Congress of the United States
House of Representatives
Washington, DC 20515-0301

April 29, 2016

The Honorable Daniel Ashe
Director
U.S. Fish and Wildlife Service
1849 C Street, NW Room 3331
Washington, DC 20240

The Honorable Benjamin Tuggle
Regional Director
U.S. Fish and Wildlife Service
500 Gold Avenue SW
Albuquerque, NM 87102

Ms. Linda Miller
Refuge Manager
Havasu National Wildlife Refuge
317 Mesquite Avenue
Needles, California 92363

Dear Director Ashe, Regional Director Tuggle and Refuge Manager Miller:

We write to you today regarding the draft recreational boating Compatibility Determination (CD) for Havasu National Wildlife Refuge announced by the U.S. Fish and Wildlife Service (Service) on April 12, 2016.

We believe that the current 30-day comment period is much too short for the CD and request an additional 60-day extension of the public comment period.

As you know, the CD aims to close significant portions of Lake Havasu within the Refuge to motorized boating and prevent water-skiing, tubing, wake boarding, fishing boats and other recreational towed devices within the 4,000-acre manmade Topock Marsh and on an additional 520 acres on Lake Havasu Reservoir. Motorized boating is already restricted by the Service within on 17 ½ miles within the Refuge.

According to the Services' own estimates, nearly three million visitors vacation at Lake Havasu each year and a typical holiday weekend draws nearly 50,000 boaters to the area. According to a 2008 Lake Havasu City Tourism Survey, nearly 75% of tourists are interested in water skiing, wakeboarding or boating while visiting Lake Havasu. The survey also revealed tourists spend more than $200 million and support nearly 4,000 full-time equivalent jobs.

The CD falls on the heels of a closure made by the Service last May that prohibited motorized boating within the reservoir in a ½ mile area that had been utilized by recreational enthusiasts for several decades. Specifically, on May 20, 2015, the Service posted an alert on its website that established new boating restrictions and expanded the "no wake zone." This order was "effective immediately" and the newly closed areas were quickly marked with regulatory buoys and signs. The Service enacted this closure two days before Memorial Day Weekend without engaging

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local stakeholders or providing any opportunity for public comment. Numerous stakeholders have claimed that this closure was not based on science or merit.

On April 20, 2016, Lake Havasu City Mayor Mark Nexsen wrote the Service on behalf of the City and expressed significant concerns with the CD and requested an immediate 60-day extension of the public comment period. In his two and half page letter Mayor Nexsen stated, "To truly benefit from public input, it is important to provide a more robust opportunity for involvement than what you currently propose. We strongly request the Fish and Wildlife Service grant an immediate 60 day extension for public comments…We have seen virtually no documentation to date justifying additional restrictions on recreational boaters in the Refuge. Should these restrictions be approved, the citizens and visitors of our community will be adversely affected and our local economy will be damaged."

Mayor Nexsen also stated, "The restrictions on motorized boats being contemplated by your office will have detrimental effects on recreational boaters using Lake Havasu…What began as temporary holiday restrictions in [May] of 2015 has now grown into a plan for widespread closures and restriction of areas commonly used for exploration, transportation and overall enjoyment by our boating public…We must have reasonable consultation with you before any change in your Refuge management plan which affects our citizens, the visiting public, and our local and regional economy."

The Lake Havasu Area Chamber of Commerce, comprised of nearly 700 members and employing 20,000+ Lake Havasu City area residents in industries that benefit from tourism, opposes the CD and also asked for a 60-day extension for public comments in a letter to the Service dated April 22, 2016.

In the letter, the Chamber stated, "The Lake Havasu Area Chamber of Commerce Board of Directors voted unanimously Tuesday of this week in opposition of the proposed regulations that would close portions of Lake Havasu to motorized watercraft within the Havasu National Wildlife Refuge…Our businesses are still struggling as we move slowly out of the Great Recession. I am sure you are aware that our region of the country has been one of the slowest to recover. The federal government's proposed action in the Refuge will be like a nail in the coffin for Lake Havasu City and our neighboring river communities with any efforts we are currently working on or have planned to create a sharing, strong, local economy. We are not advocating that protection of native wildlife and fish should be ignored, but we are also not satisfied with the information provided that supports your desire to take this action. There are also many questions from community stakeholders that require answers."

At an April 21, 2016 committee hearing in the House Oversight Subcommittee on Interior, Rep. Gosar asked Director Ashe about Lake Havasu City Mayor Mark Nexsen's request for a 60-day extension of the public comment period. Director Ashe responded, "If the Mayor has requested an extension, we will consider it."

Furthermore, in a July 2015 letter responding to concerns about the May 2015 boating closures, your agency stated, "The Service recognizes the importance of public involvement in decisions regarding visitor use on the Refuge…[and] will initiate a review of the overall recreation boating

program occurring on the Refuge. This will include soliciting public input from all users of the Refuge."

We share the concerns expressed by Mayor Nexsen and the Lake Havasu Area Chamber of Commerce. We ask that the Service honor the promises made in the July 2015 letter by allowing adequate time for review and comment from all users. The current 30-day comment period does not allow adequate time for review and comment from all users of the Refuge. Accordingly, we would like to reiterate our request for a 60-day extension of the public comment period.

Given the associated negative impacts that could occur from this sweeping proposal, it is both reasonable and prudent to ensure that the public has sufficient time and opportunity to provide meaningful feedback.

We appreciate your attention and consideration on this matter and look forward to hearing from you soon. As always, we ask that this matter be handled in strict accordance with agency rules, regulations, and guidelines.

Sincerely,

Paul A. Gosar, D.D.S.
Member of Congress

Col. Paul Cook (ret.)
Member of Congress

Jeff Duncan
Member of Congress

Ryan Zinke
Member of Congress

Scott Tipton
Member of Congress

Mark Amodei
Member of Congress

David Schweikert
Member of Congress

Ken Buck
Member of Congress

Cresent Hardy
Member of Congress

Devin Nunes
Member of Congress

Kevin Cramer
Member of Congress

Dan Newhouse
Member of Congress

Tom McClintock
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Walter Jones
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Stevan Pearce
Member of Congress

Trent Franks
Member of Congress

Cynthia Lummis
Member of Congress

Martha McSally
Member of Congress

Jason Chaffetz
Member of Congress

Greg Walden
Member of Congress

Kyrsten Sinema
Member of Congress