addition, members of the public, concessioners, and holders of commercial use authorizations who were already on multi-day backcountry trips that could not be safely terminated immediately when the closure occurred have been allowed to continue and complete their multi-day backcountry trips in accordance with their approved permit or plan.

Moreover, the park and refuge closures do not apply to private and public owners of property or other valid existing rights located within the exterior boundaries of units of the National Wildlife Refuge System or National Park System. Park and refuge managers will continue to allow such owners reasonable access to their private property. Also, this closure does not apply to State

roads and highways or roads that pass through units of the National Park System or National Wildlife Refuge System, which provide primary access between points located outside of the refuges or parks. Members of the public may continue to use those roads during the shutdown period. However, park and refuge managers are limited in their ability to maintain or repair those roads and managers may close those roads or portions of those roads if such closure is warranted by weather, poor road conditions, or other circumstances. In short, the park and refuge closures are consistent with each other, are authorized under the ANILCA regulations addressing emergency closures, and fully respect the rights granted under ANILCA.

As we also discussed, the Bureau of Land Management (BLM) operates under significantly different statutes and management structure than do the Fish and U.S. Wildlife Service and the National Park Service. On public lands managed by the BLM, the BLM has closed and secured visitor centers and facilities. Visitor activities that require a permit may be canceled or postponed. Contracted operations such as trash collection and facilities cleaning have been suspended. Where practical, areas will be posted with signs that state that no patrols, maintenance or other management activities will be provided (including emergency or rescue services provided by BLM). Concessions and some commercial outfitter and guide special recreation permits can continue operations as long as they do not need BLM field monitoring and regulatory oversight and are not operating in sites that have been closed.

I hope this letter has helped to clarify the closure decisions necessitated by the lapse in appropriations on lands administered by the Department of the Interior. As an avid outdoor enthusiast and former business leader dependent on access to public lands for customers, I fully appreciate that the Federal Government shutdown has an economic impact on communities, businesses, and individuals. My colleagues throughout the Department of the Interior are anxious to get back to work—serving the public, fulfilling the need for scientific support, and supporting Alaska Natives and American Indians. I join you in wanting this unfortunate situation to end!

Sincerely,

Sally Jewell

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Wednesday, October 09, 2013 8:59 PM
To: Hard, Joel
Subject: Re: Sec Letter to Gov Parnell

Thanks Joel

Sent from my iPhone

On Oct 9, 2013, at 8:22 PM, "Hard, Joel" <joel_hard@nps.gov> wrote:

> Boss,
> Understood, though not what I expected. I'll continue to encourage a soft approach with no confrontations of people unless circumstances indicate resource damage. Considering any use in the backcountry will not be readily distinguished from subsistence, access and travel allowed by the closure, we'll try not to make an issue where not absolutely necessary. We'll see what press/State inquiries come of this tomorrow.
> J
>
> On Wed, Oct 9, 2013 at 3:49 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:
> FYI. This puts us into the same situation as FWS.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Androff, Blake" <blake_androff@ios.doi.gov>
> > **To:** Laura Davis <Laura_davis@ios.doi.gov>, Nicole Buffa <Nicole_buffa@ios.doi.gov>, Rachel Jacobson <Rachel_Jacobson@ios.doi.gov>, Jonathan Jarvis <Jon_jarvis@nps.gov>, Dan Ashe <d_m_ashe@fws.gov>, Margaret O'Dell <Peggy_O'Dell@nps.gov>, Maureen Foster <Maureen_Foster@nps.gov>, Suzanne Waldron <Sue_Waldron@nps.gov>, Michael Litterst <Mike_Litterst@nps.gov>, Betsy Hildebrandt <betsy_hildebrandt@fws.gov>, Bruce Decker <bruce_decker@fws.gov>, Matthew Huggler <Matthew_Huggler@fws.gov>, Sarah Neimeyer <Sarah_neimeyer@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, Celia Boddington <cbodding@blm.gov>
> > **Cc:** Katherine Kelly <Kate_Kelly@ios.doi.gov>, Tim Fullerton <tim_fullerton@ios.doi.gov>
> > **Subject: Sec Letter to Gov Parnell**
> >
> > Attached is the letter that was sent to Gov Parnell's office re: FWS, NPS and BLM access in Alaska.
> >
> > We will share the letter with the handful of reporters who have been following this issue.

Please let me know if you have any questions.

Best,

Blake

From: "Howarth, Robert" <robert_howarth@ios.doi.gov>

Date: October 9, 2013, 5:23:59 PM EDT

To: mike.nizich@alaska.gov, kip.knudson@alaska.gov

Cc: "Director, OES Fay Iudicello" <fay_iudicello@ios.doi.gov>, Terri

Johnson <terri_johnson@ios.doi.gov>, Sarah Neimeyer <

sarah_neimeyer@ios.doi.gov>, Nicole Buffa <nikki_buffa@ios.doi.gov>

Subject: *Letter from Secretary of the Interior*

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from Secretary Jewell to Governor Parnell in response to his October 4

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Should you have any questions, please contact me.

Regards,

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--

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Deputy Director for Correspondence and FOIA Management

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1849 C Street, NW

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--

Blake Androff

Deputy Director of Communications****

U.S. Department of the Interior****

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

--
Joel L. Hard
Deputy Regional Director
Alaska Region, NPS

From: Kelly, Katherine <kate_kelly@ios.doi.gov>
Sent: Wednesday, October 09, 2013 10:15 PM
To: Sally Jewell; nicole_buffa@ios.doi.gov; jon jarvis; Androff, Blake J
Subject: FYI - local Utah tv story

Governor offers to fund Utah's national parks

Posted on: 5:03 pm, October 9, 2013, by Ben Winslow

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SALT LAKE CITY — Governor Gary Herbert has offered to use state funds to reopen Utah's five national parks, in order to keep tourism dollars flowing into the state.

The governor said he spoke with Interior Secretary Sally Jewell for about 20 minutes on Wednesday, offering to use state resources to open Arches, Bryce Canyon, Canyonlands, Capitol Reef and Zion national parks.

"We know there's disfunctionality in Washington D.C.," Herbert told reporters on Wednesday. "Let us run the parks. Let us open up, at least in a partial way. We'll have the manpower, we'll have the resources to open up some of our parks and help with the economy in these rural parts of Utah that are hurting so much."

Herbert claimed that Jewell was open to his idea, asking for a list of things the state could do.

"She said she understands the situation," he said. "She wanted to know if it could be done, legally."

The closure of the parks has dealt a serious blow to the economies of the surrounding communities. Herbert offered to use state money to keep tourism afloat — even loaning money to the federal government.

"We have a rainy day fund that's got a sizable amount of money in it," Herbert said. "We've got pockets of money for tourism and travel. This would be kind of an infusion of upfront money with the idea that if we get through this in the next two or three weeks, we get reimbursed. But it's critical now!"

If Herbert were to use state funds, the Utah State Legislature would have to approve it. Senate Minority Leader Gene Davis, D-Salt Lake City, said he would oppose a special session and spending state money for the idea.

"We're going to take over the federal government now in the state of Utah?" Davis told FOX 13. "We can't afford that. We can't afford to run our own (state) parks at the level they should be funded."

Davis said the governor should demand Utah's congressional delegation do more to end the shutdown, not offer to take over financing.

"What if this thing goes for three months?" he said. "Do we have enough reserves to do what he wants to do?"

Herbert's office told FOX 13 late Wednesday that if the shutdown drags on and begins to significantly impact the local communities, he would speak to legislative leaders about funding the national parks.

A number of counties with national parks in the boundaries have declared states of emergency, but Herbert said he was reluctant to seek a formal declaration — noting it is to get federal funding for disasters.

"I just don't know what it gets us," the governor told FOX 13. "I think the negotiation right now, what we're doing is probably the best approach."

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Wednesday, October 09, 2013 10:25 PM
To: Kelly, Katherine
Cc: nicole_buffa@ios.doi.gov; jon jarvis; Androff, Blake J
Subject: Re: FYI - local Utah tv story

Interesting to note that this is timed before my conversation with the governor, which took place at 7:45 pm EDT (5:45 MDT).

On Oct 9, 2013, at 10:15 PM, "Kelly, Katherine" <kate_kelly@ios.doi.gov> wrote:

Governor offers to fund Utah's national parks

Posted on: 5:03 pm, October 9, 2013, by Ben Winslow

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•

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Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Wednesday, October 09, 2013 10:41 PM
To: Sally Jewell
Cc: Kelly, Katherine; jon jarvis; Androff, Blake J
Subject: Re: FYI - local Utah tv story

Interesting quotes from their state minority leader. I bet a lot of state legislators will feel similarly.

On Oct 9, 2013, at 10:24 PM, Sally Jewell [redacted]@ios.doi.gov> wrote:

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>
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•

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Kevin Haugrud <jack.haugrud@sol.doi.gov>
Sent: Thursday, October 10, 2013 1:48 AM
To: Jon_Jarvis@nps.gov; kate_kelly@ios.doi.gov
Cc: nicole_buffa@ios.doi.gov; Blake_Androff@ios.doi.gov
Subject: Re: draft statement - please send edits between now and 6am

It looks good to me as well, (b) (5) [redacted]

From: Jonathan Jarvis [mailto:jon_jarvis@nps.gov]
Sent: Wednesday, October 09, 2013 07:44 PM
To: Kelly, Katherine <kate_kelly@ios.doi.gov>
Cc: Nicole Buffa <nicole_buffa@ios.doi.gov>; Haugrud, Jack <jack.haugrud@sol.doi.gov>; Androff, Blake J <Blake_Androff@ios.doi.gov>
Subject: Re: draft statement - please send edits between now and 6am

looks great to me!

Sent from my iPad

On Oct 9, 2013, at 9:36 PM, "Kelly, Katherine" <kate_kelly@ios.doi.gov> wrote:

(b) (5) [redacted]

(b) (5)

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Thursday, October 10, 2013 8:03 AM
To: Jon Jarvis; Margaret O'Dell
Subject: In the office

Jon and Peggy –

Just letting you know that I am here in the event you need to discuss anything. I appreciate that Bruce and others will be crunching some numbers for several states (SD, UT, CO, AZ) – give me a call or drop by if you want to discuss.

Thanks,

Sally

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 10:03 AM
To: Francis Iacobucci; Jonathan Jarvis; Erin Walls
Subject: call with Gov Herbert

Booch - Have we set-up a time to talk with Gov Herbert this morning? SRJ thought she had scheduled 10am with him herself. If so, we'd like to push that to 1030am. If not, can you please work to schedule something with his office for 1030am?

thanks,
Nikki

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Iacobucci, Francis <francis_iacobucci@ios.doi.gov>
Sent: Thursday, October 10, 2013 10:07 AM
To: Buffa, Nicole
Cc: Jonathan Jarvis; Erin Walls
Subject: Re: call with Gov Herbert

First I'm hearing of a call with the Governor for this morning. I will call his scheduler and arrange for 10:30am.

On Thu, Oct 10, 2013 at 10:02 AM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
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Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 10:08 AM
To: Francis Iacobucci
Cc: Jonathan Jarvis; Erin Walls
Subject: RE: call with Gov Herbert

Sorry. We can hold on this for a bit. I have late breaking info. Will circle back.

From: Iacobucci, Francis [mailto:francis_iacobucci@ios.doi.gov]
Sent: Thursday, October 10, 2013 10:07 AM
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Cc: Jonathan Jarvis; Erin Walls
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Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

From: Iacobucci, Francis <francis_iacobucci@ios.doi.gov>
Sent: Thursday, October 10, 2013 10:10 AM
To: Nicole Buffa
Cc: Jonathan Jarvis; Erin Walls
Subject: Re: call with Gov Herbert

Okay - just spoke with the Governor's assistant and he's made himself available to speak with the Secretary up until 1:00pm EDT (he has an obligation he can't miss starting then).

Best number to reach him is 801-538-1680.

On Thu, Oct 10, 2013 at 10:08 AM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Sorry. We can hold on this for a bit. I have late breaking info. Will circle back.

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Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

--

Francis Iacobucci

Director | Scheduling and Advance

Department of the Interior

202.208.5723 (direct)

--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

From: Tidwell, Tom -FS <ttidwell@fs.fed.us>
Sent: Thursday, October 10, 2013 11:40 AM
To: Jon Jarvis
Subject: please call donations and opening parks?

202 205 8439
Jon if you can please call.

Tom

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From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 12:35 PM
To: Jonathan Jarvis
Subject: Calls

She's talked to brewer, Vilsack, and is on the phone with daugaard now. So far so good.

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: O'Dell, Margaret <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 1:03 PM
To: Bruce Sheaffer; Jon Jarvis; Maureen Foster; Sue Waldron; Peggy O'Dell
Subject: Meeting at 1:15

Can you make it in Jon's office to discuss managing the requests that will come from states?

