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February 10, 2017

**VIA EMAIL**

Laura Joss  
Regional Director  
Pacific West Region, National Park Service  
333 Bush Street, Suite 500  
San Francisco, CA 94104-2828  
*Laura\_Joss@nps.gov*

Re: ***Closure of Kettle Falls Marina***

Dear Ms. Joss:

I am writing on behalf of Lake Roosevelt Vacations, Inc. (LRVI), the current concessioner operating Kettle Falls Marina in Lake Roosevelt National Recreation Area (LRNRA). As you are aware, LRNRA recently and quite unexpectedly announced that it would be closing Kettle Falls Marina this April 30, 2017, when the current concession contract expires. LRNRA made this sudden decision notwithstanding that it had recently issued a prospectus for a 10 year concession contract which contained very optimistic projections of not just sustained, but increased demand for the recreation services provided at Kettle Falls Marina. Thus, as LRVI has previously noted, LRNRA's decision to close the marina in order to assess the demand for the services at the marina appears to be contrary to its existing findings. I am writing to you to also point out that LRNRA's unsupported decision is directly contrary to the management guidelines set out LRNRA's current General Management Plan (GMP). Therefore, before being implemented, this decision requires an environmental analysis as required by the National Environmental Policy Act (NEPA) and then, if determined appropriate based on the findings in that analysis, an amendment to the GMP. Because no such environmental analysis or amendment was ever completed or issued, the decision appears to be contrary to the law.

LRNRA is required to create a general management plan pursuant to 16 U.S.C. § 1a-7(b). LRNRA's current Gmp was implemented in 2000, pursuant to an Environmental Impact Study (EIS) as required by NEPA. *See* Appendix A to GMP. The GMP states that there will be a marina operation at Kettle Falls which rents houseboats, and in fact the GMP anticipated expanding those services. GMP at 24, 33, 116. The Lake Roosevelt Concession Management Plan (January 1991), which was incorporated into the GMP, further states that Kettle Falls Marina can rent up to 42 houseboats. Lake Roosevelt Concession Management Plan (January 1991) at 13.

NPS' current Management Policies (2006) state that a GMP sets out "direction for the park" after considering the input of the public. Management Policies (2006) at 2.3.1; 2.3.1.5. In addition, NPS' Management Policies explicitly state that:

[a]mendments or revisions to a general management plan **will be accompanied** **by** a supplemental environmental impact statement or other suitable NEPA analysis and public involvement.

Management Policies 2006 at 2.3.1.12 (emphasis added). No such suitable NEPA analysis or public involvement ever occurred. Therefore, LRNRA's recent decision to close Kettle Falls Marina violated NPS's own policies as well as applicable law.

Of particular environmental concern is the impact closing the marina will have on the inappropriate disposal of human waste, which has been a major concern of LRNRA. In fact, this matter was identified by LRNRA as a threat to the fundamental resources and values of Lake Roosevelt. The marina currently provides waste disposal facilities. However, closing these facilities will leave boating visitors who use the ramp with no nearby facilities to dispose of these wastes.

LRNRA's decision is also causing immediate harm to visitors, the concessioner and the local community. Potential visitors who had made houseboat reservations with LRVI are cancelling those reservations because of LRNRA's closure announcement. In addition, if LRNRA's decision is not vacated immediately, LRVI will be at risk of not being able to obtain the supplies and staffing for this upcoming season. Up to 20 jobs will be lost if these operations cannot proceed this summer.

For the reasons set forth above and in LRVI's prior letter to you dated February 7, 2017, we urge you to act right away to vacate this decision by LRNRA. Doing so would ensure that these recreational services can be provided to LRNRA visitors for the benefit of both the visitors and the environment, and that these jobs are preserved.

Very truly yours,

THE GARDEN LAW FIRM, P.C.

*Kevin R. Garden*

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cc: Rep. Cathy McMorris Rodgers  
Board of Commissioners, Stevens County  
Ed Wimberly, Lake Roosevelt Vacations, Inc.  
Dan Foster, Superintendent, LRNRA  
Stephanie Lynch, Office of the Regional Solicitor, DOI