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TUCSON, AZ 85701  
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(602) 952-0170

# United States Senate

September 8, 2004

Bureau of Land Management  
Arizona State Office  
Phoenix, Arizona

Ms. Elaine Zielinski  
Arizona State Director  
Bureau of Land Management  
222 North Central Avenue  
Phoenix, AZ 85004

SEP 10 2004

cc: Elaine Zielinski 2  
FOIA Action 2-#2010

Dear Ms. Zielinski:

I wish to bring to your attention a matter concerning my constituent, Mr. R. Koepp, President of the Lake Havasu City Anglers United, who has questions regarding the BLM Lake Havasu Field Office Resource Management Plan. Please investigate my constituent's claim, within the existing rules, regulations and ethical guidelines, and provide me with a copy of the final decision. MARK ALL CORRESPONDENCE TO:

Attn: NICK MATIELLA  
Office of Senator John McCain  
2400 Arizona Biltmore Circle  
Suite 1150  
Phoenix, Arizona 85016

The response you provide will be most appreciated and will be forwarded to my constituent. If you should have any questions in the meantime, you can reach my office at (602) 952-2410. I look forward to your reply at your earliest convenience.

Sincerely,

John McCain  
United States Senator

JM/xnm



# ANGLERS UNITED, INC.

Lake Havasu Chapter

EO'D 03 1 2004

P.O. Box 1882, Lake Havasu City, Arizona 86405

August 27, 2004

Senator John McCain  
U. S. Senate  
241 Russell Senate Office Bldg  
Washington, DC 20510-0001

Subject: Lake Havasu

Senator; Back in the early nineties you were very instrumental in helping the Lake Havasu Fisheries Improvement Partnership in acquiring taxpayer funds to revitalize the Fishery. As you are aware some 10 years later, about 12 million dollars and approximately 200 thousand hours of volunteer's labor' a very successful program was accomplished.

THANK YOU!!

Senator; We need your help again. As you know the Lower Colorado River determines a good portion of the economy for approximately 50 million people.

Lake Havasu has 15 governmental agencies (federal, state, county, city) involved and not one who will stand up and take full responsibility.

Three years ago, the Bureau of Land Management ( B. L. M. ) received 3 million dollars to develop and produce a Land Management plan for Lake Havasu and adjacent lands (still no results).

A State Parks Board Meeting on Nov. 18, 1999 in Lake Havasu, Kenneth E. Travous, Arizona State Parks Director, stated: That overcrowding of a lake is determined by size, (Lake Havasu consists of 25 thousand surface acres) a fisherman needs one half acre of surface water while a fast boat with water skiers need 20 acres. Using these figures as a guide to estimate daily safety capacity of Lake Havasu, we reach a number of 1250 boats.

A study done by National Park services on Lake Powell, Mead and Mohave confirm this data.

Presently, Lake Havasu has 88 lanes of boat launch facilities available with a capability of each lane to launch an average of 4 boats an hour.

We also have 10 marinas with excess of 1500 boat slips.

As stated in State Parks (11-18-99) briefing, Windsor State Park can launch 360 boats per hour. This facility alone can exceed the safe lake capacity.

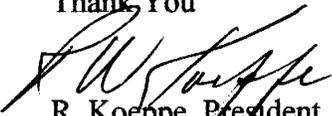
Senator; the need for greed by a few individuals threatens our lake. As you heard we have a Carbon Monoxide problem and it is almost impossible for a local family to fish on their weekends off from work.

Safety is becoming a major issue. As you know Topock Gorge ( Lake Havasu Wildlife Refuge) is being endangered by 40 ft. 65 mile an hour boats. Areas of the river (the sand bar) have to be closed on major holidays due to overcrowding and rowdy behavior.

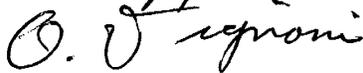
But certain Lake Havasu City officials and the State Parks Director feel the need to rape this National Resource further by wanting to increase launch facilities without controls on the number of boats on the lake.

Please Help Us by voicing your concerns to Gale Norton of the Interior Dept. and the Commanding General of the Army Corp of Engineers.

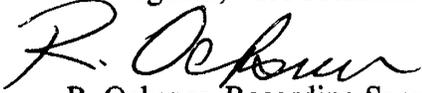
Thank You



R. Koepp, President Anglers United, Lake Havasu City Chapter



A. Vignoni, Vice President Anglers United, Lake Havasu City Chapter



R. Ochsner, Recording Secretary, Anglers United Lake Havasu City Chapter

Enclosures;

Local Newspaper Articles and Editorials.

