From: Dennis Reidenbach <dennis_reidenbach@nps.gov>
Sent: Sunday, October 13, 2013 3:34 PM
To: Jonathan Jarvis
Cc: Mike Caldwell; Bruce Sheaffer; Peggy O'Dell
Subject: Re: Mayor Michael Nutter

Jon

(b) (6) just now saw the message. I will call him now before I go back outside.

Dennis

Dennis Reidenbach
NPS Northeast Regional Director
215-597-7013 (Office)
Sent from my iPhone

On Oct 13, 2013, at 2:08 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:

> I talked with Bruce and agree with him we would violate the Anti
> deficiency act if we allow them to open. Do you want to call him?
>
> Sent from my iPhone
>
> On Oct 13, 2013, at 12:32 PM, Dennis Reidenbach
> <dennis_reidenbach@nps.gov> wrote:
>
>> Jon,
>>
>> Just a FYI, Mayor Nutter called my cell a few minutes ago to see if
>> there was any word on his request regarding the Independence Visitor
>> Center.
>>
>> I explained that the issues associated with the IVC are quite
>> different than those associated with the limited number of openings
>> so far and have significant legal/policy issues.
>>
>> I told him that one of us would get back to him at the earliest
>> possible opportunity
>>
>> Dennis
>>
>> Dennis Reidenbach
>> NPS Northeast Regional Director
>> 215-597-7013 (Office)
>> Sent from my iPhone

From: Bob Vogel <bob_vogel@nps.gov>
Sent: Tuesday, October 15, 2013 10:55 AM
To: Margaret O'Dell; Bruce Sheaffer; Maureen Foster
Subject: Fwd: press release

Sent from my iPhone

Begin forwarded message:

> **From:** Paul Tetreault <pault@fords.org>
> **Date:** October 15, 2013, 10:43:38 AM EDT
> **To:** Bob Vogel <bob_vogel@nps.gov>
> **Subject: press release**
>
> Bob,
>
> We think the POST may want to speak with someone at NPS once this is announced, would you be willing, or do you have a spokesperson that we should direct them to.
>
> You should also know, that we are putting NPS in a terrific light on this, and "…it is through our unique 45 year partnership that we have been working at trying to figure out a way to open the site…" etc. etc.
>
> Let me know,
>
> Paul
>
> **********
> Paul R. Tetreault
> Director
> Ford's Theatre Society
> 514 Tenth Street, NW
> Washington, DC 20004
> 202-434-9540
> pault@fords.org
>
> **Visit our website at www.fords.org**

From: Dennis Reidenbach <dennis_reidenbach@nps.gov>
Sent: Sunday, October 13, 2013 3:42 PM
To: Jonathan Jarvis
Cc: Mike Caldwell; Bruce Sheaffer; Peggy O'Dell
Subject: Re: Mayor Michael Nutter

Jon,

(b) (6)

While disappointed in the decision, he seemed to understand my explanation and took it well.

Dennis

Dennis Reidenbach
NPS Northeast Regional Director
215-597-7013 (Office)
Sent from my iPhone

On Oct 13, 2013, at 3:33 PM, Dennis Reidenbach <dennis_reidenbach@nps.gov> wrote:

> Jon
>
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>
> Dennis
>
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>>>
>>> Dennis
>>>
>>> Dennis Reidenbach
>>> NPS Northeast Regional Director
>>> 215-597-7013 (Office)
>>> Sent from my iPhone

From: Roth, Barry <barry.roth@sol.doi.gov>
Sent: Sunday, October 13, 2013 3:48 PM
To: O'Dell, Peggy; Sholly, Cam; McDowall, Lena; Sheaffer, C. B.; Dan Ashe; Edward Boling; Foster, Maureen
Subject: Monday

As of now I am not planning to come in on Columbus Day but (b) (6) f there are issues that must be addressed toMorrow. NPS concession issues in particular May not wait. Just let me know.

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

This email is intended 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 the employee of or agent responsible for delivery of this email to the intended recipient, you are hereby notified that its 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: Vogel, Bob <bob_vogel@nps.gov>
Sent: Tuesday, October 15, 2013 3:07 PM
To: Margaret O'Dell; Jonathan Jarvis; Maureen Foster; Steve Whitesell; Lisa Mendelson; Stephen Lorenzetti; Karen Cucurullo
Subject: Fwd: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
Attachments: FORDS_REOPENING_10.16.ShutdownUpdate.pdf

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
(202) 426-9303 (fax)

---------- Forwarded message ----------
From: **Kristin Fox** <kfox@fords.org>
Date: Tue, Oct 15, 2013 at 3:00 PM
Subject: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
To: "Bob_Vogel@nps.gov" <Bob_Vogel@nps.gov>

Hi Bob,

Attached is the press release that FTS released this afternoon. We want to make sure that you had the final copy. Also, we want to make sure that we cut you a check this afternoon. Should it be made out to the National Park Service?

Thanks

Kristin Fox-Siegmund
Director of Programming
Ford's Theatre
514 10th Street, NW
Washington, DC 20004
202-434-9541 (o)
202-445-6519 (c)
202-347-6269 (f)
kfox@fords.org

Media Contact:
Lauren Beyea
Associate Director of Communications
(202) 434-9543 lbeyea@fords.org

Ford's Theatre
511 Tenth Street, NW
Washington, DC 20004

www.fords.org

FOR IMMEDIATE RELEASE
October 15, 2013

Ford's Theatre Society Announces Ford's Theatre National Historic Site Will Reopen Wednesday, October 16, 2013

Private Donor Donates $25,000 in Emergency Funding to Reopen Site

Daytime Visits and Performances of *The Laramie Project* Resume October 16

WASHINGTON, D.C.—**Paul R. Tetreault**, director of Ford's Theatre Society, announced that the **Ford's Theatre National Historic Site (FOTH) will reopen Wednesday, October 16, thanks to $25,000 in emergency funding provided by a key trustee, Ronald O. Perelman**. The site will reopen for daytime visits at 9a.m. on Wednesday, and **performances of *The Laramie Project* will resume** at 7:30 p.m. that evening. *The Laramie Project* runs through Oct. 27; all remaining tickets for performances are $25.

The agreement to reopen the site, which has been closed since Oct. 1, developed over the Columbus Day weekend in conversations between Tetreault and the National Park Service (NPS). After several states agreed to provide funding to reopen parks in their jurisdictions, Tetreault and NPS began exploring how a similar agreement might work for FOTH. In the spirit of continued cooperation between the Society and the National Park Service, the Society agreed to find funding to pay for park operations normally funded by NPS in four-day increments. The $25,000 gift will enable the Society to reopen the site for the next eight days.

"For 45 years, Ford's Theatre Society has been honored to operate Ford's Theatre in a public-private partnership with the National Park Service," **Tetreault said**. "For the last 15 days, both NPS and the Society have been exploring ways to reopen this important historic site to the public. Thanks to the generosity of Ronald O. Perelman, we have found a way to pay NPS's expenses for the next eight days. We look forward to welcoming our patrons back to *The Laramie Project* as well as our daytime programming. While we are pleased that we have found a short-term solution, we sincerely hope that the shutdown ends soon, as private dollars cannot replace the government's role at Ford's Theatre National Historic Site in the long term."

Ronald O. Perelman, Chairman and Chief Executive Officer of MacAndrews and Forbes Holdings Inc., is the Founding Sponsor of the Ford's Theatre Society's *Lincoln Legacy Project*; he also serves on the Society's Board of Trustees. *The Lincoln Legacy Project* is a multi-year programming effort to generate dialogue around the issues of tolerance, equality and acceptance. *The Laramie Project* is at the core of this year's *Lincoln Legacy* programming.

During the recent shutdown, performances of *The Laramie Project* were relocated to First Congregational United Church of Christ, just up the street.

"Though the shutdown has been painful, we have been amazed by the generosity of Rev. Sidney Fowler and the members of First Congregational, who have opened their beautiful space to us for more than a week of performances," **Tetreault said**. "We were honored to be in their space, and we look forward to future collaborations with our neighbors."

Ford's Theatre Society (FTS) is a private non-profit 501(c)(3) organization and does not use any federal funding nor federal employees for its programming.

The Laramie Project
By Moisés Kaufman and Members of the Tectonic Theater Project
Directed by Matthew Gardiner
Part of *The Lincoln Legacy Project*
Through October 27, 2013 * All Remaining Tickets Are $25
The Laramie Project presents a deeply complex portrait of a community's response to the 1998 murder of Matthew Shepard, a young gay man living in Laramie, Wyoming. In a series of poignant reflections, the residents of Laramie react to the hate crime and surrounding media storm with anger, bewilderment and sorrow. The play portrays the seismic and deeply personal impact Matthew's death had on this small town while also demonstrating the power of the human spirit to triumph over bigotry and violence. Fifteen years later, Matthew Shepard's story still reverberates, urging us on with its clarion call to confront the destructive power of bullying and hate, in all forms. *The Laramie Project* is the third offering in the multi-year *Lincoln Legacy Project*—an effort to generate dialogue around issues of tolerance, equality and acceptance. Experience the story that TIME Magazine calls "a pioneering and powerful stage event."

Special Exhibition- *Not Alone: The Power of Response*
Second Floor Gallery: Center for Education and Leadership (514 Tenth Street NW)
Through November 3, 2013
Following Matthew Shepard's attack in 1998, complete strangers from all over the world, moved by the horrific circumstances of Matthew's death, reached out to his parents, Judy and Dennis Shepard, to share their condolences, outrage, grief, love and support. *Not Alone: The Power of Response* pairs artist Jeff Sheng's *Where Matthew Lay Dying*, a hauntingly beautiful composite photograph of the fence outside Laramie—taken from Matthew's perspective—with a selection of the letters sent to the Shepard family in order to explore the themes of empathy, community response and personal responsibility.

Walking Tour:
Investigation: Detective McDevitt
written by Richard Hellesen
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runs March through October
On the night of April 14, 1865, Detective James McDevitt was on duty at the Washington Metropolitan Police headquarters, a half-block from Ford's Theatre. Just before 10:30, frantic witnesses rushed in with horrifying news: President Lincoln had been shot at the theatre. Join Detective McDevitt as he revisits the sites and reexamines the clues from the investigation into the Lincoln Assassination Conspiracy. *Investigation: Detective McDevitt* lasts approximately two hours and makes at least eight stops throughout the story. The distance walked is approximately 1.6 miles from Ford's Theatre to the White

House. Wear comfortable shoes. Tickets are currently available for dates through October 26, 2013. Spring 2014 dates will be announced in January 2014.

-more-

Daytime Visits to the Ford's Theatre Campus
Patrons can visit the Ford's Theatre National Historic Site (Museum, Theatre and Petersen House) and Center for Education and Leadership starting at 9 a.m. on Wednesday, October 16. Tickets for October 16 through October 20 will be available for free on a walk-up basis.

National Park Service and Ford's Theatre Society Partnership
Since Ford's Theatre's reopening in 1968, more than 100 years after the April 14, 1865, assassination of President Abraham Lincoln, it has been one of the most visited sites in the nation's capital. Operated through a partnership with the National Park Service and Ford's Theatre Society, Ford's Theatre has enthralled visitors because of its unique place in United States history, and its mission to celebrate the legacy of Abraham Lincoln and explore the American experience through theatre and education. The NPS and FTS work together to present the Theatre's nearly one million annual visitors with a high quality historical and cultural experience.

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The Ford's Theatre Society was founded under the guidance of executive producer **Frankie Hewitt**, who, during her 35-year tenure, established Ford's as a living, working theatre producing performances that highlighted the diversity of the American experience. Since the arrival of **Paul R. Tetreault** as Director, critics and the theatregoing public have recognized Ford's for the superior quality of its artistic programming. With works from the nationally acclaimed *Big River* to the world premieres of *Meet John Doe*, *The Heavens Are Hung In Black*, *Liberty Smith* and *Necessary Sacrifices*, Ford's Theatre is making its mark on the American theatre landscape. Under the leadership of **Wayne R. Reynolds**, Board of Trustees Chairman Emeritus (Chairman 2007 to 2012), the mission of Ford's Theatre Society expanded to include education as a central pillar. This expansion led to the creation and construction of the Center for Education and Leadership, which opened in February 2012. Currently, under the leadership of Board of Trustees Chairman **Eric A. Spiegel**, Ford's enters a second phase of strategic planning to ensure the organization's place as a national destination for exploring Lincoln's legacy and the American experience through the intersection of history, performance and education.

For more information on Ford's Theatre and the Ford's Theatre Society, please visit www.fords.org.

###

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Tuesday, October 15, 2013 3:13 PM
To: Laura Davis[redacted]@ios.doi.gov; Nicole Buffa; Rachel Jacobson; Peggy O'Dell
Subject: Fwd: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
Attachments: FORDS_REOPENING_10.16.ShutdownUpdate.pdf

Here we go!

---------- Forwarded message ----------
From: **Vogel, Bob** <bob_vogel@nps.gov>
Date: Tue, Oct 15, 2013 at 3:06 PM
Subject: Fwd: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
To: Margaret O'Dell <Peggy_O'Dell@nps.gov>, Jonathan Jarvis <jon_jarvis@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Steve Whitesell <Steve_Whitesell@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, Stephen Lorenzetti <steve_lorenzetti@nps.gov>, Karen Cucurullo <karen_cucurullo@nps.gov>

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
(202) 426-9303 (fax)

---------- Forwarded message ----------
From: **Kristin Fox** <kfox@fords.org>
Date: Tue, Oct 15, 2013 at 3:00 PM
Subject: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
To: "Bob_Vogel@nps.gov" <Bob_Vogel@nps.gov>

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Kristin Fox-Siegmund
Director of Programming
Ford's Theatre
514 10th Street, NW

Washington, DC 20004
202-434-9541 (o)
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--
Jonathan B. Jarvis
Director, NPS

Media Contact:
Lauren Beyea
Associate Director of Communications
(202) 434-9543 lbeyea@fords.org

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###

From: Jonathan Jarvis <jon_jarvis@nps.gov>
Sent: Monday, October 14, 2013 11:34 AM
To: Sally Jewell
Cc: Margaret O'Dell
Subject: Re: Notes to folks

Cam has been in constant communication with the Law Enforcement staff in the parks and Regions, assessing the situations. He has been guiding the level headed and non confrontational approach to the closures. It was Cam who brought to us the concerns of the field that the local sheriffs would be opening the parks in Utah and voiced concern for our rangers' safety.

Lena has been in regular contact with the concessioners and our contractors. The concessioners are quite worried about loss of business and revenue. She assisted in developing the policy for re-opening the concessions along through roads and then worked through dozens of requests, evaluating their situations and recommending to me which ones to authorize opening and which to remain closed.

Sent from my iPad

On Oct 14, 2013, at 11:15 AM, Sally Jewell <[redacted]@ios.doi.gov> wrote:

> Jon –
>
> No need for you to come in from my end. Can you give me a quick message on the role that Cam and Lena played last week so I can personalize the notes? I will write a note to Bob – he did an amazing job.
>
> Thanks,
>
> Sally
>
> ---
>
> **From:** Jonathan Jarvis [mailto:jon_jarvis@nps.gov]
> **Sent:** Monday, October 14, 2013 11:13 AM
> **To:** Sally Jewell
> **Cc:** Margaret O'Dell
> **Subject:** Re: Notes to folks
>
> Sally: i am home today and can come in if needed. I think a note to Bob Vogel, Cam Sholly, Lena McDowell would be appropriate. I would hold off on USPP for the moment until we get a few things fixed.
>
> Jon
>
> Sent from my iPad
>
> On Oct 14, 2013, at 11:09 AM, Sally Jewell <[redacted]@ios.doi.gov> wrote:
>
> > Peggy –

I am in today, catching up on things – pretty quiet around here, so I'm glad folks are taking the day away. I have written some thank you notes for the heroic efforts of many people last week, including Jack, Ted and Barry in the solicitor's office and Maureen and Bruce from NPS. Are there others that you feel warrant a note from me? Cam? USPP leadership?

Thanks,

Sally

From: Nicole Buffa <nicole_buffa@ios.doi.gov>
Sent: Wednesday, October 09, 2013 12:39 PM
To: Jacobson, Rachel
Cc: Jarvis, Jonathan; Barry Roth; Margaret O'Dell; Kevin Haugrud; Edward Boling; Michael Bean; Blake Androff; Kate P Kelly
Subject: Re: Morning Meeting

+ Blake and Kate - who have been working on a statement for Claude Moore.

On Oct 9, 2013, at 11:35 AM, "Jacobson, Rachel" <rachel_jacobson@ios.doi.gov> wrote:

> Jacobson edits attached
>
> On Wed, Oct 9, 2013 at 9:14 AM, Jarvis, Jonathan <jon_jarvis@nps.gov> wrote:
> Here is a draft for discussion with the Secretary at 9:45.
>
> On Wed, Oct 9, 2013 at 8:53 AM, Iacobucci, Francis <francis_iacobucci@ios.doi.gov> wrote:
> Apologies for the late notice - the NPS meeting has moved to 9:45am this morning in the Secretary's Office.
>
> Thanks.
>
> --
> Francis Iacobucci
> Director | Scheduling and Advance
> Department of the Interior
> 202.208.5723 (direct)
>
> --
> *Jonathan B. Jarvis*
> *Director, NPS*
>
> <Interim Policy RJ edits (1).docx>

From: Roth, Barry <barry.roth@sol.doi.gov>
Sent: Wednesday, October 09, 2013 12:49 PM
To: Kevin Haugrud; Edward Boling; Jonathan Jarvis; O'Dell, Peggy; Rachel Jacobson; Michael Bean; Melissa Lackey
Subject: Fwd: Agreement
Attachments: Pisgah letter -- fpb edits.docx

With some just in edits from Main Justice here is the letter we would like to send in draft to Pisgah's counsel asap. Pisgah has apparently posted on Facebook they expect to open at 5 today.

Bruce and Lena, the AUSA and DPW are fine with this letter with time being of the essence.

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

This email is intended 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 the employee of or agent responsible for delivery of this email to the intended recipient, you are hereby notified that its 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.

---------- Forwarded message ----------
From: **Taylor, Paul (USANCW)** <Paul.Taylor@usdoj.gov>
Date: Wed, Oct 9, 2013 at 12:40 PM
Subject: RE: Agreement
To: "Roth, Barry" <barry.roth@sol.doi.gov>
Cc: "Lackey, Melissa" <melissa.lackey@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>

Folks:

My colleagues at Main DOJ propose the minor edits in the attached draft.

Paul B. Taylor

Assistant U. S. Attorney

Civil Chief

U.S. Courthouse, Room 233

100 Otis Street

Asheville, NC 28801

828-271-4661 (Main Tel. #)

828-271-4327 (Civil fax #)

828-259-0655 (PBT direct dial)

From: Roth, Barry [mailto:barry.roth@sol.doi.gov]
Sent: Wednesday, October 09, 2013 11:43 AM
To: Taylor, Paul (USANCW)
Cc: Lackey, Melissa; Edward Boling
Subject: Re: Agreement

We will do it, here is slightly cleaned up version, which I will run by the clients now. Thank you and I will get back to you ASAP.

Barry N. Roth

Associate Solicitor

Division of Parks & Wildlife

202-208-4344

Fax: 202-208-3877

Barry.Roth@sol.doi.gov

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On Wed, Oct 9, 2013 at 11:38 AM, Taylor, Paul (USANCW) <Paul.Taylor@usdoj.gov> wrote:

I agree with this version. Do you want me to clean it up or will your office do that?

Paul B. Taylor

Assistant U. S. Attorney

Civil Chief

U.S. Courthouse, Room 233

100 Otis Street

Asheville, NC 28801

828-271-4661 (Main Tel. #)

828-271-4327 (Civil fax #)

828-259-0655 (PBT direct dial)

From: Roth, Barry [mailto:barry.roth@sol.doi.gov]
Sent: Wednesday, October 09, 2013 11:36 AM
To: Lackey, Melissa
Cc: Taylor, Paul (USANCW); Edward Boling
Subject: Re: Agreement

Paul, I know it has some formatting problems, but here is the substance of how I would do this letter as we just discussed. If you are OK, I will confirm with NPS and get back to you ASAP.

Barry N. Roth

Associate Solicitor

Division of Parks & Wildlife

202-208-4344

Fax: 202-208-3877

Barry.Roth@sol.doi.gov

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On Wed, Oct 9, 2013 at 10:02 AM, Lackey, Melissa <melissa.lackey@sol.doi.gov> wrote:

Paul:

Let me know what you think of the attached. You are not authorized to release it to Plaintiffs' counsel yet. Ted and Barry are currently meeting with the Secretary and the Director on concession matters and want to make sure this letter is in accordance with the outcome of that meeting. I expect word from them within one-half hour or so.

Melissa Lackey

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

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

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On Wed, Oct 9, 2013 at 9:32 AM, Taylor, Paul (USANCW) <Paul.Taylor@usdoj.gov> wrote:

Hi Melissa:

Jon Yarbrough said his client will agree to the terms we discussed this morning subject only to Jon being able to look at and agree to the language of the letters.

Please send those as soon as you can.

Paul

Paul B. Taylor

Assistant U. S. Attorney

Civil Chief

U.S. Courthouse, Room 233

100 Otis Street

Asheville, NC 28801

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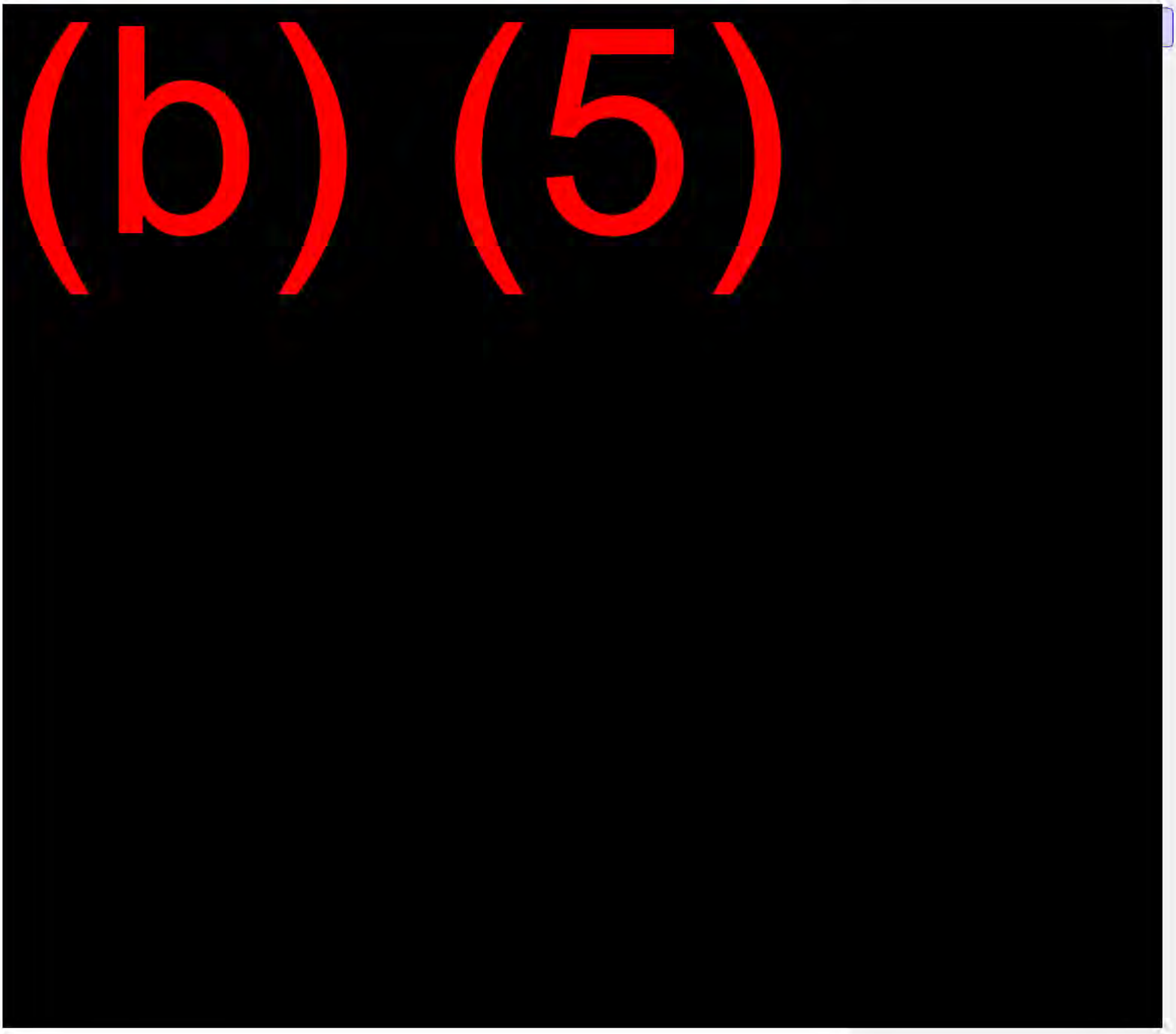
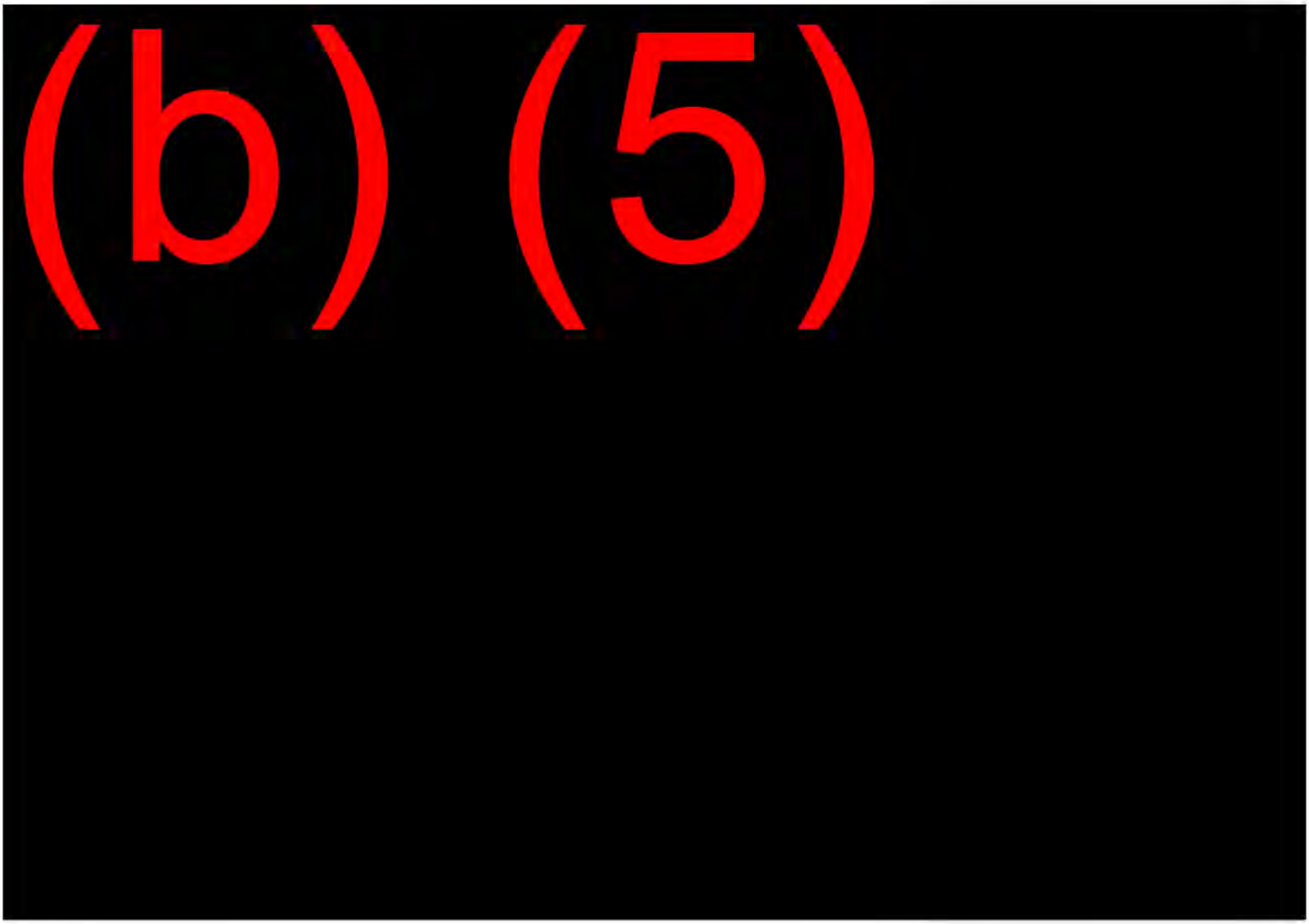

(b) (5)


(b) (5)

From: Suzanne Waldron <sue_waldron@nps.gov>
Sent: Wednesday, October 09, 2013 12:50 PM
To: Reynolds, William
Cc: Benge, Shawn; Mike Litterst; Edward Boling; Cam Sholly; Margaret O'Dell; Barry Roth; Sherri Fields
Subject: Re: BLRI--Mt. Pisgah Inn

Will let sol weigh in on legal side

Statement in final review

Sent from my iPhone

On Oct 9, 2013, at 12:21 PM, "Reynolds, William" <william_f_reynolds@nps.gov> wrote:

> status on the guidance?
> Pisgah has posted on FB that they are opening at 5 today.
> BLRI is getting queries from the media and from other concessioners.
> Bill
>
> On Tue, Oct 8, 2013 at 7:19 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
> they are being worked over by the lawyers now
>
> On Tue, Oct 8, 2013 at 7:06 PM, Benge, Shawn <shawn_benge@nps.gov> wrote:
>
> Rangers are currently being directed to leave the area. Please be mindful the media will be calling or showing up at the park in the morning. We are going to need talking points. I would assume WASO will want the lead in developing the message?
>
> If you have any thoughts, please let me know.

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

--
Sue Waldron

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

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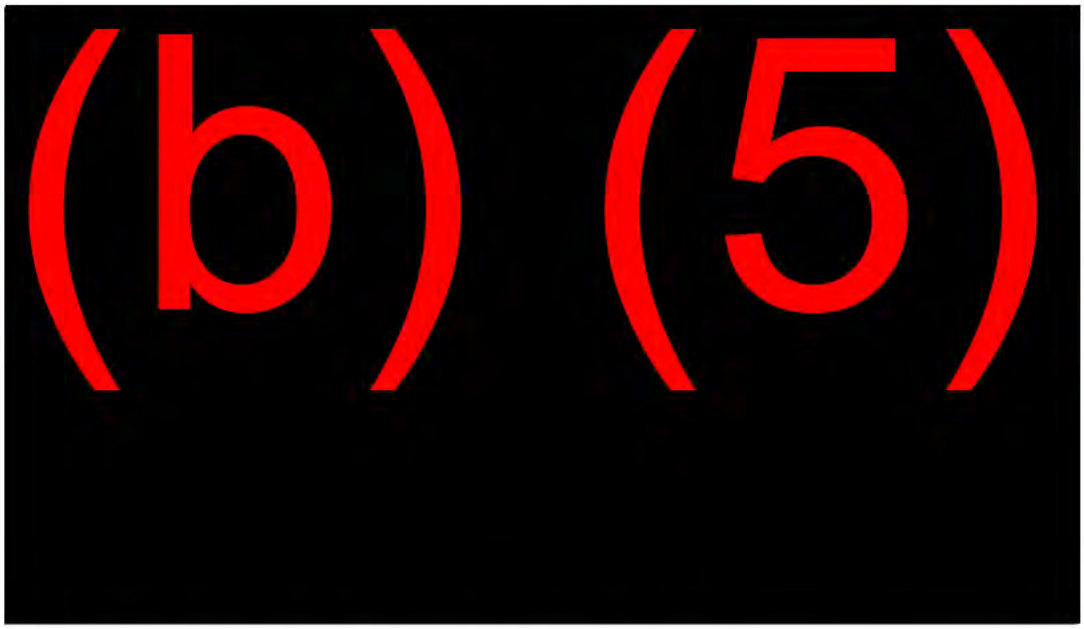
--
William F. Reynolds
Assistant Regional Director
National Park Service Southeast Region
404-507-5612

From: Edward Boling <ted.boling@sol.doi.gov>
Sent: Tuesday, October 08, 2013 9:07 PM
To: Margaret O'Dell
Cc: Kelly, Katherine; Waldron, Suzanne; Jon Jarvis; Maureen Foster; Lena McDowall; Cam Sholly; Barry Roth; Lisa Mendelson; Jennifer Mummart; Bruce Sheaffer; Mike Litterst; Blake Androff
Subject: Re: quick review - claude moore and pisgah

This is designed to cover Pisgah if & when we reach a resolution there. Until we have resolution, we should say as little as possible and refer all questions about pending litigation to DoJ.

Sent from my iPhone

On Oct 8, 2013, at 8:50 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

> For the lawyers. Is NPS taking the communications lead for Pisgah. Normally with litigation Justice wants us to let them do it. This may be different based on where we are with respect to litigation.
>
> Sent from my iPhone
>
> On Oct 8, 2013, at 7:42 PM, "Kelly, Katherine" <kate_kelly@ios.doi.gov> wrote:
>
> > Here is the updated SOL-approved version:
>
> 
>
>
> On Tuesday, October 8, 2013, Waldron, Suzanne wrote:
> ignore this - another version under review by sol which is revising - so guess we will reconnect tomorrow

leaving!