From: Litterst, Michael <mike_litterst@nps.gov>
Sent: Thursday, October 10, 2013 1:04 PM
To: Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Sue Waldron; Cam Sholly; Blake Androff; Kate Kelly; Lena McDowall; Bruce Sheaffer
Subject: ABC News (via AP) - Feds Tell Governors Some National Parks Could Reopen If They Use State Money for Operations

First version of the story is out (just a single line):

http://abcnews.go.com/Politics/wireStory/boehners-office-gop-sending-small-group-obama-meeting-20520165

~~~~~~~~~~~~~~~~~~

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
~~~~~~~~~~~~~~~~~~

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 1:24 PM
To: Lisa Mendelson; Michael Caldwell; Gordon Wissinger; Robert Maclean; Patricia Trap; Patty Neubacher; Colin Campbell; Joel Hard; Lena McDowall; Bruce Sheaffer; Cam Sholly; Sue Waldron; Michael Litterst; Peggy O'Dell; Jon Jarvis
Subject: Statement on Agreements with Governors

Statement of Interior Spokesman Blake Androff:

As a result of the government shutdown, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary Jewell will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

The Interior Department will begin conversations about how to proceed as expeditiously as current limited resources allow. We continue to call on Congress to act swiftly to enact appropriations for the entire government so that we can re-open all 401 national parks for the American people.

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.

From: Eaton, Robert <robert.eaton@sol.doi.gov>
Sent: Friday, October 11, 2013 9:01 AM
To: Kevin Haugrud; Edward Boling; Barry Roth
Cc: Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject: Colorado is ready to sign its donation agreement ...

Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 9:16 AM
To: Eaton, Robert
Cc: Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject: Re: Colorado is ready to sign its donation agreement ...

HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

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 Fri, Oct 11, 2013 at 9:01 AM, Eaton, Robert <robert.eaton@sol.doi.gov> wrote:
Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

Robert C. Eaton, Assistant Solicitor
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From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 9:22 AM
To: Kevin Haugrud; Francis Iacobucci; Jon Jarvis; Peggy O'Dell; Nicole Buffa; Sarah Neimeyer; Blake Androff
Cc: Erin Walls
Subject: Re: Fw: Fwd: FW: Great Smoky Mountains National Park - State of Tennessee

All:

I just spoke with Allison Martin about Great Smoky. The state of Tennessee will be in touch with me.

She was calling the main number which is not staffed currently due to shutdown.

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.

On Thu, Oct 10, 2013 at 10:02 PM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:
Maureen - You probably got this from Jon or Peggy, but this was the Tenn email I was mentioning to you.

From: Iacobucci, Francis [mailto:francis_iacobucci@ios.doi.gov]
Sent: Thursday, October 10, 2013 04:53 PM
To: Jonathan Jarvis <jon_jarvis@nps.gov>; Margaret O'Dell <Peggy_O'Dell@nps.gov>; Nikki Buffa <nicole_buffa@ios.doi.gov>; Sarah Neimeyer <sarah_neimeyer@ios.doi.gov>; Blake Androff <blake_androff@ios.doi.gov>; Kevin Haugrud <jack.haugrud@sol.doi.gov>
Cc: Erin Walls <erin_walls@ios.doi.gov>
Subject: Fwd: FW: Great Smoky Mountains National Park - State of Tennessee

Team - please see the note from Senator Alexander's office below.

Jon/Peggy - I assume you will want to take the lead in speaking with his staff. Please confirm that's the correct strategy and I will loop you in on the email below.

Thanks.

---------- Forwarded message ----------
From: **Martin, Allison (Alexander)** <Allison_Martin@alexander.senate.gov>
Date: Thu, Oct 10, 2013 at 7:23 PM
Subject: FW: Great Smoky Mountains National Park - State of Tennessee
To: "francis_iacobucci@ios.doi.gov" <francis_iacobucci@ios.doi.gov>
Cc: "Fairchild, Sarah (Alexander)" <Sarah_Fairchild@alexander.senate.gov>, "Swager, Curtis (Alexander)" <Curtis_Swager@alexander.senate.gov>

Francis,

I apologize for reaching out to you on this, but we have been unable to get in touch with anyone regarding the Secretary's decision to open negotiations with states to open national parks and it is very likely Senator Alexander will want to speak with the Secretary tomorrow.

If there is anyone that can call me in the morning that would be most appreciated. All we need to do for the moment is figure out who the right person is to put in touch with Governor Haslam's office to discuss options and next steps.

Allison

From: Martin, Allison (Alexander)
Sent: Thursday, October 10, 2013 4:57 PM
To: 'stephenne_harding@ios.doi.gov'
Cc: 'Swager, Curtis (Alexander)'
Subject: Great Smoky Mountains National Park - State of Tennessee
Importance: High

Ms. Harding,

I am really hoping you are not furloughed. Governor Bill Haslam's office has asked Senator Alexander to obtain information about how to petition NPS to reopen the Great Smoky Mountains National Park. We were informed that Maureen Foster with Director Jarvis' office was handling requests but we have been unable to reach her.

As this is the most visited national park and a major economic contributor we want to move on this as soon as possible, and Senator Alexander may want to call Secretary Jewel this evening. Curtis and I are available to discuss anything ahead of time, and if you know how we can put the Governor's office in touch with NPS we could get that started and delay the call to the Secretary.

You can reach Mr. Swager and I anytime via email or at the following numbers:

Allison Martin 202-224-1208

202-812-3492 (cell)

Curtis Swager 202-224-8989

Allison Martin

Deputy Legislative Director & Counsel

Office of Senator Lamar Alexander

--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 9:27 AM
To: Davis, Laura
Cc: Suzanne Waldron; Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release
Attachments: NPS Utah Donation Agreement 10.11.2013.pdf

Attached is the final, signed agreement.

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 Fri, Oct 11, 2013 at 8:18 AM, Davis, Laura <laura_davis@ios.doi.gov> wrote:
I think better to keep this one clean and about what we are doing w Utah.

On Friday, October 11, 2013, Suzanne Waldron wrote:
One more thought After a cup of coffee. -(b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 6:49 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:

> (b) (5) [redacted]
>
> Sent from my iPhone
>
> On Oct 11, 2013, at 6:16 AM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
>
> > We've been pretty consistent/successful with using 401 national parks (small n small p) to more easily get across the idea that they are all part of a system...the different designations confuse most people. "Oh a monument isnt a national park?
> >
> > Suggest sticking with this - and using Laura's tweaks to language but without the the word (b) (5) [redacted]

Agree with ted's change (b) (5) [redacted]

Thanks kate. Will touch base when i get in

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 11, 2013, at 5:59 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

> Agreeing with those edits, (b) (5) [redacted]
>
> 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 Fri, Oct 11, 2013 at 5:42 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:
> Looks really good and thanks to Kate and Sue.
>
> Agree with Jack's edit or something like it. In the same vein also suggest saying (b) (5) [redacted].
>
> Sent from my iPhone
>
> On Oct 11, 2013, at 12:56 AM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:

--

Laura Daniel Davis
Chief of Staff
US Department of the Interior
202-208-7351
Laura_Davis@ios.doi.gov

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Utah:

Gary R. Herbert

Name (signature)

Governor, State of Utah

Title

10/10/2013

Date

From:	Eaton, Robert <robert.eaton@sol.doi.gov>
Sent:	Friday, October 11, 2013 9:29 AM
To:	Boling, Edward
Cc:	Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject:	Re: Colorado is ready to sign its donation agreement ...
Attachments:	NPS-State of Colorado donation agreement (10-10-13 draft).docx

Attached. Same version as I sent to Stephanie and this group last night. She intends to delete the header and complete the information for the State's designated representative before having the Lieutenant Governor sign.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
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HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

Ted Boling
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U.S Department of the Interior
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Washington, DC 20240
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Ted.Boling@sol.doi.gov

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Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor
State of Colorado
…

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take

affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Colorado:

_____
Name (signature)

Governor, State of Colorado
Title

_____
Date

From:	Eaton, Robert <robert.eaton@sol.doi.gov>
Sent:	Friday, October 11, 2013 9:33 AM
To:	Boling, Edward
Cc:	Kevin Haugrud; Barry Roth; Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Bruce Sheaffer
Subject:	Re: Colorado is ready to sign its donation agreement ...

I just left Stephanie a voice message apprising her of our need to get internal clearances. In my message I said I hoped I would be able to call her back in an hour or so.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

This email is intended solely for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected by applicable law. If you are not the intended recipient or an employee or agent responsible for the delivery of this email to the intended recipient, you are hereby notified that dissemination, distribution, copying, or use of this email is strictly prohibited. If you received this email in error, please notify the sender immediately and destroy all copies.

On Fri, Oct 11, 2013 at 9:15 AM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
HOLD - I need to run the traps on it. Please send me the agreement that they are ready to sign.

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 Fri, Oct 11, 2013 at 9:01 AM, Eaton, Robert <robert.eaton@sol.doi.gov> wrote:

Stephanie Donner, the Governor's deputy chief of staff, just called me. Unless I call her back and tell her there's some sort of problem on our side, she's going to finalize the agreement, have the Lieutenant Governor sign it for the Governor, and email us a PDF of the signed copy.

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
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From: Bruce Sheaffer <bruce_sheaffer@nps.gov>
Sent: Friday, October 11, 2013 11:22 AM
To: Jon Jarvis
Subject: Utah funding received

Sent from my iPhone

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 11:26 AM
To: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer
Subject: Re: Draft agreement for Utah donation

Looping in others to spread the word that we now have funds for 8 parks in Utah.

Ted Boling
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Ted.Boling@sol.doi.gov

On Fri, Oct 11, 2013 at 11:20 AM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
We just received the Utah funds

Sent from my iPhone

On Oct 11, 2013, at 11:08 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

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> 202-208-3125 (direct)
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> Ted.Boling@sol.doi.gov
>
> ---------- Forwarded message ----------
> From: **John Pearce** <jpearce@utah.gov>
> Date: Fri, Oct 11, 2013 at 10:32 AM
> Subject: Re: Draft agreement for Utah donation

To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

I just received word that the wire has been sent. Please let me know if you need anything else from us.
Best,
Jp

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> Service staff are being notified that there is a signed agreement, but will
> need to confirm the receipt of funds as soon as possible.
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> Thanks again for facilitating the entry of this agreement so quickly.
> Regards,
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>> copy back from NPS before the start of our business day. That will allow
>> us to finalize the wire transfer first thing in the morning. To that end,
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>>> Thanks, John. We'll review ASAP.
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>>> Deputy Solicitor -- Parks & Wildlife**
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>>> Ted.Boling@sol.doi.gov
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>>>> changes form. The only major change from the draft you sent is to modify
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>>>> let me know if you have any questions about that or any other proposed edit.
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>>>> My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted]. Please
>>>> let me know right away whether these changes are acceptable and if we can
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>>>>> 202-208-5584 (fax)****
>>>>>
>>>>> Ted.Boling@sol.doi.gov
> <NPS Utah Donation Agreement 10.11.2013.pdf>

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 11:36 AM
To: Boling, Edward
Cc: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer
Subject: Re: Draft agreement for Utah donation

Thanks, all.

On Oct 11, 2013, at 11:26 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

> Looping in others to spread the word that we now have funds for 8 parks in Utah.
>
> Ted Boling
> Deputy Solicitor -- Parks & Wildlife
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Date: Fri, Oct 11, 2013 at 10:32 AM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

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From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 11:50 AM
To: Boling, Edward
Cc: Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Foster, Maureen; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer; Suzanne Waldron
Subject: Re: Draft agreement for Utah donation

She heard that the money has not cleared yet. Latest thoughts?

On Friday, October 11, 2013, Boling, Edward wrote:
Looping in others to spread the word that we now have funds for 8 parks in Utah.

Ted Boling
Deputy Solicitor -- Parks & Wildlife
U.S Department of the Interior
1849 C Street NW
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>>>>> 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 Utah Donation Agreement 10.11.2013.pdf>

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 11:59 AM
To: Peggy O'Dell; Jon Jarvis; Rachel Jacobson
Cc: Kate Kelly; Nicole Buffa; Kevin Haugrud; Blake Androff; Edward Boling
Subject: Fwd: Q&A for solicitor review
Attachments: Donations to Reopen National Parks.docx

looping jon, peggy, and rachel for a look as well

---------- Forwarded message ----------
From: **Kelly, Katherine** <kate_kelly@ios.doi.gov>
Date: Fri, Oct 11, 2013 at 10:54 AM
Subject: Q&A for solicitor review
To: Ted Boling <Ted.Boling@sol.doi.gov>, "Haugrud, Jack" <jack.haugrud@sol.doi.gov>
Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>, Suzanne Waldron <Sue_Waldron@nps.gov>

Ted and Jack - here is the q and a we're working with for reporters today. Please see if this accurately captures what we have discussed.

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

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

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

EXPERIENCE YOUR AMERICA

(b) (5)

[redacted]

(b) (5)

(b) (5)

(b) (5)

(b) (5)

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 12:00 PM
To: Buffa, Nicole
Cc: Boling, Edward; Bruce Sheaffer; Jack Haugrud; Barry Roth; Robert Eaton; Jonathan Jarvis; Margaret O'Dell; Rachel L Jacobson; Michael Bean; Katherine Kelly; Blake Androff; Nicole Buffa; Sarah Neimeyer; Suzanne Waldron
Subject: Re: Draft agreement for Utah donation

The money has cleared. Bruce confirmed it at 11:20 a.m.

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.

On Fri, Oct 11, 2013 at 11:49 AM, Buffa, Nicole <nicole_buffa@ios.doi.gov> wrote:
She heard that the money has not cleared yet. Latest thoughts?

On Friday, October 11, 2013, Boling, Edward wrote:
Looping in others to spread the word that we now have funds for 8 parks in Utah.

