

PAUL A. GOSAR, D.D.S.
FOURTH DISTRICT, ARIZONA

504 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2315

122 N. CORTEZ STREET, SUITE #104
PRESCOTT, AZ 86301
(928) 445-1683

6499 SOUTH KINGS RANCH ROAD, SUITE 4
GOLD CANYON, AZ 85118
(480) 882-2697

220 N. 4TH STREET
KINGMAN, AZ 86401
(928) 445-1683

WWW.GOSAR.HOUSE.GOV



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

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June 24, 2015

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

**Re: New Boating Restrictions and Expansion of the No Wake Zone for the Havasu
National Wildlife Refuge**

Dear Regional Director Tuggle,

I write to you today to bring your attention to an issue that has generated much concern and opposition from constituents in my district.

On May 20, 2015, the Havasu National Wildlife Refuge (the Refuge) posted an alert on its website that established new boating restrictions and expanded the "No Wake Zone" within the Refuge. This order was "effective immediately" and the newly closed areas were soon marked with regulatory buoys and signs in areas that had previously been utilized by recreational enthusiasts for several decades.

I am concerned that this order was implemented by the acting refuge manager without engaging local stakeholders or providing an opportunity for public comment. I am further troubled that these arbitrary closures became effective two days before Memorial Day Weekend.

Some of the comments I received from concerned citizens in Arizona included:

"I am writing to inform you of the new bouys [sic] at the River mouth, into Lake Havasu, that make it a no wake and no skiing area. I have been skiing in this area for the last 25 years and it has provided safety from all the boats on Lake Havasu. This spot is very special to me because as a kid I would go there with my family and I learned how to Barefoot ski and wake skate in this area. The last 12 years, I have been able to share this piece of heaven with my kids. This was the very first spot I took both my kids when they were 2 months old and have been going there regularly with them since then. Both my kids learned how to wake board and kneeboard in this area. My kids ask me all the time to go to the river mouth so they can wake board. This year they wanted to learn how to slalom ski and this area provides a safe area for them to learn. I ask that this matter be given immediate attention."

“Unfortunately last night my family and I were surprised to see no ski/wake signage at our local ski spot... I am a native Lake Havasu City resident born and raised here since 1977. I did move but relocated back here to raise my child and enjoy life on the lake. I have a special needs child that loves the lake and enjoys many activities on it. I'm extremely disappointed there was no public feed back or input before this action was taken. I am aware there were maybe 1 or 2 instances of conflict between boaters and kayakers. I do not think 1 or 2 instances are enough to close a place considering the thousands that use that area every summer. I've been up there probably more than anybody for the past 10 years and have never had 1 conflict or contact with fish and game or any other law agency. I also have never heard of an injury up there where safety personal [sic] had to be called out to come up there. Hopefully you understand my side and realize this is probably the safest place on the lake to enjoy skiing etc. especially on a big weekend like we have coming up.”

“I was informed yesterday that my family’s favorite water ski spot on Lake Havasu has been turned into a No Ski Zone. This was extremely disappointing!...When I heard Lake Havasu turned this place into a no wake zone, I immediately thought to sell our vacation house and relocate it to a place where my son, family and friends can water ski safely. I believe there are countless families like myself that have enjoyed this location for years that are effected the same way. This could be a fairly large impact to the revenue we bring to the city. We have spent thousands on gas, property taxes, sales tax, boats, food, people to clean my house and take care of my yard... etc. I really hope there is consideration for removing the no ski buoys. I also hope this helps put in perspective how the impact of a simple No Ski buoy can affect so many families and revenue to the city of Lake Havasu.”

I am aware that U.S. Fish and Wildlife regulations permit, “At times, sections of the refuge [to] be closed on short notice due to wildlife needs, safety, weather, and special projects.” However, I am told that that this closure has been in the works for nearly a year and this appears to be permanent, not temporary closure. As such, there is no excuse for not engaging Congress or the general public.

Furthermore, this guidance from a previous refuge manual appears to contradict this decision:

“While the primary use of National Wildlife Refuges is for the protection of wildlife, these areas are managed on a multiple-use basis insofar as this can be accomplished without defeating the objectives for which the area was established...”

The arbitrary determination to eliminate “water skiing, tubing, and wake boarding” is contradictory to this guidance and is inconsistent with a multiple-use management plan.

In previous discussions held in my office on controversial matters that affect my constituents, I have found you to be a reasonable man. As such, I ask that your agency hold a community meeting with local stakeholders and listen to their concerns on this matter. Furthermore, I ask that you rescind the new restrictions implemented on May 20, 2015, and pursue a community-supported plan for resolving this situation. My staff and other stakeholders have attempted to work with local agency personnel to resolve this situation over the last several weeks. Those efforts have not been fruitful to date and I felt compelled to elevate this issue and bring it to your attention as a result.

Should you have any questions or concerns, please do not hesitate to contact me. As always, I ask that this request be handled in strict accordance with existing rules, regulations, and ethical guidelines. Thank you for your consideration. I look forward to your timely response.

Sincerely,

A handwritten signature in blue ink that reads "Paul A. Gosar". The signature is written in a cursive style with a large, stylized initial "P".

Paul A. Gosar

Member of Congress

Cc: Mr. Glenn Klinger, Havasu National Wildlife Refuge Manager
Mayor Mark S. Nexsen, Lake Havasu City
State Senator Kelly Ward
State Representative Sonny Borrelli