On Tue, Oct 8, 2013 at 6:59 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
if we get calls....

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

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--

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

From: Edward Boling <ted.boling@sol.doi.gov>
Sent: Tuesday, October 08, 2013 9:30 PM
To: Margaret O'Dell
Subject: Re: quick review - claude moore and pisgah

:)

Sent from my iPhone

On Oct 8, 2013, at 9:19 PM, Margaret O'Dell <peggy_o'dell@nps.gov> wrote:

> So more conversation in morning. Thank you all for sticking with is during a trying and very busy day.
>
> Sent from my iPhone
>
> On Oct 8, 2013, at 9:12 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:
>
> > This is designed to cover Pisgah if & when we reach a resolution there. Until we have resolution, we should say as little as possible and refer all questions about pending litigation to DoJ.
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> > Sent from my iPhone
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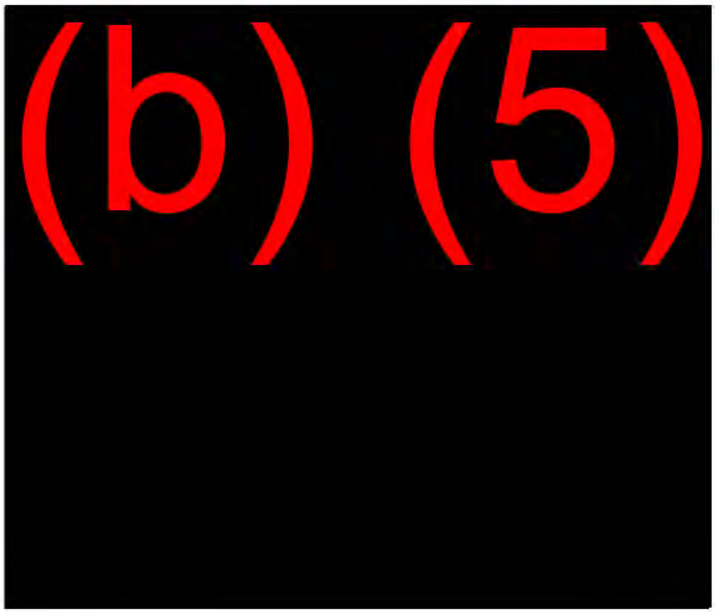

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if we get calls....

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--

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

From: Michael Litterst <mike_litterst@nps.gov>
Sent: Tuesday, October 08, 2013 10:01 PM
To: Jonathan Jarvis; Margaret O'Dell; Maureen Foster; Cam Sholly; Suzanne Waldron; Kate Kelly; Blake Androff; Michael Caldwell; Jane Ahern; Skip Brooks; Steve Williams; Kenneth Doak; Tim Fullerton
Subject: Fox News - The 2013 Battle of Yorktown: restaurant owner defies feds

Heads up - this is the same guy whose column about the WORI videos took that story mainstream. He's now taking up the cause of the Carrot Tree concessioner at Yorktown.

http://www.foxnews.com/opinion/2013/10/08/2013-battle-yorktown-restaurant-owner-defies-feds/

Mike Litterst
Chief Spokesperson (Acting)
National Park Service
1849 C Street NW room 3310
Washington, D.C. 20240
202-513-0354 -office
202-306-4166 - mobile

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

Fyi

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

Confidential

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

One small SF Chronicle story about the closure.

Frank

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

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

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Wednesday, October 09, 2013 8:36 AM
To: Roth, Barry; Ted Boling
Cc: Waldron, Suzanne; Foster, Maureen; McDowall, Lena; Sheaffer, C. B.; O'Dell, Peggy
Subject: Re: updated - for review
Attachments: Interim Policy.docx

Here is my shot at a framework to approach the case by case decisions. Close hold, draft. I am talking to the Secretary about this at 9:30, so comments please.

On Tue, Oct 8, 2013 at 7:26 PM, Roth, Barry <barry.roth@sol.doi.gov> wrote:
Here is what Jack and Ted gave back to Kate.

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

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---------- Forwarded message ----------
From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:23 PM
Subject: Fwd: updated - for review
To: Katherine Kelly <kate_kelly@ios.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <BARRY.ROTH@sol.doi.gov>

CLAUDE MOORE / [PISGAH]

(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

---------- Forwarded message ----------
From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:14 PM
Subject: Fwd: updated - for review
To: Jack Haugrud <jack.haugrud@sol.doi.gov>

Ted Boling
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Ted.Boling@sol.doi.gov

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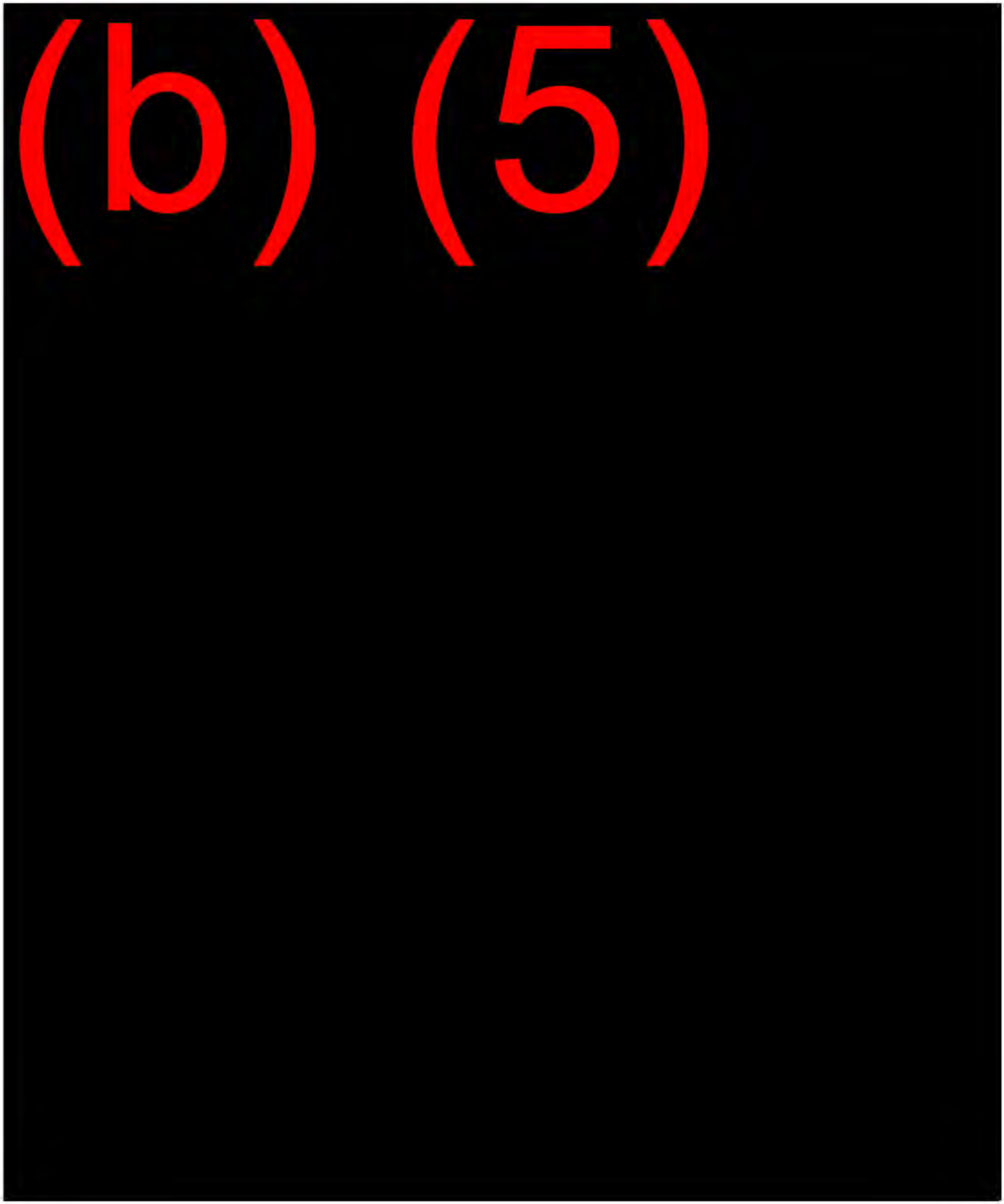
From: **Kelly, Katherine** <kate_kelly@ios.doi.gov>
Date: Tue, Oct 8, 2013 at 7:00 PM
Subject: updated - for review
To: "Haugrud, Jack" <jack.haugrud@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>

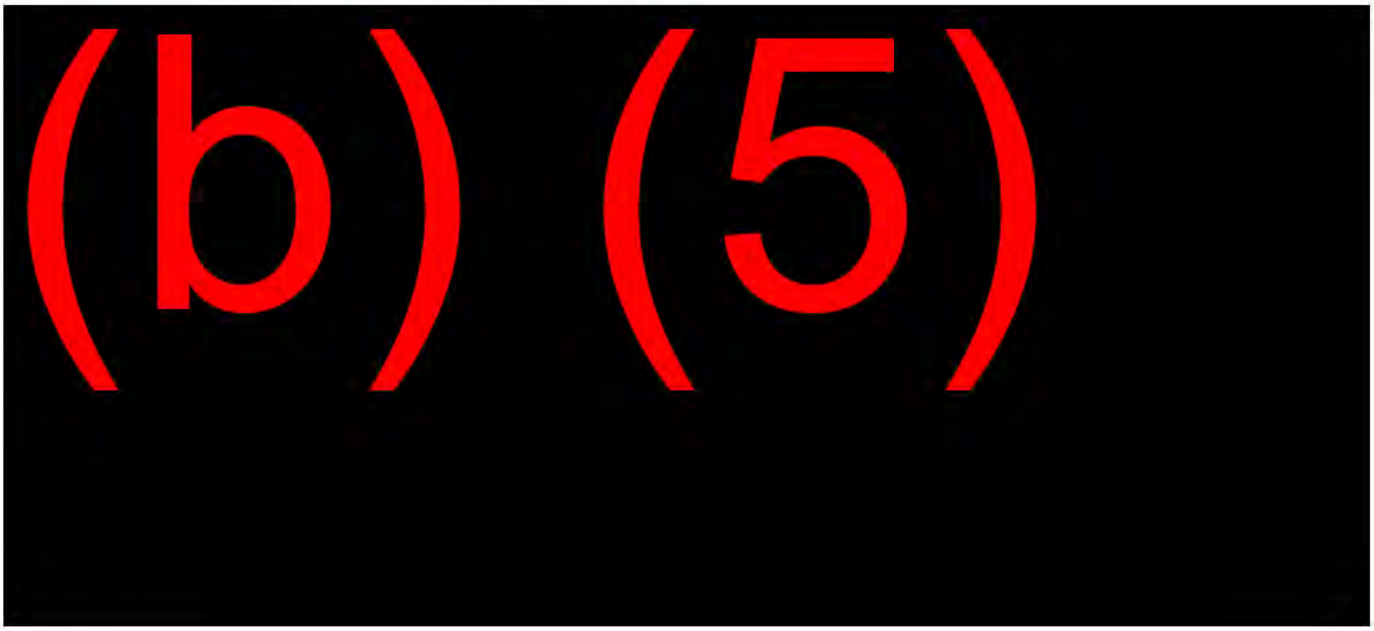
CLAUDE MOORE / [PISGAH]

--

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

--
Jonathan B. Jarvis
Director, NPS


(b) (5)


(b) (5)

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Wednesday, October 09, 2013 8:51 AM
To: Jarvis, Jonathan
Cc: Roth, Barry; Ted Boling; Foster, Maureen; McDowall, Lena; Sheaffer, C. B.; O'Dell, Peggy
Subject: Re: updated - for review

looks good

On Wed, Oct 9, 2013 at 8:35 AM, Jarvis, Jonathan <jon_jarvis@nps.gov> wrote:
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CLAUDE MOORE / [PISGAH]

(b) (5)

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Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa

<nicole_buffa@ios.doi.gov>

CLAUDE MOORE / [PISGAH]

--

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

--
Jonathan B. Jarvis
Director, NPS

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

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From: Roth, Barry <barry.roth@sol.doi.gov>
Sent: Wednesday, October 09, 2013 8:55 AM
To: Jarvis, Jonathan
Cc: Ted Boling; Waldron, Suzanne; Foster, Maureen; McDowall, Lena; Sheaffer, C. B.; O'Dell, Peggy
Subject: Re: updated - for review

(b) (5)

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

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CLAUDE MOORE / [PISGAH]

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Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>

CLAUDE MOORE / [PISGAH]

--

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

—
Jonathan B. Jarvis
Director, NPS

From: Foster, Maureen <maureen_foster@nps.gov>
Sent: Wednesday, October 09, 2013 8:58 AM
To: Roth, Barry
Cc: Jarvis, Jonathan; Ted Boling; Waldron, Suzanne; McDowall, Lena; Sheaffer, C. B.; O'Dell, Peggy
Subject: Re: updated - for review

Barry -- Last addition is good as it gives us a mechanism for re-evaluating if the NPS starts to incur expenses.

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 Wed, Oct 9, 2013 at 8:54 AM, Roth, Barry <barry.roth@sol.doi.gov> wrote:

(b) (5)

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

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---------- Forwarded message ----------
From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:23 PM
Subject: Fwd: updated - for review
To: Katherine Kelly <kate_kelly@ios.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <BARRY.ROTH@sol.doi.gov>

CLAUDE MOORE / [PISGAH]

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: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:14 PM
Subject: Fwd: updated - for review
To: Jack Haugrud <jack.haugrud@sol.doi.gov>

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Washington, DC 20240
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Ted.Boling@sol.doi.gov

---------- Forwarded message ----------
From: **Kelly, Katherine** <kate_kelly@ios.doi.gov>
Date: Tue, Oct 8, 2013 at 7:00 PM
Subject: updated - for review
To: "Haugrud, Jack" <jack.haugrud@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>

CLAUDE MOORE / [PISGAH]

--

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

--

Jonathan B. Jarvis
Director, NPS

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Wednesday, October 09, 2013 9:15 AM
To: Iacobucci, Francis; Barry Roth
Cc: Rachel Jacobson; Margaret O'Dell; Kevin Haugrud; Edward Boling; Nikki Buffa; Erin Walls
Subject: Re: Morning Meeting
Attachments: Interim Policy Ver 1.2.docx

Here is a draft for discussion with the Secretary at 9:45.

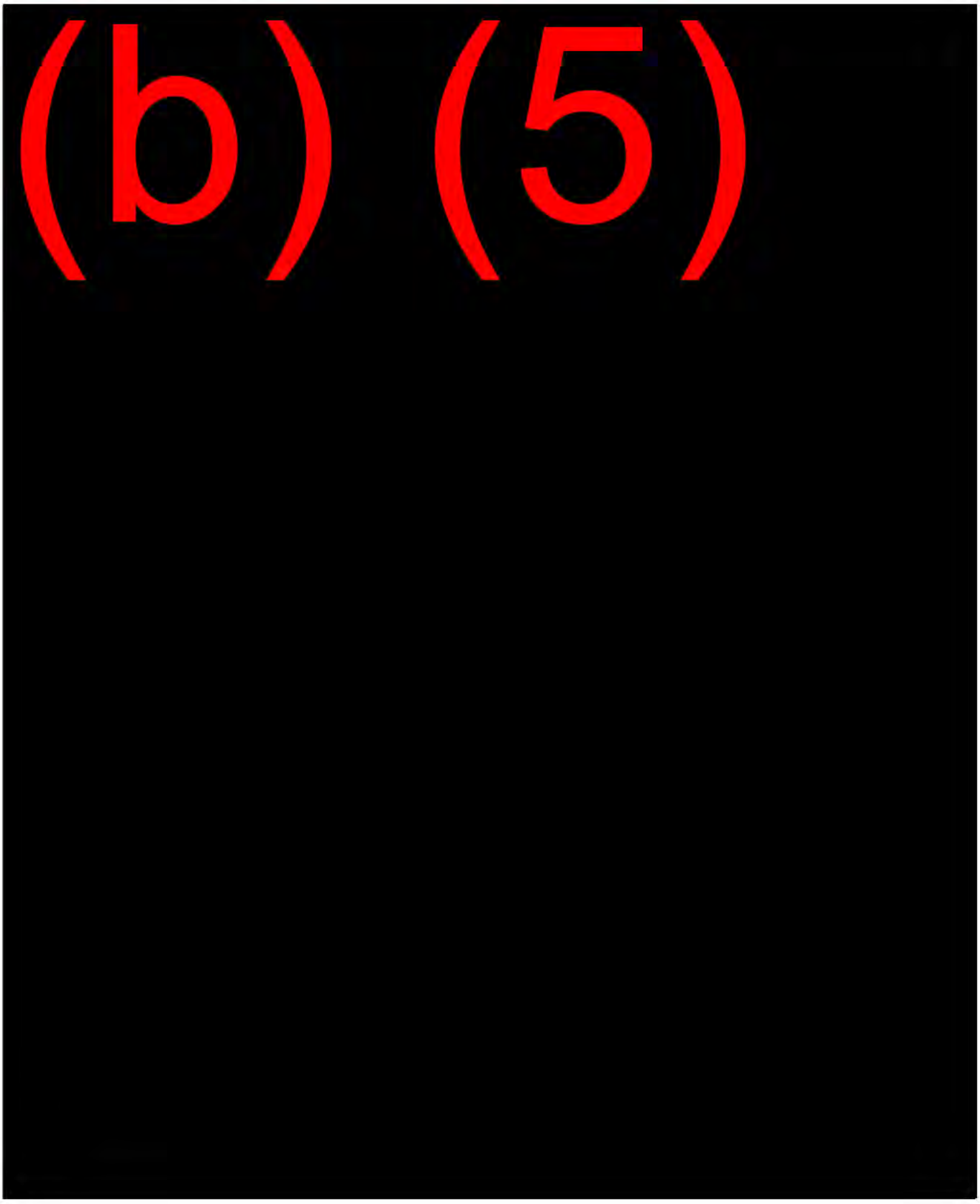
On Wed, Oct 9, 2013 at 8:53 AM, Iacobucci, Francis <francis_iacobucci@ios.doi.gov> wrote:
Apologies for the late notice - the NPS meeting has moved to 9:45am this morning in the Secretary's Office.

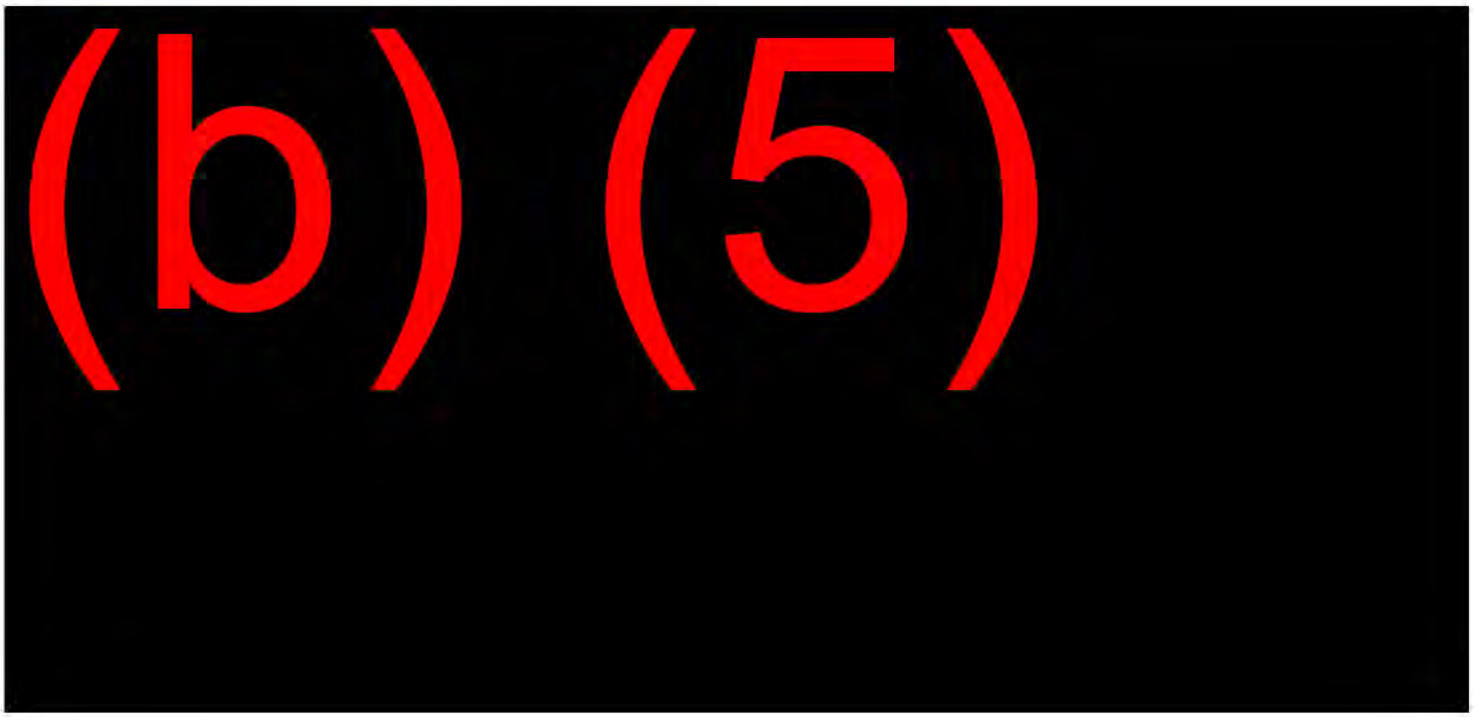
Thanks.

--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

--
Jonathan B. Jarvis
Director, NPS

10/9/2013. Version 1.2




(b) (5)

From: Sheaffer, Bruce <bruce_sheaffer@nps.gov>
Sent: Wednesday, October 09, 2013 9:15 AM
To: Jarvis, Jonathan
Cc: Roth, Barry; Ted Boling; Waldron, Suzanne; Foster, Maureen; McDowall, Lena; O'Dell, Peggy
Subject: Re: updated - for review

sitting in here with lena - a few things

(b) (5)

On Wed, Oct 9, 2013 at 8:35 AM, Jarvis, Jonathan <jon_jarvis@nps.gov> wrote:
Here is my shot at a framework to approach the case by case decisions. Close hold, draft. I am talking to the Secretary about this at 9:30, so comments please.

On Tue, Oct 8, 2013 at 7:26 PM, Roth, Barry <barry.roth@sol.doi.gov> wrote:
Here is what Jack and Ted gave back to Kate.

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

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To: Katherine Kelly <kate_kelly@ios.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <BARRY.ROTH@sol.doi.gov>

CLAUDE MOORE / [PISGAH]

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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Ted Boling
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Washington, DC 20240
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Ted.Boling@sol.doi.gov

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From: **Kelly, Katherine** <kate_kelly@ios.doi.gov>
Date: Tue, Oct 8, 2013 at 7:00 PM
Subject: updated - for review
To: "Haugrud, Jack" <jack.haugrud@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>

CLAUDE MOORE / [PISGAH]

--

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

--

Jonathan B. Jarvis
Director, NPS

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

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Wednesday, October 09, 2013 9:29 AM
To: Kelly, Katherine
Cc: Jon Jarvis; Peggy O'Dell; Maureen Foster; Lena McDowall; Cam Sholly; Barry Roth; Edward Boling; Lisa Mendelson; Jennifer Mummart; Bruce Sheaffer; Mike Litterst; Blake Androff
Subject: Re: quick review - claude moore and pisgah

Edits from Lena and Bruce

With the national closure in place, the National Park Service has undertaken a thorough review of unique circumstances at the request of the [concessioner/cooperative agreement operator]. The National Park Service has determined that resumption of operations can be allowed at this time consistent with the existing contractual arrangement and the Anti-Deficiency Act.

On background:

~~The operator must comply with their existing contractual agreements, and without any significant NPS management or assistance until the shutdown is over.~~

On Tue, Oct 8, 2013 at 7:42 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
Here is the updated SOL-approved version:

(b) (5)

On Tuesday, October 8, 2013, Waldron, Suzanne wrote:
ignore this - another version under review by sol which is revising - so guess we will reconnect tomorrow

leaving!

On Tue, Oct 8, 2013 at 6:59 PM, Waldron, Suzanne <suc_waldron@nps.gov> wrote:
if we get calls....

--
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
National Park Service
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Kate Kelly
Director of Communications

Department of the Interior
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kate_kelly@ios.doi.gov

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

EXPERIENCE YOUR AMERICA

From: Bean, Michael <michael_bean@ios.doi.gov>
Sent: Wednesday, October 09, 2013 9:36 AM
To: Rachel L Jacobson; Jon Jarvis; Margaret O'Dell; Barry Roth; Edward Boling
Subject: Fwd: updated - for review

forgot to copy Jon, Peggy, and Rachel on the email below.

---------- Forwarded message ----------
From: **Bean, Michael** <michael_bean@ios.doi.gov>
Date: Wed, Oct 9, 2013 at 9:33 AM
Subject: Re: updated - for review
To: "Roth, Barry" <barry.roth@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>

(b) (5)

On Wed, Oct 9, 2013 at 9:16 AM, Roth, Barry <barry.roth@sol.doi.gov> wrote:

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

This email is intended 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 the employee of or agent responsible for delivery of this email to the intended recipient, you are hereby notified that its 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.

---------- Forwarded message ----------
From: **Jarvis, Jonathan** <jon_jarvis@nps.gov>
Date: Wed, Oct 9, 2013 at 8:35 AM
Subject: Re: updated - for review
To: "Roth, Barry" <barry.roth@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Waldron, Suzanne" <Sue_Waldron@nps.gov>, "Foster, Maureen" <Maureen_Foster@nps.gov>, "McDowall, Lena" <Lena_McDowall@nps.gov>, "Sheaffer, C. B." <Bruce_Sheaffer@nps.gov>, "O'Dell, Peggy" <Peggy_O'Dell@nps.gov>

Here is my shot at a framework to approach the case by case decisions. Close hold, draft. I am talking to the Secretary about this at 9:30, so comments please.

On Tue, Oct 8, 2013 at 7:26 PM, Roth, Barry <barry.roth@sol.doi.gov> wrote:
Here is what Jack and Ted gave back to Kate.

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

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From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:23 PM
Subject: Fwd: updated - for review
To: Katherine Kelly <kate_kelly@ios.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <BARRY.ROTH@sol.doi.gov>

CLAUDE MOORE / [PISGAH]

Ted Boling
Deputy Solicitor -- Parks & Wildlife

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Ted.Boling@sol.doi.gov

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From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:14 PM
Subject: Fwd: updated - for review
To: Jack Haugrud <jack.haugrud@sol.doi.gov>

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

---------- Forwarded message ----------
From: **Kelly, Katherine** <kate_kelly@ios.doi.gov>
Date: Tue, Oct 8, 2013 at 7:00 PM
Subject: updated - for review
To: "Haugrud, Jack" <jack.haugrud@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>

CLAUDE MOORE / [PISGAH]

(b) (5)

--

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

--
Jonathan B. Jarvis
Director, NPS

--

Michael J. Bean

Counselor to the Assistant Secretary for Fish and Wildlife and Parks

Room 3152, Department of the Interior

Washington, DC 20240

202-208-4416

202-208-4684 (fax)

michael_bean@ios.doi.gov

--

Michael J. Bean

Counselor to the Assistant Secretary for Fish and Wildlife and Parks

Room 3152, Department of the Interior

Washington, DC 20240

202-208-4416

202-208-4684 (fax)

michael_bean@ios.doi.gov

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.

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: Jacobson, Rachel <rachel_jacobson@ios.doi.gov>
Sent: Wednesday, October 09, 2013 11:36 AM
To: Jarvis, Jonathan
Cc: Iacobucci, Francis; Barry Roth; Margaret O'Dell; Kevin Haugrud; Edward Boling; Nikki Buffa; Erin Walls; Michael Bean
Subject: Re: Morning Meeting
Attachments: Interim Policy RJ edits (1).docx

Jacobson edits attached

On Wed, Oct 9, 2013 at 9:14 AM, Jarvis, Jonathan <jon_jarvis@nps.gov> wrote:
Here is a draft for discussion with the Secretary at 9:45.

On Wed, Oct 9, 2013 at 8:53 AM, Iacobucci, Francis <francis_iacobucci@ios.doi.gov> wrote:
Apologies for the late notice - the NPS meeting has moved to 9:45am this morning in the Secretary's Office.

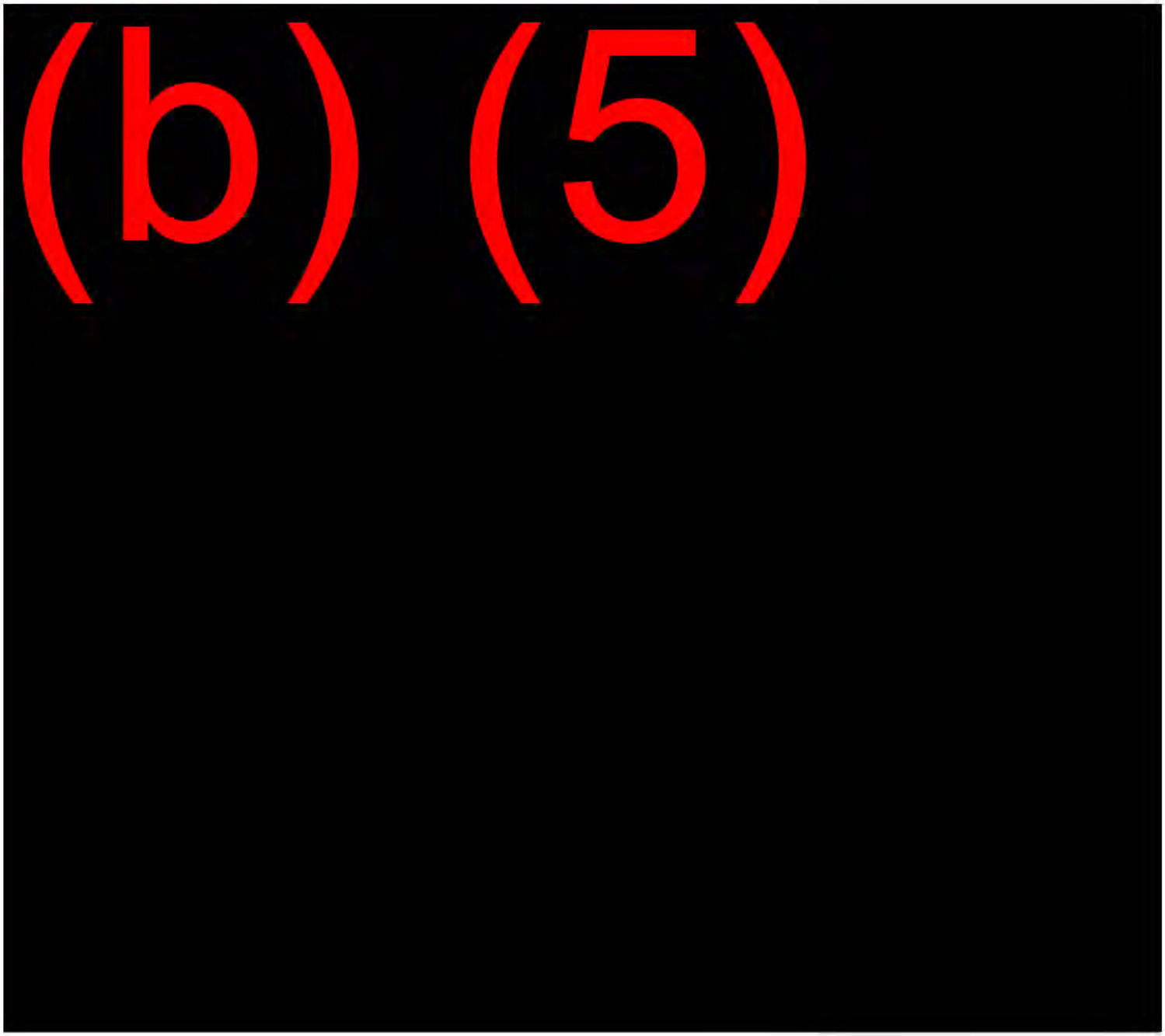
Thanks.