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 Fri, Oct 11, 2013 at 11:20 AM, Bruce Sheaffer <bruce_sheaffer@nps.gov> wrote:
We just received the Utah funds

Sent from my iPhone

On Oct 11, 2013, at 11:08 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

Have you confirmed receipt of funds?

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

---------- Forwarded message ----------
From: **John Pearce** <jpearce@utah.gov>
Date: Fri, Oct 11, 2013 at 10:32 AM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

I just received word that the wire has been sent. Please let me know
if you need anything else from us.
Best,
Jp

> On Oct 11, 2013, at 7:43 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:
>
> John -
>
> Attached, please find the final agreement that Director Jarvis signed this
> morning.
> In addition to your notifications per the agreement, please send me a reply
> when you've confirmed that the funds have been wired. The National Park
> Service staff are being notified that there is a signed agreement, but will
> need to confirm the receipt of funds as soon as possible.
>
> Thanks again for facilitating the entry of this agreement so quickly.

> Regards,
>
>
> 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 Thu, Oct 10, 2013 at 11:39 PM, John Pearce <jpearce@utah.gov> wrote:
>>
>> Ted,
>>
>> Thanks again for working late to help with the Agreement. To expedite the
>> quick reopening of the parks, Governor Herbert has signed the agreement (a
>> copy of which is attached to this email) in hopes that we can get a signed
>> copy back from NPS before the start of our business day. That will allow
>> us to finalize the wire transfer first thing in the morning. To that end,
>> I have copied a number of members of the Governor's senior staff on this
>> email and would ask that you please reply to all as soon as you have an
>> executed agreement so that we might get the wire sent at the earliest
>> opportunity and get the parks opened as soon as possible.
>>
>> Please let me know if you have any questions. I look forward to hearing
>> from you.
>> Best,
>> Jp
>>
>>
>> On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov>wrote:
>>
>>> Thanks, John. We'll review ASAP.
>>>
>>> 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 Thu, Oct 10, 2013 at 8:06 PM, John Pearce <jpearce@utah.gov> wrote:
>>>>
>>>> Mr. Boling,
>>>>
>>>> Please find attached our proposed revisions to the Agreement in a track
>>>> changes form. The only major change from the draft you sent is to modify
>>>> the number of days the units will be initially opened from 4 to 10. Please
>>>> let me know if you have any questions about that or any other proposed edit.
>>>>
>>>> My desk phone is 801-538-1504 and my mobile is 8(b) (6) [redacted]. Please
>>>> let me know right away whether these changes are acceptable and if we can
>>>> secure DOI approval this evening. I have a Governor ready to sign and
>>>> personnel waiting to execute the wire transfer this evening so we can get
>>>> the parks open as soon as possible tomorrow.
>>>>
>>>> Best,
>>>> Jp
>>>>
>>>>
>>>> On Thu, Oct 10, 2013 at 5:08 PM, Boling, Edward <ted.boling@sol.doi.gov>wrote:
>>>>
>>>>> Mr. Pearce,
>>>>>
>>>>> Attached is our draft agreement for donation of Utah funds for purposes
>>>>> of allowing the National Park Service to open the parks identified in the
>>>>> agreement and its Exhibit A. This draft has not been fully cleared within
>>>>> the Department of the Interior, but we believe we can obtain clearance and
>>>>> execution of this version this evening. I will stand by at the direct line
>>>>> below in case you would like to discuss it.
>>>>>
>>>>> Regards,
>>>>>
>>>>> Ted Boling****
>>>>>
>>>>> Deputy Solicitor -- Parks & Wildlife**

>>>>>
>>>>> U.S Department of the Interior****
>>>>>
>>>>> 1849 C Street NW****
>>>>>
>>>>> Washington, DC 20240****
>>>>>
>>>>> 202-208-4423 (main)****
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>>>>>
>>>>> 202-208-5584 (fax)****
>>>>>
>>>>> Ted.Boling@sol.doi.gov
> <NPS Utah Donation Agreement 10.11.2013.pdf>

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Edward Boling <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 12:24 PM
To: Jack Haugrud; Nicole Buffa; Blake J Androff; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer
Subject: Fwd: NPS Agreement for ROMO

Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.

Sent from my iPad

Begin forwarded message:

> **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> **Date:** October 11, 2013, 12:13:03 PM EDT
> **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> **Subject: Re: NPS Agreement for ROMO**
>
> Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.
>
> Appreciate your help,
> Stephanie
>
> On Friday, October 11, 2013, Boling, Edward wrote:
> Doug,
>
> This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.
>
> Please feel free to call me at the number below if you have any questions or concerns.
>
> Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 12:27 PM
To: Edward Boling
Cc: Jack Haugrud; Nicole Buffa; Blake J Androff; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> > **Subject: Re: NPS Agreement for ROMO**
> >
> > Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.
> >
> > Appreciate your help,
> > Stephanie
> >
> > On Friday, October 11, 2013, Boling, Edward wrote:
> > Doug,
> >
> > This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.
> >
> > Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 12:30 PM
To: Edward Boling
Cc: Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer
Subject: Re: NPS Agreement for ROMO

They need to adjust their expectations.

On Fri, Oct 11, 2013 at 12:23 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:
Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.

Sent from my iPad

Begin forwarded message:

> **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> **Date:** October 11, 2013, 12:13:03 PM EDT
> **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> **Subject: Re: NPS Agreement for ROMO**
>
> Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.
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> Stephanie
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> Doug,
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>
> Please feel free to call me at the number below if you have any questions or concerns.
>
> Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
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Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
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Governor John Hickenlooper
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(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 12:32 PM
To: Nicole Buffa
Cc: Edward Boling; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
> Sent from my iPad
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 11, 2013, 12:13:03 PM EDT
> > **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> > **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>,

Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:
Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--
Doug Young
Senior Policy Director
Governor John Hickenlooper

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--

Stephanie F. Donner

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stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 12:35 PM
To: Androff, Blake
Cc: Edward Boling; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

I would like to get this one on the plan below. I'll do the OMB notifications, which is the next step (I think). So, please let me know where we are with template clearance so I can get hopping. Thanks!

On Oct 11, 2013, at 12:31 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:
>
> (b) (5)
>
> On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
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>
> > Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
> >
> > Sent from my iPad
> >
> > Begin forwarded message:

From: "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
Date: October 11, 2013, 12:13:03 PM EDT
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,
Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:
Doug,

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Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:

Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Thursday, October 10, 2013 5:04 PM
To: Sally Jewell
Cc: Laura Davis; Nicole Buffa; Benjamin Milakofsky; Jonathan Jarvis; Katherine Kelly; Sarah Neimeyer
Subject: NPS Stories

Sally --

There are about 200 articles online so far on today's announcement (many are carrying the AP story, with regional and local twists).

The full list will be in tomorrow's clips but copied below are some highlights from this afternoon. The vast majority are pretty straightforward at this point.

Feds To Consider State Funding To Reopen National Parks

NPR (blog) - 8 minutes ago

Details are sketchy but the agency "will begin conversations about how to proceed as expeditiously as current resources allow," according to Interior spokesman Blake Androff. Androff says interested states must have "an ability to fully fund National Park ...

Feds Will Let States Pay to Reopen National Parks

ABC News - 46 minutes ago

Blake Androff, a spokesman for Jewell, said the Interior Department will consider agreements with governors who "indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states." Decisions about which ...

Feds tell Utah it will accept state money to open national parks

Salt Lake Tribune - 50 minutes ago

... and local businesses, Secretary Jewell will consider agreements with governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states," Interior spokesman Blake Androff said in a statement.

Obama admin. may let states fund national parks during shutdown

CNN (blog) - 1 hour ago

"The Interior Department will begin conversations about how to proceed as expeditiously as current limited resources allow," Interior spokesman Blake Androff said in a statement. As a result of the government shut down, all 401 national parks have been ...

Some National Parks Poised to Reopen During Shutdown

ABC News (blog) - 2 minutes ago

"The Interior Department will begin conversations about how to proceed as expeditiously as current limited resources allow," Interior Department spokesman Blake Androff said in a statement to ABC News. "We continue to call on Congress to act swiftly to ...

Breakthrough: National parks could be reopened soon

Deseret News - 1 hour ago

Cloud formations are visible at Bryce Canyon National Park hike on Navajo Loop, Sept. 14, 2007. There

has been debate on whether recreation areas and national parks in Utah should be opened and run by the state during the federal government shutdown.

States Get OK to Reopen National Parks, But with Strings

Stateline - 17 minutes ago

... (Sally) Jewell will consider agreements with governors who indicate an interest and ability to fully fund National Park Service personnel to reopen national parks in their states," Blake Androff, a spokesman for the U.S. Interior Department, said in a statement.

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Thursday, October 10, 2013 5:22 PM
To: nikki_buffa@ios.doi.gov; Jon Jarvis
Cc: Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Colorado

Nikki and Jon –

I just got off the phone with Gov. Hickenlooper. They very much want to open RMNP tomorrow evening and are willing to sign an agreement and wire the money to us. He doesn't think they yet have the number they need from us for the cost of operations. The Gov. mentioned his staffer – Stephanie Donner – as the right POC. Nikki has evidently been in touch with her. A quick call back to her with next steps would be helpful.

I assume that we sent the numbers for UT earlier to the POC there. I have not heard back after my calls with AZ, AK or SD – let me know if any of you have.

Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 5:24 PM
To: Sally Jewell
Cc: nikki_buffa@ios.doi.gov; Jon Jarvis; Rachel Jacobson; Kevin Haugrud; Edward Boling; Bruce Sheaffer; Maureen Foster
Subject: Re: Colorado

We are on the phone with Utah right now. We have had a preliminary conversation already based on Nikki's Info. We will get with CO next.
Sent from my iPhone

On Oct 10, 2013, at 5:21 PM, Sally Jewell [redacted]@ios.doi.gov> wrote:

> Nikki and Jon –
>
> I just got off the phone with Gov. Hickenlooper. They very much want to open RMNP tomorrow evening and are willing to sign an agreement and wire the money to us. He doesn't think they yet have the number they need from us for the cost of operations. The Gov. mentioned his staffer – Stephanie Donner – as the right POC. Nikki has evidently been in touch with her. A quick call back to her with next steps would be helpful.
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> I assume that we sent the numbers for UT earlier to the POC there. I have not heard back after my calls with AZ, AK or SD – let me know if any of you have.
>
> Hope the template agreement is coming along.
>
> Thanks for everyone's hard work!
>
> Sally

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Thursday, October 10, 2013 5:25 PM
To: Peggy O'Dell; Jon Jarvis; Maureen Foster; Bruce Sheaffer; Mike Litterst; Cam Sholly; Raymond Vela; Lena McDowall; Beverly Stephens
Subject: donataions Q&A - in google drive - p lease review

you shoudl haev just gotten notice of aahred doc - here's the link - please take a lolok and revise as necessary -- if you have questions please use teh "comments" button to make those in the doc

https://docs.google.com/a/nps.gov/document/d/1fWURNhR18YxCESnJ9xYZfXgHWYRP6lmqLE8OyZcgBVc/edit

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

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

EXPERIENCE YOUR AMERICA

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Thursday, October 10, 2013 5:39 PM
To: Waldron, Suzanne
Subject: Re: donataions Q&A - in google drive - p lease review

ookkoo

On Thu, Oct 10, 2013 at 5:24 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
you shoudl haev just gotten notice of aahred doc - here's the link - please take a lolok and revise as necessary -- if you have questions please use teh "comments" button to make those in the doc

https://docs.google.com/a/nps.gov/document/d/1fWURNhR18YxCESnJ9xYZfXgHWYRP6lmqLE8OyZcgBVc/edit

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EXPERIENCE YOUR AMERICA

--
Jonathan B. Jarvis
Director, NPS

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Thursday, October 10, 2013 5:47 PM
To: Jonathan Jarvis
Cc: nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: RE: Colorado

Jon – I made it very clear to the governor that it was fully open the park or nothing – he understood and said he wanted to fully open the park. Stephanie may not have spoken to him after my conversation – he was not in his office. Thanks, Sally

From: Jarvis, Jonathan [mailto:jon_jarvis@nps.gov]
Sent: Thursday, October 10, 2013 5:37 PM
To: Sally Jewell
Cc: nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Re: Colorado

Sally: Conference call with Utah underway right now. Many calls coming in: Montana, Virginia, Colorado. Colorado staff Stephanie pushing back on funding entire park, they just want the road open. We are holding our ground and giving them the full park numbers. Road issue is complicated due to snow and the flooding. Will keep you informed.

On Thu, Oct 10, 2013 at 5:21 PM, Sally Jewell <[redacted]@ios.doi.gov> wrote:
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Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

--
Jonathan B. Jarvis
Director, NPS

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 6:00 PM
To: Sally Jewell; Jon Jarvis; Nicole Buffa; Laura Davis
Cc: Bruce Sheaffer; Edward Boling; Robert Eaton; Maureen Foster; Sue Waldron
Subject: Utah

Conversation went well. Lawyers exchanging draft agreement language.
They are familiar with the 1995 agreement which we are using as the general basis for what our great lawyers have drafted.

Told them we needed four days of money up front and then must always have two days worth of money in our account at all times or we would have to start shutdown procedures. We will not engage in opening and closing parks on a daily basis. They are interested in all seven of the parks that are on our list.

They asked if they could get a cut of fees collected and we explained that fees are not authorized to be spent on operations but rather for upkeep and maintenance projects so no they would not get a cut. We may see pushback on that point.

They have the electronic transfer info. They are hoping to get a signed agreement tonight still.

Will keep you posted.

Sent from my iPhone

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 6:01 PM
To: Sally Jewell
Cc: Jonathan Jarvis; nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Re: Colorado

We should discuss when folks are able. Thanks.

On Thursday, October 10, 2013, Sally Jewell wrote:

Jon – I made it very clear to the governor that it was fully open the park or nothing – he understood and said he wanted to fully open the park. Stephanie may not have spoken to him after my conversation – he was not in his office. Thanks, Sally

From: Jarvis, Jonathan [mailto:jon_jarvis@nps.gov]
Sent: Thursday, October 10, 2013 5:37 PM
To: Sally Jewell
Cc: nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Re: Colorado

Sally: Conference call with Utah underway right now. Many calls coming in: Montana, Virginia, Colorado. Colorado staff Stephanie pushing back on funding entire park, they just want the road open. We are holding our ground and giving them the full park numbers. Road issue is complicated due to snow and the flooding. Will keep you informed.

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Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

--
Jonathan B. Jarvis

Director, NPS

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Thursday, October 10, 2013 6:11 PM
To: Sally Jewell
Cc: Nicole Buffa; Jon Jarvis; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud
Subject: Re: Colorado

We had a good call with Governor Herbert's counsel and others. We're all agreed to keep the agreement relatively simple (simpler than Grand Canyon) and that we'd like to get this signed tonight so that the State can make a wire transfer to get the parks starting to open tomorrow. We are revising the draft now to address their intention to make an initial payment for four days of operation of a list of parks (not all 13) with any more funding to be wired by COB tomorrow.

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 Thu, Oct 10, 2013 at 5:21 PM, Sally Jewell <[redacted]@ios.doi.gov> wrote:

Nikki and Jon –

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Hope the template agreement is coming along.

Thanks for everyone's hard work!

Sally

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Thursday, October 10, 2013 6:12 PM
To: Margaret O'Dell; Jonathan Jarvis; Nicole Buffa; Laura Davis
Cc: Bruce Sheaffer; Edward Boling; Robert Eaton; Maureen Foster; Suzanne Waldron
Subject: RE: Utah

Thanks - good work everyone!

-----Original Message-----
From: Margaret O'Dell [mailto:peggy_o'dell@nps.gov]
Sent: Thursday, October 10, 2013 6:00 PM
To: Sally Jewell; Jon Jarvis; Nicole Buffa; Laura Davis
Cc: Bruce Sheaffer; Edward Boling; Robert Eaton; Maureen Foster; Sue Waldron
Subject: Utah

Conversation went well. Lawyers exchanging draft agreement language.
They are familiar with the 1995 agreement which we are using as the general basis for what our great lawyers have drafted.

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They have the electronic transfer info. They are hoping to get a signed agreement tonight still.

Will keep you posted.

Sent from my iPhone

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 6:16 PM
To: Buffa, Nicole
Cc: Sally Jewell; Jonathan Jarvis; nikki_buffa@ios.doi.gov; Rachel Jacobson; Kevin Haugrud; Edward Boling
Subject: Re: Colorado

On phone with them now and they may reconsider since road would normally be closed and is certainly buried under a lot of snow right now. We are just waiting for lawyers to come back in.

Sent from my iPhone

On Oct 10, 2013, at 6:01 PM, "Buffa, Nicole" <nicole_buffa@ios.doi.gov> wrote:

> We should discuss when folks are able. Thanks.
>
> On Thursday, October 10, 2013, Sally Jewell wrote:
>
> Jon – I made it very clear to the governor that it was fully open the park or nothing – he understood and said he wanted to fully open the park. Stephanie may not have spoken to him after my conversation – he was not in his office. Thanks, Sally
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> **From:** Jarvis, Jonathan [mailto:jon_jarvis@nps.gov]
> **Sent:** Thursday, October 10, 2013 5:37 PM
> **To:** Sally Jewell
> **Cc:** nikki_buffa@ios.doi.gov; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Edward Boling
> **Subject:** Re: Colorado
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> Sally: Conference call with Utah underway right now. Many calls coming in: Montana, Virginia, Colorado. Colorado staff Stephanie pushing back on funding entire park, they just want the road open. We are holding our ground and giving them the full park numbers. Road issue is complicated due to snow and the flooding. Will keep you informed.
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Thanks for everyone's hard work!

Sally

--
Jonathan B. Jarvis

Director, NPS

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 6:19 PM
To: Boling, Edward
Cc: Sally Jewell; Nicole Buffa; Jon Jarvis; Margaret O'Dell; Rachel Jacobson; Kevin Haugrud; Laura Davis
Subject: Re: Colorado

What's the likelihood UT are parks are going to open tomorrow? Or at some point this weekend.

On Oct 10, 2013, at 6:11 PM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

> We had a good call with Governor Herbert's counsel and others. We're all agreed to keep the agreement relatively simple (simpler than Grand Canyon) and that we'd like to get this signed tonight so that the State can make a wire transfer to get the parks starting to open tomorrow. We are revising the draft now to address their intention to make an initial payment for four days of operation of a list of parks (not all 13) with any more funding to be wired by COB tomorrow.

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 Thu, Oct 10, 2013 at 5:21 PM, Sally Jewell <[redacted]@ios.doi.gov> wrote:
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> Nikki and Jon –
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Thanks for everyone's hard work!

Sally

From:	Boling, Edward <ted.boling@sol.doi.gov>
Sent:	Thursday, October 10, 2013 6:23 PM
To:	Jonathan Jarvis; Margaret O'Dell; Foster, Maureen; Bruce Sheaffer; Pam Haze; Rachel L Jacobson
Cc:	Jack Haugrud; Barry Roth; Robert Eaton; Edward Keable; Mark Teskey
Subject:	Draft final agreement with Utah
Attachments:	NPS-State of Utah donation agreement (proposed final).docx; NPS-State of Utah donation agreement (proposed final).docx

Please review ASAP and call me at 208-3125

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

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

(b) (5)

Whereas, the visitors to those 13 units, through their economic activity, play a vital role in the economics and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

(b) (5)

[redacted]

From: Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov>
Sent: Friday, October 11, 2013 1:38 PM
To: Boling, Edward
Cc: Androff, Blake; Nicole Buffa; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO

I"d prefer to send up the final signed CO document when it's completed to the Hill.

On Fri, Oct 11, 2013 at 1:36 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Attached is draft and FYI only. It has not been sent to CO.
I can send you what we send to CO when we send it.

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 Fri, Oct 11, 2013 at 1:22 PM, Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov> wrote:
I need a copy of the CO agreement and then we can do the outreach.

On Fri, Oct 11, 2013 at 1:21 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
+Waldron

I have no comms materials. Once we get an approved version back from down the street, Waldron can switch out the Utah info for the Colorado info, but right now we don't have that.

On Fri, Oct 11, 2013 at 1:18 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Thanks, Ted. I am working on getting clearance/doing notifications. Per the below:

Sarah – Are your hill notifications almost done? Do you need any help?

Blake – Do you have all the comms materials ready to hit send?

We'd like to have all these boxes checked before this agreement is signed and people on the ground are notified.

Thank you all,

Nikki

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

Here's the draft final agreement for Rocky Mountain N.P., with edits approved by OMB and DOJ.

Let me know when we're cleared to send it back to CO for re-signing.

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 Fri, Oct 11, 2013 at 12:35 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

I would like to get this one on the plan below. I'll do the OMB notifications, which is the next step (I think). So, please let me know where we are with template clearance so I can get hopping. Thanks!

On Oct 11, 2013, at 12:31 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.

On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:

Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.

Sent from my iPad

Begin forwarded message:

From: "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
Date: October 11, 2013, 12:13:03 PM EDT
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster

<maureen_foster@nps.gov>, Robert Eaton
<robert.eaton@sol.doi.gov>, roxane white
<Roxane.White@state.co.us>, Joseph Garcia - GovOffice
<josephagarcia@state.co.us>, eric brown
<eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,

Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:

Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:

Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

Blake Androff
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--

Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

--

Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior

1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 1:40 PM
To: Boling, Edward
Cc: Neimeyer, Sarah; Androff, Blake; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO

I only need to know whether this has deviated from the template in any way. Thanks!

Please do not sign until SN's notifications are done and Blake has Comms sign off. Thanks.

On Friday, October 11, 2013, Boling, Edward wrote:
Attached is draft and FYI only. It has not been sent to CO.
I can send you what we send to CO when we send it.

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 Fri, Oct 11, 2013 at 1:22 PM, Neimeyer, Sarah <sarah_neimeyer@ios.doi.gov> wrote:
I need a copy of the CO agreement and then we can do the outreach.

On Fri, Oct 11, 2013 at 1:21 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
+Waldron

I have no comms materials. Once we get an approved version back from down the street, Waldron can switch out the Utah info for the Colorado info, but right now we don't have that.

On Fri, Oct 11, 2013 at 1:18 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

Thanks, Ted. I am working on getting clearance/doing notifications. Per the below:

Sarah – Are your hill notifications almost done? Do you need any help?

Blake – Do you have all the comms materials ready to hit send?

We'd like to have all these boxes checked before this agreement is signed and people on the ground are notified.

Thank you all,

Nikki

From: Boling, Edward [mailto:ted.boling@sol.doi.gov]
Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

Here's the draft final agreement for Rocky Mountain N.P., with edits approved by OMB and DOJ.

Let me know when we're cleared to send it back to CO for re-signing.

Ted Boling
Deputy Solicitor -- Parks & Wildlife

--

Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 1:42 PM
To: Neimeyer, Sarah
Cc: Boling, Edward; Androff, Blake; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
Subject: Re: NPS Agreement for ROMO

Sarah - there are some notifications that need to be done before this is signed. Will come find you.

On Oct 11, 2013, at 1:37 PM, "Neimeyer, Sarah" <sarah_neimeyer@ios.doi.gov> wrote:

I"d prefer to send up the final signed CO document when it's completed to the Hill.

On Fri, Oct 11, 2013 at 1:36 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Attached is draft and FYI only. It has not been sent to CO.
I can send you what we send to CO when we send it.

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

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Sent: Friday, October 11, 2013 1:04 PM
To: Nicole Buffa
Cc: Androff, Blake; Jack Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Sarah Neimeyer; Rachel Jacobson; Kate P Kelly
Subject: Re: NPS Agreement for ROMO

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202-208-4423 (main)
202-208-3125 (direct)
202-208-5584 (fax)
Ted.Boling@sol.doi.gov

On Fri, Oct 11, 2013 at 12:35 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:

I would like to get this one on the plan below. I'll do the OMB notifications, which is the next step (I think). So, please let me know where we are with template clearance so I can get hopping. Thanks!

On Oct 11, 2013, at 12:31 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> I realize this isn't going to mesh with the two so far, but here is an ideal world on the timing front:

(b) (5)

> On Fri, Oct 11, 2013 at 12:27 PM, Nicole Buffa <nicole_buffa@ios.doi.gov> wrote:
>
> Great! Has OMB cleared our template? And if so, can I say this agreement matches the template that's been cleared? Thanks.
>
> On Oct 11, 2013, at 12:24 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:
>
>> Heads-up for clearance/roll-out: We are near ready to send Colorado an agreement that they will probably sign and announce immediately. They want Rocky Mountain N.P. open in 12 hours, so they may need to have their expectations updated.
>
>> Sent from my iPad
>
>> Begin forwarded message:

From: "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
Date: October 11, 2013, 12:13:03 PM EDT
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
Subject: Re: NPS Agreement for ROMO

Thanks Ed. Can you give us a sense on timing? It is going to take the folks in the park 12 hours to open the park and we need it open tomorrow morning.

Appreciate your help,

Stephanie

On Friday, October 11, 2013, Boling, Edward wrote:

Doug,

This draft agreement is still being reviewed here. We have at least one change and may have others. Therefore, it will have to be re-signed. Please allow us the time necessary to provide you with a draft that we are prepared to sign.

Please feel free to call me at the number below if you have any questions or concerns.

Regards,

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 Fri, Oct 11, 2013 at 11:44 AM, Young - GovOffice, Douglas <douglas.young@state.co.us> wrote:

Attached please find the signed agreement to reopen Rocky Mountain National Park.

Please let me know if there are any issues that need fixing and if the pdf version is sufficient.

Thank you,

Doug

--

Doug Young
Senior Policy Director
Governor John Hickenlooper
Office of Policy and Research
136 State Capitol, Denver, CO 80203
(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--
Blake Androff
Deputy Director of Communications
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Office: (202) 208-6416 | Cell: (202) 725-7435

--
Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary

Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

--

Sarah C. Neimeyer, Director
Office of Congressional and Legislative Affairs
Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 1:51 PM
To: Kelly, Katherine
Cc: Haugrud, Jack; Ted Boling; laura davis; Nicole Buffa; O'Dell, Peggy; jon jarvis; Suzanne Waldron; maureen foster; Sarah Neimeyer; Benjamin Milakofsky
Subject: Re: draft Utah release

Copied below is the updated release. Please let me know **ASAP** if you have any concerns. We will try to get this out in the next 30 minutes.

Thanks!