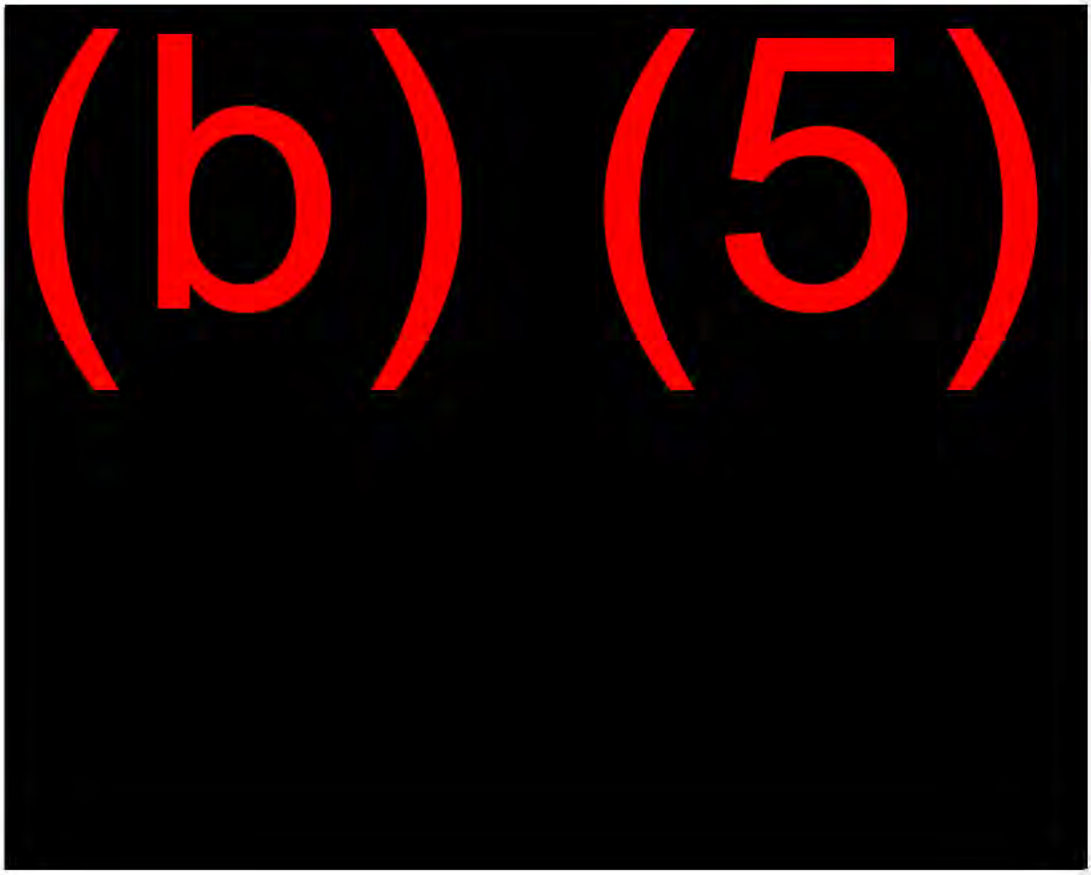
--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

--
Jonathan B. Jarvis
Director, NPS

DRAFT: Confidential, Pre-decisional and Not for Release

10/9/2013. Version 1.2




(b) (5)

From: Reynolds, William <william_f_reynolds@nps.gov>
Sent: Wednesday, October 09, 2013 12:21 PM
To: Waldron, Suzanne
Cc: Benge, Shawn; Mike Litterst; Edward Boling; Cam Sholly; Margaret O'Dell; Barry Roth; Sherri Fields
Subject: Re: BLRI--Mt. Pisgah Inn

status on the guidance?
Pisgah has posted on FB that they are opening at 5 today.
BLRI is getting queries from the media and from other concessioners.
Bill

On Tue, Oct 8, 2013 at 7:19 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
they are being worked over by the lawyers now

On Tue, Oct 8, 2013 at 7:06 PM, Benge, Shawn <shawn_benge@nps.gov> wrote:

Rangers are currently being directed to leave the area. Please be mindful the media will be calling or showing up at the park in the morning. We are going to need talking points. I would assume WASO will want the lead in developing the message?

If you have any thoughts, please let me know.

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

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

--
William F. Reynolds
Assistant Regional Director
National Park Service Southeast Region
404-507-5612

From: Vogel, Bob <bob_vogel@nps.gov>
Sent: Tuesday, October 01, 2013 9:25 AM
To: Paul Tetreault
Cc: Jonathan Jarvis; Steve Whitesell
Subject: Ford's Theatre Closure
Attachments: Fords Shutdown Letter.pdf

Dear Paul,

Due to the lack of appropriations, the National Park Service has been directed to close and secure National Park facilities and grounds in order to suspend all activities. This will include all performances at Ford's Theatre. Because of the sensitivity of this situation I have personally discussed this issue with the Director's office.

At 12:01 today, the National Mall and Memorial Parks began closure operations throughout our park. As our staff is shutting down all office equipment in government owned buildings we understand that you may have critical supplies and equipment that you may also need to close down or remove prior to full closure of the site. This will need to be accomplished by 5:00 pm today. Should you need assistance in this process we will do all that we can to help.

Paul, as you know I personally regret the impacts that this government shutdown has upon your operations. As soon as funding is restored we will move expeditiously to assure that the excellent work of the Ford's Theatre Society resumes.

I am having this letter hand delivered to you and I'm attaching this same letter as a pdf to this email.

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
(202) 426-9303 (fax)

United States Department of the Interior

NATIONAL PARK SERVICE
National Mall & Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000

Mr. Paul R. Tereault
Director, Ford's Theatre Society
574 Tenth Street, NW
Washington, D.C. 20004

Dear Mr. ~~Tetreault~~ Paul:

Due to the lack of appropriations, the National Park Service has been directed to close and secure National Park facilities and grounds in order to suspend all activities. This will include all performances at Ford's Theatre. Because of the sensitivity of this situation I have personally discussed this issue with the Director's office.

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Paul, as you know I personally regret the impacts that this government shutdown has upon your operations. As soon as funding is restored we will move expeditiously to assure that the excellent work of the Ford's Theatre Society resumes.

Sincerely,

Robert A. Vogel

Robert A. Vogel
Superintendent
National Mall and Memorial Parks

TAKE PRIDE® IN AMERICA

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Wednesday, October 09, 2013 9:33 AM
To: [redacted]@ios.doi.gov; Rachel Jacobson
Subject: Fwd: NPF Board Update: Government Shutdown + More
Attachments: image001.png; Update - October 8, 2013.pdf

Sally: In response to your thoughts on CEO contacts, note the message below from Neil to the NPF Board. If you would like I can either give you their phone numbers or prepare a email message for you to them. I also can supply the CEO's of our major concessionaires who have a major stake in this shutdown.

Jon

---------- Forwarded message ----------
From: **Neil Mulholland** <neil@nationalparks.org>
Date: Tue, Oct 8, 2013 at 11:11 AM
Subject: NPF Board Update: Government Shutdown + More
To: Angel Collins <angel@nationalparks.org>
Cc: "Al Baldwin [redacted] "Bryan Trauber [redacted] Ellen Alberding (ealberding@joycefdn.org)" <ealberding@joycefdn.org>, Ellen Malcolm <erm@emilyslist.org>, "John L. Nau (nau@sedbud.com)" <nau@sedbud.com>, MJ Veverka [redacted] Neil Mulholland <neil@nationalparks.org>, "Peter Knight (peter.knight@generationim.com)" <peter.knight@generationim.com>, "Roxanne Quimby [redacted]

Dear National Park Foundation Board Members:

As we enter the second week of government shutdown, we are beginning to gauge just how much the national parks are being impacted by the Federal closures. The shutdown reaches beyond our 401 national parks, affecting travelers, gateway communities, schools and local and national economies. Below is a brief overview of the current implications:

National Park System

- All 401 national parks are closed, including: park grounds, visitor centers, hotels, campgrounds, and park roads. Only thru ways remain open.

- All programs – including those funded by National Park Foundation grants – are canceled; permits issued for special events on park grounds nationwide are rescinded.

- More than 715,000 people per day are unable to enjoy our national parks.

- Due to an inability to maintain it, the National Park Service website is shutdown, closing off access to 750,000 web pages about national parks and programs. NPS.gov is used extensively for educational purposes and travel planning by 91 million unique visitors every year.

Human Capital

- 20,000 National Park Service employees furloughed (approximately 3,000 remain in their posts providing essential services, including security, emergency services and firefighting).

- Approximately 12,500 concession employees have been furloughed, placed on leave without pay or laid off.

Economic Impact

- The concessions operators are losing $5 million per day during the peak of the fall season (over 400 in park private events have been canceled or relocated).

- Gateway communities are collectively losing $76 million per day due to the lack of national park visitors.

- The National Park Service loses an estimated $450,000 per day in lost revenue from fees collected at entry stations and fees paid for in-park activities such as cave tours, boat rides and camping.

While we all know how far the reach of our national parks extends, these eye-opening figures are alarming. We are working with the National Park Service to provide the most updated information for our constituents across our communication platforms.

While our nation's government is shut down and our national parks are closed, the National Park Foundation remains open and operating from our D.C. headquarters, although it is a bit lonely as the only occupants in our 12-story office building.

Since we last met in Glacier National Park a month ago, the Foundation staff has been diligently at work:

- We concluded FY13 fiscal year exceeding our revenue goal by 23%.

- We concluded the $40 million Flight 93 National Memorial fundraising campaign.

- The executive team participated in a two-day retreat (all staff participated on the second day) to launch our FY14 fiscal year.

- The pre-audit work for the FY13 audit has been completed.

- The development team has conducted meetings in Austin, Denver, D.C., Los Angeles, Minneapolis, NYC, and San Francisco.

- Mindful of NPS priorities, the Foundation staff continues to refine the "big ideas" that will be presented at the Zion board meeting.

- We met with Wells Fargo and United Healthcare, concluding the initial phase of the corporate listening tour and exceeding our goal of 10 listening sessions.

- The Foundation and Grey are collaboratively working on:
  - further development of the campaign theme
  - creation of activation platforms for the Centennial
  - brand family refinement

- The Foundation and Bentz Whaley Flessner (BWF) are collaboratively working on the Centennial Campaign research with invitations extended to 150 individuals to participate in one-on-one forward-looking interviews. Additionally, BWF is preparing a current organizational assessment of NPF's fundraising capabilities, inclusive of staffing, systems, and infrastructure.

- Ironically, with Congress in session but not much legislative activity happening, we are able to meet with members to discuss the Coin Bill. As of today, we need only need 15 additional Senate co-sponsors. Perhaps we will be the first billed introduced after our government resumes operations.

- Next week the Foundation will be co-hosting the Friends Alliance meeting in Rapid City, South Dakota. Twenty-eight friends groups will be in attendance.

Board Member News

On September 9, David Shaw was honored by the International SeaKeepers Society for his leadership of the Sargasso Sea Alliance. Board members Al (and Deeann) Baldwin, Susan Gonzales, former board Chair Nancy (and Joachim) Bechtle, and Milton Chen were in attendance.

On October 4, Ellen Alberding's husband, Kelly Welsh, was nominated by President Obama to serve as General Council, Department of Commerce. Kelly attended our meeting last month at Glacier.

Welcome Susan Gonzales

Recently appointed to the NPF board and already actively engaged with the Foundation, Susan Gonzales will be attending the November board meeting. Susan currently serves as Director of Community Engagement globally for Facebook where she is responsible for defining the company's community outreach strategy and programs, including creating and managing advocacy relationship development and management. Susan has a long history of volunteer leadership, including serving as Vice Chair of the Congressional Hispanic Caucus and the Smithsonian National American Latino Museum Commission.

November Board Meeting

Our next board meeting is scheduled for November 7-9 at Zion National Park. We are working to finalize preparations for the November meeting and making contingency plans in the event the government shut down

continues into November. Angel Collins will be contacting you with specific information pertaining to the November board meeting agenda and contingency plans.

We will keep you apprised of any material developments relative to the closure of our national parks. In the interim please contact me with any questions or concerns you may have.

Neil Sincerely,

Neil Mulholland

President and CEO

National Park Foundation

1201 Eye Street NW, Suite 550B

Washington, DC 20005

202.354.6464 *direct*

303.916.1910 *cell*

The Official Charity of America's National Parks
www.nationalparks.org

Neil Mulholland

President and CEO

--
Jonathan B. Jarvis
Director, NPS

NATIONAL PARK FOUNDATION

The Official Charity of
America's National Parks

October 8, 2013

Dear National Park Foundation Board Members:

As we enter the second week of government shutdown, we are beginning to gauge just how much the national parks are being impacted by the Federal closures. The shutdown reaches beyond our 401 national parks, affecting travelers, gateway communities, schools and local and national economies. Below is a brief overview of the current implications:

National Park System

- All 401 national parks are closed, including: park grounds, visitor centers, hotels, campgrounds, and park roads. Only thru ways remain open.
- All programs – including those funded by National Park Foundation grants – are canceled; permits issued for special events on park grounds nationwide are rescinded.
- More than 715,000 people per day are unable to enjoy our national parks.
- Due to an inability to maintain it, the National Park Service website is shutdown, closing off access to 750,000 web pages about national parks and programs. NPS.gov is used extensively for educational purposes and travel planning by 91 million unique visitors every year.

Human Capital

- 20,000 National Park Service employees furloughed (approximately 3,000 remain in their posts providing essential services, including security, emergency services and firefighting).
- Approximately 12,500 concession employees have been furloughed, placed on leave without pay or laid off.

Economic Impact

- The concessions operators are losing $5 million per day during the peak of the fall season (over 400 in park private events have been canceled or relocated).
- Gateway communities are collectively losing $76 million per day due to the lack of national park visitors.
- The National Park Service loses an estimated $450,000 per day in lost revenue from fees collected at entry stations and fees paid for in-park activities such as cave tours, boat rides and camping.

While we all know how far the reach of our national parks extends, these eye-opening figures are alarming. We are working with the National Park Service to provide the most updated information for our constituents across our communication platforms.

While our nation's government is shut down and our national parks are closed, the National Park Foundation remains open and operating from our D.C. headquarters, although it is a bit lonely as the only occupants in our 12-story office building.

1201 Eye Street, NW • Suite 550B • Washington, DC 20005 • 202.354.6460 main • 202.371.2066 fax
www.nationalparks.org

Since we last met in Glacier National Park a month ago, the Foundation staff has been diligently at work:

- We concluded FY13 fiscal year exceeding our revenue goal by 23%.
- We concluded the $40 million Flight 93 National Memorial fundraising campaign.
- The executive team participated in a two-day retreat (all staff participated on the second day) to launch our FY14 fiscal year.
- The pre-audit work for the FY13 audit has been completed.
- The development team has conducted meetings in Austin, Denver, D.C., Los Angeles, Minneapolis, NYC, and San Francisco.
- Mindful of NPS priorities, the Foundation staff continues to refine the "big ideas" that will be presented at the Zion board meeting.
- We met with Wells Fargo and United Healthcare, concluding the initial phase of the corporate listening tour and exceeding our goal of 10 listening sessions.
- The Foundation and Grey are collaboratively working on:
  - further development of the campaign theme
  - creation of activation platforms for the Centennial
  - brand family refinement
- The Foundation and Bentz Whaley Flessner (BWF) are collaboratively working on the Centennial Campaign research with invitations extended to 150 individuals to participate in one-on-one forward-looking interviews. Additionally, BWF is preparing a current organizational assessment of NPF's fundraising capabilities, inclusive of staffing, systems, and infrastructure.
- Ironically, with Congress in session but not much legislative activity happening, we are able to meet with members to discuss the Coin Bill. As of today, we need only need 15 additional Senate co-sponsors. Perhaps we will be the first billed introduced after our government resumes operations.
- Next week the Foundation will be co-hosting the Friends Alliance meeting in Rapid City, South Dakota. Twenty-eight friends groups will be in attendance.

Board Member News

On September 9, David Shaw was honored by the International SeaKeepers Society for his leadership of the Sargasso Sea Alliance. Board members Al (and Deeann) Baldwin, Susan Gonzales, former board Chair Nancy (and Joachim) Bechtle, and Milton Chen were in attendance.

On October 4, Ellen Alberding's husband, Kelly Welsh, was nominated by President Obama to serve as General Council, Department of Commerce. Kelly attended our meeting last month in Glacier.

Welcome Susan Gonzales

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We will keep you apprised of any material developments relative to the closure of our national parks. In the interim please contact me with any questions or concerns you may have.

Sincerely,

Neil Mulholland
President and CEO

From: Boling, Edward <ted.boling@sol.doi.gov>
Sent: Wednesday, October 09, 2013 1:54 PM
To: Jarvis, Jonathan
Cc: Bean, Michael; Rachel L Jacobson; Margaret O'Dell; Barry Roth
Subject: Re: updated - for review

Please circulate - SOL will provide consolidated comments on that new draft.

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 Wed, Oct 9, 2013 at 1:52 PM, Jarvis, Jonathan <jon_jarvis@nps.gov> wrote:
Has everyone finished commenting? If so, I can circulate a new draft..

On Wed, Oct 9, 2013 at 9:36 AM, Bean, Michael <michael_bean@ios.doi.gov> wrote:
forgot to copy Jon, Peggy, and Rachel on the email below.

---------- Forwarded message ----------
From: **Bean, Michael** <michael_bean@ios.doi.gov>
Date: Wed, Oct 9, 2013 at 9:33 AM
Subject: Re: updated - for review
To: "Roth, Barry" <barry.roth@sol.doi.gov>, Edward Boling <ted.boling@sol.doi.gov>

(b) (5)

On Wed, Oct 9, 2013 at 9:16 AM, Roth, Barry <barry.roth@sol.doi.gov> wrote:

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

Barry.Roth@sol.doi.gov

This email is intended 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 the employee of or agent responsible for delivery of this email to the intended recipient, you are hereby notified that its 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.

---------- Forwarded message ----------
From: **Jarvis, Jonathan** <jon_jarvis@nps.gov>
Date: Wed, Oct 9, 2013 at 8:35 AM
Subject: Re: updated - for review
To: "Roth, Barry" <barry.roth@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Waldron, Suzanne" <Sue_Waldron@nps.gov>, "Foster, Maureen" <Maureen_Foster@nps.gov>, "McDowall, Lena" <Lena_McDowall@nps.gov>, "Sheaffer, C. B." <Bruce_Sheaffer@nps.gov>, "O'Dell, Peggy" <Peggy_O'Dell@nps.gov>

Here is my shot at a framework to approach the case by case decisions. Close hold, draft. I am talking to the Secretary about this at 9:30, so comments please.

On Tue, Oct 8, 2013 at 7:26 PM, Roth, Barry <barry.roth@sol.doi.gov> wrote:
Here is what Jack and Ted gave back to Kate.

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

This email is intended 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 the employee of or agent responsible for delivery of this email to the intended recipient, you are hereby notified that its 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.

---------- Forwarded message ----------
From: **Boling, Edward** <ted.boling@sol.doi.gov>
Date: Tue, Oct 8, 2013 at 7:23 PM
Subject: Fwd: updated - for review
To: Katherine Kelly <kate_kelly@ios.doi.gov>
Cc: Jack Haugrud <jack.haugrud@sol.doi.gov>, Barry Roth <BARRY.ROTH@sol.doi.gov>

CLAUDE MOORE / [PISGAH]

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: Tue, Oct 8, 2013 at 7:14 PM
Subject: Fwd: updated - for review
To: Jack Haugrud <jack.haugrud@sol.doi.gov>

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: **Kelly, Katherine** <kate_kelly@ios.doi.gov>

Date: Tue, Oct 8, 2013 at 7:00 PM
Subject: updated - for review
To: "Haugrud, Jack" <jack.haugrud@sol.doi.gov>, Ted Boling <Ted.Boling@sol.doi.gov>
Cc: "Androff, Blake J" <Blake_Androff@ios.doi.gov>, laura davis <Laura_Davis@ios.doi.gov>, Nicole Buffa <nicole_buffa@ios.doi.gov>

CLAUDE MOORE / [PISGAH]

--

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

--
Jonathan B. Jarvis
Director, NPS

--

Michael J. Bean

Counselor to the Assistant Secretary for Fish and Wildlife and Parks

Room 3152, Department of the Interior

Washington, DC 20240

202-208-4416

202-208-4684 (fax)

michael_bean@ios.doi.gov

--

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Washington, DC 20240

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michael_bean@ios.doi.gov

--

Jonathan B. Jarvis
Director, NPS

From: Vogel, Bob <bob_vogel@nps.gov>
Sent: Tuesday, October 01, 2013 10:52 AM
To: Jonathan Jarvis; Margaret O'Dell; Bruce Sheaffer; Steve Whitesell; Lisa Mendelson; Maureen Foster
Cc: Carolyn Richard; William Cheek; Karen Cucurullo; Stephen Lorenzetti; Carol Johnson
Subject: Fords Theatre Update

Just had a conversation with Paul T. regarding my earlier notification letter. The conversation was very cordial. After discussion over why the Kennedy Center could pursue a daytime closure and nighttime opening I ultimately stated that I did feel confident that the NPS had legal authority to close the site. I assured him that I would take no offense if he wanted to escalate the decision. Ultimately he suggested the idea of hosting tonight's performance on the walk way and street. I told him I thought this would be a great win-win. I also assured him that the moment we receive permission to reopen we would try to make the theatre reopening a top priority.

I love shutdowns--we should do this every week!

Bob

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
(202) 426-9303 (fax)

From: Iacobucci, Francis <francis_iacobucci@ios.doi.gov>
Sent: Thursday, October 10, 2013 6:59 PM
To: Rachel Jacobson; Jonathan Jarvis; Margaret O'Dell; Kevin Haugrud; Nikki Buffa; Blake Androff
Cc: Erin Walls
Subject: Concessions Meeting - Tomorrow Morning

Good evening -

A meeting has been scheduled tomorrow at 8:30am in the Secretary's office. Please let me know ASAP if that time will not work for you.

Many thanks,
Booch

--
Francis Iacobucci
Director | Scheduling and Advance
Department of the Interior
202.208.5723 (direct)

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: Rachel Jacobson <rachel_jacobson@ios.doi.gov>
Sent: Friday, October 11, 2013 9:51 PM
To: nicole_buffa@ios.doi.gov; Jon_Jarvis@nps.gov
Cc: Sally Jewell b6 sarah_neimeyer@ios.doi.gov; Laura_Davis@ios.doi.gov; Blake_Androff@ios.doi.gov; peggy_o'dell@nps.gov; jack.haugrud@sol.doi.gov; robert.eaton@sol.doi.gov; Ted.Boling@sol.doi.gov; barry.roth@sol.doi.gov; Kate_Kelly@ios.doi.gov
Subject: Re: Agreements

Correct, except for now (as of tonight) we are applying to 5 concessionaires, with others to be reviewed over the weekend to. Ensure they comply with criteria.

The 5 are:
Wawona hotel and store in Yosemite
Cliff house and the Youth hostel in Golden Gate
City Tavern in Independence
Peaks of Otter in Blue Ridge

From: Buffa, Nicole [mailto:nicole_buffa@ios.doi.gov]
Sent: Friday, October 11, 2013 04:46 PM
To: Jonathan Jarvis <jon_jarvis@nps.gov>
Cc: Sally Jewell B6 - Secretary Jewell>; 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

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Sent from my iPhone

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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: Tuesday, October 15, 2013 1:16 PM
To: Edward Boling; Jonathan Jarvis; Katherine Kelly; Kevin Haugrud; Laura Davis; Margaret O'Dell; Nicole Buffa; Rachel Jacobson; [redacted]os.doi.gov
Cc: Erin Walls; Maureen Foster
Subject: Meeting re: Ford's Theatre

Please meet in the Secretary's office at 1:30pm today to discuss the subject above.

Many thanks,
Booch

From: Vogel, Bob <bob_vogel@nps.gov>
Sent: Tuesday, October 15, 2013 3:07 PM
To: Margaret O'Dell; Jonathan Jarvis; Maureen Foster; Steve Whitesell; Lisa Mendelson; Stephen Lorenzetti; Karen Cucurullo
Subject: Fwd: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
Attachments: FORDS_REOPENING_10.16.ShutdownUpdate.pdf

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
(202) 426-9303 (fax)

---------- Forwarded message ----------
From: **Kristin Fox** <kfox@fords.org>
Date: Tue, Oct 15, 2013 at 3:00 PM
Subject: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
To: "Bob_Vogel@nps.gov" <Bob_Vogel@nps.gov>

Hi Bob,

Attached is the press release that FTS released this afternoon. We want to make sure that you had the final copy. Also, we want to make sure that we cut you a check this afternoon. Should it be made out to the National Park Service?

Thanks

Kristin Fox-Siegmund
Director of Programming
Ford's Theatre
514 10th Street, NW
Washington, DC 20004
202-434-9541 (o)
202-445-6519 (c)
202-347-6269 (f)
kfox@fords.org

Media Contact:
Lauren Beyea
Associate Director of Communications
(202) 434-9543 lbeyea@fords.org

Ford's Theatre
511 Tenth Street, NW
Washington, DC 20004

www.fords.org

FOR IMMEDIATE RELEASE
October 15, 2013

Ford's Theatre Society Announces Ford's Theatre National Historic Site Will Reopen Wednesday, October 16, 2013

Private Donor Donates $25,000 in Emergency Funding to Reopen Site

Daytime Visits and Performances of *The Laramie Project* Resume October 16

WASHINGTON, D.C.—**Paul R. Tetreault**, director of Ford's Theatre Society, announced that the **Ford's Theatre National Historic Site (FOTH) will reopen Wednesday, October 16, thanks to $25,000 in emergency funding provided by a key trustee, Ronald O. Perelman**. The site will reopen for daytime visits at 9a.m. on Wednesday, and **performances of *The Laramie Project* will resume** at 7:30 p.m. that evening. *The Laramie Project* runs through Oct. 27; all remaining tickets for performances are $25.

The agreement to reopen the site, which has been closed since Oct. 1, developed over the Columbus Day weekend in conversations between Tetreault and the National Park Service (NPS). After several states agreed to provide funding to reopen parks in their jurisdictions, Tetreault and NPS began exploring how a similar agreement might work for FOTH. In the spirit of continued cooperation between the Society and the National Park Service, the Society agreed to find funding to pay for park operations normally funded by NPS in four-day increments. The $25,000 gift will enable the Society to reopen the site for the next eight days.

"For 45 years, Ford's Theatre Society has been honored to operate Ford's Theatre in a public-private partnership with the National Park Service," **Tetreault said**. "For the last 15 days, both NPS and the Society have been exploring ways to reopen this important historic site to the public. Thanks to the generosity of Ronald O. Perelman, we have found a way to pay NPS's expenses for the next eight days. We look forward to welcoming our patrons back to *The Laramie Project* as well as our daytime programming. While we are pleased that we have found a short-term solution, we sincerely hope that the shutdown ends soon, as private dollars cannot replace the government's role at Ford's Theatre National Historic Site in the long term."

Ronald O. Perelman, Chairman and Chief Executive Officer of MacAndrews and Forbes Holdings Inc., is the Founding Sponsor of the Ford's Theatre Society's *Lincoln Legacy Project*; he also serves on the Society's Board of Trustees. *The Lincoln Legacy Project* is a multi-year programming effort to generate dialogue around the issues of tolerance, equality and acceptance. *The Laramie Project* is at the core of this year's *Lincoln Legacy* programming.

During the recent shutdown, performances of *The Laramie Project* were relocated to First Congregational United Church of Christ, just up the street.

"Though the shutdown has been painful, we have been amazed by the generosity of Rev. Sidney Fowler and the members of First Congregational, who have opened their beautiful space to us for more than a week of performances," **Tetreault said**. "We were honored to be in their space, and we look forward to future collaborations with our neighbors."

Ford's Theatre Society (FTS) is a private non-profit 501(c)(3) organization and does not use any federal funding nor federal employees for its programming.

The Laramie Project
By Moisés Kaufman and Members of the Tectonic Theater Project
Directed by Matthew Gardiner
Part of *The Lincoln Legacy Project*
Through October 27, 2013 * All Remaining Tickets Are $25
The Laramie Project presents a deeply complex portrait of a community's response to the 1998 murder of Matthew Shepard, a young gay man living in Laramie, Wyoming. In a series of poignant reflections, the residents of Laramie react to the hate crime and surrounding media storm with anger, bewilderment and sorrow. The play portrays the seismic and deeply personal impact Matthew's death had on this small town while also demonstrating the power of the human spirit to triumph over bigotry and violence. Fifteen years later, Matthew Shepard's story still reverberates, urging us on with its clarion call to confront the destructive power of bullying and hate, in all forms. *The Laramie Project* is the third offering in the multi-year *Lincoln Legacy Project*—an effort to generate dialogue around issues of tolerance, equality and acceptance. Experience the story that TIME Magazine calls "a pioneering and powerful stage event."

Special Exhibition- *Not Alone: The Power of Response*
Second Floor Gallery: Center for Education and Leadership (514 Tenth Street NW)
Through November 3, 2013
Following Matthew Shepard's attack in 1998, complete strangers from all over the world, moved by the horrific circumstances of Matthew's death, reached out to his parents, Judy and Dennis Shepard, to share their condolences, outrage, grief, love and support. *Not Alone: The Power of Response* pairs artist Jeff Sheng's *Where Matthew Lay Dying*, a hauntingly beautiful composite photograph of the fence outside Laramie—taken from Matthew's perspective—with a selection of the letters sent to the Shepard family in order to explore the themes of empathy, community response and personal responsibility.

Walking Tour:
Investigation: Detective McDevitt
written by Richard Hellesen
directed by Mark Ramont
runs March through October
On the night of April 14, 1865, Detective James McDevitt was on duty at the Washington Metropolitan Police headquarters, a half-block from Ford's Theatre. Just before 10:30, frantic witnesses rushed in with horrifying news: President Lincoln had been shot at the theatre. Join Detective McDevitt as he revisits the sites and reexamines the clues from the investigation into the Lincoln Assassination Conspiracy. *Investigation: Detective McDevitt* lasts approximately two hours and makes at least eight stops throughout the story. The distance walked is approximately 1.6 miles from Ford's Theatre to the White

House. Wear comfortable shoes. Tickets are currently available for dates through October 26, 2013. Spring 2014 dates will be announced in January 2014.

-more-

Daytime Visits to the Ford's Theatre Campus
Patrons can visit the Ford's Theatre National Historic Site (Museum, Theatre and Petersen House) and Center for Education and Leadership starting at 9 a.m. on Wednesday, October 16. Tickets for October 16 through October 20 will be available for free on a walk-up basis.

National Park Service and Ford's Theatre Society Partnership
Since Ford's Theatre's reopening in 1968, more than 100 years after the April 14, 1865, assassination of President Abraham Lincoln, it has been one of the most visited sites in the nation's capital. Operated through a partnership with the National Park Service and Ford's Theatre Society, Ford's Theatre has enthralled visitors because of its unique place in United States history, and its mission to celebrate the legacy of Abraham Lincoln and explore the American experience through theatre and education. The NPS and FTS work together to present the Theatre's nearly one million annual visitors with a high quality historical and cultural experience.

Ford's Theatre Society
The Ford's Theatre Society was founded under the guidance of executive producer **Frankie Hewitt**, who, during her 35-year tenure, established Ford's as a living, working theatre producing performances that highlighted the diversity of the American experience. Since the arrival of **Paul R. Tetreault** as Director, critics and the theatregoing public have recognized Ford's for the superior quality of its artistic programming. With works from the nationally acclaimed *Big River* to the world premieres of *Meet John Doe*, *The Heavens Are Hung In Black*, *Liberty Smith* and *Necessary Sacrifices*, Ford's Theatre is making its mark on the American theatre landscape. Under the leadership of **Wayne R. Reynolds**, Board of Trustees Chairman Emeritus (Chairman 2007 to 2012), the mission of Ford's Theatre Society expanded to include education as a central pillar. This expansion led to the creation and construction of the Center for Education and Leadership, which opened in February 2012. Currently, under the leadership of Board of Trustees Chairman **Eric A. Spiegel**, Ford's enters a second phase of strategic planning to ensure the organization's place as a national destination for exploring Lincoln's legacy and the American experience through the intersection of history, performance and education.

For more information on Ford's Theatre and the Ford's Theatre Society, please visit www.fords.org.

###

From: Jarvis, Jonathan <jon_jarvis@nps.gov>
Sent: Tuesday, October 15, 2013 3:13 PM
To: Laura Davis[redacted]@ios.doi.gov; Nicole Buffa; Rachel Jacobson; Peggy O'Dell
Subject: Fwd: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
Attachments: FORDS_REOPENING_10.16.ShutdownUpdate.pdf

Here we go!

---------- Forwarded message ----------
From: **Vogel, Bob** <bob_vogel@nps.gov>
Date: Tue, Oct 15, 2013 at 3:06 PM
Subject: Fwd: FW: UPDATE: FORD'S THEATRE REOPENS OCT. 16
To: Margaret O'Dell <Peggy_O'Dell@nps.gov>, Jonathan Jarvis <jon_jarvis@nps.gov>, Maureen Foster <maureen_foster@nps.gov>, Steve Whitesell <Steve_Whitesell@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, Stephen Lorenzetti <steve_lorenzetti@nps.gov>, Karen Cucurullo <karen_cucurullo@nps.gov>

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
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From: **Kristin Fox** <kfox@fords.org>
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Attached is the press release that FTS released this afternoon. We want to make sure that you had the final copy. Also, we want to make sure that we cut you a check this afternoon. Should it be made out to the National Park Service?