Best,

Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

National Park Service Enters Agreement with State of Utah to Re-open Eight National Parks

Park Service is in the process of negotiating similar agreements with other states

The National Park Service today announced that it has entered into an agreement with the State of Utah that will allow eight national parks in the state to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this shutdown," said Secretary Sally Jewell. "We want to re-open all of our national parks as quickly possible for everyone to enjoy and call on Congress to pass a clean continuing resolution to open the government."

Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park.

The agreement funds Utah's eight national parks for a period of 10 days, running from Friday, October 11 through Sunday, October 20 at the donated amount of $1,665,720.80.

The Antideficiency Act prohibits agencies from incurring obligations that are in advance of, or that exceed, an appropriation from Congress. During the shutdown, the National Park Service has closed and secured national park facilities and grounds and suspended all activities except for those essential to respond to emergencies involving the safety of human life or the protection of property.

###

On Thu, Oct 10, 2013 at 11:40 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
pretty cut and dry - please let me know what edits or additional information we should add. Edits back before 8am would be the most appreciated.

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"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this senseless shutdown," said Secretary Sally Jewell. "We appreciate the outpouring of support from the American people who want all 401 of their national parks open and look forward to replacing this band-aid as soon as Congress passes an appropriations bill."

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###

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 1:54 PM
To: Androff, Blake
Cc: Kelly, Katherine; Haugrud, Jack; Ted Boling; laura davis; Nicole Buffa; O'Dell, Peggy; jon jarvis; maureen foster; Sarah Neimeyer; Benjamin Milakofsky
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good here

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Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon

National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park.

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Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

--

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

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

EXPERIENCE YOUR AMERICA

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 1:57 PM
To: Sally Jewell
Cc: Laura Davis; Nicole Buffa; Katherine Kelly; Jonathan Jarvis; Benjamin Milakofsky
Subject: Utah Press Release

Hi Sally --

Copied below is the final press release that we will send shortly to announce the Utah agreement. It will be used as the template for similar releases for additional states today and in the days ahead.

This has cleared all of the relevant hurdles so we will try to get this out in the next 30 minutes.

Thanks!

Best,

Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

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Park Service is in the process of negotiating similar agreements with other states

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###

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
Office: (202) 208-6416 | Cell: (202) 725-7435

From: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Sent: Friday, October 11, 2013 1:58 PM
To: Jon Jarvis; Peggy O'Dell; Maureen Foster; Edward Boling; Douglas Glenn; Colin Campbell; Barry N Roth
Subject: Colorado donation

we have received confirmation of the Colorado donation- 9 days for ROMO total $362,700

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

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Friday, October 11, 2013 2:02 PM
To: Waldron, Suzanne
Cc: Androff, Blake; Kelly, Katherine; Haugrud, Jack; Ted Boling; laura davis; Nicole Buffa; jon jarvis; maureen foster; Sarah Neimeyer; Benjamin Milakofsky
Subject: Re: draft Utah release

Good

Sent from my iPhone

On Oct 11, 2013, at 1:54 PM, "Waldron, Suzanne" <sue_waldron@nps.gov> wrote:

> good here
>
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>
> Thanks!
>
> Best,
>
> Blake

Date: October 11, 2013
Contact: DOI_Shutdown@ios.doi.gov

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pretty cut and dry - please let me know what edits or additional information we should add. Edits back before 8am would be the most appreciated.

(b) (5)

(b) (5)

[redacted]

###

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

--

Blake Androff
Deputy Director of Communications
U.S. Department of the Interior
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--

Sue Waldron
Assistant Director, Communications

National Park Service
(202) 208-3046
Visit us at www.nps.gov

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

EXPERIENCE YOUR AMERICA

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Friday, October 11, 2013 2:09 PM
To: Rachel Jacobson
Cc: Jon Jarvis; Peggy O'Dell; Bruce Sheaffer
Subject: Fwd: U.S. Parks in Missouri

The state is especially interested in having the Arch open for the playoff games with the St. Louis Cardinals.

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.

---------- Forwarded message ----------
From: **Barrett, Michael** <Michael.Barrett@mo.gov>
Date: Fri, Oct 11, 2013 at 1:35 PM
Subject: U.S. Parks in Missouri
To: "maureen_foster@nps.gov" <maureen_foster@nps.gov>

Ms. Foster:

My name is Michael Barrett, Deputy General Counsel to Governor Nixon. As a follow-up to your conversation with John Watson, the State of Missouri is eager to begin opening select federal parks located in Missouri. We will promptly review the agreement required to make that happen, though the general terms, as you described them, appear to be satisfactory.

While it is our intention to continue to update you on the developing list of priorities, the immediate park priorities are:

1. The Gateway Arch, St. Louis, Missouri; and

2. The Ozark National Scenic Riverway.

Thank you for your immediate attention to this matter.

Michael Barrett

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 2:36 PM
To: Ahern, Jane; Peggy O'Dell; Maureen Foster; Jon Jarvis; Blake Androff; Edward Boling; Barry Roth; Bruce Sheaffer; Cam Sholly
Cc: Michael Caldwell; John Piltzecker; Stephen Clark; Gay Vietzke; Dennis Reidenbach
Subject: Re: Some news on STLI - one example

looping others

On Fri, Oct 11, 2013 at 2:32 PM, Ahern, Jane <jane_ahern@nps.gov> wrote:
http://www.nj.com/news/index.ssf/2013/10/talks_to_re-open_statue_of_liberty_underway.html

--
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
The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

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

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

From: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Sent: Friday, October 11, 2013 2:49 PM
To: Rachel Jacobson; Maureen Foster; Peggy O'Dell; Jon Jarvis
Subject: Re: Fwd: U.S. Parks in Missouri

many have asked the cost of JEFF..

cost per day is $30,800

On Fri, Oct 11, 2013 at 2:40 PM, Rachel Jacobson <rachel_jacobson@ios.doi.gov> wrote:
Interest on 6th floor in what the arch number would be ...

From: Rachel Jacobson [mailto:rachel_jacobson@ios.doi.gov]
Sent: Friday, October 11, 2013 11:17 AM
To: 'Bruce_Sheaffer@nps.gov' <Bruce_Sheaffer@nps.gov>
Subject: Fw: Fwd: U.S. Parks in Missouri

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Friday, October 11, 2013 11:08 AM
To: Rachel Jacobson <Rachel_Jacobson@ios.doi.gov>
Cc: Jon Jarvis <Jon_Jarvis@nps.gov>; Peggy O'Dell <Peggy_O'Dell@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
Subject: Fwd: U.S. Parks in Missouri

The state is especially interested in having the Arch open for the playoff games with the St. Louis Cardinals.

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.

---------- Forwarded message ----------
From: **Barrett, Michael** <Michael.Barrett@mo.gov>

Date: Fri, Oct 11, 2013 at 1:35 PM
Subject: U.S. Parks in Missouri
To: "maureen_foster@nps.gov" <maureen_foster@nps.gov>

Ms. Foster:

My name is Michael Barrett, Deputy General Counsel to Governor Nixon. As a follow-up to your conversation with John Watson, the State of Missouri is eager to begin opening select federal parks located in Missouri. We will promptly review the agreement required to make that happen, though the general terms, as you described them, appear to be satisfactory.

While it is our intention to continue to update you on the developing list of priorities, the immediate park priorities are:

1. The Gateway Arch, St. Louis, Missouri; and
2. The Ozark National Scenic Riverway.

Thank you for your immediate attention to this matter.

Michael Barrett

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

From: Buffa, Nicole <nicole_buffa@ios.doi.gov>
Sent: Friday, October 11, 2013 2:51 PM
To: Neimeyer, Sarah
Cc: Boling, Edward; Androff, Blake; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
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> **Date:** October 11, 2013, 12:13:03 PM EDT
> **To:** "Boling, Edward" <ted.boling@sol.doi.gov>
> **Cc:** "Young - GovOffice, Douglas" <douglas.young@state.co.us>, Kevin Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, roxane white <Roxane.White@state.co.us>, Joseph Garcia - GovOffice <josephagarcia@state.co.us>, eric brown <eric.brown@state.co.us>
> **Subject: Re: NPS Agreement for ROMO**
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(303) 866-5465; cell: (303) 913-7833
Douglas.young@state.co.us

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Stephanie F. Donner

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Office of the Governor

136 State Capitol Building

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Blake Androff
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--

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U.S. Department of the Interior

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Sarah C. Neimeyer, Director
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Office of the Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Office - (202) 208-5557
Fax - (202) 208-5533

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Nikki Buffa
Deputy Chief of Staff
US Department of the Interior
202-219-3861
nicole_buffa@ios.doi.gov

From: Androff, Blake <blake_androff@ios.doi.gov>
Sent: Friday, October 11, 2013 2:57 PM
To: Buffa, Nicole
Cc: Neimeyer, Sarah; Boling, Edward; Laura Davis; Kevin Haugrud; Nicole Buffa; Jonathan Jarvis; Maureen Foster; Margaret O'Dell; Pam Haze; Rachel Jacobson; Katherine Kelly; Suzanne Waldron
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Subject: Re: NPS Agreement for ROMO
Attachments: NPS Colorado Donation Agreement.pdf

Here's the final for Rocky Mountain N.P.!

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Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Colorado

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter "ROMO") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is $40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is $362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., $80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Chief of Staff
Governor
State of Colorado
136 State Capitol
Denver, CO 80203
Telephone: (303) 866-6290

Telefax: (303) 866-2003
Email: roxane.white@state.co.us

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jarvis

Name (signature)

Director, National Park Service

Title

10/11/2013

Date

For the State of Colorado:

Name (signature)

Joseph A. Garcia, Lt. Governor, State of Colorado
Acting pursuant to Colo. Const. Article IV, Section 13(5)

Title

10/11/2013

Date

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 9:56 PM
To: Peggy O'Dell; Jon Jarvis
Subject: Fwd:

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.

---------- Forwarded message ----------
From: **Howard Glaser** <Howard.Glaser@exec.ny.gov>
Date: Thu, Oct 10, 2013 at 8:31 PM
Subject:
To: "maureen_foster@nps.gov" <maureen_foster@nps.gov>

I just want to emphasize that if we can get number tonite that we can agree on, that will enable announcememt tomorrow and presume weekend opening. We have a lot of jobs/tourism revenue riding on getting open by weekend.

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 9:57 PM
To: Peggy O'Dell; Jon Jarvis
Subject: Fwd: Gov Cuomo//Statue of Liberty etc

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)

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so that all may experience our heritage.

---------- Forwarded message ----------
From: **Alexander Cochran** <Alexander.Cochran@exec.ny.gov>
Date: Thu, Oct 10, 2013 at 8:30 PM
Subject: RE: Gov Cuomo//Statue of Liberty etc
To: "Foster, Maureen" <maureen_foster@nps.gov>, Howard Glaser <Howard.Glaser@exec.ny.gov>
Cc: Basil Seggos <Basil.Seggos@exec.ny.gov>

Maureen pls send contact info.

Also pls let comptroller that MSNBC just did a big piece on statue of liberty employees and having to collect unemployment ins. They didn't do it with other so called icons.

Press-press-pressing for numbers.

Chris Hayes will also talk with a worker at the Statue of Liberty Park, Lashante Austin, who is furloughed due to the shutdown and unable to pay her bills. Larry Anderson, Executive Vice President of the Service Employees International Union that represents the workers at the Statue of Liberty, will also join the conversation.

ALEXANDER

Alexander Cochran

Special Counsel to the Governor

202.434.7112 (O)

518.763.2609 (C)

From: Foster, Maureen [mailto:maureen_foster@nps.gov]
Sent: Thursday, October 10, 2013 7:22 PM
To: Howard Glaser
Cc: Alexander Cochran; Basil Seggos

Subject: Re: Gov Cuomo//Statue of Liberty etc

I talked to one of you on the phone -- sorry I didn't catch who it was. Following up in case we need to do more tonight.

We are still pulling the figures for the costs for Statue of Liberty; I don't have them yet and it may be tomorrow morning.

But we can talk about the general terms tonight if needed. The concessions revenues would not be applied against the costs; they are used for upkeep and improvement of concession facilities, not daily operations.

Let me know if we need to touch base tonight. My cell is 202.306.3845.

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)

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so that all may experience our heritage.

On Thu, Oct 10, 2013 at 6:44 PM, Howard Glaser <Howard.Glaser@exec.ny.gov> wrote:

Maureen are the collected concession revenues applied against costs.

----- Original Message -----
From: Maureen Foster [mailto:maureen_foster@nps.gov]
Sent: Thursday, October 10, 2013 06:26 PM
To: Alexander Cochran
Cc: Howard Glaser; Basil Seggos
Subject: Re: Gov Cuomo//Statue of Liberty etc

Would you like to talk tonight or in the morning?

We can talk about our general agreement template, funds transfer mechanism, and the terms of the re-opening.

I will get our folks to pull the costs for re-opening the park.

Thanks.