Thanks

Kristin Fox-Siegmund
Director of Programming
Ford's Theatre
514 10th Street, NW

Washington, DC 20004
202-434-9541 (o)
202-445-6519 (c)
202-347-6269 (f)
kfox@fords.org

--
Jonathan B. Jarvis
Director, NPS

Media Contact:
Lauren Beyea
Associate Director of Communications
(202) 434-9543 lbeyea@fords.org

Ford's Theatre
511 Tenth Street, NW
Washington, DC 20004

www.fords.org

FOR IMMEDIATE RELEASE
October 15, 2013

Ford's Theatre Society Announces Ford's Theatre National Historic Site Will Reopen Wednesday, October 16, 2013

Private Donor Donates $25,000 in Emergency Funding to Reopen Site

Daytime Visits and Performances of *The Laramie Project* Resume October 16

WASHINGTON, D.C.—**Paul R. Tetreault**, director of Ford's Theatre Society, announced that the **Ford's Theatre National Historic Site (FOTH) will reopen Wednesday, October 16, thanks to $25,000 in emergency funding provided by a key trustee, Ronald O. Perelman**. The site will reopen for daytime visits at 9a.m. on Wednesday, and **performances of *The Laramie Project* will resume** at 7:30 p.m. that evening. *The Laramie Project* runs through Oct. 27; all remaining tickets for performances are $25.

The agreement to reopen the site, which has been closed since Oct. 1, developed over the Columbus Day weekend in conversations between Tetreault and the National Park Service (NPS). After several states agreed to provide funding to reopen parks in their jurisdictions, Tetreault and NPS began exploring how a similar agreement might work for FOTH. In the spirit of continued cooperation between the Society and the National Park Service, the Society agreed to find funding to pay for park operations normally funded by NPS in four-day increments. The $25,000 gift will enable the Society to reopen the site for the next eight days.

"For 45 years, Ford's Theatre Society has been honored to operate Ford's Theatre in a public-private partnership with the National Park Service," **Tetreault said**. "For the last 15 days, both NPS and the Society have been exploring ways to reopen this important historic site to the public. Thanks to the generosity of Ronald O. Perelman, we have found a way to pay NPS's expenses for the next eight days. We look forward to welcoming our patrons back to *The Laramie Project* as well as our daytime programming. While we are pleased that we have found a short-term solution, we sincerely hope that the shutdown ends soon, as private dollars cannot replace the government's role at Ford's Theatre National Historic Site in the long term."

Ronald O. Perelman, Chairman and Chief Executive Officer of MacAndrews and Forbes Holdings Inc., is the Founding Sponsor of the Ford's Theatre Society's *Lincoln Legacy Project*; he also serves on the Society's Board of Trustees. *The Lincoln Legacy Project* is a multi-year programming effort to generate dialogue around the issues of tolerance, equality and acceptance. *The Laramie Project* is at the core of this year's *Lincoln Legacy* programming.

During the recent shutdown, performances of *The Laramie Project* were relocated to First Congregational United Church of Christ, just up the street.

"Though the shutdown has been painful, we have been amazed by the generosity of Rev. Sidney Fowler and the members of First Congregational, who have opened their beautiful space to us for more than a week of performances," **Tetreault said**. "We were honored to be in their space, and we look forward to future collaborations with our neighbors."

Ford's Theatre Society (FTS) is a private non-profit 501(c)(3) organization and does not use any federal funding nor federal employees for its programming.

The Laramie Project
By Moisés Kaufman and Members of the Tectonic Theater Project
Directed by Matthew Gardiner
Part of *The Lincoln Legacy Project*
Through October 27, 2013 * All Remaining Tickets Are $25
The Laramie Project presents a deeply complex portrait of a community's response to the 1998 murder of Matthew Shepard, a young gay man living in Laramie, Wyoming. In a series of poignant reflections, the residents of Laramie react to the hate crime and surrounding media storm with anger, bewilderment and sorrow. The play portrays the seismic and deeply personal impact Matthew's death had on this small town while also demonstrating the power of the human spirit to triumph over bigotry and violence. Fifteen years later, Matthew Shepard's story still reverberates, urging us on with its clarion call to confront the destructive power of bullying and hate, in all forms. *The Laramie Project* is the third offering in the multi-year *Lincoln Legacy Project*—an effort to generate dialogue around issues of tolerance, equality and acceptance. Experience the story that TIME Magazine calls "a pioneering and powerful stage event."

Special Exhibition- *Not Alone: The Power of Response*
Second Floor Gallery: Center for Education and Leadership (514 Tenth Street NW)
Through November 3, 2013
Following Matthew Shepard's attack in 1998, complete strangers from all over the world, moved by the horrific circumstances of Matthew's death, reached out to his parents, Judy and Dennis Shepard, to share their condolences, outrage, grief, love and support. *Not Alone: The Power of Response* pairs artist Jeff Sheng's *Where Matthew Lay Dying*, a hauntingly beautiful composite photograph of the fence outside Laramie—taken from Matthew's perspective—with a selection of the letters sent to the Shepard family in order to explore the themes of empathy, community response and personal responsibility.

Walking Tour:
Investigation: Detective McDevitt
written by Richard Hellesen
directed by Mark Ramont
runs March through October
On the night of April 14, 1865, Detective James McDevitt was on duty at the Washington Metropolitan Police headquarters, a half-block from Ford's Theatre. Just before 10:30, frantic witnesses rushed in with horrifying news: President Lincoln had been shot at the theatre. Join Detective McDevitt as he revisits the sites and reexamines the clues from the investigation into the Lincoln Assassination Conspiracy. *Investigation: Detective McDevitt* lasts approximately two hours and makes at least eight stops throughout the story. The distance walked is approximately 1.6 miles from Ford's Theatre to the White

House. Wear comfortable shoes. Tickets are currently available for dates through October 26, 2013. Spring 2014 dates will be announced in January 2014.

-more-

Daytime Visits to the Ford's Theatre Campus
Patrons can visit the Ford's Theatre National Historic Site (Museum, Theatre and Petersen House) and Center for Education and Leadership starting at 9 a.m. on Wednesday, October 16. Tickets for October 16 through October 20 will be available for free on a walk-up basis.

National Park Service and Ford's Theatre Society Partnership
Since Ford's Theatre's reopening in 1968, more than 100 years after the April 14, 1865, assassination of President Abraham Lincoln, it has been one of the most visited sites in the nation's capital. Operated through a partnership with the National Park Service and Ford's Theatre Society, Ford's Theatre has enthralled visitors because of its unique place in United States history, and its mission to celebrate the legacy of Abraham Lincoln and explore the American experience through theatre and education. The NPS and FTS work together to present the Theatre's nearly one million annual visitors with a high quality historical and cultural experience.

Ford's Theatre Society
The Ford's Theatre Society was founded under the guidance of executive producer **Frankie Hewitt**, who, during her 35-year tenure, established Ford's as a living, working theatre producing performances that highlighted the diversity of the American experience. Since the arrival of **Paul R. Tetreault** as Director, critics and the theatregoing public have recognized Ford's for the superior quality of its artistic programming. With works from the nationally acclaimed *Big River* to the world premieres of *Meet John Doe*, *The Heavens Are Hung In Black*, *Liberty Smith* and *Necessary Sacrifices*, Ford's Theatre is making its mark on the American theatre landscape. Under the leadership of **Wayne R. Reynolds**, Board of Trustees Chairman Emeritus (Chairman 2007 to 2012), the mission of Ford's Theatre Society expanded to include education as a central pillar. This expansion led to the creation and construction of the Center for Education and Leadership, which opened in February 2012. Currently, under the leadership of Board of Trustees Chairman **Eric A. Spiegel**, Ford's enters a second phase of strategic planning to ensure the organization's place as a national destination for exploring Lincoln's legacy and the American experience through the intersection of history, performance and education.

For more information on Ford's Theatre and the Ford's Theatre Society, please visit www.fords.org.

###

From: Vogel, Bob <bob_vogel@nps.gov>
Sent: Tuesday, October 15, 2013 3:53 PM
To: Jonathan Jarvis
Subject: Fwd: NPS deal

Jon,

This is a copy of my earlier e-mail.

Bob

Robert A. Vogel
Superintendent
National Mall and Memorial Parks
900 Ohio Drive, SW 20024-2000
(202) 245-4661
(202) 426-9303 (fax)

---------- Forwarded message ----------
From: **Bob Vogel** <bob_vogel@nps.gov>
Date: Fri, Oct 11, 2013 at 3:48 PM
Subject: Fwd: NPS deal
To: Maureen Foster <Maureen_Foster@nps.gov>, Margaret O'Dell <peggy_o'dell@nps.gov>, Jon Jarvis <Jon_Jarvis@nps.gov>

Sent from my iPhone

Begin forwarded message:

> **From:** Paul Tetreault <pault@fords.org>
> **Date:** October 11, 2013, 3:36:46 PM EDT
> **To:** "Vogel, Bob" <bob_vogel@nps.gov>
> **Subject: FW: NPS deal**
>
> Bob,
>
> Please let me know if this is what you are looking for and if we can get some response from this today or tomorrow.
>
> Paul

****

Paul R. Tetreault

Director

Ford's Theatre Society

514 Tenth Street, NW

Washington, DC 20004

202-434-9540

pault@fords.org

Visit our website at www.fords.org

From: Douglas Wilson
Sent: Friday, October 11, 2013 3:31 PM
To: Paul Tetreault
Subject: NPS deal

Evening performances by Ford's Theatre Society in the historic Ford's Theatre currently consume minimal federal resources. National Park Service administration and the rangers that assist with interpretation in the Theatre and in the Petersen House work during the hours of 8:00-5:30. Our evening performances start no earlier than 7:30 p.m. As patrons begin arriving, the Ford's Theatre Society staff is on hand to provide house management services in both the Society's lobby space and the Theatre. Ford's Theatre Society works with a roster of civilian volunteers who assist patrons with seating and emergencies as well as to help enforce NPS regulations regarding food, drink, and gum in the historic Theatre. All running crew, actors, and stage management are also Ford's Theatre Society employees paid by the Society.

Expenses that are incurred by NPS during Ford's Theatre Society performances are guard services and utilities. While there could be some incremental heating, cooling, and electrical expense because of the number of people in the space and the lighting of performances, most guard and utility expenses are incurred by NPS whether Ford's Theatre Society is hosting performances or not.

In the spirit of continued cooperation between the Society and NPS, the Society would agree, during this protracted government shutdown, to reimburse the National Park Service for the incremental utility costs associated with Ford's Theatre Society performances that take place in the Theatre. I'm sure we can agree on a baseline expense based on utility costs thus far during the shutdown, so that the Society's incremental costs can be determined.

Douglas Wilson
Director of Finance
Ford's Theatre Society
514 Tenth Street, NW
Washington, DC 20004
Phone: 202-434-9554 (direct)
www.fords.org
dwilson@fords.org

Young, Deirdre R

From: Patricia Trap <patricia_trap@nps.gov>
Sent: Sunday, October 13, 2013 11:27 AM
To: Sievers, George
Subject: Re: Opening of JEFF and OZAR

Thanks George. Can you give me a call on my cell? Thx.

Patty

Deputy Regional Director
National Park Service
cell: 402-637-2414
office: 402-637-2414

On Oct 13, 2013, at 10:19 AM, "Sievers, George" <george_sievers@nps.gov> wrote:

> There are many service contracts that are suspended that support the day-to-day operations of each Park. These things need to be restarted simultaneously in order for the park to operate (trash, water testing, etc...). To complicate issues, these contacts are housed at the Missouri MABO. If one or both parks open, either Mike Schreiber (MABO Lead) or Terri Dyke (CO) will have to be brought back as "exempted" to get the service contracts back up and running.
>
> I have already discussed with Mike and he understands the situation.
>
> V/R-
>
> George Sievers
> Acting Regional Chief of Contracting
> National Park Service, Midwest Region
> 402-661-1680 (voice)
> 402-661-1681 (fax)
> Please visit our Contracting Sharepoint

Young, Deirdre R

From: Sievers, George <george_sievers@nps.gov>
Sent: Sunday, October 13, 2013 11:19 AM
To: Patricia Trap
Cc: Michael Schreiber; Terri Dyke
Subject: Opening of JEFF and OZAR

There are many service contracts that are suspended that support the day-to-day operations of each Park. These things need to be restarted simultaneously in order for the park to operate (trash, water testing, etc...). To complicate issues, these contacts are housed at the Missouri MABO. If one or both parks open, either Mike Schreiber (MABO Lead) or Terri Dyke (CO) will have to be brought back as "exempted" to get the service contracts back up and running.

I have already discussed with Mike and he understands the situation.

V/R-

George Sievers
Acting Regional Chief of Contracting
National Park Service, Midwest Region
402-661-1680 (voice)
402-661-1681 (fax)
Please visit our Contracting Sharepoint

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 08, 2013 2:52 PM
To: Maureen Foster; Lena McDowall; Barry Roth
Subject: Information for PWR parks/ through roads/cooperators/concessions
Attachments: concessions question.pwr.docx; Concessions question (1).xlsx

Attached please find two items for Pacific West Parks.

1. An excel listing of our parks that delineates which parks have through, open roads and which parks have cooperators/concessions on those roads.

2. A word document that identifies the cooperators/concessions on those roads affected by the shutdown.

We're missing responses from about 4 parks -- so we'll update the info as soon I get more information.

Please let me know if you have any questions or concerns.

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

Death Valley NP

State Highway 190 - Concessions closed - Death Valley Lodging Company at Stovepipe Wells (motel, restaurant, store, gift shop, and gas station).

Scotty's Junction Road - Scotty's Castle closed - Death Valley NHA Concessions closed (book store and food services.)

Private inholdings Furnace Creek Ranch and Inn (Xanterra) and Panamint Springs resort remain open on Hwy. 190.

Golden Gate NRA

Fort Mason and Marin Hostel (could remain open because the park areas are not close-able, but we forced closure)
Cliff House (you know the story there)
Stinson Beach Surfer's Grill (closed, few customers)
Crissy Field Warming Hut (closed even though park area is not close-able)
Crissy Field East Beach Cafe (closed even though park area is not close-able)

(*Cooperators that have financial assistance is in the form of assigned facilities (not appropriations) and whom do not require substantial involvement from NPS on a daily basis, and who are not in an area that is physically closed because there is a through road open (Marin Headlands and Fort Baker), are being allowed to maintain limited operations, however, they are confined to their campuses. So if they have program participants, they are not allowed to roam the park like they normally do, they can only stay inside their assigned area. This has resulted in some program modification/cancellation/rescheduling but I am not sure to what extent. The major ones that come to mind include Naturebridge, YMCA Point Bonita, Marine Mammal Center, Bay Area Discovery Museum, and Headlands Center for the Arts.)*

Mojave

Concessions lunch counter inside VC

Olympic National Park

Highway 101 is a through road open within Olympic NP. One concession,Kalaloch Lodge,is located just off the highway. Lake Crescent Lodge is approximately .5 miles from the highway and accessed by a park road. Our cooperator NatureBridge is also located about .5 miles off of 101 and accessed by a park road.

Point Reyes National Seashore

Highway 1 - Stewart Horse Camp and Five Brooks Stables (concessions)
Sir Francis Drake Boulevard - Drakes Beach Cafe (concession)

Sequoia and Kings Canyon NP

Hwy 180 through the Grant Grove area of Kings Canyon National Park is a "thru-road" open to USFS lands and private properties within the park (Wilsonia). The park concession at Grant Grove is closed (KCPS, which is currently transitioning to the new contract with DNC). The USFS concessions (Montecito-Sequoia Resort, and Boyden Cave) were initially open, then closed, and have been allowed to re-open.

The Generals Highway through Sequoia National Park is closed (this section is not a state highway). The DNC concessions at Wuksachi and Lodgepole are closed.

Whiskeytown NRA

Forever Resorts

Yosemite National Park

Highway 120, DNC Crane Flat Store, Yosemite Conservancy Store, Naturebridge Campus Closed at Crane Flat (Tuolumne Concessions already closed due to winter)

Highway 140, El Portal Market, reduce hours for public health and safety, DNC Valley Tram Tours

Highway 41, Wawona Hotel, Wawona Market, Mariposa Grove Gift Shop and Tram Tours, Yosemite Conservancy Store

Park					
	Open Thru Road	Cooperators or Concession			
ALKA	No	No			
AMME/WAPA	No	No			
BIHO	No	No			
CABR	No	No			
CHIS	No	No			
CECH	No	No			
CIRO	Yes	No			
CRLA					
CRMO	No	No			
DEPO	No	No			
DEVA	Yes	Yes			
EBLA	No	No			
EUON/JOMU/POCH/RORI	No	No			
FOVA	No	No			
GOGA	Yes	Yes			
GRBA	No	No			
HAFO/MIIN	No	No			
HALE	No	No			
HAVO	Yes	No			
JODA	Yes	No			
JOTR	No	No			
JUBA	No	No			
KAHO	No	No			
KALA	No	No			
KLSE	No	No			
LABE	No	No			
LAKE	No	No			
LARO	Yes	No			
LAVO					
LEWI	No	No			
MANZ	No	No			
MOJA	Yes	Yes			
MORA	Yes	No			
NEPE	Yes	No			
NOCA	Yes	Yes			
NPSA	No	No			
OLYM	Yes	No			
ORCA	No	No			
PARA	No	No			
PINN	No	No			
PORE	Yes	Yes			
PUHE	No	No			
PUHO	No	No			
PWRO	No	No			
REDW	Yes	No			
SAFR	No	No			
SAJH	No	No			
SAMO	No	No			
SEKI	Yes	Yes			
TULE	No	No			
VALR	No	No			
WHIS	Yes	Yes			
WHMI	No	No			
YOSE	Yes	Yes			

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 08, 2013 2:34 PM
To: Scott Wanek
Subject: Write up so far.
Attachments: concessions question.pwr.docx

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

Death Valley NP

State Highway 190 - Concessions closed - Death Valley Lodging Company at Stovepipe Wells (motel, restaurant, store, gift shop, and gas station).

Scotty's Junction Road - Scotty's Castle closed - Death Valley NHA Concessions closed (book store and food services.)

Private inholdings Furnace Creek Ranch and Inn (Xanterra) and Panamint Springs resort remain open on Hwy. 190.

Golden Gate NRA

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Stinson Beach Surfer's Grill (closed, few customers)
Crissy Field Warming Hut (closed even though park area is not close-able)
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(*Cooperators that have financial assistance is in the form of assigned facilities (not appropriations) and whom do not require substantial involvement from NPS on a daily basis, and who are not in an area that is physically closed because there is a through road open (Marin Headlands and Fort Baker), are being allowed to maintain limited operations, however, they are confined to their campuses. So if they have program participants, they are not allowed to roam the park like they normally do, they can only stay inside their assigned area. This has resulted in some program modification/cancellation/rescheduling but I am not sure to what extent. The major ones that come to mind include Naturebridge, YMCA Point Bonita, Marine Mammal Center, Bay Area Discovery Museum, and Headlands Center for the Arts.)*

Mojave

Concessions lunch counter inside VC

Olympic National Park

Highway 101 is a through road open within Olympic NP. One concession,Kalaloch Lodge,is located just off the highway. Lake Crescent Lodge is approximately .5 miles from the highway and accessed by a park road. Our cooperator NatureBridge is also located about .5 miles off of 101 and accessed by a park road.

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The Generals Highway through Sequoia National Park is closed (this section is not a state highway). The DNC concessions at Wuksachi and Lodgepole are closed.

Whiskeytown NRA

Forever Resorts

Yosemite National Park

Highway 120, DNC Crane Flat Store, Yosemite Conservancy Store, Naturebridge Campus Closed at Crane Flat (Tuolumne Concessions already closed due to winter)

Highway 140, El Portal Market, reduce hours for public health and safety, DNC Valley Tram Tours

Highway 41, Wawona Hotel, Wawona Market, Mariposa Grove Gift Shop and Tram Tours, Yosemite Conservancy Store

Young, Deirdre R

From: Wanek, Scott <scott_wanek@nps.gov>
Sent: Tuesday, October 08, 2013 2:07 PM
To: Patty Neubacher
Subject: Updated List
Attachments: Concessions question.xlsx

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

Park					
	Open Thru Road	Cooperators or Concession			
ALKA	No	No			
AMME/WAPA	No	No			
BIHO	No	No			
CABR	No	No			
CHIS					
CECH	No	No			
CIRO	Yes	No			
CRLA					
CRMO					
DEPO	No	No			
DEVA	Yes	Yes			
EBLA	No	No			
EUON/JOMU/POCH/RORI	No	No			
FOVA	No	No			
GOGA	Yes	Yes			
GRBA	No	No			
HAFO/MIIN					
HALE	No	No			
HAVO	Yes	No			
JODA	Yes	No			
JOTR	No	No			
JUBA	No	No			
KAHO	No	No			
KALA	No	No			
KLSE	No	No			
LABE					
LAKE					
LARO					
LAVO					
LEWI	No	No			
MANZ	No	No			
MOJA	Yes	Yes			
MORA	Yes	No			
NEPE					
NOCA	Yes	Yes			
NPSA	No	No			
OLYM	Yes	No			
ORCA	No	No			
PARA	No	No			
PINN	No	No			
PORE	Yea	Yes			
PUHE	No	No			
PUHO	No	No			
PWRO	No	No			
REDW	Yes	No			
SAFR	No	No			
SAJH	No	No			
SAMO	No	No			
SEKI	Yes	Yes			
TULE					
VALR					
WHIS	Yes	Yes			
WHMI	No	No			
YOSE	Yes	Yes			

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 08, 2013 1:41 PM
To: Francis Dean
Cc: Lena McDowall; Bruce Sheaffer; Aaron Roth
Subject: Re: Cliff House status

Thanks Bruce.

On Tue, Oct 8, 2013 at 10:39 AM, Francis Dean <frank_dean@nps.gov> wrote:
I just spoke to the Cliff House operator and he has agreed to close down today. Will confirm this later today, so hold off on the letters for now. Will keep you posted. No media coverage yet.

Frank

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

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

Young, Deirdre R

From: Francis Dean <frank_dean@nps.gov>
Sent: Tuesday, October 08, 2013 1:40 PM
To: lena_mcdowall@nps.gov; bruce_sheaffer@nps.gov; patty_neubacher@nps.gov; Aaron_Roth@nps.gov
Subject: Cliff House status

I just spoke to the Cliff House operator and he has agreed to close down today. Will confirm this later today, so hold off on the letters for now.
Will keep you posted. No media coverage yet.

Frank

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

Young, Deirdre R

From: Roth, Aaron <aaron_roth@nps.gov>
Sent: Tuesday, October 08, 2013 12:44 PM
To: Neubacher, Patricia
Cc: Scott Wanek; Frank Dean
Subject: Re: NEED RESPONSE FROM YOU ASAP! Negative responses required!

Cooperators that have financial assistance is in the form of assigned facilities (not appropriations) and whom do not require substantial involvement from NPS on a daily basis, and who are not in an area that is physically closed because there is a through road open (Marin Headlands and Fort Baker), are being allowed to maintain limited operations, however, they are confined to their campuses. So if they have program participants, they are not allowed to roam the park like they normally do, they can only stay inside their assigned area. This has resulted in some program modification/cancellation/rescheduling but I am not sure to what extent. The major ones that come to mind include Naturebridge, YMCA Point Bonita, Marine Mammal Center, Bay Area Discovery Museum, and Headlands Center for the Arts.

On Tue, Oct 8, 2013 at 9:28 AM, Neubacher, Patricia <patty_neubacher@nps.gov> wrote:
Aaron: are cooperators like NatureBridge still operating?

On Tue, Oct 8, 2013 at 9:25 AM, Roth, Aaron <aaron_roth@nps.gov> wrote:
Patty,

We have the following open roads: Fort Mason Franklin Street, Marin Headlands-Bunker Road, Fort Baker-East Road. These are NPS owned through roads maintained open to provide access to housing, lessee's, maintenance of infrastructure, etc.

We have a number of other roads that run adjacent or through our property maintained by local jurisdictions, Mason Street, Lincoln Blvd, Highway 101, Point Lobos Ave, Highway 1, Frank Valley-Muir Woods Road, Panoramic Highway, Golden Gate Bridge - to name a few.

In terms of concessions/cooperators, the following have been closed.
==========
Alcatraz Cruises Ferry (prohibited from landing on Island)
Alcatraz Interpretive Store (closed, no customers)
Muir Woods Food and Beverage and Retail (No customers, park closed)
Fort Mason and Marin Hostel (could remain open because the park areas are not close-able, but we forced closure)
Cliff House (you know the story there)
Stinson Beach Surfer's Grill (closed, few customers)
Crissy Field Warming Hut (closed even though park area is not close-able)
Crissy Field East Beach Cafe (closed even though park area is not close-able)
Lands End Lookout Interpretive Store (closed)
Marin Headlands Visitor Center Interpretive Store (VC is closed)
Fort Point Interpretive Store (Fort closed)

Hope that helps!

On Tue, Oct 8, 2013 at 9:00 AM, Neubacher, Patricia <patty_neubacher@nps.gov> wrote:
Can you let me know which of you have open, through roads? And, of those, which ones have concessions/nonprofits/cooperators that we have closed due to the lapse in appropriation.

Can you please list which roads and which ones they are? Trying to get a handle on the number of cooperators/concessions affected.

Thanks. Can you get this to me as soon as possible? but no later than noono PDT.

Thanks so much!

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

--
==========
Aaron Roth
Deputy Superintendent
Golden Gate National Recreation Area
aaron_roth@nps.gov
(415) 561-4720
==========

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

--
==========
Aaron Roth
Deputy Superintendent
Golden Gate National Recreation Area
aaron_roth@nps.gov

(415) 561-4720

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 08, 2013 12:29 PM
To: Roth, Aaron; Scott Wanek
Cc: Frank Dean
Subject: Re: NEED RESPONSE FROM YOU ASAP! Negative responses required!

Aaron: are cooperators like NatureBridge still operating?

On Tue, Oct 8, 2013 at 9:25 AM, Roth, Aaron <aaron_roth@nps.gov> wrote:
Patty,

We have the following open roads: Fort Mason Franklin Street, Marin Headlands-Bunker Road, Fort Baker-East Road. These are NPS owned through roads maintained open to provide access to housing, lessee's, maintenance of infrastructure, etc.

We have a number of other roads that run adjacent or through our property maintained by local jurisdictions, Mason Street, Lincoln Blvd, Highway 101, Point Lobos Ave, Highway 1, Frank Valley-Muir Woods Road, Panoramic Highway, Golden Gate Bridge - to name a few.

In terms of concessions/cooperators, the following have been closed.
==========
Alcatraz Cruises Ferry (prohibited from landing on Island)
Alcatraz Interpretive Store (closed, no customers)
Muir Woods Food and Beverage and Retail (No customers, park closed)
Fort Mason and Marin Hostel (could remain open because the park areas are not close-able, but we forced closure)
Cliff House (you know the story there)
Stinson Beach Surfer's Grill (closed, few customers)
Crissy Field Warming Hut (closed even though park area is not close-able)
Crissy Field East Beach Cafe (closed even though park area is not close-able)
Lands End Lookout Interpretive Store (closed)
Marin Headlands Visitor Center Interpretive Store (VC is closed)
Fort Point Interpretive Store (Fort closed)

Hope that helps!

On Tue, Oct 8, 2013 at 9:00 AM, Neubacher, Patricia <patty_neubacher@nps.gov> wrote:
Can you let me know which of you have open, through roads? And, of those, which ones have concessions/nonprofits/cooperators that we have closed due to the lapse in appropriation.

Can you please list which roads and which ones they are? Trying to get a handle on the number of cooperators/concessions affected.

Thanks. Can you get this to me as soon as possible? but no later than noono PDT.

Thanks so much!

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

--
==========
Aaron Roth
Deputy Superintendent
Golden Gate National Recreation Area
aaron_roth@nps.gov
(415) 561-4720
==========

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

Young, Deirdre R

From: Roth, Aaron <aaron_roth@nps.gov>
Sent: Tuesday, October 08, 2013 12:25 PM
To: Neubacher, Patricia; Frank Dean
Subject: Re: NEED RESPONSE FROM YOU ASAP! Negative responses required!

Patty,

We have the following open roads: Fort Mason Franklin Street, Marin Headlands-Bunker Road, Fort Baker-East Road. These are NPS owned through roads maintained open to provide access to housing, lessee's, maintenance of infrastructure, etc.

We have a number of other roads that run adjacent or through our property maintained by local jurisdictions, Mason Street, Lincoln Blvd, Highway 101, Point Lobos Ave, Highway 1, Frank Valley-Muir Woods Road, Panoramic Highway, Golden Gate Bridge - to name a few.

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Deputy Regional Director

Pacific West Region
(415) 623-2105 work
(510) 604-9998 cell

--
==========
Aaron Roth
Deputy Superintendent
Golden Gate National Recreation Area
aaron_roth@nps.gov
(415) 561-4720
==========

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 08, 2013 11:51 AM
To: Frank Dean
Subject: Re: Letters

Yes. Just did...

On Tue, Oct 8, 2013 at 8:47 AM, Frank Dean <frank_dean@nps.gov> wrote:
Patty,

Can you send the Cliff House draft letters to me?

Thanks,

Frank

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 08, 2013 11:51 AM
To: Frank Dean
Subject: Fwd: Two draft letters re: Cliff House for discussion
Attachments: GOGA019-98 response to attorney.docx; GOGA010-98 Notice of Default_10.07.13.docx

---------- Forwarded message ----------
From: **McDowall, Lena** <lena_mcdowall@nps.gov>
Date: Mon, Oct 7, 2013 at 12:24 PM
Subject: Two draft letters re: Cliff House for discussion
To: Patricia Neubacher <patty_neubacher@nps.gov>

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

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

Mr. Louis N. Haas
Haas Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

Re: Concession Contract CC-GOGA019-90 (the "Contract")

Dear Mr. Haas:

I am writing in response to your letter of October 4, 2013 in connection with the National Park Service's ("NPS") order to your client, Peanut Wagon, Inc. ("PWI"), to suspend its provision of visitor services under the Contract.

Although the NPS is sympathetic to PWI's frustrations, the Director of the NPS has determined that all units of the National Park System must close because of the lapse in appropriations and the NPS must enforce its concession contracts uniformly. Accordingly, should your client elect to re-open The Cliff House restaurant, the NPS would be forced to characterize that action as an event of default. Even if the NPS ultimately decided not to pursue termination of the Contract due to the default, the issuance of the Notice of Default itself could potentially adversely affect PWI's ability to compete for the next concession contract or lease (if the NPS determines that a lease would be appropriate and legally authorized for that business opportunity in the future).

We urge PWI to cooperate with the National Park Service in these difficult times so that no further action is necessary and this relationship may be continued.

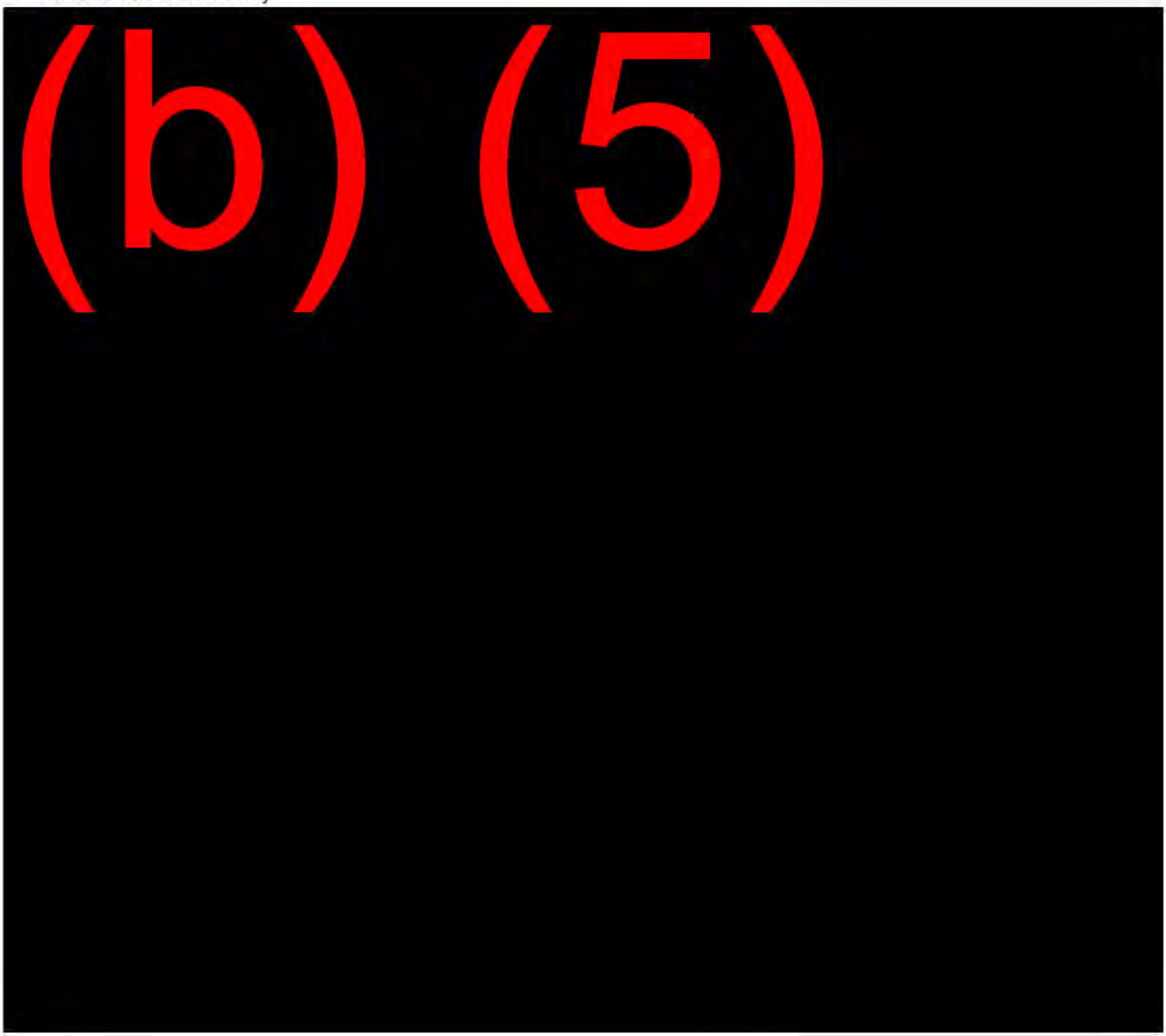
Sincerely,

Lena McDowall
Associate Director, Business Services

cc: Patty Neubacher
Frank Dean
PWI

[on National Park Service letterhead]

Via email and hand delivery



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Lena McDowall
Associate Director, Business Operations

cc: [insert Superintendent's name]

encl.

Young, Deirdre R

From: Frank Dean <frank_dean@nps.gov>
Sent: Tuesday, October 08, 2013 11:48 AM
To: Patricia Neubacher
Subject: Letters

Patty,

Can you send the Cliff House draft letters to me?

Thanks,

Frank

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Monday, October 07, 2013 3:25 PM
To: Patricia Neubacher
Subject: Two draft letters re: Cliff House for discussion
Attachments: GOGA019-98 response to attorney.docx; GOGA010-98 Notice of Default_10.07.13.docx

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

Mr. Louis N. Haas
Haas Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

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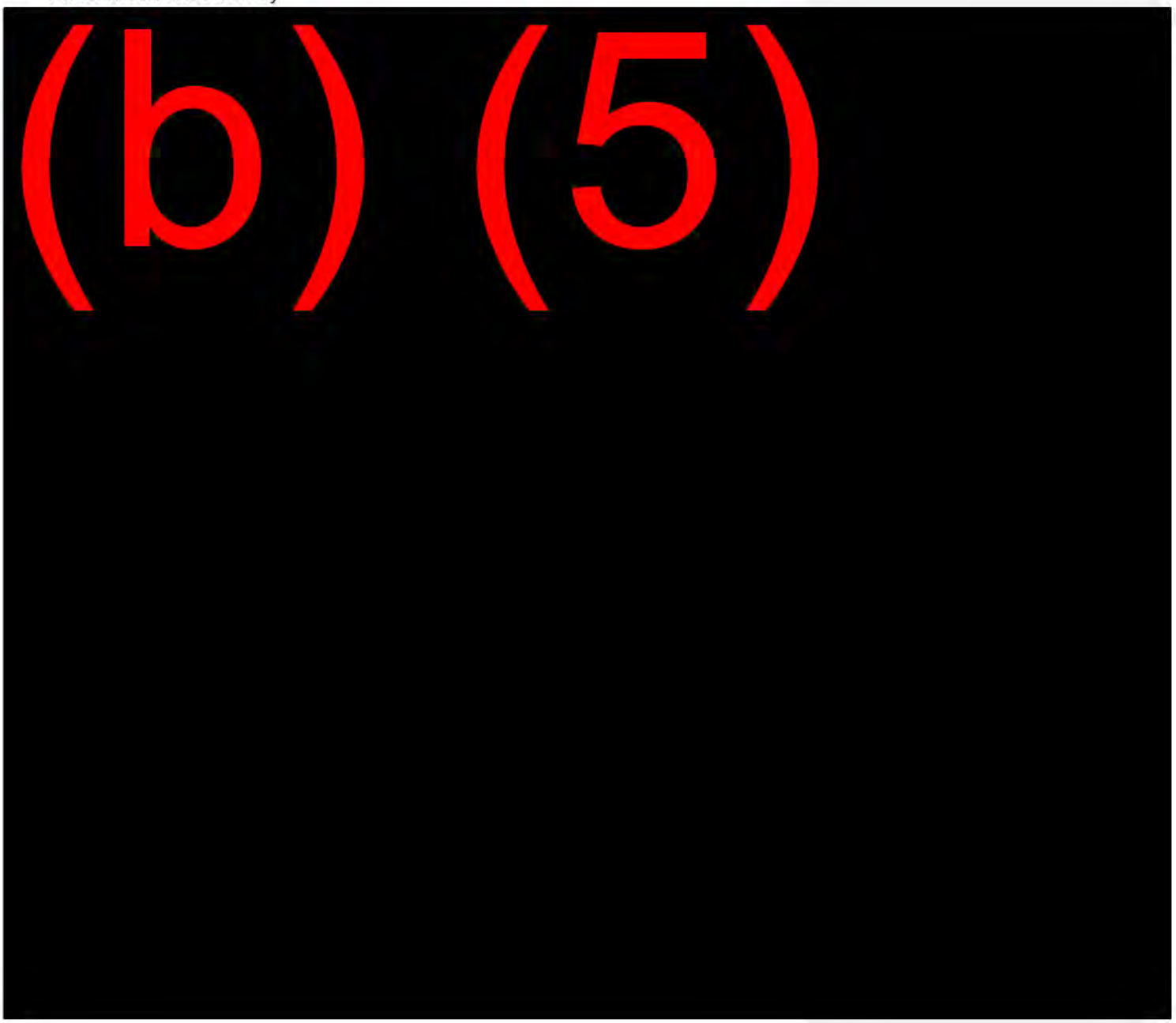
Sincerely,

Lena McDowall
Associate Director, Business Services

cc: Patty Neubacher
Frank Dean
PWI

[on National Park Service letterhead]

Via email and hand delivery



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Lena McDowall
Associate Director, Business Operations

cc: [insert Superintendent's name]

encl.

Young, Deirdre R

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

Bruce,

I was referring to the disagreement in Congress, but assume you mean no change in our NPS position on concession facilities? If so, I will relay that to the operator. At this hour, I mostly wanted WASO to know the facility has defied the closure order and is now open for business.

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

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

Frank.. there is no disagreement in Washington..

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

Lena and Patty,

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

Frank
415 710-7484c

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

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

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

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

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

Thanks for your assistance on this,

Frank

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

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

Frank,

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

Lou

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

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

Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lmabie@hnattorneys.com

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

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Monday, October 07, 2013 1:35 PM
To: Trystan Stern; Craig Dalby; Scott Wanek
Subject: Fwd: URGENT Cliff House has reopened---

fyi

---------- Forwarded message ----------
From: **Sheaffer, Bruce** <bruce_sheaffer@nps.gov>
Date: Mon, Oct 7, 2013 at 10:32 AM
Subject: Re: URGENT Cliff House has reopened---
To: Francis Dean <frank_dean@nps.gov>
Cc: Lena McDowall <lena_mcdowall@nps.gov>, Patty Neubacher <patty_neubacher@nps.gov>, Peggy O'Dell <peggy_o'dell@nps.gov>

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Confidential

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Frank
415 710-7484c

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

From: McDowall, Lena [mailto:lena_mcdowall@nps.gov]
Sent: Monday, October 07, 2013 06:35 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: Patricia Neubacher <patty_neubacher@nps.gov>; Peggy O'Dell <peggy_o'dell@nps.gov>; Jonathan Jarvis <jon_jarvis@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>
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From: Lou Haas [mailto:LHaas@hnattorneys.com]
Sent: Friday, October 04, 2013 05:47 PM
To: Frank Dean <frank_dean@nps.gov>
Subject: FW: The Cliff House---NPS Shutdown Order

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415.391.0555 f
lhaas@hnattorneys.com

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

Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lmabie@hnattorneys.com

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--

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

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

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Monday, October 07, 2013 1:35 PM
To: Scott Wanek; Trystan Stern; Craig Dalby
Subject: Fwd: URGENT Cliff House has reopened---

fyi

---------- Forwarded message ----------
From: **McDowall, Lena** <lena_mcdowall@nps.gov>
Date: Mon, Oct 7, 2013 at 10:28 AM
Subject: Re: URGENT Cliff House has reopened---
To: Cam Sholly <cam_sholly@nps.gov>
Cc: Peggy O'Dell <Peggy_O'Dell@nps.gov>, Maureen Foster <Maureen_Foster@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Patricia Neubacher <patty_neubacher@nps.gov>

Just talked to Patty. Patty is going to let Frank know that the Director's Closure Determination and Notice applies to Cliff House as it does to all other concession facilities Servicewide. I will work with the solicitors to draft an appropriate letter to the concessioner operating the Cliff House and a response letter to the Cliff House attorney's latest letter. The region is going to coordinate with Cam's shop on whether or not closure enforcement is appropriate in this case.

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

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

Sent Wirelessly

Begin forwarded message:

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

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

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

Confidential

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415 710-7484c

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

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

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

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

From: Leslie Mabie
Sent: Friday, October 04, 2013 5:26 PM

To: Lou Haas
Subject: 0364.018

Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lmabie@hnattorneys.com

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

--

Patty Neubacher

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

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

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

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

Young, Deirdre R

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

Frank.. there is no disagreement in Washington..

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

Lena and Patty,

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

Frank
415 710-7484c

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

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

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

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

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

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Frank

Frank Dean

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

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

Frank,

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

Lou

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

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

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

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

Young, Deirdre R

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

Just talked to Patty. Patty is going to let Frank know that the Director's Closure Determination and Notice applies to Cliff House as it does to all other concession facilities Servicewide. I will work with the solicitors to draft an appropriate letter to the concessioner operating the Cliff House and a response letter to the Cliff House attorney's latest letter. The region is going to coordinate with Cam's shop on whether or not closure enforcement is appropriate in this case.

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

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

Sent Wirelessly

Begin forwarded message:

> **From:** "Wanek, Scott" <scott_wanek@nps.gov>
> **Date:** October 7, 2013 at 1:07:22 PM EDT
> **To:** Cam Sholly <cam_sholly@nps.gov>
> **Subject: Fwd: URGENT Cliff House has reopened---**
>
> ---------- Forwarded message ----------
> From: **Neubacher, Patricia** <patty_neubacher@nps.gov>
> Date: Mon, Oct 7, 2013 at 10:05 AM
> Subject: Fwd: URGENT Cliff House has reopened---
> To: Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>
>
> ---------- Forwarded message ----------
> From: **Francis Dean** <frank_dean@nps.gov>

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

Confidential

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

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Subject: FW: The Cliff House---NPS Shutdown Order

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Subject: 0364.018

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

--
Scott Wanek

Regional Chief Ranger
Pacific West Region
415-623-2180 office
510-501-0459 cell
415-623-2189 fax
VRP Sharepoint Site

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

Young, Deirdre R

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Sent: Monday, October 07, 2013 1:05 PM
To: Scott Wanek; Craig Dalby
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Date: Mon, Oct 7, 2013 at 10:04 AM
Subject: URGENT Cliff House has reopened---
To: lena_mcdowall@nps.gov, patty_neubacher@nps.gov
Cc: peggy_o'dell@nps.gov, bruce_sheaffer@nps.gov

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Subject: 0364.018

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HAASNAJARIANLLP
Attorneys at Law

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Email: Lena_McDowall@nps.gov

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Monday, October 07, 2013 11:05 AM
To: McDowall, Lena
Subject: Re: Fw: The Cliff House---NPS Shutdown Order
Attachments: image001.jpg

Sigh....

On Mon, Oct 7, 2013 at 6:35 AM, McDowall, Lena <lena_mcdowall@nps.gov> wrote:
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Patty Neubacher
Deputy Regional Director
Pacific West Region
(415) 623-2105 work
(510) 604-9998 cell

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Monday, October 07, 2013 10:55 AM
To: Frank Dean
Cc: Aaron Roth
Subject: Re: IMPORTANT REMINDER

I think it was a pretty hard weekend for all the parks. Regretably really nice weather throughout the region! ugh.

On Mon, Oct 7, 2013 at 7:54 AM, Frank Dean <frank_dean@nps.gov> wrote:
Patty,

GOGA will be on the call today. No word from WASO other than Lena on my Cliff House email from last night. I know they are busy, and also tired about this one.

We had a busy, but decent weekend, with more locals than tourists upset at closure locations such as Tennessee Valley. We deployed changeable message signs near Tam Junction to alert people that Stinson Beach was closed- one of the nicest days of the year.

Frank

On Oct 7, 2013, at 7:39 AM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

> Hi everyone,
>
> Given that we have had considerable changes to the POC list, I wanted to make sure everyone knew that as we enter week two of the shut-down, we are still continuing to host a daily coordination call at 2:30pm PDT at the following conference number:
>
> Call in: Non-responsive
>
> Participant #: Non-responsive
>
> During the week, you should consider these mandatory calls and should have at least one representative from your park, preferably your primary POC, present on the call. These calls are critical for us to identify sensitive issues, communicate key information from WASO and the region, and to ensure we are meeting our objectives to protect park resources, property, and employees throughout the duration of the shut-down. Thanks.
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Young, Deirdre R

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Sent: Monday, October 07, 2013 9:35 AM
To: Francis Dean
Cc: Patricia Neubacher; Peggy O'Dell; Jonathan Jarvis; Bruce Sheaffer
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415.788.6330 v
415.391.0555 f
lmabie@hnattorneys.com

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attorney-client privileged.

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

Young, Deirdre R

From: Patricia Neubacher <patty_neubacher@nps.gov>
Sent: Monday, October 07, 2013 6:38 AM
To: craig_dalby@nps.gov; Scott_Wanek@nps.gov
Subject: Fw: URGENT- Quick phone call Monday morning?

----- Original Message -----
From: Francis Dean [mailto:frank_dean@nps.gov]
Sent: Monday, October 07, 2013 02:41 AM
To: bruce_sheaffer@nps.gov <bruce_sheaffer@nps.gov>; maureen_foster@nps.gov <maureen_foster@nps.gov>
Cc: lena_mcdowall@nps.gov <lena_mcdowall@nps.gov>; patty_neubacher@nps.gov <patty_neubacher@nps.gov>
Subject: Fw: URGENT- Quick phone call Monday morning?

Hi Bruce and Maureen, meant to include you on this. Talk to you later today.

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

----- Original Message -----
From: Francis Dean [mailto:frank_dean@nps.gov]
Sent: Sunday, October 06, 2013 11:28 PM
To: 'jon_jarvis@nps.gov' <jon_jarvis@nps.gov>; 'peggy_o'dell@nps.gov' <peggy_o'dell@nps.gov>
Cc: 'lena_mcdowall@nps.gov' <lena_mcdowall@nps.gov>; 'patty_neubacher@nps.gov' <patty_neubacher@nps.gov>
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Noticed you weren't copied

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Subject: Fw: The Cliff House---NPS Shutdown Order
Attachments: image001.jpg; McDowall ltr 10-4-13.pdf

From: Francis Dean [mailto:frank_dean@nps.gov]
Sent: Sunday, October 06, 2013 11:12 PM
To: lena_mcdowall@nps.gov <lena_mcdowall@nps.gov>
Cc: patty_neubacher@nps.gov <patty_neubacher@nps.gov>; peggy_o'dell@nps.gov <peggy_o'dell@nps.gov>; jon_jarvis@nps.gov <jon_jarvis@nps.gov>
Subject: Fw: The Cliff House---NPS Shutdown Order

Hi Lena,

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Thanks for your assistance on this,

Frank

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

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

Frank,

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

Lou

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

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

Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lmabie@hnattorneys.com

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_HAASNAJARIANLLP
Attorneys at Law

58 Maiden Lane
2nd Floor
San Francisco
California
94108

T 415.788.6330
F 415.391.0555

October 4, 2013

0364.018

BY FEDERAL EXPRESS
Tracking No. 7968 4662 7458

Lena McDowall
Associate Director, Business Services
United States Department of the Interior
National Park Service
1849 C Street, N.W.
Washington, D.C 20240

Re: *Concession Contract No. CC-GOGA10-98*
Order to Discontinue Operations at The Cliff House
Response to NPS Letter Received Today

Dear Ms. McDowall:

Thank you so much for your prompt response to our letter of October 2, 2013 to Frank Dean, General Superintendent of GGNRA. While it seems that your decision to continue the shutdown order *vis-à-vis* The Cliff House concession is cast in concrete, I wanted to point out a few items in response to your letter:

- The economic devastation of the shutdown order upon this Concession may be irremediable; due to a 50% overrun in the cost of the improvements required under the Concession Contract and an almost four year delay in the design and construction project (almost exclusively due to NPS issues regarding design and construction), the Concessioner has never been able to realize a profit on its investment, much less the reasonable profit in relation to both gross receipts and capital invested required by both statute and regulation. In fact, the equity owners of the Concessioner, Peanut Wagon, Inc. ("PWI"), have not been able to take compensation for their daily efforts in overseeing operation of the Concession. The shutdown order may be the proverbial nail in the (economic) coffin, since the continuing monthly costs of maintaining the Concession even after laying off the food and beverage staff still exceeds $300,000.[1]

[1] In an ironic but vile twist, PWI's insurance carrier of more than 25 years (Fireman's Fund) is refusing to cover these significant business losses by applying a "sovereign acts" exclusion.

- Due to the fact that the economy has recovered more in San Francisco than in the rest of the country, the Concessioner has determined that the shutdown order will result in the loss of approximately 100 of its 200 employees, who will be forced to seek other employment (and in San Francisco, other employment is apparently available). When the shutdown order is lifted, the Concession will be crippled, requiring a large injection of capital to perform the Human Resources work in replacing the staff and training the new personnel, much to the detriment not only of the Concessioner and the Concession, but the experience of the Area visitors.

- We understand that the Secretary's national closure determination "... is necessary to maintain public health and safety in units of the National Park System and to protect Park resources and values during the shutdown period." However, the shutdown order as applied to The Cliff House will result in the opposite; *viz*, health and safety will not be enhanced and Park resources and values will be adversely impacted. PWI has been operating The Cliff House for years before NPS purchased the property from its prior owner, the Whitney family. PWI has been a model steward of this precious Park property and operates without the level of contracting support, visitor protection and management oversight emphasized in your letter. As I pointed out in my October 2 letter, due to concurrent jurisdiction, all of the necessary protective functions are provided by the City and County of San Francisco, including the providing of all utilities and life safety service providers.

- Finally, we cannot help but notice the "form vs. substance" aspect of the shutdown impacting concessions but not leaseholds. There is a leasehold operation 100 yards north of The Cliff House, Louis' Restaurant, operated by cousins of the owners of PWI, a fact well known to the community in San Francisco, especially regular Park visitors. It is a 10 year leasehold which required considerable improvements to be made by the Lessee. It is operated the same as The Cliff House and requires little Park oversight.[2] While I certainly appreciate that procurement management decisions regarding the nature and structure of Park property operations is exclusively the province of NPS, it is difficult for my client and the public to understand the distinctions, creating a public relations problem being laid at the feet my client and GGNRA.

[2] Actually, if you check with GGNRA senior contract personnel, you will discover that Louis' requires more Park oversight and management than The Cliff House (which requires virtually none on a regular basis).

Thank you for your further consideration of these matters. If you require any clarification or wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,

HAAS NAJARIAN, LLP

LOUIS N. HAAS

LNH/lm

cc: PWI
Frank Dean

N:\CLIENTS\03\0364\018\Correspondence\McDowall ltr 10-4-13.docx

Young, Deirdre R

From: Patricia Neubacher <patty_neubacher@nps.gov>
Sent: Monday, October 07, 2013 6:37 AM
To: Scott_Wanek@nps.gov; craig_dalby@nps.gov
Subject: Fw: URGENT- Quick phone call Monday morning?

Fyi

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From: Francis Dean <frank_dean@nps.gov>
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To: bruce_sheaffer@nps.gov; maureen_foster@nps.gov
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Sent: Monday, October 07, 2013 2:29 AM
To: jon_jarvis@nps.gov; peggy_o'dell@nps.gov
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Attachments: image001.jpg; McDowall ltr 10-4-13.pdf

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

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lhaas@hnattorneys.com

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

Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
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_HAASNAJARIANLLP
Attorneys at Law

58 Maiden Lane
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San Francisco
California
94108

T 415.788.6330
F 415.391.0555

October 4, 2013

0364.018

BY FEDERAL EXPRESS
Tracking No. 7968 4662 7458

Lena McDowall
Associate Director, Business Services
United States Department of the Interior
National Park Service
1849 C Street, N.W.
Washington, D.C 20240

Re: *Concession Contract No. CC-GOGA10-98*
Order to Discontinue Operations at The Cliff House
Response to NPS Letter Received Today

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Thank you for your further consideration of these matters. If you require any clarification or wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,

HAAS NAJARIAN, LLP

LOUIS N. HAAS

LNH/lm

cc: PWI
Frank Dean

N:\CLIENTS\03\0364\018\Correspondence\McDowall ltr 10-4-13.docx

Young, Deirdre R

From: Francis Dean <frank_dean@nps.gov>
Sent: Friday, October 04, 2013 2:36 PM
To: lena_mcdowall@nps.gov
Cc: patty_neubacher@nps.gov
Subject: Re: Draft Cliff House Response Letter

Got it- thanks!

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

From: McDowall, Lena [mailto:lena_mcdowall@nps.gov]
Sent: Friday, October 04, 2013 11:26 AM
To: Dean, Frank <frank_dean@nps.gov>
Cc: Patricia Neubacher <patty_neubacher@nps.gov>
Subject: Re: Draft Cliff House Response Letter

it would help if I included the attachment

On Fri, Oct 4, 2013 at 2:00 PM, Dean, Frank <frank_dean@nps.gov> wrote:
Lena,

Just noticed this was still a draft and edits are showing and no signature. Can you final and sign it? If not, I will try to fix it here.

Thanks,

Frank

On Fri, Oct 4, 2013 at 9:41 AM, Francis Dean <frank_dean@nps.gov> wrote:
Yes, thanks Lena. Let's go with this version today.

Frank

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

From: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
Sent: Friday, October 04, 2013 09:40 AM
To: McDowall, Lena <lena_mcdowall@nps.gov>

Cc: Frank Dean <frank_dean@nps.gov>; Scott Wanek <scott_wanek@nps.gov>; Aaron Roth <Aaron_Roth@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>; Craig Dalby <craig_dalby@nps.gov>; Barry Roth <barry.roth@sol.doi.gov>
Subject: Re: Draft Cliff House Response Letter

Thanks for your help Lena! We truly appreciate it.

On Fri, Oct 4, 2013 at 9:39 AM, McDowall, Lena <lena_mcdowall@nps.gov> wrote:
All-

I've attached another draft of the letter which more specifically addresses the attorney's question of whether a closure was necessary by referencing (and providing as an attachment) the Director's determination and closure notice. I also removed all but the last sentence of the 2nd paragraph as Frank requested. If there is no (or less) heartburn with this version, I'll finalize and send to the park and region via e-mail so Frank has it for his meeting.

Thanks,

Lena

On Fri, Oct 4, 2013 at 11:41 AM, Frank Dean <frank_dean@nps.gov> wrote:
(b) (5)
just retaining the last sentence in that paragraph would be better. Also suggest you change "visitors" to "public" in most references, including the opening sentence of paragraph three.

On Oct 4, 2013, at 8:22 AM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

> Frank: Can you suggest language about the visitors? We'll incorporate it and ship it back to Bruce and Lena for their review. Thanks.
>
> On Fri, Oct 4, 2013 at 8:17 AM, Francis Dean <frank_dean@nps.gov> wrote:
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> **Sent**: Friday, October 04, 2013 07:35 AM
> **To**: Wanek, Scott <scott_wanek@nps.gov>

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Sent: Friday, October 04, 2013 2:27 PM
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Attachments: Response to Haas Najarian_10.04.13.pdf

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United States Department of the Interior

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

IN REPLY REFER TO:

Mr. Louis N. Haas
Haas Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

Dear Mr. Haas:

Your letter requesting reconsideration of the shutdown order issued to your client Peanut Wagon, Inc was forwarded to this office since we manage the National Park Service concessions program.

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

In the normal course of operations, park activities, necessarily require the support of numerous functions: park operations do not function independently of contracting support; visitor protection cannot exist without the support of payroll personnel; concessioners and volunteers cannot conduct activities without management oversight.

The purpose of a concessions contract is to conduct services for park visitors, but with the lapse in appropriations GGNRA, like all park units, is closed to the public. With parks closed to the public and its inability to provide necessary oversight, consistent with the provisions of its concessions contracts, the NPS has had to close all concession facilities in the National Park System. Similarly, the NPS has suspended construction and maintenance projects, partnership programs and other activities deemed not essential for life, health and safety.

For reasons discussed above, GGNRA's facilities, including concession facilities, must remain closed to visitors until funding is restored. I share your client's concerns about the economic impacts of a government shutdown. However, I have no choice in this matter but to deny your client's request for reconsideration of the shutdown order. The National Park Service appreciates Peanut Wagon, Inc.'s relationship with GGNRA and its strong commitment to provide excellent service to our visitors. We are

sorry for the hardship caused by the government shutdown and look forward to welcoming the public again when funding is restored.

Sincerely,

Lena McDowall

Lena McDowall
Associate Director, Business Services

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 04, 2013 2:26 PM
To: Dean, Frank
Cc: Patricia Neubacher
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Frank -

Here's a scanned version of the signed letter. Will this work?

--Lena

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Sent: Friday, October 04, 2013 1:03 PM
To: Patricia Neubacher
Subject: Fwd: Draft Cliff House Response Letter
Attachments: Cliff House Letter_v2_10.04.13.docx; Natl Park System Closure Determination and Notice 2013-10-01.pdf

I wonder about this statement: (b) (5) [redacted].

Does the Elwha project fall in that category? The Director's notice seems to indicate that we're also trying to protect park resources and values during the shutdown.

Craig Dalby
Chief, Public Information
Pacific West Region
National Park Service
206-220-4261

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Email: Lena_McDowall@nps.gov

Mr. Louis N. Haas
Has Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

Dear Mr. Haas:

Your letter requesting reconsideration of the shutdown order issued to your client Peanut Wagon, Inc was forwarded to this office since we manage the National Park Service concessions program.

Pursuant to 36 C.F.R. § 1.5 all units of the National Park System nationwide were closed to public visitation and use on October 1, 2013. This closure was necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored. (b) (5)(b) (5)(b) (5)(b) (5)(b) (5)(b) (5)(b) (5)(b) (5)(b) (5)(b) (5)(b) (5)

(b) (5)(b) (5)

Sincerely,

/s/Lena McDowall

United States Department of the Interior

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

Office of the Director

National Park System Closure Determination and Notice

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

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

Condition and Exceptions:

1. National Park Service personnel who have been identified as excepted will continue to report for duty in accordance with the National Park Service Contingency Plan and as directed by their supervisors.

2. Members of the public who are currently visiting a unit of the National Park System and not staying overnight in the park must vacate the park immediately. All day-use concession-operated visitor services and facilities are to be closed immediately. Exceptions may be granted by superintendents only if a facility is deemed essential for health or safety purposes.

3. Subject to paragraph 6 below, members of the public who are currently visiting a unit of the national park system and staying overnight either in a National Park Service-operated campground or a concessioner-operated facility in the park must vacate the park by 6:00 p.m. EDT on October 3, 2013.

4. Subject to paragraph 6 below, National Park Service concessioners must suspend their operations in overnight accommodations by 6:00 p.m. EDT on October 3, 2013.

5. Subject to paragraph 6 below, holders of National Park Service commercial use authorizations must immediately cease their in-park operations.

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

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

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

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

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

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

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

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

Jonathan B. Jarvis
Director

October 1, 2013
Date

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 12:59 PM
To: Lena McDowall
Subject: Fwd: Draft Cliff House Response Letter

You made everyone happy (b) (5))

Thanks for your extra effort.

---------- Forwarded message ----------
From: **Wanek, Scott** <scott_wanek@nps.gov>
Date: Fri, Oct 4, 2013 at 9:42 AM
Subject: Re: Draft Cliff House Response Letter
To: "Neubacher, Patricia" <patty_neubacher@nps.gov>

Excellent.

On Fri, Oct 4, 2013 at 9:40 AM, Neubacher, Patricia <patty_neubacher@nps.gov> wrote:
Thanks for your help Lena! We truly appreciate it.

On Fri, Oct 4, 2013 at 9:39 AM, McDowall, Lena <lena_mcdowall@nps.gov> wrote:
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I've attached another draft of the letter which more specifically addresses the attorney's question of whether a closure was necessary by referencing (and providing as an attachment) the Director's determination and closure notice. I also removed all but the last sentence of the 2nd paragraph as Frank requested. If there is no (or less) heartburn with this version, I'll finalize and send to the park and region via e-mail so Frank has it for his meeting.

Thanks,

Lena

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(b) (5)

Thanks,

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

From: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
Sent: Friday, October 04, 2013 07:35 AM
To: Wanek, Scott <scott_wanek@nps.gov>
Cc: McDowall, Lena <lena_mcdowall@nps.gov>; Frank Dean <frank_dean@nps.gov>; Aaron Roth <aaron_roth@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>; Craig Dalby <craig_dalby@nps.gov>
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Young, Deirdre R

From: Wanek, Scott <scott_wanek@nps.gov>
Sent: Friday, October 04, 2013 12:43 PM
To: Neubacher, Patricia
Subject: Re: Draft Cliff House Response Letter

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Young, Deirdre R

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To: patty_neubacher@nps.gov; lena_mcdowall@nps.gov
Cc: scott_wanek@nps.gov; Aaron_Roth@nps.gov; Bruce_Sheaffer@nps.gov; craig_dalby@nps.gov; barry.roth@sol.doi.gov
Subject: Re: Draft Cliff House Response Letter

Yes, thanks Lena. Let's go with this version today.

Frank

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

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Young, Deirdre R

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Cc: Neubacher, Patricia; Scott Wanek; Aaron Roth; Bruce Sheaffer; Craig Dalby; Barry Roth
Subject: Re: Draft Cliff House Response Letter
Attachments: Cliff House Letter_v2_10.04.13.docx; Natl Park System Closure Determination and Notice 2013-10-01.pdf

All-

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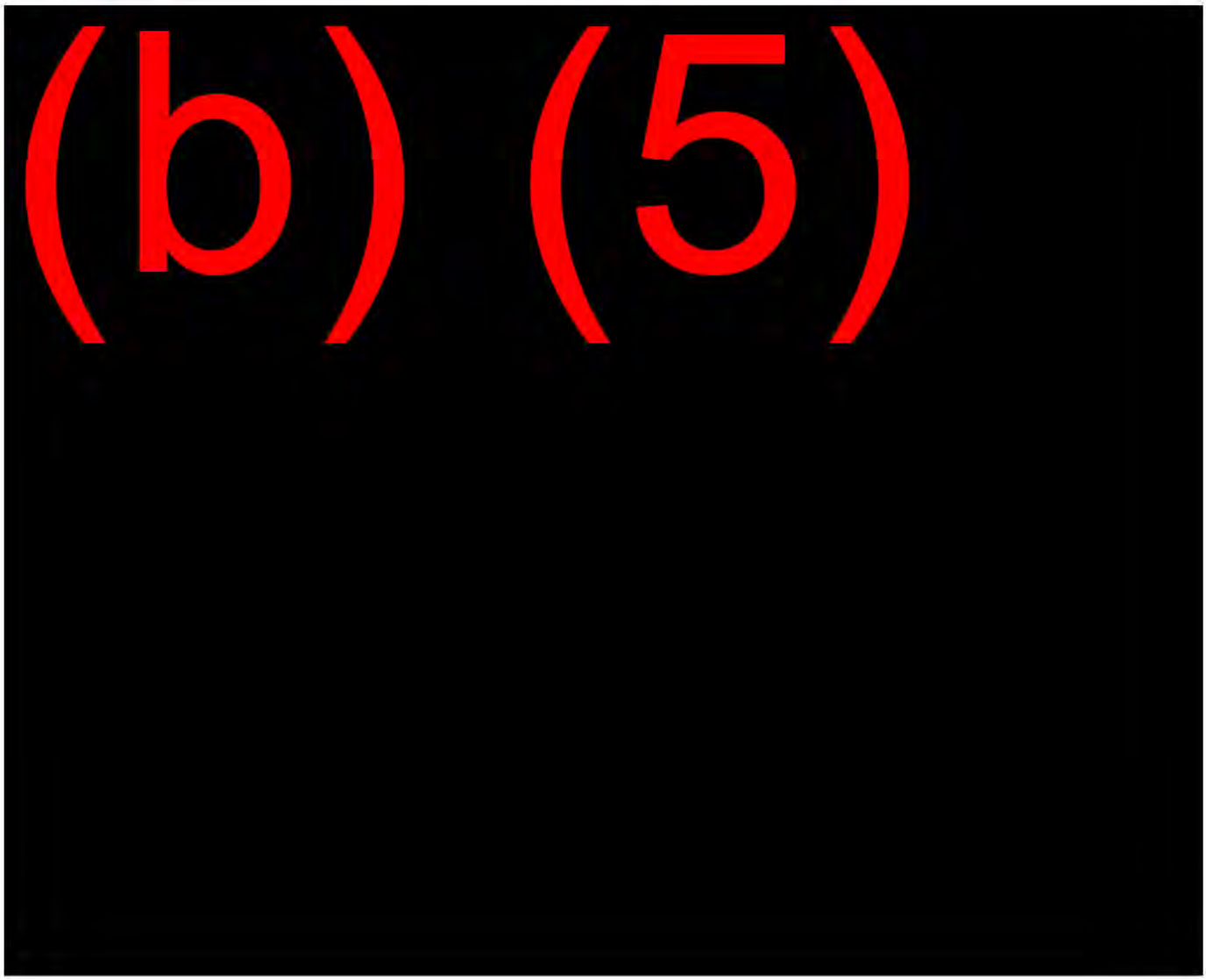
Mr. Louis N. Haas
Has Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

Dear Mr. Haas:



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United States Department of the Interior

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

Office of the Director

National Park System Closure Determination and Notice

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

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

Condition and Exceptions:

1. National Park Service personnel who have been identified as excepted will continue to report for duty in accordance with the National Park Service Contingency Plan and as directed by their supervisors.