Maureen D. Foster
National Park Service
202.208.5970 office
202.306.3845 cell

On Oct 10, 2013, at 6:13 PM, Alexander Cochran
<Alexander.Cochran@exec.ny.gov> wrote:

> Maureen
>
> This is Alexander Cochran in Gov Cuomo's office and cc'd is howard Glaser Director of State Operations and Basil Seggos, Governor Cuomo's environment and parks policy advisor.
>
> We would like to follow-up on the letter and press comments concerning state funding of nat'l parks. In particular the revenue being lost by small business and tourism being hurt in regards to Statue of Liberty has us looking hard at the Secretary's statement today and seeing if this is something we can afford to do, process and likelihood of repayment by the federal government.
> There might be other national parks that we want to discuss too.
>
> How can we best follow-up with you and your team?
>
> Thanks for you attention,
>
> A
>
> ALEXANDER
>
>
>
> Alexander Cochran
> Special Counsel to the Governor
>
> 202.434.7112 (o)
> 518.763.2609 (c)
>
>
> **********
> WE WORK FOR THE PEOPLE
> Performance * Integrity * Pride

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

****
WE WORK FOR THE PEOPLE
Performance * Integrity * Pride

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 9:57 PM
To: Jon Jarvis; Peggy O'Dell
Subject: Fwd:

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)

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

---------- Forwarded message ----------
From: **Howard Glaser** <Howard.Glaser@exec.ny.gov>
Date: Thu, Oct 10, 2013 at 9:02 PM
Subject:
To: "maureen_foster@nps.gov" <maureen_foster@nps.gov>, Joshua Vlasto <Joshua.Vlasto@exec.ny.gov>, Basil <Basil@exec.ny.gov>

Hi Maureen.
Our look at the numbers shows:

2012 enacted budget (Congress continued same for 2013—take into account sequestration)

$15,700,000

Unadjusted for seasonal variation, that would equate to
$43,013.69/ per day.

How does that fit w your look. Not sure we can do that amount but want to understand how it relates to how you calculate.

****
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From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Thursday, October 10, 2013 9:58 PM
To: Jon Jarvis
Subject: Fwd: Draft donation agreement

FYI

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.

---------- Forwarded message ----------
From: **Donner - GovOffice, Stephanie** <stephanie.donner@state.co.us>
Date: Thu, Oct 10, 2013 at 8:18 PM
Subject: Re: Draft donation agreement
To: "Eaton, Robert" <robert.eaton@sol.doi.gov>
Cc: Kevin Haugrud <jack.haugrud@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>

Thank you. I don't think we are going to proceed tonight.

On Thursday, October 10, 2013, Eaton, Robert wrote:
Stephanie,

Attached is a draft agreement to enable the NPS to use funds donated by the State of Colorado to reopen, operate, and manage Rocky Mountain National Park during the shutdown period. Please review and let me know your thoughts at your earliest convenience. My direct number is (202) 208-6535. Thanks.

Rob

Robert C. Eaton, Assistant Solicitor

Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-7957
Telefax: (202) 208-3877

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--

Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Thursday, October 10, 2013 10:25 PM
To: Buffa, Nicole
Subject: Re: I'm sorry

Ok. I talked with Sally. Twice with Utah Governors office. He is signing agreement and holding press conference as we write this. I think it will be positive. Very frustrated staff who worked their butts off to get this done.

Sent from my iPhone

On Oct 10, 2013, at 9:23 PM, "Buffa, Nicole" <nicole_buffa@ios.doi.gov> wrote:

> Am on a very long call with Laura and Sally. One of them will call you back as soon as possible.
>
> --
>
> Nikki Buffa
> Deputy Chief of Staff
> US Department of the Interior
> 202-219-3861
> nicole_buffa@ios.doi.gov

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 10:56 PM
To: Jonathan Jarvis
Subject: Re: I'm sorry

Ok. Thanks for the update. Kate and I are in the office now still trying to hammer out the comms materials. I know this is frustrating. We're all doing our best.

On Oct 10, 2013, at 10:24 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:

> Ok. I talked with Sally. Twice with Utah Governors office. He is signing agreement and holding press conference as we write this. I think it will be positive. Very frustrated staff who worked their butts off to get this done.
>
> Sent from my iPhone
>
> On Oct 10, 2013, at 9:23 PM, "Buffa, Nicole" <nicole_buffa@ios.doi.gov> wrote:
>
>> Am on a very long call with Laura and Sally. One of them will call you back as soon as possible.
>>
>> --
>>
>> Nikki Buffa
>> Deputy Chief of Staff
>> US Department of the Interior
>> 202-219-3861
>> nicole_buffa@ios.doi.gov

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Thursday, October 10, 2013 11:02 PM
To: Jon Jarvis; Peggy O'Dell; Rachel Jacobson; jack.haugrud@sol.doi.gov
Subject: Fwd: fyi on what the gov's folks are saying tonight (story posted two hours ago)

FYI, in case you didn't see this.

Begin forwarded message:

> **From:** "Kelly, Katherine" <kate_kelly@ios.doi.gov>
> **Date:** October 10, 2013, 10:50:17 PM EDT
> **To:** Sally Jewell <[redacted]@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>
> **Subject: fyi on what the gov's folks are saying tonight (story posted two hours ago)**

http://www.ksl.com/index.php?nid=960&sid=27184250&fm=most_popular

Deal could open Utah's national parks within 24 hours
October 10, 2013

SALT LAKE CITY — A contract with the federal government to reopen Utah's shuttered national parks within 24 hours is in the works, Gov. Gary Herbert said Thursday.

Herbert said he has had several conversations with the Department of the Interior and at least two with Interior Secretary Sally Jewell in the past two days.

"She has given me the go-ahead to develop contracts so that we can open up the parks," he said.

"We've got our legal team working with their legal team on the agreement. We're working to put up money in advance, which would literally be wired to them. Hopefully, that would happen today," Herbert said Thursday.

Herbert didn't immediately know how much money the state would front or which parks would reopen, though he said Jewell told him the parks could be open within 24 hours of getting a deal done. The state is gathering information on daily operating costs, he said.

"We'll see what we can afford and what we can do," the governor said.

The governor's office could use emergency funds to keep the parks open for four or five days. Beyond that, Herbert would have to call lawmakers into a special session next week to appropriate more money.

Herbert said he's also working with Utah's congressional delegation to make sure the state is paid back.

A work in progress

The Obama administration said Thursday it will allow states to use their own money to reopen some national parks. Governors in Utah, Arizona, Colorado and South Dakota asked for that authority because of the impact the closures are having on their local economies.

Herbert called on the president in a letter Tuesday to reopen the state's five national parks and several national monuments, historic sites and recreation areas. On Wednesday, he told Jewell that Utah would lend the federal government money and use state and local resources to get the parks running again.

Herbert spokeswoman Ally Isom said there are still many details to work out, especially related to money.

"Secretary Jewell lacks the authority to obligate the federal government for the financial obligations, so we still have to determine what we're going to do with the congressional delegation to ensure the state of Utah is repaid," she said.

Senate Majority Leader Ralph Okerlund, R-Monroe, said he talked with the governor Wednesday about the possibility of a special session and taking $5 million from the state's Rainy Day Fund. He said he supports the governor moving forward because the most important thing is opening the parks.

Okerlund said the Legislature could be called into session next Wednesday to "make an appropriation if we need to and finish it up. It might take a little bill to tie everything together."

Either way, he anticipates lawmakers would consider legislation in the general session next year to set aside money and outline a plan for the state to run the parks in the event of a future federal shutdown.

House Minority Assistant Whip Rebecca Chavez-Houck, D-Salt Lake City, said she understands the economic hardship facing those whose livelihood depends on the parks.

"But there may be other issues related to health, safety and people getting fed that we might have to step forward and provide state resources to offset what we're not getting from the feds," she said.

Chavez-Houck said she also finds it ironic that Republicans who complain about the federal government not paying its debts would trust it to pay Utah back for what it might spend to run the parks.

"We'll trust them to do that, yet for some reason we can't move forward with Medicaid expansion because we're concerned about whether the federal government is going to meet its promises," she said. "There are pressing needs all across the board, and there are a number of Utahns who are in crisis right now."

The economic problem

Herbert said the shutdown is "decimating" bottom lines for motels, restaurants and outfitters around the state's national recreation areas.

"I'm very, very concerned about those in rural Utah that are impacted in such a negative way because of the closure of these parks. We need to do everything we can to help them," the governor said.

Dean Cook, general manager of the Best Western Zion Park Inn, estimates revenue dropped 15 percent the first week of the shutdown, and he expects to lose as much as 33 percent this week.

"We have lost significant dollars in these 10 days that unfortunately we'll never be able to recoup," he said. "October is a big month for us, usually one of the top three in a given year."

Cook, president of the Zion Canyon Visitors Bureau, said opening the park won't make up for the losses but will give local businesses a better chance to get through the slow winter season.

Zion National Park lost 72,876 visitors in the first 10 days of the shutdown, costing local communities $3.5 million, according to the Coalition of National Park Service Retirees.

Jewell spokesman Blake Anderoff said the Interior Department will consider agreements with governors who "indicate an interest and ability to fully fund National Park Service personnel to reopen national parks in their states," according to the Associated Press.

Decisions about which parks to reopen and for how long have not been made, Anderoff said.

"If we need to have somebody in charge there that's a federal government employee, we'll pay their salary," Herbert said Wednesday. "We'll make sure that they get a paycheck."

Stephen Bloch, legal director for the Southern Utah Wilderness Alliance, said this is a good thing for Utah businesses that are heavily dependent on federal public lands for their financial livelihood.

"However, it is clearly not sustainable. We urge Gov. Herbert and local officials to press Sen. Mike Lee and the other members of the Utah congressional delegation to pass a clean continuing resolution and fund the federal government," Bloch said.

Contributing: Peter Samore and Richard Piatt

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Kelly, Katherine <kate_kelly@ios.doi.gov>
Sent: Thursday, October 10, 2013 11:16 PM
To: Sally Jewell; laura davis; Nicole Buffa; jon jarvis; O'Dell, Peggy
Subject: Salt Lake Tribune story

Jon - I'm getting questions to confirm this deal has been signed. Is that accurate? Looping others for awareness about the story.

Utah national parks to open Saturday with state aid

Budget shutdown • Expense per day will amount to $167,000. Utah believes it's worth it and hopes to have the money repaid.

BY ROBERT GEHRKE, BRIAN MAFFLY AND JIM DALRYMPLE II

THE SALT LAKE TRIBUNE

PUBLISHED: OCTOBER 10, 2013 09:07PM

UPDATED: OCTOBER 10, 2013 09:11PM

Trent Nelson | The Salt Lake Tribune Representatives from several counties and state government met in St. George to hear a plan to reopen national parks as the government shutdown continues, Thursday, October 10, 2013.

Ten days after a federal government deadlock shut down Utah's National Parks, bleeding tourism-dependent businesses and towns, Utah Gov. Gary Herbert inked a deal late Thursday and wired funds to the Interior Department that should have parks gates swinging open by Saturday morning.

Utah taxpayers will loan the federal government $1.7 million, enough to keep five National Parks — Zion, Bryce, Arches, Canyonlands and Capitol Reef — and Natural Bridges, Glen Canyon and Cedar Breaks national monuments open for 10 days. The Legislature, which will meet in special session Wednesday, can approve funds to keep the areas open beyond that time.

Herbert wrote to President Barack Obama earlier this week, offering state funding and asking the president for the "keys to the gates." Thursday morning, Interior Secretary Sally Jewell spoke to Herbert by phone, expressing a willingness to consider the state's offer, sparking a scramble to hammer out the deal finalized Thursday evening.

The agreement defuses a looming confrontation between the park service and some southern Utah counties whose elected leaders were bent on reopening park units with county sheriffs and personnel.

Herbert said he doesn't need legislative approval to move forward. Isom said the governor's office has enough money to cover a few days of operations, but Herbert plans to issue a proclamation Friday calling the Legislature into special session Wednesday to approve additional, longer-term funding.

It would take an act of Congress to approve repayment of the funds.

—

Local leaders react • At a meeting in St. George, House Speaker Becky Lockhart, R-Provo, and Herbert deputy chief of staff Mike Mower conveyed the good news to local officials, drawing applause — although some groans, too, from those who want to swing the gates open now.

Asked about a 24-hour wait, Washington County Commissioner Alan Gardner said, "I thought, 'Wow, that's a long time.' "

He also worried that many tourists original heading to the parks may have already changed their plans, opting for other destinations.

Mower said the governor is "planning on a full opening" of the national parks, rather than a partial one. He also said the federal government would retain liability for what occurred inside the parks.

Lockhart, who was running the meeting, expressed concern about loaning money to Washington, D.C.

"Let's remember," Lockhart said, "why this is happening: the utter failure of the federal government."

She pointed out that the federal government doesn't currently have the highest credit rating. She also said issues such as interest still have to be determined. "The Legislature is probably going to want some assurances."

Senate Majority Leader Ralph Okerlund, R-Monroe, whose district includes Bryce Canyon and Capitol Reef national parks and the Grand Staircase-Escalante National Monument, said there has been frustration that the government would hurt small businesses and communities over a political squabble, but there is relief that a temporary fix appears near.

Okerlund said the governor can probably initiate the process to reopen the parks so there is no delay, but lawmakers will want a role.

"The Legislature should be involved," he said, "and will want to be involved in this process."

The closures of the parks and monuments have dealt a devastating blow to the visitor-dependent gateway communities around them. Zion National Park, for example, is the state's third-most-visited tourist destination and a key piece of Utah's $7.4 billion tourism economy.

In one example, Garfield County Commissioner Leland Pollock said the proposed agreement between the feds and state has saved some 100 jobs at Ruby's Inn near Bryce Canyon.

"We understand these local communities are hemorrhaging economically and that is our primary motivation, to restore our tourism infrastructure to being fully operational," Isom, the governor's spokeswoman, said. "That includes the national parks, because we do understand there are people at the local level that are suffering because of Washington, D.C.'s, inability to find a solution."

San Juan County Commissioner Phil Lyman said he was eager to assert county "jurisdiction" over Natural Bridges National Monument and Glen Canyon National Recreation Area, but he is pleased that such action may not be necessary. San Juan was among several counties this week to declare a local emergency because of the harsh economic impact from the park closures.

"I'm thrilled to get these parks back open. That was our main objective. I'm proud of Governor Herbert stepping up," Lyman said in a phone interview Thursday morning from Halls Crossing on Lake Powell, standing near the quiet marina and boat ramp. "We would have been opening those today. We felt compelled to acquiesce to the governor's request to stand down. We are subdivisions of the state, as much as we feel like bucking federal authority."

Washington County Commissioner Dennis Drake said Thursday's development was welcome news because his county is home to Zion, which normally gets 10,000 visitors a day this time of year.

"It is huge for Washington County and all the recreation areas in the state. There are so many businesses that can be crushed by the closures," Drake said. U.S. Rep. Rob Bishop, R-Utah, welcomed the breakthrough and commended Herbert and Jewell for "setting politics aside." He added he is confident Congress can agree to compensate states for keeping the parks open.

—

20,000 park workers • Interior spokesman Blake Androff noted that 20,000 park service employees are on furlough nationally during the shutdown — spread among 401 national parks.

"We continue to call on Congress to act swiftly to enact appropriations for the entire government," he said.

Governors of South Dakota, Arizona and Colorado have made requests similar to Utah's to tap state resources to reopen the parks.

Isom said the parks and tourism are far from the only hardships created by the federal shutdown, now in its second week. The state has been propping up food-stamp programs and other "safety-net" items, but that money could run out within a week or two, Isom said, putting pressure on Utah's poor "who face real life-or-death challenges at that point."

"The governor is not only concerned about national parks and local economies, but he is also concerned about those who are reliant on our safety-net programs, and there is only so much available in our revenue streams," Isom said. "The impasse is ridiculous at this point."

—

Coalition: Park closures drive losses in visitor spending

More than $3.4 million in visitor spending has been lost since the Oct. 1 closure of Zion National Park, according to the Coalition of National Park Service Retirees.

The park's closure due to the federal government shutdown has threatened more than 2,401 jobs, including 2,136 local jobs not affiliated with the National Park Service, the coalition said.

The group reported losses for Zion and other parks across the country for the first 10 days of the shutdown based on visitation numbers from Oct. 12, 2012.

Other major impacts in lost dollars include: $11.7 million at Grand Canyon National Park, $5.2 million at Acadia National Park, and $23.1 million at Great Smoky Mountains National Park.

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 11:19 PM
To: Jon Jarvis; Bruce Sheaffer; Maureen Foster
Cc: Edward Boling; Sue Waldron; Barry Roth; Robert Eaton
Subject: Fwd: fyi on what the gov's folks are saying tonight (story posted two hours ago)

Thought you would be interested.

Sent from my iPhone

Begin forwarded message:

> **From:** Sally Jewell [redacted]@ios.doi.gov>
> **Date:** October 10, 2013, 11:01:51 PM EDT
> **To:** Jon Jarvis <jon_jarvis@nps.gov>, "Peggy O'Dell" <Peggy_O'Dell@nps.gov>, Rachel Jacobson <rachel_jacobson@ios.doi.gov>, "jack.haugrud@sol.doi.gov" <jack.haugrud@sol.doi.gov>
> **Subject: Fwd: fyi on what the gov's folks are saying tonight (story posted two hours ago)**
>
> FYI, in case you didn't see this.
>
> Begin forwarded message:
>
> > **From:** "Kelly, Katherine" <kate_kelly@ios.doi.gov>
> > **Date:** October 10, 2013, 10:50:17 PM EDT
> > **To:** Sally Jewell <[redacted]@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>
> > **Subject: fyi on what the gov's folks are saying tonight (story posted two hours ago)**
> >
> > http://www.ksl.com/index.php?nid=960&sid=27184250&fm=most_popular
> >
> > Deal could open Utah's national parks within 24 hours
> > October 10, 2013
> >
> > SALT LAKE CITY — A contract with the federal government to reopen Utah's shuttered national parks within 24 hours is in the works, Gov. Gary Herbert said Thursday.

Herbert said he has had several conversations with the Department of the Interior and at least two with Interior Secretary Sally Jewell in the past two days.

"She has given me the go-ahead to develop contracts so that we can open up the parks," he said.

"We've got our legal team working with their legal team on the agreement. We're working to put up money in advance, which would literally be wired to them. Hopefully, that would happen today," Herbert said Thursday.

Herbert didn't immediately know how much money the state would front or which parks would reopen, though he said Jewell told him the parks could be open within 24 hours of getting a deal done. The state is gathering information on daily operating costs, he said.

"We'll see what we can afford and what we can do," the governor said.

The governor's office could use emergency funds to keep the parks open for four or five days. Beyond that, Herbert would have to call lawmakers into a special session next week to appropriate more money.

Herbert said he's also working with Utah's congressional delegation to make sure the state is paid back.

A work in progress

The Obama administration said Thursday it will allow states to use their own money to reopen some national parks. Governors in Utah, Arizona, Colorado and South Dakota asked for that authority because of the impact the closures are having on their local economies.

Herbert called on the president in a letter Tuesday to reopen the state's five national parks and several national monuments, historic sites and recreation areas. On Wednesday, he told Jewell that Utah would lend the federal government money and use state and local resources to get the parks running again.

Herbert spokeswoman Ally Isom said there are still many details to work out, especially related to money.

"Secretary Jewell lacks the authority to obligate the federal government for the financial obligations, so we still have to determine what we're going to do with the congressional delegation to ensure the state of Utah is repaid," she said.

Senate Majority Leader Ralph Okerlund, R-Monroe, said he talked with the governor Wednesday about the possibility of a special session and taking $5 million from the state's Rainy Day Fund. He said he supports the governor moving forward because the most important thing is opening the parks.

Okerlund said the Legislature could be called into session next Wednesday to "make an appropriation if we need to and finish it up. It might take a little bill to tie everything together."

Either way, he anticipates lawmakers would consider legislation in the general session next year to set aside money and outline a plan for the state to run the parks in the event of a future federal shutdown.

House Minority Assistant Whip Rebecca Chavez-Houck, D-Salt Lake City, said she understands the economic hardship facing those whose livelihood depends on the parks.

"But there may be other issues related to health, safety and people getting fed that we might have to step forward and provide state resources to offset what we're not getting from the feds," she said.

Chavez-Houck said she also finds it ironic that Republicans who complain about the federal government not paying its debts would trust it to pay Utah back for what it might spend to run the parks.

"We'll trust them to do that, yet for some reason we can't move forward with Medicaid expansion because we're concerned about whether the federal government is going to meet its promises," she said. "There are pressing needs all across the board, and there are a number of Utahns who are in crisis right now."

The economic problem

Herbert said the shutdown is "decimating" bottom lines for motels, restaurants and outfitters around the state's national recreation areas.

"I'm very, very concerned about those in rural Utah that are impacted in such a negative way because of the closure of these parks. We need to do everything we can to help them," the governor said.

Dean Cook, general manager of the Best Western Zion Park Inn, estimates revenue dropped 15 percent the first week of the shutdown, and he expects to lose as much as 33 percent this week.

"We have lost significant dollars in these 10 days that unfortunately we'll never be able to recoup," he said. "October is a big month for us, usually one of the top three in a given year."

Cook, president of the Zion Canyon Visitors Bureau, said opening the park won't make up for the losses but will give local businesses a better chance to get through the slow winter season.

Zion National Park lost 72,876 visitors in the first 10 days of the shutdown, costing local communities $3.5 million, according to the Coalition of National Park Service Retirees.

Jewell spokesman Blake Anderoff said the Interior Department will consider agreements with governors who "indicate an interest and ability to fully fund National Park Service personnel to reopen national parks in their states," according to the Associated Press.

Decisions about which parks to reopen and for how long have not been made, Anderoff said.

"If we need to have somebody in charge there that's a federal government employee, we'll pay their salary," Herbert said Wednesday. "We'll make sure that they get a paycheck."

Stephen Bloch, legal director for the Southern Utah Wilderness Alliance, said this is a good thing for Utah businesses that are heavily dependent on federal public lands for their financial livelihood.

"However, it is clearly not sustainable. We urge Gov. Herbert and local officials to press Sen. Mike Lee and the other members of the Utah congressional delegation to pass a clean continuing resolution and fund the federal government," Bloch said.

Contributing: Peter Samore and Richard Piatt

--

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Director of Communications
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(202) 208 2409
kate_kelly@ios.doi.gov

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Thursday, October 10, 2013 11:31 PM
To: Jon Jarvis; Rachel Jacobson; Nicole Buffa; Laura Davis; Sue Waldron; Kate Kelly; Blake J Androff; Sally Jewell
Cc: Maureen Foster
Subject: Fwd: Draft donation agreement

FYI from Colorado. Don't know if it is a no thank you for continuing work tonight or no thank you they don't want to proceed at all. Team will follow up tomorrow.
Sent from my iPhone

Begin forwarded message:

> **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> **Date:** October 10, 2013, 8:18:14 PM EDT
> **To:** "Eaton, Robert" <robert.eaton@sol.doi.gov>
> **Cc:** Kevin Haugrud <jack.haugrud@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>
> **Subject: Re: Draft donation agreement**
>
> Thank you. I don't think we are going to proceed tonight.
>
> On Thursday, October 10, 2013, Eaton, Robert wrote:
> Stephanie,
>
> Attached is a draft agreement to enable the NPS to use funds donated by the State of Colorado to reopen, operate, and manage Rocky Mountain National Park during the shutdown period. Please review and let me know your thoughts at your earliest convenience. My direct number is (202) 208-6535. Thanks.
>
> Rob

Robert C. Eaton, Assistant Solicitor
Branch of National Parks
Division of Parks and Wildlife
Office of the Solicitor
U.S. Department of the Interior
MS 5312
1849 C Street, NW
Washington, DC 20240
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--

Stephanie F. Donner

Senior Deputy Legal Counsel

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Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Thursday, October 10, 2013 11:36 PM
To: Margaret O'Dell
Cc: Jon Jarvis; Rachel Jacobson; Nicole Buffa; Laura Davis; Sue Waldron; Kate Kelly; Blake J Androff; Sally Jewell; Maureen Foster
Subject: Re: Draft donation agreement

My understanding is that they still want to negotiate but we can clarify in the morning. Thanks again, everyone.

On Oct 10, 2013, at 11:30 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

> FYI from Colorado. Don't know if it is a no thank you for continuing work tonight or no thank you they don't want to proceed at all. Team will follow up tomorrow.
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** "Donner - GovOffice, Stephanie" <stephanie.donner@state.co.us>
> > **Date:** October 10, 2013, 8:18:14 PM EDT
> > **To:** "Eaton, Robert" <robert.eaton@sol.doi.gov>
> > **Cc:** Kevin Haugrud <jack.haugrud@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>
> > **Subject: Re: Draft donation agreement**
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> > Rob
> >
> > Robert C. Eaton, Assistant Solicitor
> > Branch of National Parks
> > Division of Parks and Wildlife
> > Office of the Solicitor
> > U.S. Department of the Interior
> > MS 5312
> > 1849 C Street, NW
> > Washington, DC 20240

Telephone: (202) 208-7957
Telefax: (202) 208-3877

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Stephanie F. Donner

Senior Deputy Legal Counsel

Office of the Governor

136 State Capitol Building

Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Sally Jewell [redacted]@ios.doi.gov>
Sent: Thursday, October 10, 2013 11:37 PM
To: Margaret O'Dell
Cc: Jon Jarvis; Rachel Jacobson; Nicole Buffa; Laura Davis; Sue Waldron; Kate Kelly; Blake J Androff; Maureen Foster
Subject: Re: Draft donation agreement

Peggy and Team -

Thanks so much for your hard work on all of this. I hope the team is heading home to capture what is left of the night. I really appreciate everyone's efforts to be responsive. I also very much value Kate's and Sue's work to assure we have an effective Comms message.

Sally

On Oct 10, 2013, at 11:30 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

> FYI from Colorado. Don't know if it is a no thank you for continuing work tonight or no thank you they don't want to proceed at all. Team will follow up tomorrow.
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> > **Date:** October 10, 2013, 8:18:14 PM EDT
> > **To:** "Eaton, Robert" <robert.eaton@sol.doi.gov>
> > **Cc:** Kevin Haugrud <jack.haugrud@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>, Barry Roth <barry.roth@sol.doi.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Bruce Sheaffer <bruce_sheaffer@nps.gov>, Maureen Foster <maureen_foster@nps.gov>
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Denver, Colorado 80203

(303) 866-3788 (direct)

stephanie.donner@state.co.us

From: Kelly, Katherine <kate_kelly@ios.doi.gov>
Sent: Thursday, October 10, 2013 11:41 PM
To: Haugrud, Jack; Ted Boling; laura davis; Nicole Buffa; O'Dell, Peggy; jon jarvis; Suzanne Waldron; Androff, Blake J; maureen foster
Subject: draft Utah release
Attachments: National Park Service Enters Agreement with State of Utah.docx

pretty cut and dry - please let me know what edits or additional information we should add. Edits back before 8am would be the most appreciated.