2. Members of the public who are currently visiting a unit of the National Park System and not staying overnight in the park must vacate the park immediately. All day-use concession-operated visitor services and facilities are to be closed immediately. Exceptions may be granted by superintendents only if a facility is deemed essential for health or safety purposes.

3. Subject to paragraph 6 below, members of the public who are currently visiting a unit of the national park system and staying overnight either in a National Park Service-operated campground or a concessioner-operated facility in the park must vacate the park by 6:00 p.m. EDT on October 3, 2013.

4. Subject to paragraph 6 below, National Park Service concessioners must suspend their operations in overnight accommodations by 6:00 p.m. EDT on October 3, 2013.

5. Subject to paragraph 6 below, holders of National Park Service commercial use authorizations must immediately cease their in-park operations.

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

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

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

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

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

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

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

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

Jonathan B. Jarvis
Director

October 1, 2013
Date

Young, Deirdre R

From: Frank Dean <frank_dean@nps.gov>
Sent: Friday, October 04, 2013 11:42 AM
To: Neubacher, Patricia
Cc: Scott Wanek; Lena McDowall; Aaron Roth; Bruce Sheaffer; Craig Dalby
Subject: Re: Draft Cliff House Response Letter

(b) (5)

On Oct 4, 2013, at 8:22 AM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

> Frank: Can you suggest language about the visitors? We'll incorporate it and ship it back to Bruce and Lena for their review. Thanks.
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> On Fri, Oct 4, 2013 at 8:17 AM, Francis Dean <frank_dean@nps.gov> wrote:
>
> (b) (5)
>
> Thanks,
>
> Frank Dean
> General Superintendent
> Golden Gate
> National Recreation Area
> San Francisco, CA 94123
> (415) 561-4720
>
> ---
>
> **From**: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
> **Sent**: Friday, October 04, 2013 07:35 AM
> **To**: Wanek, Scott <scott_wanek@nps.gov>
> **Cc**: McDowall, Lena <lena_mcdowall@nps.gov>; Frank Dean <frank_dean@nps.gov>; Aaron Roth <aaron_roth@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>; Craig Dalby <craig_dalby@nps.gov>
> **Subject**: Re: Draft Cliff House Response Letter
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On Fri, Oct 4, 2013 at 7:01 AM, Wanek, Scott <scott_wanek@nps.gov> wrote:
A couple of quick observations:

Scott

On Fri, Oct 4, 2013 at 6:46 AM, McDowall, Lena <lena_mcdowall@nps.gov> wrote:
I've attached a draft response letter to Peanut Wagon, Inc's attorneys - please let me know if you have any edits. I'm assuming you would prefer that the letter come from Washington, but if you'd rather it come from region or the park, I can make that change. We had Barry take a quick look at it already since he isn't planning to be here all day today. Please give me a call if you'd like to discuss.

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

--
Scott Wanek
Regional Chief Ranger
Pacific West Region
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(510) 604-9998 cell

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Deputy Regional Director
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(510) 604-9998 cell

Young, Deirdre R

From: Francis Dean <frank_dean@nps.gov>
Sent: Friday, October 04, 2013 11:30 AM
To: patty_neubacher@nps.gov
Subject: Re: Draft Cliff House Response Letter

Let me look again.

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

From: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
Sent: Friday, October 04, 2013 08:22 AM
To: Francis Dean <frank_dean@nps.gov>
Cc: Scott Wanek <scott_wanek@nps.gov>; Lena McDowall <lena_mcdowall@nps.gov>; Aaron Roth <Aaron_Roth@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>; Craig Dalby <craig_dalby@nps.gov>
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Subject: Re: Draft Cliff House Response Letter

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I think it would be better coming from WASO, so am ok with the letter being signed there -- they're obviously appealing our local decision.

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A couple of quick observations:

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Young, Deirdre R

From: Francis Dean <frank_dean@nps.gov>
Sent: Friday, October 04, 2013 11:29 AM
To: patty_neubacher@nps.gov; Scott_Wanek@nps.gov; Aaron_Roth@nps.gov
Subject: Re: Fwd: Draft Cliff House Response Letter

Got it. Just tone down "visitor" reference a bit. We can use this today, but this will likely be just the opening salvo.

Thanks!

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

From: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
Sent: Friday, October 04, 2013 08:05 AM
To: Scott Wanek <Scott_Wanek@nps.gov>; Frank Dean <frank_dean@nps.gov>; Aaron Roth <aaron_roth@nps.gov>
Subject: Fwd: Draft Cliff House Response Letter

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So, need to check in with you all, what would you like to do? Just let me know.

Frank/Aaron: One edit that they won't accept is that the Cliff House is open! :-)

---------- Forwarded message ----------
From: **Wanek, Scott** <scott_wanek@nps.gov>
Date: Fri, Oct 4, 2013 at 7:01 AM
Subject: Re: Draft Cliff House Response Letter
To: "McDowall, Lena" <lena_mcdowall@nps.gov>
Cc: Patricia Neubacher <patty_neubacher@nps.gov>, Frank Dean <frank_dean@nps.gov>, Aaron Roth <aaron_roth@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Craig Dalby <craig_dalby@nps.gov>

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Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 11:23 AM
To: Francis Dean
Cc: Scott Wanek; Lena McDowall; Aaron Roth; Bruce Sheaffer; Craig Dalby
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Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 11:05 AM
To: Trystan Stern
Subject: Fwd: Draft Cliff House Response Letter

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Date: Fri, Oct 4, 2013 at 8:05 AM
Subject: Fwd: Draft Cliff House Response Letter
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Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 11:05 AM
To: Scott Wanek; Frank Dean; Aaron Roth
Subject: Fwd: Draft Cliff House Response Letter

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 10:47 AM
To: Trystan Stern
Subject: Fwd: Draft Cliff House Response Letter
Attachments: Cliff House Letter.docx

---------- Forwarded message ----------
From: **McDowall, Lena** <lena_mcdowall@nps.gov>
Date: Fri, Oct 4, 2013 at 6:46 AM
Subject: Draft Cliff House Response Letter
To: Patricia Neubacher <patty_neubacher@nps.gov>, Frank Dean <frank_dean@nps.gov>, Aaron Roth <aaron_roth@nps.gov>
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(510) 604-9998 cell

Mr. Louis N. Haas
Has Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

Dear Mr. Haas:

Your letter requesting reconsideration of the shutdown order issued to your client Peanut Wagon, Inc was forwarded to this office since we manage the National Park Service concessions program.

Pursuant to 36 C.F.R. § 1.5 all units of the National Park System nationwide were closed to public visitation and use on October 1, 2013. This closure was necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored.

Because of the lapse in appropriations, Golden Gate National Recreation Area (GGNRA) is operating with a skeleton crew to provide only the most basic protection of life and property, and cannot accommodate visitors. Those few employees who remain during the shutdown have no support to perform any but those most basic, essential tasks. In the normal course of operations, park activities, necessarily require the support of numerous functions: park operations do not function independently of contracting support; visitor protection cannot exist without the support of payroll personnel; concessioners and volunteers cannot conduct activities without management oversight.

The purpose of a concessions contract is to conduct services for park visitors, but with the lapse in appropriations GGNRA, like all park units, is closed to visitors. With no park visitors and its inability to provide necessary oversight, consistent with the provisions of its concessions contracts, the NPS has had to close all concession facilities in the National Park System. Similarly, the NPS has suspended construction and maintenance projects, partnership programs and other activities deemed not essential for life, health and safety.

For reasons discussed above, GGNRA's facilities, including concession facilities, must remain closed to visitors until funding is restored. I share your client's concerns about the economic impacts of a government shutdown. However, I have no choice in this matter but to deny your client's request for reconsideration of the shutdown order. The National Park Service appreciates Peanut Wagon, Inc.'s

relationship with the Park and its strong commitment to provide excellent service to our visitors. We look forward to reopening the park and once again welcoming visitors when funding is restored.

Sincerely,

/s/Lena McDowall

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 10:46 AM
To: Trystan Stern
Subject: Fwd: Draft Cliff House Response Letter

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From: **Neubacher, Patricia** <patty_neubacher@nps.gov>
Date: Fri, Oct 4, 2013 at 7:38 AM
Subject: Fwd: Draft Cliff House Response Letter
To: Trystan Stern <trystan_stern@nps.gov>

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Subject: Re: Draft Cliff House Response Letter
To: "Wanek, Scott" <scott_wanek@nps.gov>
Cc: "McDowall, Lena" <lena_mcdowall@nps.gov>, Frank Dean <frank_dean@nps.gov>, Aaron Roth <aaron_roth@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Craig Dalby <craig_dalby@nps.gov>

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On Fri, Oct 4, 2013 at 7:01 AM, Wanek, Scott <scott_wanek@nps.gov> wrote:
A couple of quick observations:

Scott

On Fri, Oct 4, 2013 at 6:46 AM, McDowall, Lena <lena_mcdowall@nps.gov> wrote:
I've attached a draft response letter to Peanut Wagon, Inc's attorneys - please let me know if you have any edits. I'm assuming you would prefer that the letter come from Washington, but if you'd rather it come from region or the park, I can make that change. We had Barry take a quick look at it already since he isn't planning to be here all day today. Please give me a call if you'd like to discuss.

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

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

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Friday, October 04, 2013 10:39 AM
To: Trystan Stern
Subject: Fwd: Draft Cliff House Response Letter

---------- Forwarded message ----------
From: **Neubacher, Patricia** <patty_neubacher@nps.gov>
Date: Fri, Oct 4, 2013 at 7:35 AM
Subject: Re: Draft Cliff House Response Letter
To: "Wanek, Scott" <scott_wanek@nps.gov>
Cc: "McDowall, Lena" <lena_mcdowall@nps.gov>, Frank Dean <frank_dean@nps.gov>, Aaron Roth <aaron_roth@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Craig Dalby <craig_dalby@nps.gov>

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Young, Deirdre R

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To: Wanek, Scott
Cc: McDowall, Lena; Frank Dean; Aaron Roth; Bruce Sheaffer; Craig Dalby
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Cc: Patricia Neubacher; Frank Dean; Aaron Roth; Bruce Sheaffer; Craig Dalby
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(b) (5)

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Sent: Friday, October 04, 2013 9:46 AM
To: Patricia Neubacher; Frank Dean; Aaron Roth
Cc: Bruce Sheaffer; Scott Wanek; Craig Dalby
Subject: Draft Cliff House Response Letter
Attachments: Cliff House Letter.docx

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Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

Mr. Louis N. Haas
Has Najarian, LLP
58 Maiden Lane
2nd Floor
San Francisco, CA 94108

Dear Mr. Haas:

Your letter requesting reconsideration of the shutdown order issued to your client Peanut Wagon, Inc was forwarded to this office since we manage the National Park Service concessions program.

Pursuant to 36 C.F.R. § 1.5 all units of the National Park System nationwide were closed to public visitation and use on October 1, 2013. This closure was necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored.

Because of the lapse in appropriations, Golden Gate National Recreation Area (GGNRA) is operating with a skeleton crew to provide only the most basic protection of life and property, and cannot accommodate visitors. Those few employees who remain during the shutdown have no support to perform any but those most basic, essential tasks. In the normal course of operations, park activities, necessarily require the support of numerous functions: park operations do not function independently of contracting support; visitor protection cannot exist without the support of payroll personnel; concessioners and volunteers cannot conduct activities without management oversight.

The purpose of a concessions contract is to conduct services for park visitors, but with the lapse in appropriations GGNRA, like all park units, is closed to visitors. With no park visitors and its inability to provide necessary oversight, consistent with the provisions of its concessions contracts, the NPS has had to close all concession facilities in the National Park System. Similarly, the NPS has suspended construction and maintenance projects, partnership programs and other activities deemed not essential for life, health and safety.

For reasons discussed above, GGNRA's facilities, including concession facilities, must remain closed to visitors until funding is restored. I share your client's concerns about the economic impacts of a government shutdown. However, I have no choice in this matter but to deny your client's request for reconsideration of the shutdown order. The National Park Service appreciates Peanut Wagon, Inc.'s

relationship with the Park and its strong commitment to provide excellent service to our visitors. We look forward to reopening the park and once again welcoming visitors when funding is restored.

Sincerely,

/s/Lena McDowall

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Thursday, October 03, 2013 3:33 PM
To: Lena McDowall
Subject: Fwd: Cliff House

---------- Forwarded message ----------
From: **Francis Dean** <frank_dean@nps.gov>
Date: Thu, Oct 3, 2013 at 12:31 PM
Subject: Re: Cliff House
To: patty_neubacher@nps.gov, Aaron_Roth@nps.gov
Cc: Scott_Wanek@nps.gov, craig_dalby@nps.gov, trystan_stern@nps.gov, jessica_carter@nps.gov

Okay Patty. Would be good to get the letter by Noon PDT tomorrow as I am meeting with their attorney at 12:30.

Thanks,

Frank

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

From: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
Sent: Thursday, October 03, 2013 12:25 PM
To: Aaron Roth <aaron_roth@nps.gov>; Frank Dean <frank_dean@nps.gov>
Cc: Scott Wanek <Scott_Wanek@nps.gov>; Craig Dalby <craig_dalby@nps.gov>; Trystan Stern <trystan_stern@nps.gov>
Subject: Cliff House

Just got off the phone with Lena McDowall. The Cliff House response letter was reviewed by the DOI solicitors. They are drafting a response back which we should get today or tomorrow.

Sadly, the answer is the same -- the Cliff House needs to close.

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Young, Deirdre R

From: Francis Dean <frank_dean@nps.gov>
Sent: Thursday, October 03, 2013 3:32 PM
To: patty_neubacher@nps.gov; Aaron_Roth@nps.gov
Cc: Scott_Wanek@nps.gov; craig_dalby@nps.gov; trystan_stern@nps.gov; jessica_carter@nps.gov
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From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Thursday, October 03, 2013 12:08 PM
To: Frank Dean; Aaron Roth; Scott Wanek; Craig Dalby
Subject: Fwd: Fw: Request to Reconsider Shutdown Order for Cliff House
Attachments: image001.jpg

fyi

---------- Forwarded message ----------
From: **McDowall, Lena** <lena_mcdowall@nps.gov>
Date: Thu, Oct 3, 2013 at 8:52 AM
Subject: Re: Fw: Request to Reconsider Shutdown Order for Cliff House
To: "Neubacher, Patricia" <patty_neubacher@nps.gov>
Cc: Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>

Hi Patty -

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From: **Francis Dean** <frank_dean@nps.gov>
Date: Wed, Oct 2, 2013 at 9:39 PM
Subject: Fw: Request to Reconsider Shutdown Order for Cliff House
To: patty_neubacher@nps.gov, scott_wanek@nps.gov
Cc: Aaron_Roth@nps.gov, jessica_carter@nps.gov

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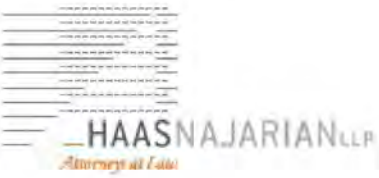
National Recreation Area
San Francisco, CA 94123
(415) 561-4720

From: Lou Haas [mailto:LHaas@hnattorneys.com]
Sent: Wednesday, October 02, 2013 06:14 PM
To: frank_dean@nps.gov <frank_dean@nps.gov>; Jessica_Carter@nps.gov <Jessica_Carter@nps.gov>
Cc: dan hountalas <dmhountalas@sbcglobal.net>; Ralph Burgin <burginr007@gmail.com>
Subject: FW: Request to Reconsider Shutdown Order for Cliff House

Please see attached correspondence. Dan and I would like to meet with you at your earliest convenience to discuss this obviously urgent matter.

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

From: Leslie Mabie
Sent: Wednesday, October 02, 2013 5:59 PM
To: Lou Haas
Subject: 0364.018



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Young, Deirdre R

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Sent: Thursday, October 03, 2013 11:52 AM
To: Neubacher, Patricia
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Subject: Re: Fw: Request to Reconsider Shutdown Order for Cliff House
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Email: Lena_McDowall@nps.gov

Young, Deirdre R

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Attachments: image001.jpg; DeanDeptofInterior ltr 10-2-13.pdf

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HAASNAJARIAN LLP
Attorneys at Law

58 Maiden Lane
2nd Floor
San Francisco
California
94108

T 415.788.6330
F 415.391.0555

October 2, 2013

0364/018

BY EMAIL AND FIRST CLASS U.S. MAIL
Frank_dean@nps.gov

Frank Dean, General Superintendent
Golden Gate National Recreation Area
National Park Service
Building 201, Fort Mason
San Francisco, CA 94123

Re: *Concession Contract No. CC-GOGA10-98*
Order to Discontinue Operations at The Cliff House

Dear Mr. Dean:

As you may recall, we represent Peanut Wagon, Inc. ("PWI"), Concessioner under the above-referenced Concession Contract (the "Contract"), between PWI and United States Department of the Interior, National Park Service ("NPS"). We understand that today NPS has ordered all operations of The Cliff House to be discontinued at the close of business today, delivering the shutdown order in an email from Jessica Carter, Chief of the Business Management Division of GGNRA. This letter is a request that NPS reconsider the shutdown order based on the unique circumstances of The Cliff House Concession and the very serious but avoidable economic consequences to the Concession, the Concessioner and NPS which will follow. This request is all the more important due to the possibility that this shutdown may be of long duration, and even if lifted, could recur based upon the current political climate which suggests an inability to resolve the various funding implications of the budget and debt ceiling.

While the Federal Government has the right to declare an emergency and assume control of its properties located worldwide, the budget crisis impasse does not seem to merit such an action in the case of The Cliff House Concession. Section 12(a)(2) of the Contract indicates that operations may be suspended at the discretion of the Secretary [of the Interior] when necessary to enhance or protect Area resources or visitor enjoyment or safety. Section 12(a)(3) indicates that any suspension (or termination) shall be by written notice with certain rights accorded to the Concessioner. In the case of The Cliff House

Concession, we question whether the shutdown (a "suspension" under the Contract) is "...necessary for the purpose of enhancing or protecting Area resources or visitor enjoyment or safety."

Under the Contract, all maintenance activities are to be performed by the Concessioner and there are no federal employees (NPS or otherwise) who work on The Cliff House premises. Per the Operating Plan (Exhibit "G" of the Contract), the Concessioner is responsible for contracting for all necessary services from state, local and private entities with the understanding that no such services will be provided by NPS. Police, fire, gas, electric, data, garbage and other necessary utilities are provided by the City and County of San Francisco and non-federal governmental service providers. In fact, even The Cliff House food and beverage operations are conducted under the auspices of state and local licensing entities, and not the federal government.

Under these circumstances, it is our opinion that The Cliff House Concession should continue to be operated if the budget crisis is not resolved by Congress, and that the resulting temporary absence of federal funds will not impact operations at The Cliff House. In fact, the shutdown order will in all probability result in a compensable claim under the Contract, which would be in the interest of neither PWI nor NPS. Moreover, the shutdown order will result in the loss of as many as 200 jobs and seriously impact the numerous contractors and vendors who provide services and products to The Cliff House. Furthermore, damage to the reputation of the Concession, the Concessioner and NPS is potentially enormous. An example of this damage to all parties concerned is the forced cancellation of special events required under the shutdown order, in addition to the cancellation of numerous dining reservations. One can only imagine the lingering vitriol rightfully caused to the poor folks who had their wedding reception cancelled this weekend. Finally, the shutdown order will cause direct adverse financial consequences to NPS by the certain reduction in the Franchise Fee payable under the Contract based on the Concessioner's gross revenues, and the possible claims raised above.

All of this will be caused unnecessarily since The Cliff House can continue to operate without direct federal involvement. In recognition of these circumstances, during the budget impasses of the 1990s, under which President Clinton ordered a suspension of federal services which went on for two protracted periods, The Cliff House was allowed to remain open since it was recognized that federal services are not required for its operation.

The Clinton shutdowns occurred in two periods, November 14 through November 19, 1995 and from December 16, 1995 to January 6, 1996, a total of 28 days. A 2010 Congressional Research Service report is an excellent source for the details of the 1995-1996 government shutdowns, clearly indicating that all sectors of the economy were impacted. With particular reference to the National Park Service, the shutdowns caused

the following:

> "**Parks/Museums/Monuments.** Closure of 368 National Park Service sites (loss of 7 Million visitors) occurred, with local communities near National Parks losing an estimated $14.2 Million per day in tourism revenues; and closure of National Museums and Monuments (estimated loss of 2 Million visitors) occurred."

Recognizing the potential devastation which would be caused (and which in fact was caused) by shutting down Park Service sites, it was apparently decided not to shut down those Park Service concessions which did not require federal personnel or funds to continue their operation. The decision to leave The Cliff House Concession open was wise then and would be even wiser now, considering the fragile recovery the economy is finally making from the worst recession since the Great Depression.

Please reconsider the shutdown order based upon the matters raised in this letter. We would be pleased to discuss this matter in more depth with you personally or the Regional Director's solicitor. To the extent that the shutdown decision is driven by either NPS or the Secretary of the Department of Interior's offices in Washington, D.C., please forward this request for reconsideration to the appropriate office(s).

Thank you for your consideration of this serious matter. If you have any questions, please do not hesitate to contact us.

Very truly yours,

HAAS NAJARIAN, LLP

LOUIS N. HAAS

LNH/lm

cc: Demosthenis M. Hountalas
Jessica Carter

N:\CLIENTS\03\0364\018\Correspondence\DeanDeptofInterior ltr 10-2-13.doc

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Thursday, October 03, 2013 10:18 AM
To: Scott Wanek
Subject: I can forward the letter from the Cliff House to Lena and Bruce...ok?

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

Young, Deirdre R

From: Francis Dean <frank_dean@nps.gov>
Sent: Thursday, October 03, 2013 12:39 AM
To: patty_neubacher@nps.gov; scott_wanek@nps.gov
Cc: Aaron_Roth@nps.gov; jessica_carter@nps.gov
Subject: Fw: Request to Reconsider Shutdown Order for Cliff House
Attachments: image001.jpg; DeanDeptofInterior ltr 10-2-13.pdf

Hi Scott and Patty,

You mentioned asking for solicitor review today on the call and I wasn't sure it needed to go through you, but here is an urgent one. We knew this would not be simple.

Can you pass this on to Barbara or whomever the SOL duty person is? Probably good to include Bruce Sheaffer and Peggy O'Dell given the Cliff House seems to always come up.

If you can let us know about possible SOL turnaround, it will help us confirm a meeting time with the operator.

Thanks,

Frank
Thanks,

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

From: Lou Haas [mailto:LHaas@hnattorneys.com]
Sent: Wednesday, October 02, 2013 06:14 PM
To: frank_dean@nps.gov <frank_dean@nps.gov>; Jessica_Carter@nps.gov <Jessica_Carter@nps.gov>
Cc: dan hountalas <dmhountalas@sbcglobal.net>; Ralph Burgin <burginr007@gmail.com>
Subject: FW: Request to Reconsider Shutdown Order for Cliff House

Please see attached correspondence. Dan and I would like to meet with you at your earliest convenience to discuss this obviously urgent matter.

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

lhaas@hnattorneys.com

From: Leslie Mabie
Sent: Wednesday, October 02, 2013 5:59 PM
To: Lou Haas
Subject: 0364.018

HAASNAJARIAN LLP
Attorneys at Law

Leslie Mabie
Assistant to Louis N. Haas and
David E. Bunim
HaasNajarian LLP
58 Maiden Lane, 2nd Floor
San Francisco, CA 94108
415.788.6330 v
415.391.0555 f
lmabie@hnattorneys.com

IRS Circular 230 Disclosure: to ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding tax-related penalties under the U.S. Internal Revenue Code or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein. This e-mail message and any attachments are confidential and may be attorney-client privileged.

If you are not the intended recipient, please notify Haas & Najarian immediately by telephone at (415) 788-6330 or by e-mail to email@haasnaja.com and destroy all copies of this message and any attachments.

HAASNAJARIAN LLP
Attorneys at Law

58 Maiden Lane
2nd Floor
San Francisco
California
94108

T 415.788.6330
F 415.391.0555

October 2, 2013

0364/018

BY EMAIL AND FIRST CLASS U.S. MAIL
Frank_dean@nps.gov

Frank Dean, General Superintendent
Golden Gate National Recreation Area
National Park Service
Building 201, Fort Mason
San Francisco, CA 94123

Re: *Concession Contract No. CC-GOGA10-98*
Order to Discontinue Operations at The Cliff House

Dear Mr. Dean:

As you may recall, we represent Peanut Wagon, Inc. ("PWI"), Concessioner under the above-referenced Concession Contract (the "Contract"), between PWI and United States Department of the Interior, National Park Service ("NPS"). We understand that today NPS has ordered all operations of The Cliff House to be discontinued at the close of business today, delivering the shutdown order in an email from Jessica Carter, Chief of the Business Management Division of GGNRA. This letter is a request that NPS reconsider the shutdown order based on the unique circumstances of The Cliff House Concession and the very serious but avoidable economic consequences to the Concession, the Concessioner and NPS which will follow. This request is all the more important due to the possibility that this shutdown may be of long duration, and even if lifted, could recur based upon the current political climate which suggests an inability to resolve the various funding implications of the budget and debt ceiling.

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Under these circumstances, it is our opinion that The Cliff House Concession should continue to be operated if the budget crisis is not resolved by Congress, and that the resulting temporary absence of federal funds will not impact operations at The Cliff House. In fact, the shutdown order will in all probability result in a compensable claim under the Contract, which would be in the interest of neither PWI nor NPS. Moreover, the shutdown order will result in the loss of as many as 200 jobs and seriously impact the numerous contractors and vendors who provide services and products to The Cliff House. Furthermore, damage to the reputation of the Concession, the Concessioner and NPS is potentially enormous. An example of this damage to all parties concerned is the forced cancellation of special events required under the shutdown order, in addition to the cancellation of numerous dining reservations. One can only imagine the lingering vitriol rightfully caused to the poor folks who had their wedding reception cancelled this weekend. Finally, the shutdown order will cause direct adverse financial consequences to NPS by the certain reduction in the Franchise Fee payable under the Contract based on the Concessioner's gross revenues, and the possible claims raised above.

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the following:

> "**Parks/Museums/Monuments.** Closure of 368 National Park Service sites (loss of 7 Million visitors) occurred, with local communities near National Parks losing an estimated $14.2 Million per day in tourism revenues; and closure of National Museums and Monuments (estimated loss of 2 Million visitors) occurred."

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Please reconsider the shutdown order based upon the matters raised in this letter. We would be pleased to discuss this matter in more depth with you personally or the Regional Director's solicitor. To the extent that the shutdown decision is driven by either NPS or the Secretary of the Department of Interior's offices in Washington, D.C., please forward this request for reconsideration to the appropriate office(s).

Thank you for your consideration of this serious matter. If you have any questions, please do not hesitate to contact us.

Very truly yours,

HAAS NAJARIAN, LLP

LOUIS N. HAAS

LNH/lm

cc: Demosthenis M. Hountalas
Jessica Carter

N:\CLIENTS\03\0364\018\Correspondence\DeanDeptofInterior ltr 10-2-13.doc

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Wednesday, October 02, 2013 12:27 PM
To: Lena McDowall
Subject: Fwd: Cliff House

---------- Forwarded message ----------
From: **Frank Dean** <frank_dean@nps.gov>
Date: Wed, Oct 2, 2013 at 9:23 AM
Subject: Re: Cliff House
To: "Neubacher, Patricia" <patty_neubacher@nps.gov>
Cc: Aaron Roth <aaron_roth@nps.gov>, Trystan Stern <trystan_stern@nps.gov>, Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>, Jessica Carter <jessica_carter@nps.gov>

Patty,

Thanks for considering this unusual situation. We informed the Cliff House and they will be shutting down.

Frank

On Oct 2, 2013, at 8:45 AM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

> I received a phone call from Bruce Sheaffer and Lena McDowall this am. Your briefing paper and arguments were discussed at today's WASO morning meeting and the final decision is that the Cliff House must close down...like all concessions across the nation. (It turns out that Hot Springs has a somewhat similar situation -- with authority to lease/buildings next to each other - some with concessions some with leases)
>
> They acknowledge that the implementation may seem unfair and illogical -- but a concessions contract is provided for visitor service...and visitor services are closed.
>
> Sorry.
>
> --
> Patty Neubacher
> Deputy Regional Director
> Pacific West Region
> (415) 623-2105 work
> (510) 604-9998 cell

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Wednesday, October 02, 2013 12:27 PM
To: Trystan Stern
Subject: Fwd: Cliff House

---------- Forwarded message ----------
From: **Frank Dean** <frank_dean@nps.gov>
Date: Wed, Oct 2, 2013 at 9:23 AM
Subject: Re: Cliff House
To: "Neubacher, Patricia" <patty_neubacher@nps.gov>
Cc: Aaron Roth <aaron_roth@nps.gov>, Trystan Stern <trystan_stern@nps.gov>, Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>, Jessica Carter <jessica_carter@nps.gov>

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

Young, Deirdre R

From: Frank Dean <frank_dean@nps.gov>
Sent: Wednesday, October 02, 2013 12:24 PM
To: Neubacher, Patricia
Cc: Aaron Roth; Trystan Stern; Scott Wanek; Craig Dalby; Jessica Carter
Subject: Re: Cliff House

Patty,

Thanks for considering this unusual situation. We informed the Cliff House and they will be shutting down.

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> Pacific West Region
> (415) 623-2105 work
> (510) 604-9998 cell

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Wednesday, October 02, 2013 11:46 AM
To: Frank Dean; Aaron Roth
Cc: Trystan Stern; Scott Wanek; Craig Dalby
Subject: Cliff House

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

Young, Deirdre R

From: Patricia Neubacher <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 10:00 PM
To: Scott_Wanek@nps.gov; craig_dalby@nps.gov
Subject: Fw: Cliff House

----- Original Message -----
From: Margaret O'Dell [mailto:peggy_o'dell@nps.gov]
Sent: Tuesday, October 01, 2013 06:32 PM
To: Neubacher, Patricia <patty_neubacher@nps.gov>
Cc: Peggy O'Dell <Peggy_O'Dell@nps.gov>
Subject: Re: Cliff House

We will discuss in the morning and get back with you. Thanks for the info.

Sent from my iPhone

On Oct 1, 2013, at 7:23 PM, "Neubacher, Patricia"
<patty_neubacher@nps.gov> wrote:

> Dear Fellow travelers:
>
> The folks at Golden Gate have raised a question about the
appropriateness
> of closing down the Cliff House - which is technically a concessions
> contract. However, as outlined in their briefing paper, they
> correctly point out that the 1970's era legislation established
> authority for it
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> We'd appreciate you reviewing the park's briefing paper and giving us
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> <Cliff House open in event of Government Shutdown - Rationale.pdf>

Young, Deirdre R

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Tuesday, October 01, 2013 9:32 PM
To: Neubacher, Patricia
Cc: Peggy O'Dell
Subject: Re: Cliff House

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Sent from my iPhone

On Oct 1, 2013, at 7:23 PM, "Neubacher, Patricia"
<patty_neubacher@nps.gov> wrote:

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> <Cliff House open in event of Government Shutdown - Rationale.pdf>

Young, Deirdre R

From: Wanek, Scott <scott_wanek@nps.gov>
Sent: Tuesday, October 01, 2013 9:08 PM
To: Patty Neubacher
Subject: Fwd: Cliff House

That was easy...

---------- Forwarded message ----------
From: **Bruce Sheaffer** <bruce_sheaffer@nps.gov>
Date: Tue, Oct 1, 2013 at 5:18 PM
Subject: Re: Cliff House
To: "Neubacher, Patricia" <patty_neubacher@nps.gov>
Cc: Jon Jarvis <Jon_Jarvis@nps.gov>, Lena McDowall <lena_mcdowall@nps.gov>, Margaret O'Dell <Peggy_O'Dell@nps.gov>, Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>, Frank Dean <frank_dean@nps.gov>, Aaron Roth <aaron_roth@nps.gov>

But it is not a lease. A very different legal instrument than a concession. Can't start making exceptions. Fix it or next time

Sent from my iPad

On Oct 1, 2013, at 7:23 PM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

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Frank Dean
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<Cliff House open in event of Government Shutdown - Rationale.pdf>

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

Young, Deirdre R

From: Aaron Roth <aaron_roth@nps.gov>
Sent: Tuesday, October 01, 2013 9:03 PM
To: patty_neubacher@nps.gov
Cc: frank_dean@nps.gov
Subject: Re: Fwd: Cliff House

Thanks Patty, doesn't look like we'll get support for this but we very much appreciate your asking!

Aaron Roth
Deputy Superintendent
Golden Gate National Recreation Area
National Park Service
aaron_roth@nps.gov
415-561-4720

From: Neubacher, Patricia [mailto:patty_neubacher@nps.gov]
Sent: Tuesday, October 01, 2013 04:23 PM
To: Jon Jarvis <Jon_Jarvis@nps.gov>; Lena McDowall <lena_mcdowall@nps.gov>; Bruce Sheaffer <Bruce_Sheaffer@nps.gov>; Margaret O'Dell <Peggy_O'Dell@nps.gov>
Cc: Scott Wanek <Scott_Wanek@nps.gov>; Craig Dalby <craig_dalby@nps.gov>; Frank Dean <frank_dean@nps.gov>; Aaron Roth <aaron_roth@nps.gov>
Subject: Fwd: Cliff House

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Young, Deirdre R

From: Bruce Sheaffer <bruce_sheaffer@nps.gov>
Sent: Tuesday, October 01, 2013 8:19 PM
To: Neubacher, Patricia
Cc: Jon Jarvis; Lena McDowall; Margaret O'Dell; Scott Wanek; Craig Dalby; Frank Dean; Aaron Roth
Subject: Re: Cliff House

But it is not a lease. A very different legal instrument than a concession. Can't start making exceptions. Fix it or next time

Sent from my iPad

On Oct 1, 2013, at 7:23 PM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

> Dear Fellow travelers:
>
> The folks at Golden Gate have raised a question about the appropriateness of closing down the Cliff House - which is technically a concessions contract. However, as outlined in their briefing paper, they correctly point out that the 1970's era legislation established authority for it to be managed as a lease. In 1998 a concessions contract was issued that will be due in 2018. (a long concessions contract due to the amount of funding that the concessionaire had to invest in improvements. -- the NPS will have purchased all the possessory interest in 2018)
>
> In 2018, the property will be competed as a lease. Other complications, include the proximity of another former concessions contract property that is now under a lease (Louis' Restaurant.) make the decision sensitive.
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> We'd appreciate you reviewing the park's briefing paper and giving us advice on how to proceed. Its an awkward situation and we wanted to consult with you on the best way to move forward. Thanks for your help and advice.
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<Cliff House open in event of Government Shutdown - Rationale.pdf>

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 7:24 PM
To: Chris Lehnertz; Trystan Stern; Martha Lee
Subject: Fwd: Cliff House
Attachments: Cliff House open in event of Government Shutdown - Rationale.pdf

---------- Forwarded message ----------
From: **Neubacher, Patricia** <patty_neubacher@nps.gov>
Date: Tue, Oct 1, 2013 at 4:23 PM
Subject: Fwd: Cliff House
To: Jon Jarvis <Jon_Jarvis@nps.gov>, Lena McDowall <lena_mcdowall@nps.gov>, Bruce Sheaffer <Bruce_Sheaffer@nps.gov>, Margaret O'Dell <Peggy_O'Dell@nps.gov>
Cc: Scott Wanek <Scott_Wanek@nps.gov>, Craig Dalby <craig_dalby@nps.gov>, Frank Dean <frank_dean@nps.gov>, Aaron Roth <aaron_roth@nps.gov>

Dear Fellow travelers:

The folks at Golden Gate have raised a question about the appropriateness of closing down the Cliff House - which is technically a concessions contract. However, as outlined in their briefing paper, they correctly point out that the 1970's era legislation established authority for it to be managed as a lease. In 1998 a concessions contract was issued that will be due in 2018. (a long concessions contract due to the amount of funding that the concessionaire had to invest in improvements. -- the NPS will have purchased all the possessory interest in 2018)

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Why keep the Cliff House open in event of Government Shutdown?

- The National Park Service's contingency plan for Lapse in Appropriation specifies that concession operations will close but lessees remain open. **The Cliff House should be exempt from closure as it functions more like a lessee than a concession.** This was the case in the 1995 shutdown.
- The enabling legislation of the park specifically addresses the Cliff House property. The language and congressional intent provides NPS the discretion to treat it as a leased property.

  16 USC SUBCHAPTER LXXXVI—*GOLDEN GATE NATIONAL RECREATION AREA §460bb–3*

  Administration ***(f) Certain rental proceeds; crediting; management contract***

  Notwithstanding any other provisions of law, in the administration of those parcels of property known as Haslett Warehouse, Cliff House Properties and Louis' Restaurant, the Secretary...may, if he deems appropriate, enter into a contract for the management (including rental or lease) of said properties with such terms and conditions as will protect the Government's interest, with excess funds being used as set forth above.
- The Cliff House does not rely on support from the NPS/Appropriated Funds in any operational facet. Water, wastewater, electricity, refuse, collection, parking, and Alcoholic Beverage Control are all provided directly by the City of San Francisco, its subsidiary or an independent utility.
- The NPS does not exercise its right to approve Cliff House pricing. We rely on competitive market declaration, that is, we allow the Cliff House to set its own pricing. Although we do inspect the Cliff House and conduct annual reviews per concessions policy, our inspections are fairly in-frequent because it is not a high priority for inspection. Therefore, the Cliff House may routinely operate for a month or two without an inspection or oversight from us. As far as Public Health, we do oversee that aspect, however we also do that for leasing. Since Public Health employees are excepted, this is not a determining factor.
- Although the Cliff House is technically a concession, because the NPS utilized a Concession contract in 1998 to authorize it, this was a time when the NPS was not completely versant on how to issue a lease. It is difficult to see how the Cliff House, a $12M. 30,000 square foot restaurant in a busy urban location, could be considered a "necessary" service for the Golden Gate National Recreation Area. When this concession contract expires, the Park will most certainly pursue a lease as its next authorizing instrument, both because it is not a necessary service and also because the Park has clear legislative authority to do so and a lease would more closely resemble our oversight approach to this restaurant.
- Lastly, consistency is an issue. We have Louis Restaurant, only a few hundred feet away. It has the exact same operational model as the Cliff House and very similar level of oversight. This was a concession converted to a lease around 2010, simply because it was an expired concession contract. It is arbitrary that in 2013, Cliff House happens to be authorized by Concession Contract and Louis by a lease, even though the relevant legislation is exactly the same.

Cliff House with Louis Restaurant in the Background (building upper left)

Louis Restaurant with the Cliff House in the Background (building on lower left)

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 7:24 PM
To: Jon Jarvis; Lena McDowall; Bruce Sheaffer; Margaret O'Dell
Cc: Scott Wanek; Craig Dalby; Frank Dean; Aaron Roth
Subject: Fwd: Cliff House
Attachments: Cliff House open in event of Government Shutdown - Rationale.pdf

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Cliff House with Louis Restaurant in the Background (building upper left)

Louis Restaurant with the Cliff House in the Background (building on lower left)

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 7:06 PM
To: Dean, Frank
Subject: Re: Cliff House

Frank: I'll give you a call -- and I'll be happy to forward your briefing paper to WASO for a ruling. But honestly, it was the one concessions operation that they called to my attention would need to be closed.

On Tue, Oct 1, 2013 at 3:59 PM, Dean, Frank <frank_dean@nps.gov> wrote:
Hi Patty,

Please skim through this and call me when you get a moment in the next hour or so. I understand the issue, but wanted to share the reasons we were hesitating. Call my cell phone as the support staff are gone. 415 710-7484.

Thanks,

Frank

---------- Forwarded message ----------
From: **Neubacher, Patricia** <patty_neubacher@nps.gov>
Date: Tue, Oct 1, 2013 at 3:21 PM
Subject: Re: Cliff House
To: Francis Dean <frank_dean@nps.gov>

yes. here at my desk (when not on the phone!)

On Tue, Oct 1, 2013 at 3:17 PM, Francis Dean <frank_dean@nps.gov> wrote:
Patty, can I call you?

Frank Dean
General Superintendent
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From: Dean, Frank [mailto:frank_dean@nps.gov]
Sent: Tuesday, October 01, 2013 02:01 PM
To: Neubacher, Patricia <patty_neubacher@nps.gov>
Cc: Aaron Roth <aaron_roth@nps.gov>; Scott Wanek <Scott_Wanek@nps.gov>
Subject: Re: Cliff House

Patty,

Can we talk first before you ask WASO, so you have the details? We can talk after the call this afternoon. We understand the sensitivity and need for consistency.

Thanks,

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On Tue, Oct 1, 2013 at 1:51 PM, Neubacher, Patricia <patty_neubacher@nps.gov> wrote:
I understand from Trystan that you've expressed some reluctance in closing down the Cliff House in GOGA. I think that the guidance we've received from WASO has been very clear on this issue.

However, to speed up the "appeal" process, I'm willing to send a quick email to Jon Jarvis/Lena/Bruce Sheaffer and get an answer directly from the top. Sound good to you?

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From: Dean, Frank <frank_dean@nps.gov>
Sent: Tuesday, October 01, 2013 6:59 PM
To: Patricia Neubacher
Subject: Fwd: Cliff House
Attachments: Cliff House open in event of Government Shutdown - Rationale.pdf

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Louis Restaurant with the Cliff House in the Background (building on lower left)

Young, Deirdre R

From: Frank Dean <frank_dean@nps.gov>
Sent: Tuesday, October 01, 2013 6:28 PM
To: Neubacher, Patricia
Subject: Re: Cliff House

Okay thanks, will call you shortly, finishing up our park shutdown meeting here.

On Oct 1, 2013, at 3:21 PM, "Neubacher, Patricia" <patty_neubacher@nps.gov> wrote:

> yes. here at my desk (when not on the phone!)
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> On Tue, Oct 1, 2013 at 3:17 PM, Francis Dean <frank_dean@nps.gov> wrote:
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> Frank Dean
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> **From**: Dean, Frank [mailto:frank_dean@nps.gov]
> **Sent**: Tuesday, October 01, 2013 02:01 PM
> **To**: Neubacher, Patricia <patty_neubacher@nps.gov>
> **Cc**: Aaron Roth <aaron_roth@nps.gov>; Scott Wanek <Scott_Wanek@nps.gov>
> **Subject**: Re: Cliff House
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Young, Deirdre R

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Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 5:07 PM
To: Trystan Stern
Subject: Fwd: Cliff House

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From: **Dean, Frank** <frank_dean@nps.gov>
Date: Tue, Oct 1, 2013 at 2:01 PM
Subject: Re: Cliff House
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Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 5:04 PM
To: Trystan Stern
Subject: Fwd: Cliff House

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From: **Dean, Frank** <frank_dean@nps.gov>
Date: Tue, Oct 1, 2013 at 2:01 PM
Subject: Re: Cliff House
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Young, Deirdre R

From: Dean, Frank <frank_dean@nps.gov>
Sent: Tuesday, October 01, 2013 5:02 PM
To: Neubacher, Patricia
Cc: Aaron Roth; Scott Wanek
Subject: Re: Cliff House

Patty,

Can we talk first before you ask WASO, so you have the details? We can talk after the call this afternoon. We understand the sensitivity and need for consistency.

Thanks,

Frank

On Tue, Oct 1, 2013 at 1:51 PM, Neubacher, Patricia <patty_neubacher@nps.gov> wrote:
I understand from Trystan that you've expressed some reluctance in closing down the Cliff House in GOGA. I think that the guidance we've received from WASO has been very clear on this issue.

However, to speed up the "appeal" process, I'm willing to send a quick email to Jon Jarvis/Lena/Bruce Sheaffer and get an answer directly from the top. Sound good to you?

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

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

Young, Deirdre R

From: Neubacher, Patricia <patty_neubacher@nps.gov>
Sent: Tuesday, October 01, 2013 4:52 PM
To: Frank Dean; Aaron Roth
Cc: Scott Wanek
Subject: Cliff House

I understand from Trystan that you've expressed some reluctance in closing down the Cliff House in GOGA. I think that the guidance we've received from WASO has been very clear on this issue.

However, to speed up the "appeal" process, I'm willing to send a quick email to Jon Jarvis/Lena/Bruce Sheaffer and get an answer directly from the top. Sound good to you?

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

Young, Deirdre R

From: Patricia Neubacher <patty_neubacher@nps.gov>
Sent: Wednesday, October 09, 2013 3:19 PM
To: Scott_Wanek@nps.gov; rene_buehl@nps.gov
Subject: Fw: Fwd: Explanation for Concession Closures

From: Dalby, Craig [mailto:craig_dalby@nps.gov]
Sent: Wednesday, October 09, 2013 12:16 PM
To: Patricia Neubacher <patty_neubacher@nps.gov>
Subject: Fwd: Explanation for Concession Closures

FYI, Mike's working on it...

Craig Dalby
Chief, Public Information
Pacific West Region
National Park Service
206-220-4261

---------- Forwarded message ----------
From: **Litterst, Michael** <mike_litterst@nps.gov>
Date: Wed, Oct 9, 2013 at 11:45 AM
Subject: Re: Explanation for Concession Closures
To: "Dalby, Craig" <craig_dalby@nps.gov>, Lena McDowall <Lena_McDowall@nps.gov>

Looping in Lena MacDowall, the AD for Business Services. Her fact sheet and Q&As are on the InsideNPS shutdown page and address concessions, saying "All facilities and services operating under concessions contract, regardless of physical location, must cease operations in the event of a shutdown."

As for WHY they have to close, I know in the first few days of the shutdown she was waiting on some language from the solicitors to explain that.

LENA - Did you ever get anything back on that subject, or is there a basic explanation you can share? (b) (5)

(b) (5) [redacted]