National Park Service Enters Agreement with State of Utah to Re-open Eight National Parks

The National Park Service today announced that it has entered into an agreement with the State of Utah that will allow the state's eight national parks to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this senseless shutdown," said Secretary Sally Jewell. "We appreciate the outpouring of support from the American people who want all 401 of their national parks open and look forward to replacing this band-aid as soon as Congress passes an appropriations bill."

Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park.

"This is the best solution to a bad situation," said NPS Director Jonathan B. Jarvis. "This agreement ensures that NPS professionals will be on duty to welcome and provide for the safety of visitors and the protection of park resources."

The agreement funds Utah's eight national parks for a period of 10 days, running from Friday, October 11 through Sunday, October 20 at the donated amount of $1,665,720.80.

The Antideficiency Act prohibits agencies from incurring obligations that are in advance of, or that exceed, an appropriation from Congress. During the shutdown, the National Park Service has closed and secured national park facilities and grounds and suspended all activities except for those essential to respond to emergencies involving the safety of human life or the protection of property.

###

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

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###

From: Kevin Haugrud <jack.haugrud@sol.doi.gov>
Sent: Friday, October 11, 2013 12:56 AM
To: kate_kelly@ios.doi.gov; Ted.Boling@sol.doi.gov; Laura_Davis@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Sue_Waldron@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

I'm not sure how precise we feel the need to be, but there are 5 national parks in utah, all of which would be reopened, and 8 other NPS administered units (monuments, rec areas, and a historic site), 3 of which are being opened. So we may want to modify the heading and the first sentence. Something like this perhaps (b) (5) [redacted]

From: Kelly, Katherine [mailto:kate_kelly@ios.doi.gov]
Sent: Thursday, October 10, 2013 08:40 PM
To: Haugrud, Jack <jack.haugrud@sol.doi.gov>; Ted Boling <Ted.Boling@sol.doi.gov>; laura davis <Laura_Davis@ios.doi.gov>; Nicole Buffa <nicole_buffa@ios.doi.gov>; O'Dell, Peggy <peggy_o'dell@nps.gov>; jon jarvis <Jon_Jarvis@nps.gov>; Suzanne Waldron <Sue_Waldron@nps.gov>; Androff, Blake J <Blake_Androff@ios.doi.gov>; maureen foster <Maureen_Foster@nps.gov>
Subject: draft Utah release

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###

--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Laura Davis <laura_davis@ios.doi.gov>
Sent: Friday, October 11, 2013 5:43 AM
To: Kevin Haugrud
Cc: kate_kelly@ios.doi.gov; Ted.Boling@sol.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Sue_Waldron@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

Looks really good and thanks to Kate and Sue.

Agree with Jack's edit or something like it. (b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 12:56 AM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:

> I'm not sure how precise we feel the need to be, but there are 5 national parks in utah, all of which would be reopened, and 8 other NPS administered units (monuments, rec areas, and a historic site), 3 of which are being opened. So we may want to modify the heading and the first sentence. Something like this perhaps: (b) (5) [redacted]
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> **To**: Haugrud, Jack <jack.haugrud@sol.doi.gov>; Ted Boling <Ted.Boling@sol.doi.gov>; laura davis <Laura_Davis@ios.doi.gov>; Nicole Buffa <nicole_buffa@ios.doi.gov>; O'Dell, Peggy <peggy_o'dell@nps.gov>; jon jarvis <Jon_Jarvis@nps.gov>; Suzanne Waldron <Sue_Waldron@nps.gov>; Androff, Blake J <Blake_Androff@ios.doi.gov>; maureen foster <Maureen_Foster@nps.gov>
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--

Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 5:59 AM
To: Laura Davis
Cc: Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Sue_Waldron@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

Agreeing with those edits.(b) (5) [redacted]

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

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> **Sent**: Thursday, October 10, 2013 08:40 PM
> **To**: Haugrud, Jack <jack.haugrud@sol.doi.gov>; Ted Boling <Ted.Boling@sol.doi.gov>; laura davis

<Laura_Davis@ios.doi.gov>; Nicole Buffa <nicole_buffa@ios.doi.gov>; O'Dell, Peggy <peggy_o'dell@nps.gov>; jon jarvis <Jon_Jarvis@nps.gov>; Suzanne Waldron <Sue_Waldron@nps.gov>; Androff, Blake J <Blake_Androff@ios.doi.gov>; maureen foster <Maureen_Foster@nps.gov>
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Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Friday, October 11, 2013 6:05 AM
To: Foster, Maureen; Margaret O'Dell; Jonathan Jarvis
Cc: Jack Haugrud; Katherine Kelly; Nicole Buffa; Suzanne Waldron
Subject: Fwd: Draft agreement for Utah donation
Attachments: 20131010202132192.pdf

Jon, et al.: attached is the agreement as signed by Governor Herbert.
See you at 8:00.

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

---------- Forwarded message ----------
From: **John Pearce** <jpearce@utah.gov>
Date: Thu, Oct 10, 2013 at 11:39 PM
Subject: Re: Draft agreement for Utah donation
To: "Boling, Edward" <ted.boling@sol.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Robert Eaton <robert.eaton@sol.doi.gov>, Derek Miller <dbmiller@utah.gov>, Ally Isom <aisom@utah.gov>, Michael Mower <mikemower@utah.gov>, Kristen Cox <kristencox@utah.gov>

Ted,

Thanks again for working late to help with the Agreement. To expedite the quick reopening of the parks, Governor Herbert has signed the agreement (a copy of which is attached to this email) in hopes that we can get a signed copy back from NPS before the start of our business day. That will allow us to finalize the wire transfer first thing in the morning. To that end, I have copied a number of members of the Governor's senior staff on this email and would ask that you please reply to all as soon as you have an executed agreement so that we might get the wire sent at the earliest opportunity and get the parks opened as soon as possible.

Please let me know if you have any questions. I look forward to hearing from you.
Best,
Jp

On Thu, Oct 10, 2013 at 6:22 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:

Thanks, John. We'll review ASAP.

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 Thu, Oct 10, 2013 at 8:06 PM, John Pearce <jpearce@utah.gov> wrote:
Mr. Boling,

Please find attached our proposed revisions to the Agreement in a track changes form. The only major change from the draft you sent is to modify the number of days the units will be initially opened from 4 to 10. Please let me know if you have any questions about that or any other proposed edit.

My desk phone is 801-538-1504 and my mobile is (b) (6) [redacted] Please let me know right away whether these changes are acceptable and if we can secure DOI approval this evening. I have a Governor ready to sign and personnel waiting to execute the wire transfer this evening so we can get the parks open as soon as possible tomorrow.

Best,
Jp

On Thu, Oct 10, 2013 at 5:08 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Mr. Pearce,

Attached is our draft agreement for donation of Utah funds for purposes of allowing the National Park Service to open the parks identified in the agreement and its Exhibit A. This draft has not been fully cleared within the Department of the Interior, but we believe we can obtain clearance and execution of this version this evening. I will stand by at the direct line below in case you would like to discuss it.

Regards,

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)
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Ted.Boling@sol.doi.gov

Donation Agreement
Between the
National Park Service, United States Department of the Interior
and the
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

Article II - Statement of Agreement

A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is $1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., $333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:
Director
National Park Service
United States Department of the Interior
Room 3112
1849 C Street, NW
Washington, DC 20240
Telephone: (202) 208-4621
Telefax: (202) 208-7889
Email: jon.jarvis@nps.gov

For the State:
Governor Gary R. Herbert
State of Utah
c/o John A. Pearce, General Counsel
Utah State Capitol, Suite 200
P.O. Box 14220
Salt Lake City, UT 84114-2220
Telephone: (801) 538-1504
Email: jpearce@utah.gov

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

_____
Name (signature)

Director, National Park Service
Title

_____
Date

For the State of Utah:

Gary R Herbert
Name (signature)

Governor, State of Utah
Title

10/10/2013
Date

From: Suzanne Waldron <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 6:17 AM
To: Boling, Edward
Cc: Laura Davis; Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

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Suggest sticking with this - and using Laura's tweaks to language but without the the word (b) (5) [redacted]

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Thanks kate. Will touch base when i get in

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

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Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

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Sent: Friday, October 11, 2013 6:49 AM
To: Suzanne Waldron
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Subject: Re: draft Utah release

(b) (5) [redacted]

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Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Suzanne Waldron <sue_waldron@nps.gov>
Sent: Friday, October 11, 2013 7:08 AM
To: Laura Davis
Cc: Boling, Edward; Kevin Haugrud; kate_kelly@ios.doi.gov; nicole_buffa@ios.doi.gov; peggy_o'dell@nps.gov; Jon_Jarvis@nps.gov; Blake_Androff@ios.doi.gov; Maureen_Foster@nps.gov
Subject: Re: draft Utah release

One more thought After a cup of coffee. - (b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 6:49 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:

(b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 6:16 AM, Suzanne Waldron <sue_waldron@nps.gov> wrote:

We've been pretty consistent/successful with using 401 national parks (small n small p) to more easily get across the idea that they are all part of a system...the different designations confuse most people. "Oh a monument isnt a national park?

Suggest sticking with this - and using Laura's tweaks to language but without the the word (b) (5) [redacted]

Agree with ted's change (b) (5) [redacted]

Thanks kate. Will touch base when i get in

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 11, 2013, at 5:59 AM, "Boling, Edward" <ted.boling@sol.doi.gov> wrote:

Agreeing with those edits, (b) (5) [redacted]

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 Fri, Oct 11, 2013 at 5:42 AM, Laura Davis <laura_davis@ios.doi.gov> wrote:
Looks really good and thanks to Kate and Sue.

Agree with Jack's edit or something like it. (b) (5) [redacted]

Sent from my iPhone

On Oct 11, 2013, at 12:56 AM, Kevin Haugrud <jack.haugrud@sol.doi.gov> wrote:

> I'm not sure how precise we feel the need to be, but there are 5 national parks in utah, all of which would be reopened, and 8 other NPS administered units (monuments, rec areas, and a historic site), 3 of which are being opened. So we may want to modify the heading and the first sentence. Something like this perhaps: (b) (5) [redacted]
>
> ---
>
> **From**: Kelly, Katherine [mailto:kate_kelly@ios.doi.gov]
> **Sent**: Thursday, October 10, 2013 08:40 PM
> **To**: Haugrud, Jack <jack.haugrud@sol.doi.gov>; Ted Boling <Ted.Boling@sol.doi.gov>; laura davis <Laura_Davis@ios.doi.gov>; Nicole Buffa <nicole_buffa@ios.doi.gov>; O'Dell, Peggy <peggy_o'dell@nps.gov>; jon jarvis <Jon_Jarvis@nps.gov>; Suzanne Waldron <Sue_Waldron@nps.gov>; Androff, Blake J <Blake_Androff@ios.doi.gov>; maureen foster

<Maureen_Foster@nps.gov>
Subject: draft Utah release

pretty cut and dry - please let me know what edits or additional information we should add. Edits back before 8am would be the most appreciated.

National Park Service Enters Agreement with State of Utah to Re-open Eight National Parks

The National Park Service today announced that it has entered into an agreement with the State of Utah that will allow the state's eight national parks to re-open and temporarily operate during the government shutdown.

Due to the lack of appropriations from Congress, the Department of the Interior was forced to close all national parks across the country last week and furlough more than 20,000 National Park Service employees who ensure the safety of visitors and the security of the resources.

Responding to the economic impacts that the park closures are having on many communities and local businesses, Secretary of the Interior Jewell announced yesterday that she will consider agreements with Governors who indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states.

"This is a practical and temporary solution that will lessen the pain for some businesses and communities in Utah during this senseless shutdown," said Secretary Sally Jewell. "We appreciate the outpouring of support from the American people who want all 401 of their national parks open and look forward to replacing this band-aid as soon as Congress passes an appropriations bill."

Under the terms of the agreement, Utah will donate funds to the National Park Service for the sole purpose of enabling National Park Service employees to re-open and manage Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National

Recreation Area, Natural Bridges National Monument, and Zion National Park.

"This is the best solution to a bad situation," said NPS Director Jonathan B. Jarvis. "This agreement ensures that NPS professionals will be on duty to welcome and provide for the safety of visitors and the protection of park resources."

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Kate Kelly
Director of Communications
Department of the Interior
(202) 208 2409
kate_kelly@ios.doi.gov

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Friday, October 11, 2013 7:21 AM
To: Kelly, Katherine
Cc: Haugrud, Jack; Ted Boling; laura davis; Nicole Buffa; jon jarvis; Suzanne Waldron; Androff, Blake J; maureen foster
Subject: Re: draft Utah release

Utah is only paying to keep 8 of the 12 or 13 NPS sites in Utah open. Not all of them.

It will be 13 if you count Dinosaur which is mostly in CO but crosses over into Utah.

Sent from my iPhone

On Oct 10, 2013, at 11:40 PM, "Kelly, Katherine" <kate_kelly@ios.doi.gov> wrote:

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<National Park Service Enters Agreement with State of Utah.docx>