Mike

~~~~~~~~~~~~~~~~~~~~

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

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

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

EXPERIENCE YOUR AMERICA

On Wed, Oct 9, 2013 at 2:38 PM, Dalby, Craig <craig_dalby@nps.gov> wrote:
Mike,

GOGA is looking for some standard language on why concessions have to close. (One guess as to why.) Is there something that's been prepared?

Craig Dalby
Chief, Public Information
Pacific West Region
National Park Service
206-220-4261

Young, Deirdre R

From: Dalby, Craig <craig_dalby@nps.gov>
Sent: Wednesday, October 09, 2013 3:17 PM
To: Patricia Neubacher
Subject: Fwd: Explanation for Concession Closures

FYI, Mike's working on it...

Craig Dalby
Chief, Public Information
Pacific West Region
National Park Service
206-220-4261

---------- Forwarded message ----------
From: **Litterst, Michael** <mike_litterst@nps.gov>
Date: Wed, Oct 9, 2013 at 11:45 AM
Subject: Re: Explanation for Concession Closures
To: "Dalby, Craig" <craig_dalby@nps.gov>, Lena McDowall <Lena_McDowall@nps.gov>

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Craig Dalby
Chief, Public Information
Pacific West Region
National Park Service
206-220-4261

Young, Deirdre R

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

Fyi

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

Confidential

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

One small SF Chronicle story about the closure.

Frank

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

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

Young, Deirdre R

From: Frank Dean <frank_dean@nps.gov>
Sent: Wednesday, October 09, 2013 3:47 AM
To: Francis Dean
Cc: lena_mcdowall@nps.gov; bruce_sheaffer@nps.gov; patty_neubacher@nps.gov; Aaron_Roth@nps.gov
Subject: Re: Cliff House closed

Confidential

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

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

Young, Deirdre R

From: Wanek, Scott <scott_wanek@nps.gov>
Sent: Tuesday, October 08, 2013 8:46 PM
To: Patty Neubacher; Rene Buehl
Subject: Concessions Question spreadsheet
Attachments: Concessions question.xlsx

Here's where I ended up on this.

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

Park					
	Open Thru Road	Cooperators or Concession			
ALKA	No	No			
AMME/WAPA	Yes	No			
BIHO	No	No			
CABR	No	No			
CHIS	No	No			
CECH	No	No			
CIRO	Yes	No			
CRLA	Yes	No			
CRMO	Yes	No			
DEPO	No	No			
DEVA	Yes	Yes			
EBLA	No	No			
EUON/JOMU/POCH/RORI	No	No			
FOVA	No	No			
GOGA	Yes	Yes			
GRBA	No	No			
HAFO/MIIN					
HALE	No	No			
HAVO	Yes	No			
JODA	Yes	No			
JOTR	No	No			
JUBA	No	No			
KAHO	No	No			
KALA	No	No			
KLSE	No	No			
LABE					
LAKE	No	No			
LARO	Yes	Yes			
LAVO					
LEWI	No	No			
MANZ	No	No			
MOJA	Yes	Yes			
MORA	Yes	No			
NEPE	Yes	no			
NOCA	Yes	Yes			
NPSA	No	No			
OLYM	Yes	No			
ORCA	No	No			
PARA	Yes	Yes			
PINN	No	No			
PORE	Yea	Yes			
PUHE	No	No			
PUHO	No	No			
PWRO	No	No			
REDW	Yes	No			
SAFR	No	No			
SAJH	No	No			
SAMO	No	No			
SEKI	Yes	Yes			
TULE	No	No			
VALR	No	No			
WHIS	Yes	Yes			
WHMI	No	No			
YOSE	Yes	Yes			

Young, Deirdre R

From: Campbell, Colin <colin_campbell@nps.gov>
Sent: Friday, October 11, 2013 3:46 PM
To: Bradybaugh, Jeffrey
Cc: Mary Risser; Laura Joss; Billy Shott; Rena Fugate
Subject: Re: Opening Time for BRCA = 3 pm today

Great Jeff, good work!

Please open whenever you think you are ready.

Colin

On Fri, Oct 11, 2013 at 12:48 PM, Bradybaugh, Jeffrey <jeff_bradybaugh@nps.gov> wrote:

Colin:

I wanted to check with you regarding our plan for opening today at 3pm. We have assessed conditions and readiness with buildings, utilities, roads, trails, campgrounds, resources concerns and related staffing, especially after snowfall and power outage the night before last. Nearly all the snow melted yesterday and most of the rest today. We have determined that we will have adequate staffing and conditions are safe to allow visitors to return. There are two trails which were closed prior to the shutdown due to rockfall and will remain closed. They are secured such that visitors cannot access them.

Our plan is to open the scenic drive and viewpoints, Visitor Center, and most hiking trails. Some trails are closed at this time due to rockslides. A park campground will be open with first come, first served availability. The Mossy cave area along Highway 12 will open tomorrow morning.

Concessions:

We have been in discussions with Forever Resorts and they will have a soft opening of sorts:
The motel and cabin units at Bryce Canyon Lodge will open today at 3pm.

The Lodge dining room will open Saturday (tomorrow) for dinner and subsequent meals thereafter.
The Campers Store will have limited hours and will open Saturday (tomorrow).

We have been in discussions with Canyon Trail Rides and they will open their reservation desk in the Lodge at 10am with their first trail ride at 2pm tomorrow

Cooperating Association:
Bryce Canyon Natural History Association will be fully operational at 3pm today for the Visitor Center opening

McDonald Transportation (Shuttle)
Our Facility Manager is in touch with IMR contracting to look into status of the shuttle contract...it is unlikely we'll need the shuttle system operating. Their current season ends Sunday 10/13, so its doubtful we'll initiate start-up, but there are some contractual things to consider.

If you approve, we'll open at 3pm today
As always, thanks for all your efforts on behalf of the parks during the crazy shutdown time!!!

Jeff Bradybaugh
Superintendent
Bryce Canyon National Park
P. O. Box 640201
Bryce, UT 84764
phone: 435-834-4700
e-mail: jeff_bradybaugh@nps.gov

"Optimism is true moral courage"
Sir Ernest Shackleton, 1874-1922
shipwrecked Antarctic Explorer

Please consider the environment before printing this e-mail.
Reduce ! Re-Use ! Recycle !

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

Young, Deirdre R

From: Mary Risser <mary_risser@nps.gov>
Sent: Friday, October 11, 2013 3:42 PM
To: Bradybaugh, Jeffrey
Cc: Colin Campbell; Laura Joss; Billy Shott; Rena Fugate
Subject: Re: Opening Time for BRCA = 3 pm today

Jeff,

Thanks for the update. Colin was especially excited about the warm biscuits at breakfast!

Congratulations on a great job!

Mary

Sent from my iPhone

On Oct 11, 2013, at 12:48 PM, "Bradybaugh, Jeffrey" <jeff_bradybaugh@nps.gov> wrote:

> Colin:
> I wanted to check with you regarding our plan for opening today at 3pm.
> We have assessed conditions and readiness with buildings, utilities, roads, trails, campgrounds, resources concerns and related staffing, especially after snowfall and power outage the night before last. Nearly all the snow melted yesterday and most of the rest today. We have determined that we will have adequate staffing and conditions are safe to allow visitors to return. There are two trails which were closed prior to the shutdown due to rockfall and will remain closed. They are secured such that visitors cannot access them.
>
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Superintendent
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phone: 435-834-4700
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shipwrecked Antarctic Explorer

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Young, Deirdre R

From: Bradybaugh, Jeffrey <jeff_bradybaugh@nps.gov>
Sent: Friday, October 11, 2013 2:48 PM
To: Colin Campbell; Mary Risser; Laura Joss; Billy Shott; Rena Fugate
Subject: Opening Time for BRCA = 3 pm today

Colin:
I wanted to check with you regarding our plan for opening today at 3pm. We have assessed conditions and readiness with buildings, utilities, roads, trails, campgrounds, resources concerns and related staffing, especially after snowfall and power outage the night before last. Nearly all the snow melted yesterday and most of the rest today. We have determined that we will have adequate staffing and conditions are safe to allow visitors to return. There are two trails which were closed prior to the shutdown due to rockfall and will remain closed. They are secured such that visitors cannot access them.

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Reduce ! Re-Use ! Recycle !

Young, Deirdre R

From: Campbell, Colin <colin_campbell@nps.gov>
Sent: Friday, October 11, 2013 2:32 PM
To: Winkelmaier, Joseph
Subject: Re: Opening of UT Parks

Thanks

On Fri, Oct 11, 2013 at 11:12 AM, Winkelmaier, Joseph <joseph_winkelmaier@nps.gov> wrote:
Hi Colin,

I see that some of the parks in UT are opening up. If any issues or questions about concession facilities or water systems come up, don't hesitate to give them my contact information. LCDR Martin Stephens has been assisting with several of the southern Utah parks this summer with the lapse of our position in Denver, but he is (b)(6) not available. I am covering for him until Tuesday.

Thanks,

Joe

--
CAPT Joe Winkelmaier, P.E., USPHS
Public Health Consultant
NPS Office of Public Health
P.O. Box 728
Santa Fe, NM 87504

Phone: 505-988-6040
Fax: 505-988-6123
Cell: 202-641-3518

Email: joseph_winkelmaier@nps.gov

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

Young, Deirdre R

From: Winkelmaier, Joseph <joseph_winkelmaier@nps.gov>
Sent: Friday, October 11, 2013 1:12 PM
To: Colin Campbell
Subject: Opening of UT Parks

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Santa Fe, NM 87504

Phone: 505-988-6040
Fax: 505-988-6123
Cell: 202-641-3518

Email: joseph_winkelmaier@nps.gov

Young, Deirdre R

From: Mihata, Lindy <lindy_mihata@nps.gov>
Sent: Thursday, October 10, 2013 11:17 AM
To: Billy Shott; Colin Campbell; Mary Risser; Rena Fugate
Cc: Todd Brindle; Julie Drugatz; Denise Shultz
Subject: Question for 10 am IMR call

All:

The concession operations at Glen Canyon National Recreation Area have stated that they will open their services to the public IF the local governments "opens" the park. Have other Utah parks reported the same issue? Please provide guidance.

Thank you,

Lindy

--
Lindy Mihata
Acting Chief Ranger
Glen Canyon National Recreation Area
928-608-6252

Young, Deirdre R

From: Baltrus, Alyssa <alyssa_baltrus@nps.gov>
Sent: Monday, October 14, 2013 2:14 PM
To: Mary Risser
Cc: Jock Whitworth; Cynthia Purcell; Colin Campbell
Subject: Zion National Park stats and pictures
Attachments: Zion Stats During Reopening with State Funds.xlsx; Zion reopened 1.jpg; Zion reopened shuttle (2).JPG; Zion reopened trails.jpg; Zion reopened VC.JPG

Mary-

Here is our full spreadsheet, but basically we had about 9,100 visitors on Saturday, 9,400 on Sunday. South Campground, our first-come first-served campground (127 sites) was full both days. We have also been honoring reservations at Watchman Campground (190 sites) even though Reservation system is down. Lava Point Campground (6 sites) also opened Saturday.

There is also stats here on wilderness permits, as well as concession and cooperating association business.

Also attached are a few photos from the weekend. Hopefully they will help.

Thanks for everything ya'll are doing!

-Aly

--
Aly Baltrus
Chief of Interpretation and Visitor Services
Zion National Park
435-772-0160

Zion National Park Statistics during Government Shutdown with State of Utah Donation

Date	Day	Vehicle Count	Pedestrian Count	Total Visitation	Main Parking Lot	South Campground	Other Campgrounds	Lodge	Shuttle Ridership	Cooperating Association Sales****	Wilderness Permits
10/11/2013	Fri*	2178	N/A			58	N/A	N/A	N/A	$4,973	2/4 people
10/12/2013	Sat	3021**	1094	9116	Filled @11:40	Filled @ 3:52pm	Reserv. Only	38% Full	14374***	$8,560	45/144
10/13/2013	Sun	3166	579	9420	Filled @12:00	Filled @ 4:15pm	92%Full	58% Full	11,740	$10,277	46/157

*opened part of the park (VC, Tunnel, South Campground) at 12:00

** down by 19% from last year

***down by 17% from last year

**** includes VC and Museum- usually is $9,000-$12,000

NATIONAL
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SERVICE
ZION
NATIONAL
PARK
281·WGY

00051055 NPS-80225-000001 (0021) Page 1 of 1

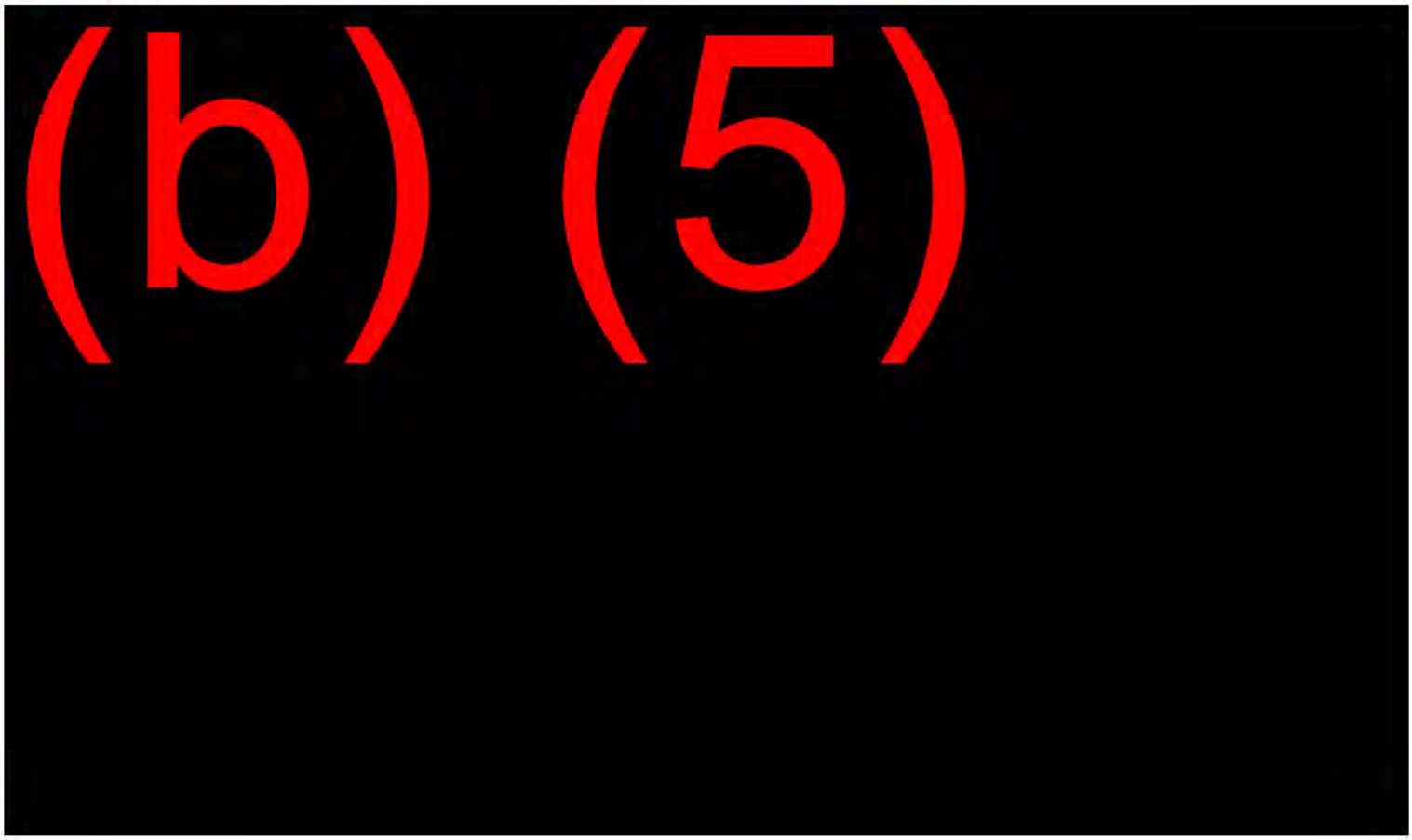
00051055 NPS-80225-000001 (0023) Page 1 of 1

Young, Deirdre R

From: Waldron, Suzanne <sue_waldron@nps.gov>
Sent: Tuesday, October 15, 2013 3:48 PM
To: Androff, Blake; Lena McDowall
Cc: Edward Boling; Kelly, Katherine; mike litterst; Nicole Buffa; Kevin Haugrud; Tim Fullerton
Subject: Re: Ted says DOJ has edits to Pisgah

updated:

On the record:



On Tue, Oct 15, 2013 at 1:03 PM, Androff, Blake <blake_androff@ios.doi.gov> wrote:
Thanks, Ted.

Tim will post the policy on the website this afternoon. I will forward him the version named SOL Final.

Sue - do you have an updated statement that we can used if asked on the policy (we'll need to change the 401 and add a line about the updated policy being applied across the board)? Copied below is the most recent version for the case-by-case analyses:

On the record:

On Fri, Oct 11, 2013 at 9:17 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:
Blake - NPS should draft a new statement based on the final policy

Sent from my iPhone

On Oct 11, 2013, at 8:29 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

> Ted -
>
> Attached is the last thing I saw on an if asked statement re: concessions but you said there were still some SOL issues to work out. Can you let us know where that stands?
>
> On Thu, Oct 10, 2013 at 3:29 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
> Attached are the edits and comments. Keep this close. There are a next of issues that you should not attempt to work through - SOL will handle.
>
> For present purposes, DOJ would be fine with this statement:

How's that?

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 3:23 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
if you've already shared with people - that's fine. Ted - pls share the edits asap

On Thu, Oct 10, 2013 at 3:22 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
hold on the statement????

On Thu, Oct 10, 2013 at 2:30 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
Please hold til we get those back.

--

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

--

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

<Proposed DOI Statement.doj comments.docx>

--

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

EXPERIENCE YOUR AMERICA

Young, Deirdre R

From: Margaret O'Dell <peggy_o'dell@nps.gov>
Sent: Saturday, October 12, 2013 9:57 AM
To: Sally Jewell
Cc: Bruce Sheaffer; Cam Sholly; Lena McDowall
Subject: Re: Concessions

Thank you Sally for your support and guidance. (b)(6)(b)(6)(b)(6)(b)(6)(b)(6)(b)(6)(b)(6)(b)(6)(b)(6)(b)(6) . Bruce Sheafer, Lena McDowall and Cam Sholly will be on duty watching email. Jon, Maureen and I will be in Monday.
Don't hesitate if you need anything.
Sent from my iPhone

On Oct 11, 2013, at 10:21 PM, Sally Jewell <[redacted]@ios.doi.gov> wrote:

> Thanks Jon and Peggy. Hard week all around, but we will have some
> happy visitors, concessionaires and gateway communities. I hope the
> madness ends soon and that there is a renewed appreciation for the
> difference the federal government makes in people's lives in many
> ways.
>
> Hope you both get some deserved sleep.
>
> Sally
>
> On Oct 11, 2013, at 7:56 PM, Jonathan Jarvis <jon_jarvis@nps.gov> wrote:
>
>> I just reviewed and approved for opening:
>>
>> Wawona hotel and store in Yosemite
>> Cliff house and the Youth hostel in Golden Gate City Tavern in
>> Independence Peaks of Otter in Blue Ridge
>>
>> I think that is all for tonight. The team will continue to review
>> proposals over the weekend and I will review and approve as
>> appropriate.
>>
>> Again, thanks everyone!!!
>>
>> Sent from my iPhone

Young, Deirdre R

From: Ahern, Jane <jane_ahern@nps.gov>
Sent: Saturday, October 12, 2013 9:27 AM
To: Michael Caldwell
Cc: McDowall, Lena; Dennis Reidenbach
Subject: Re: Approval to Reopen

Yes, thank you Lena for all of your work on this. This made top news locally today - the reopening.

Jane

On Fri, Oct 11, 2013 at 9:24 PM, Michael Caldwell <mike_caldwell@nps.gov> wrote:
Thanks Lena

Appreciate the help!

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

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On Oct 11, 2013, at 9:09 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

> Mr. Staib -
>
> Please see the attached memo approving your request to reopen. You will need to acknowledge by reply e-mail that you have agreed to the conditions under which you may reopen during the shutdown. You'll notice that I have not filled in the correct contract number for your concessions contract. Our contract database is currently down. When we have access to contract numbers again, I will send you an amended memo for your records.
>
> Best regards,
>
> —
> Lena McDowall
> Associate Director, Business Services
> Ph: (202) 208-5651

Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov
<City Tavern_Conditional Approval to Reopen.docx>

--
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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Young, Deirdre R

From: DKReidenbach@comcast.net
Sent: Friday, October 11, 2013 10:29 PM
To: Michael Caldwell
Cc: Lena McDowall
Subject: Re: Approval to Reopen

Lena

Echo Mike's thanks (and also thanks to Mike).

Dennis

From: "Michael Caldwell" <mike_caldwell@nps.gov>
To: "Lena McDowall" <lena_mcdowall@nps.gov>
Cc: "Dennis Reidenbach" (b) (6)
Sent: Friday, October 11, 2013 9:24:46 PM
Subject: Re: Approval to Reopen

Thanks Lena

Appreciate the help!

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

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On Oct 11, 2013, at 9:09 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

> Mr. Staib -
>
> Please see the attached memo approving your request to reopen. You will need to acknowledge by reply e-mail that you have agreed to the conditions under which you may reopen during the shutdown. You'll notice that I have not filled in the correct contract number for your concessions contract. Our contract database is currently

down. When we have access to contract numbers again, I will send you an amended memo for your records.

Best regards,

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

<City Tavern_Conditional Approval to Reopen.docx>

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 10:22 PM
To: Suzanne Waldron
Subject: Re: Ted says DOJ has edits to Pisgah

(b) (5)(b) (5)(b) (5)(b) (5) I thought we had a final policy, then Maureen sends me an e-mail saying that the policy I thought was in final was for my (and Peggy and Jon's) eyes only. I'll have to find out in the morning what the deal is. I just tried to call Maureen, but I think she's gone for the night. FYI The department agreed to allow us to approve a few concessions at the 11th hour. The concessions below are approved to reopen. I just got the last approval memo out the door. Call me if you have questions. On my cell - I'm leaving in 5 minutes.

- Cliff House, San Francisco GOGA
- City Tavern, Phillly INDE
- Peaks of Otter Lodge BLRI
- Wawona Hotel and Grocery Store YOSE
- Hostels International/Golden Gate Council (2 hostels, 1 at Fort Barry another at Fort Mason) GOGA

so now I've made your communications job even more difficult.

On Fri, Oct 11, 2013 at 9:51 PM, Suzanne Waldron <sue_waldron@nps.gov> wrote:
Who needs sleep?

So there is a final policy?

Sue Waldron
Assistant Director, Communications
National Park Service

Sent from my iPad

On Oct 11, 2013, at 9:19 PM, Blake Androff <blake_androff@ios.doi.gov> wrote:

> Thanks. Will leave that in Sue's capable hands. After she gets some sleep.
>
> Blake Androff
> Deputy Director of Communications
> U.S. Department of the Interior
>
> On Oct 11, 2013, at 9:17 PM, Edward Boling <ted.boling@sol.doi.gov> wrote:
>
> > Blake - NPS should draft a new statement based on the final policy
> >
> > Sent from my iPhone

On Oct 11, 2013, at 8:29 PM, "Androff, Blake" <blake_androff@ios.doi.gov> wrote:

Ted -

Attached is the last thing I saw on an if asked statement re: concessions but you said there were still some SOL issues to work out. Can you let us know where that stands?

On Thu, Oct 10, 2013 at 3:29 PM, Boling, Edward <ted.boling@sol.doi.gov> wrote:
Attached are the edits and comments. Keep this close. There are a next of issues that you should not attempt to work through - SOL will handle.

For present purposes, DOJ would be fine with this statement:

How's that?

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 3:23 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
if you've already shared with people - that's fine. Ted - pls share the edits asap

On Thu, Oct 10, 2013 at 3:22 PM, Waldron, Suzanne <sue_waldron@nps.gov> wrote:
hold on the statement????

On Thu, Oct 10, 2013 at 2:30 PM, Kelly, Katherine <kate_kelly@ios.doi.gov> wrote:
Please hold til we get those back.

--

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

--

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

<Proposed DOI Statement.doj comments.docx>

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

Young, Deirdre R

From: Mary Hountalas <dmhountalas@sbcglobal.net>
Sent: Friday, October 11, 2013 9:40 PM
To: McDowall, Lena
Cc: Frank Dean; Aaron Roth; <lhaas@hnattorneys.com>
Subject: Re: Approval to Reopen

We agree and will open as soon as possible.

Sent from my iPad

On Oct 11, 2013, at 6:17 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

> Please see the attached memo approving your request to reopen.
>
> --
> Lena McDowall
> Associate Director, Business Services
> Ph: (202) 208-5651
> Cell: (202) 641-1814
> Email: Lena_McDowall@nps.gov
>
> <Cliff House_Conditional Approval to Reopen.docx>

Young, Deirdre R

From: Michael Caldwell <mike_caldwell@nps.gov>
Sent: Friday, October 11, 2013 9:25 PM
To: McDowall, Lena
Subject: Re: Request from Walter Staib/City Tavern

I don't sorry.

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

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On Oct 11, 2013, at 8:56 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

> Do you by any chance have a the contract number for the City Tavern contract? I need it for the approval letter and the #%$@%#$ sharepoint with all of the concessions contracts is still down. If you have a copy of the actual contract that would be even better.
>
> On Thu, Oct 10, 2013 at 12:39 PM, Caldwell, Michael <mike_caldwell@nps.gov> wrote:
> Lena/Maureen
>
> Here is the request from Walter.
>
> Thanks
> Mike
>
> Mike Caldwell
> Deputy Regional Director, Chief of Staff
> National Park Service - Northeast Region
> 200 Chestnut Street, Suite 502
> Philadelphia, PA 19106
>
> 215-597-7013

215-597-7059 (Direct)
215-597-0815 (Fax)

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Send your comments to: NERO_Customer_Feedback@nps.gov

Check out the latest help wanted postings at https://sites.google.com/a/nps.gov/nerdetail/?pli=1

---------- Forwarded message ----------
From: **City Tavern (Tom Lamb)** <tlamb@citytavern.com>
Date: Thu, Oct 10, 2013 at 12:34 PM
Subject: RE: Request from Walter Staib/City Tavern
To: "Caldwell, Michael" <mike_caldwell@nps.gov>
Cc: Walter Staib <wstaib@citytavern.com>

Dear Mr. Caldwell:

Per our phone conversation, I am respectfully requesting permission from NPS to reopen City Tavern ASAP. As discussed City Tavern is completely self contained including a street entrance not require access through the park; we can operate fully without NPS services. To date we have suffered a loss of over $100,000.00 in sales not to mention food spoilage, lost deposits on equipment rentals and contracted entertainers. These losses are ongoing; we rely on this upcoming holiday weekend (Columbus Day) to carry us through much of the fall.

Aside from our lost sales, we have been forced to lay off all of our hourly staff, about 70 employees most of whom live check to check if not day to day without pay. This was unexpected and did not permit them time to plan, save or make any type of arrangements. Unlike the furloughed government employees Congress has made no arrangements for their back pay.

In addition to the immediate impact in sales, we have already begun to suffer long term losses. Tour agencies, bus groups and other regular clients have become frustrated with our inability to follow through with their contracted affairs and have been forced to find alternative venues. This can be irrevocable as they lost confidence in our ability to live up to our end of their contracts. Timing could not be worse, tour agencies plan their annual itineraries in the fall, this closure gives them pause before making future reservations fearing a similar situation could arise at the time of their visit.

On a local level, our reputation is being surely damaged. Aside from the reservation cancellation, we have guests calling concerned for their special occasions and holiday celebrations asking if we can guarantee we will be open or should they find other options. If we cannot reopen before the holiday weekend we expect this to grow even more.

I thank you for your assistance and again respectfully ask you honor my plea for permission to reopen. Once permission is granted we can execute our reopening plan in just a few hours notice.

***Have you seen, A Taste of History*, Chef Staib's 4 time Emmy award winning PBS program? View an episode by clicking http://atasteofhistory.org/show/ Or go to atasteofhistory.org to learn more.**

Sincerely,

Tom Lamb

Director of Operations

Concepts By Staib, Ltd.

Concepts By Staib, Ltd. is authorized to serve the public by the National Park Service, Department of the Interior

City Tavern

A Triumph of Tradition

138 South 2nd Street

Philadelphia, PA 19106

Phone: 215-413-1443

Fax: 215-413-3043

Email: tlamb@citytavern.com

www.citytavern.com

www.staib.com

www.atasteofhistory.org

www.blackforestcuisine.com

From: Caldwell, Michael [mailto:mike_caldwell@nps.gov]
Sent: Thursday, October 10, 2013 12:31 PM
To: City Tavern (Tom Lamb)
Cc: Walter Staib; City Tavern (Molly Yun)
Subject: Re: Request from Walter Staib/City Tavern

Walter

Here is my contact info if you need it...

Mike Caldwell

Deputy Regional Director, Chief of Staff

National Park Service - Northeast Region

200 Chestnut Street, Suite 502

Philadelphia, PA 19106

215-597-7013

215-597-7059 (Direct)

215-597-0815 (Fax)

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Send your comments to: NERO_Customer_Feedback@nps.gov

Check out the latest help wanted postings at https://sites.google.com/a/nps.gov/nerdetail/?pli=1

On Thu, Oct 10, 2013 at 10:19 AM, City Tavern (Tom Lamb) <tlamb@citytavern.com> wrote:

Dear Mr Caldwell:

City Tavern has now been closed for over a week with absolutely no information. Walter Staib request you contact him as soon as possible. He can reached at the office 215-413-1443 or on his cell 215-219-0372

***Have you seen, A Taste of History*, Chef Staib's 4 time Emmy award winning PBS program? View an episode by clicking http://atasteofhistory.org/show/ Or go to atasteofhistory.org to learn more.**

Sincerely,

Tom Lamb

Director of Operations

Concepts By Staib, Ltd.

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City Tavern

A Triumph of Tradition

138 South 2nd Street

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www.citytavern.com

www.staib.com

www.atasteofhistory.org

www.blackforestcuisine.com

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

Young, Deirdre R

From: Michael Caldwell <mike_caldwell@nps.gov>
Sent: Friday, October 11, 2013 9:25 PM
To: McDowall, Lena
Cc: Dennis Reidenbach
Subject: Re: Approval to Reopen

Thanks Lena

Appreciate the help!

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

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On Oct 11, 2013, at 9:09 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

> Mr. Staib -
>
> Please see the attached memo approving your request to reopen. You will need to acknowledge by reply e-mail that you have agreed to the conditions under which you may reopen during the shutdown. You'll notice that I have not filled in the correct contract number for your concessions contract. Our contract database is currently down. When we have access to contract numbers again, I will send you an amended memo for your records.
>
> Best regards,
>
> --
> Lena McDowall
> Associate Director, Business Services
> Ph: (202) 208-5651
> Cell: (202) 641-1814
> Email: Lena_McDowall@nps.gov
>
> <City Tavern_Conditional Approval to Reopen.docx>

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 9:17 PM
To: dmhountalas@sbcglobal.net
Cc: Frank Dean; Aaron Roth; lhaas@hnattorneys.com
Subject: Approval to Reopen
Attachments: Cliff House_Conditional Approval to Reopen.docx

Please see the attached memo approving your request to reopen.

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

VIA ELECTRONIC MAIL: NO HARD COPY TO FOLLOW

United States Department of the Interior
National Park Service
1849 C St NW
Washington, DC 20240

Mr. Demosthenis M. Hountalas
President
Peanut Wagon, Inc.
Dba The Cliff House
1090 Point Lobos Avenue
San Francisco, CA 94121

This responds to your request to reopen to the public Peanut Wagon, Inc., dba The Cliff House (Concessioner) which is operated under Contract No. CC-GOGA10-98. I am pleased to advise you that the Director has approved your request to reopen subject to the terms and conditions of the Contract, including without limitation the Contract's Operating Plan and Maintenance Plan.

The NPS decision to reopen is contingent upon written acknowledgment that the Concessioner is aware of and understands:

1. That during the period of the government shutdown, the NPS has limited resources to support the ("Concessioner") under the Contract in terms of law enforcement and security, health and safety, and other contractual services, and further lacks the ability to address any contract or operating changes, inspections or other administrative functions associated with the Contract. Notwithstanding NPS's limited resources, the Concessioner shall comply with all of its obligations under the Contract. In particular, the fact that the NPS may be unable to provide the same level of oversight, law enforcement and other services as may be called for in the Contract shall not lessen or invalidate the Concessioner's indemnification obligations under the Contract (Sec. 16(a)); and

2. The Concessioner's remaining open shall be contingent on its ability to operate the concession without the NPS incurring any expenditure in violation of the Anti-Deficiency Act during the government shutdown. Such expenditures may occur, for example, if visitors to the concession use it as a base to access closed areas of the park. Accordingly, the Concessioner shall use diligent efforts to advise visitors to the

Concession Facilities and prospective visitors who communicate with it through its reservations systems that, although the Cliff House is open and accessible by public roads other park facilities remain closed. If the NPS subsequently determines that the re-opening of this concession, or other concessions on a cumulative basis, are causing it to incur any expenditure in violation of the Antideficiency Act, the NPS may have to re-institute suspension of the Contract during the period of government shutdown.

3. Nothing in this letter shall affect any of NPS's rights, powers, or authorities as set forth in the Contract, or in applicable regulations and statutes.

Please acknowledge by reply email that these terms are satisfactory.

Sincerely,

/s/Lena McDowall
Associate Director, Business Services

cc: Frank Dean
Louis N. Haas

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 9:10 PM
To: wstaib@citytavern.com
Cc: Dennis Reidenbach; Michael Caldwell; lambtf@gmail.com
Subject: Approval to Reopen
Attachments: City Tavern_Conditional Approval to Reopen.docx

Mr. Staib -

Please see the attached memo approving your request to reopen. You will need to acknowledge by reply e-mail that you have agreed to the conditions under which you may reopen during the shutdown. You'll notice that I have not filled in the correct contract number for your concessions contract. Our contract database is currently down. When we have access to contract numbers again, I will send you an amended memo for your records.

Best regards,

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

VIA ELECTRONIC MAIL: NO HARD COPY TO FOLLOW

United States Department of the Interior
National Park Service
1849 C St NW
Washington, DC 20240

Mr. Walter Staib
Concepts By Staib, Ltd
138 South 2nd Street
Philadelphia, PA 19106

This responds to your request to reopen to the public City Tavern (Concessioner) which is operated under Contract No. CC-INDEXX-XX. I am pleased to advise you that the Director has approved your request to reopen subject to the terms and conditions of the Contract, including without limitation the Contract's Operating Plan and Maintenance Plan.

The NPS decision to reopen is contingent upon written acknowledgment that the Concessioner is aware of and understands:

1. That during the period of the government shutdown, the NPS has limited resources to support the ("Concessioner") under the Contract in terms of law enforcement and security, health and safety, and other contractual services, and further lacks the ability to address any contract or operating changes, inspections or other administrative functions associated with the Contract. Notwithstanding NPS's limited resources, the Concessioner shall comply with all of its obligations under the Contract. In particular, the fact that the NPS may be unable to provide the same level of oversight, law enforcement and other services as may be called for in the Contract shall not lessen or invalidate the Concessioner's indemnification obligations under the Contract (Sec. 12(a)); and

2. The Concessioner's remaining open shall be contingent on its ability to operate the concession without the NPS incurring any expenditure in violation of the Anti-Deficiency Act during the government shutdown. Such expenditures may occur, for example, if visitors to the concession use it as a base to access closed areas of the park. Accordingly, the Concessioner shall use diligent efforts to advise visitors to the Concession Facilities and prospective visitors who communicate with it through its reservations systems that, although City Tavern is open and accessible by public roads

other park facilities remain closed. If the NPS subsequently determines that the re-opening of this concession, or other concessions on a cumulative basis, are causing it to incur any expenditure in violation of the Antideficiency Act, the NPS may have to re-institute suspension of the Contract during the period of government shutdown.

3. Nothing in this letter shall affect any of NPS's rights, powers, or authorities as set forth in the Contract, or in applicable regulations and statutes.

Please acknowledge by reply email that these terms are satisfactory.

Sincerely,

/s/Lena McDowall
Associate Director, Business Services

cc: Dennis Reidenbach
Mike Caldwell
Tom Lamb

Young, Deirdre R

From: Frank Dean <frank_dean@nps.gov>
Sent: Friday, October 11, 2013 9:09 PM
To: Lena McDowall
Cc: Aaron Roth
Subject: Fwd: Request to Reconsider Shutdown Order for Cliff House

Lena,

The emails are below. Dan Houtalas, Ralph Burgin and Lou Haas esq.

Thanks again.

Frank

Begin forwarded message:

> **From:** Ralph Burgin <Ralph Burgin (b)(6) >
> **Date:** October 3, 2013 3:13:39 PM PDT
> **To:** Frank Dean <frank_dean@nps.gov>, Lou Haas <lhaas@hnattorneys.com>, dan hountalas Dan Hountalas (b)(6) t>
> **Subject: Re: Request to Reconsider Shutdown Order for Cliff House**
>
> Frank,
> I am planning to be part of the meeting
>
> Ralph Burgin
> GM CLIFF HOUSE
>
> On Oct 3, 2013 2:45 PM, "Frank Dean" <frank_dean@nps.gov> wrote:
> Mr. Haas,
>
> Yes, let's meet tomorrow at 12:30 at my San Francisco office if possible. We are at Fort Mason at Bay and Franklin Streets, and park headquarters is the large building with the flag pole out front. You can call my cell phone (415) 710-7484 when you arrive, and I will come down to open the door. I agree, the publicity is not welcome.
>
> Frank
>
> On Oct 3, 2013, at 12:13 PM, Lou Haas <LHaas@hnattorneys.com> wrote:
>
> Mr. Dean,

I think we should definitely keep the meeting tomorrow at 12:30. I assume it will be at your office----will there be any special instructions to gain admittance. By the way, I'm sure you're staying abreast of the adverse publicity, but just in case you haven't seen it, SF Gate has just published an article which we are not pleased with (and I'm sure, neither is NPS): http://insidescoopsf.sfgate.com/blog/2013/10/03/san-franciscos-iconic-cliff-house-closed-due-to-government-shutdown/

Lou

<image001.jpg>

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

From: Frank Dean [mailto:frank_dean@nps.gov]
Sent: Thursday, October 03, 2013 11:39 AM
To: Lou Haas
Cc: jessica_carter@nps.gov; dmhountalas@sbcglobal.net; burginr007@gmail.com; Aaron_Roth@nps.gov
Subject: Re: Request to Reconsider Shutdown Order for Cliff House

Mr. Haas,

We are technically closed for business right now, but I have afternoon calls with DC and my regional office to plan for weekend issues with the park closure, so best to keep it at 12:30. We could wait to meet until Monday, but I was trying to be responsive to you, despite the lack of news. The Interior Department solicitors here in San Francisco are furloughed, so we are working with a reduced solicitor capacity in DC And I don't have any news yet on when they will get back to me. I will keep you updated as soon as I hear. Do you want to keep tomorrow's appointment for now and we can decide mid morning if it makes sense to meet?

Thank you,

Frank

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 8:56 PM
To: Caldwell, Michael
Subject: Re: Request from Walter Staib/City Tavern

Do you by any chance have a the contract number for the City Tavern contract? I need it for the approval letter and the #%$@%#$ sharepoint with all of the concessions contracts is still down. If you have a copy of the actual contract that would be even better.

On Thu, Oct 10, 2013 at 12:39 PM, Caldwell, Michael <mike_caldwell@nps.gov> wrote:
Lena/Maureen

Here is the request from Walter.

Thanks
Mike

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

215-597-7013
215-597-7059 (Direct)
215-597-0815 (Fax)

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---------- Forwarded message ----------
From: **City Tavern (Tom Lamb)** <tlamb@citytavern.com>
Date: Thu, Oct 10, 2013 at 12:34 PM
Subject: RE: Request from Walter Staib/City Tavern
To: "Caldwell, Michael" <mike_caldwell@nps.gov>
Cc: Walter Staib <wstaib@citytavern.com>

Dear Mr. Caldwell:

Per our phone conversation, I am respectfully requesting permission from NPS to reopen City Tavern ASAP. As discussed City Tavern is completely self contained including a street entrance not require access through the park; we can operate fully without NPS services. To date we have suffered a loss of over $100,000.00 in sales not to mention food spoilage, lost deposits on equipment rentals and contracted entertainers. These losses are ongoing; we rely on this upcoming holiday weekend (Columbus Day) to carry us through much of the fall.

Aside from our lost sales, we have been forced to lay off all of our hourly staff, about 70 employees most of whom live check to check if not day to day without pay. This was unexpected and did not permit them time to plan, save or make any type of arrangements. Unlike the furloughed government employees Congress has made no arrangements for their back pay.

In addition to the immediate impact in sales, we have already begun to suffer long term losses. Tour agencies, bus groups and other regular clients have become frustrated with our inability to follow through with their contracted affairs and have been forced to find alternative venues. This can be irrevocable as they lost confidence in our ability to live up to our end of their contracts. Timing could not be worse, tour agencies plan their annual itineraries in the fall, this closure gives them pause before making future reservations fearing a similar situation could arise at the time of their visit.

On a local level, our reputation is being surely damaged. Aside from the reservation cancellation, we have guests calling concerned for their special occasions and holiday celebrations asking if we can guarantee we will be open or should they find other options. If we cannot reopen before the holiday weekend we expect this to grow even more.

I thank you for your assistance and again respectfully ask you honor my plea for permission to reopen. Once permission is granted we can execute our reopening plan in just a few hours notice.

***Have you seen, A Taste of History*, Chef Staib's 4 time Emmy award winning PBS program? View an episode by clicking http://atasteofhistory.org/show/ Or go to atasteofhistory.org to learn more.**

Sincerely,

Tom Lamb

Director of Operations

Concepts By Staib, Ltd.

Concepts By Staib, Ltd. is authorized to serve the public by the National Park Service, Department of the Interior

City Tavern

A Triumph of Tradition

138 South 2nd Street

Philadelphia, PA 19106

Phone: 215-413-1443

Fax: 215-413-3043

Email: tlamb@citytavern.com

www.citytavern.com

www.staib.com

www.atasteofhistory.org

www.blackforestcuisine.com

From: Caldwell, Michael [mailto:mike_caldwell@nps.gov]
Sent: Thursday, October 10, 2013 12:31 PM
To: City Tavern (Tom Lamb)
Cc: Walter Staib; City Tavern (Molly Yun)
Subject: Re: Request from Walter Staib/City Tavern

Walter

Here is my contact info if you need it...

Mike Caldwell

Deputy Regional Director, Chief of Staff

National Park Service - Northeast Region

200 Chestnut Street, Suite 502

Philadelphia, PA 19106

215-597-7013

215-597-7059 (Direct)

215-597-0815 (Fax)

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nextcenturyforparks.org

Let us know how we are doing!

Send your comments to: NERO_Customer_Feedback@nps.gov

Check out the latest help wanted postings at https://sites.google.com/a/nps.gov/nerdetail/?pli=1

On Thu, Oct 10, 2013 at 10:19 AM, City Tavern (Tom Lamb) <tlamb@citytavern.com> wrote:

Dear Mr Caldwell:

City Tavern has now been closed for over a week with absolutely no information. Walter Staib request you contact him as soon as possible. He can reached at the office 215-413-1443 or on his cell 215-219-0372

***Have you seen, A Taste of History*, Chef Staib's 4 time Emmy award winning PBS program? View an episode by clicking http://atasteofhistory.org/show/ Or go to atasteofhistory.org to learn more.**

Sincerely,

Tom Lamb

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--
Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814

Email: Lena_McDowall@nps.gov

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 8:53 PM
To: Frank Dean; Aaron Roth; Jessica Carter
Subject: Cliff House Approval
Attachments: Cliff House_Conditional Approval to Reopen.docx

Do any of you have an email address for the Cliff House operator and their lawyer Louis Haas? I'd like to send them the attached approval this evening, but I don't have emails for either. The operator will need to acknowledge that they will comply with our conditions for reopening.

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

VIA ELECTRONIC MAIL: NO HARD COPY TO FOLLOW

United States Department of the Interior
National Park Service
1849 C St NW
Washington, DC 20240

Mr. Demosthenis M. Hountalas
President
Peanut Wagon, Inc.
Dba The Cliff House
1090 Point Lobos Avenue
San Francisco, CA 94121

This responds to your request to reopen to the public Peanut Wagon, Inc., dba The Cliff House (Concessioner) which is operated under Contract No. CC-GOGA10-98. I am pleased to advise you that the Director has approved your request to reopen subject to the terms and conditions of the Contract, including without limitation the Contract's Operating Plan and Maintenance Plan.

The NPS decision to reopen is contingent upon written acknowledgment that the Concessioner is aware of and understands:

1. That during the period of the government shutdown, the NPS has limited resources to support the ("Concessioner") under the Contract in terms of law enforcement and security, health and safety, and other contractual services, and further lacks the ability to address any contract or operating changes, inspections or other administrative functions associated with the Contract. Notwithstanding NPS's limited resources, the Concessioner shall comply with all of its obligations under the Contract. In particular, the fact that the NPS may be unable to provide the same level of oversight, law enforcement and other services as may be called for in the Contract shall not lessen or invalidate the Concessioner's indemnification obligations under the Contract (Sec. 16(a)); and

2. The Concessioner's remaining open shall be contingent on its ability to operate the concession without the NPS incurring any expenditure in violation of the Anti-Deficiency Act during the government shutdown. Such expenditures may occur, for example, if visitors to the concession use it as a base to access closed areas of the park. Accordingly, the Concessioner shall use diligent efforts to advise visitors to the

Concession Facilities and prospective visitors who communicate with it through its reservations systems that, although the Cliff House is open and accessible by public roads other park facilities remain closed. If the NPS subsequently determines that the re-opening of this concession, or other concessions on a cumulative basis, are causing it to incur any expenditure in violation of the Antideficiency Act, the NPS may have to re-institute suspension of the Contract during the period of government shutdown.

3. Nothing in this letter shall affect any of NPS's rights, powers, or authorities as set forth in the Contract, or in applicable regulations and statutes.

Please acknowledge by reply email that these terms are satisfactory.

Sincerely,

/s/Lena McDowall
Associate Director, Business Services

cc: Frank Dean
Louis N. Haas

Young, Deirdre R

From: Michael Caldwell <mike_caldwell@nps.gov>
Sent: Friday, October 11, 2013 8:43 PM
To: McDowall, Lena
Subject: Re: I still have not heard anything

Awesome!

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

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On Oct 11, 2013, at 8:39 PM, "McDowall, Lena" <lena_mcdowall@nps.gov> wrote:

> Thanks. I'm working on the approval memo for Cliff House and then will do City Tavern. Give me about 15 minutes.
>
> On Fri, Oct 11, 2013 at 7:42 PM, Michael Caldwell <mike_caldwell@nps.gov> wrote:
> Lena
>
> Thanks for the call
>
> These are the emails to send the conditions to
>
> 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

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nextcenturyforparks.org

Begin forwarded message:

From: Thomas Lamb Thomas Lamb (b)(6)>
Date: October 11, 2013, 7:01:26 PM EDT
To: Michael Caldwell <mike_caldwell@nps.gov>
Cc: Walter Staib <wstaib@citytavern.com>, Thomas Lamb Thomas Lamb (b)(6)>
Subject: Re: I still have not heard anything

Thank you for the update and we appreciate your efforts. If there is anything we can do from our end let us know you can be assured we will follow through whatever it takes. Otherwise we anxiously await the good news no matter what tine that finally arrives.

Tom

On Oct 11, 2013, at 6:17 PM, Michael Caldwell <mike_caldwell@nps.gov> wrote:

> I will monitor email all weekend and get back to you ASAP
>
> 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
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>
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>
> nextcenturyforparks.org

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

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 8:40 PM
To: Michael Caldwell
Subject: Re: I still have not heard anything

Thanks. I'm working on the approval memo for Cliff House and then will do City Tavern. Give me about 15 minutes.

On Fri, Oct 11, 2013 at 7:42 PM, Michael Caldwell <mike_caldwell@nps.gov> wrote:
Lena

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These are the emails to send the conditions to

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

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200 Chestnut Street, Suite 502
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--
Lena McDowall
Associate Director, Business Services
Ph: (202) 208-5651
Cell: (202) 641-1814
Email: Lena_McDowall@nps.gov

Young, Deirdre R

From: McDowall, Lena <lena_mcdowall@nps.gov>
Sent: Friday, October 11, 2013 8:05 PM
To: Roth, Aaron
Cc: Frank Dean; Jessica Carter; Business Services, NPS; Cicely Muldoon
Subject: Re: Golden Gate Concessions Exceptions Request

I'm working on the approval notes now.

On Fri, Oct 11, 2013 at 2:31 PM, Roth, Aaron <aaron_roth@nps.gov> wrote:
Lena,

Per our conversation about our priorities for your time (which we acknowledge is precious at this point!) on GOGA concessioner exception reviews under the possible new policy -

1) **GOGA010 - Cliff House/Peanut Wagon** - my understanding is you have what you need in our previous briefings/concessioner letters and no more info is needed. They are sort of are "pre-approved" once NPS gets the policy finalized, provided it is similar to what is in draft right now. We'll get notice from you and also you will be sending a letter (happy to help in the delivery of that). If you need anything re-sent or other info, such as their contract/ops plan, we are standing by to provide it.

2) **GOGA002 - Hostels International/Golden Gate Council** - We would this email to serve as our request to re-open our Hostels under this critertia (Based on the verbal criteria we heard from a concessioner, acknowledging this may be relayed to us in an incomplete fashion and we may need to rewrite this when the policy comes out and happy to do so). Here is how our hostel shapes up against the critiera as we know it. I have also attached a copy of their contract. We have informed the hostel that we are submitting this on their behalf so hopefully you wont get a duplicate from them.

- **We have a written request.** They too have monitored our guidance closely, watched the Cliff House, and have made written and verbal requests to us to open. Although their requests have not involved lawyers as they have a little less disposable income to hire them, we feel their request is valid and impacts to their business and employees to be significant.
- **On an open road.** The hostels in Marin Headlands and Fort Mason are accessed through open roads, Bunker and Franklin respectively. These roads have been held open to provide access to emergency vehicles, our excepted personnel, and lessees that we are required to maintain access for.
- **Infrastructure Available**. the Hostels have their own open parking. Electricity provided by PGE, not us. Both rely on water and wastewater distributed/collected by NPS, however, we have had to maintain these systems anyway during the shutdown for excepted employee operations, and also leseees. Solid waste is managed by a third party and not us.
- **Self Contained**: These operations can function without increasing usage of other park sites. We can and will given them orders to their guests not to utilize the park, only enter and exit to access the hostel, but there are a range of amenities not part of NPS they can access within a short distance.
- **Full Range of Services can be Provided**. Hostels have the ability to provide their full range of required and authorized services during the shutdown.
- **Do not require NPS added personnel or funding**. If the Hostels were to re-open, it would not adjust the GGNRA closure, number of NPS employees excepted, or expenditure of funds by NPS in any way.

(am ccing Point Reyes as they have the same operator and possibly the same scenario but you'll have to hear from them)

3) **GOGA001 Alcatraz Cruises** - we have been notified that they have submit directly to your email. We have not reviewed this package vis a vis the criteria but are skeptical and we would consider it a lower priority than the two above.

4) Our two other concessions, **MUWO001 Muir Woods Trading Company/Ortega Enterprises** and **GOGA004 Stinson Beach Surfer's Grill** have not indicated that they will submit a request to us but we would place them in a a low priority for review, as they both operate in wholly closed areas.

Thanks Lena. Both Jessica Carter and I are on today as excepted employees, if there is anything we can do to help or re-frame this in any way, let us know,

Hang in there!
Aaron

--

Aaron Roth
Deputy Superintendent
Golden Gate National Recreation Area
aaron_roth@nps.gov
(415) 561-4720

--

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