# Opinion

4A — TUESDAY, AUGUST 24, 2004

## EDITORIAL

### Lake brims with water and boaters

Not so long ago, the tourism industry in Lake Havasu City faced legitimate challenges in luring boaters to our fair city. Boaters had choices among Arizona and California lakes as well as the entire Colorado River system.

These days, though, lakes Powell and Mead are at a fraction of capacity, mirroring similar low water levels in lakes throughout the Southwest and, reportedly, into the Midwest. A multi-year drought has reduced the mountain snowmelt, which feeds the West's waterways.

Certainly, the well-documented water shortage has more severe implications than boating recreation. The drinking water for millions of Californians and Arizonans is at stake.

Yet Lake Havasu is mostly unaffected by the drought. Water levels in the Lake must be maintained above the level of water pumps, which draw water for distribution both east and west. There are no guarantees this will continue but for the past couple of years, the Lake has become even more of a magnet for boaters seeking more than a shrunken mud hole.

It's also brought challenges. As Lake use increases, more people who live here seem to forfeit their use of the water on summer weekends. Often, it's an uncontrolled racetrack out there and the heavy use has brought problems ranging from carbon monoxide issues to proper navigation to, most recently, threats to get rid of businesses that run floating operations on the water.

The latter issue, highlighted Sunday in Today's News-Herald, exemplifies the hurdles in dealing with Lake crowding. When a couple of different federal agencies, a couple of county governments and a municipality each control different aspects of the Lake, coordination is a real problem.

The floating businesses, for example, apparently have operated for years on the knowledge that they had met all local permit requirements, which is to say, mostly none.

It turns out that unenforced federal regulations require federal permits for the water-based businesses.

It's absurd to say that a drought is "good news" for Lake Havasu, although we're glad that if one lake is full, it's the one at our doorstep.

No matter one's view on tourists, a full lake will draw even more.

As much as we favor fewer regulations in general, there is a clear need for consistency throughout the lake. Copper Canyon. The sandbar. Commercial operations. Even, shudder, maximum capacity. These topics clearly require much coordination to assure the Lake achieves its highest and best use.

At this point, there's no need for an overarching Lake management plan. There is a need for an informal association of the regulating governments to deal with heavy use that will continue to grow heavier.

— Today's News-Herald

## Sinking: Floating vendors from page 1

on his earnings.

He also said his business is insured. He said he would lose his business if lake vending were strictly enforced.

"We're here for the tourists. If they want a tube, or water skis, it's convenient for them. We're not bothering the beach. We're just a small business trying to do business in Havasu," said LaPlante. "I'm not going to let my business go down. I invested everything I had."

LaPlante said he splits business between Rotary Beach and

London Bridge Beach every 30 days, as the Army Corps of Engineers instructed him.

Clark said the sheriff's office isn't going to start citing people right away, but plans to inform them of the law that already exists in a public awareness campaign.

"They're not going to cite them right off the bat. They'll go to the vendors and ask them to remove themselves from wherever they are. If they don't (comply), they'll cite them," Clark said.

You may contact the reporter at [mhall@havasunews.com](mailto:mhall@havasunews.com)

# HERA

Lake Havasu C

Steve Stauffer, middle, of Jeff Prieur's Champion Watercraft Rentals, gives instructions to a pair of customers on the use of a Yamaha Waverunner. Prieur is one of about three vendors who use the beach of Rotary Community Park to rent watercraft

News-Herald Photo/L.J. Frin

# SINKING FEELING?

## Stricter enforcement may doom floating vendors

BY MARK HALL

Today's News-Herald

They can be seen floating atop Lake Havasu on any busy weekend: floating hamburger joints, snack bars and equipment rental businesses.

However, these entrepreneurs could become a thing of the past if existing laws are enforced. City officials, saying the public is questioning them about it, are asking that enforcement of the laws be stepped up.

"I think that the community as a whole has been asking about it, and some of the commercial operations that have buildings and are having to pay overhead and building tax feel a little bit slighted," Lake Havasu City Councilman and Vice Mayor Don Clark said. "The bottom line is that they need to operate in accordance with commercial operation regulations."

Clark said it is unlawful for vendors to

perform business on the lake or along much of Lake Havasu's shoreline without a permit. The Bureau of Land Management, a federal agency, controls most of the shoreline and the lake, he said.

"The BLM has no intention of issuing permits on Lake Havasu," Clark said.

The law has been in effect for a long time, but was not enforced because no one asked the Mohave County Sheriff's Office to do so.

Clark said that in addition to unfair competition issues, the floating vendors also raise safety issues on the lake. He said Thompson Bay, for example, is becoming increasingly clogged with boaters, and anchored vending boats add to the potential for unsafe conditions.

Some of the vendors who own these businesses believe they are unjustly being picked on.

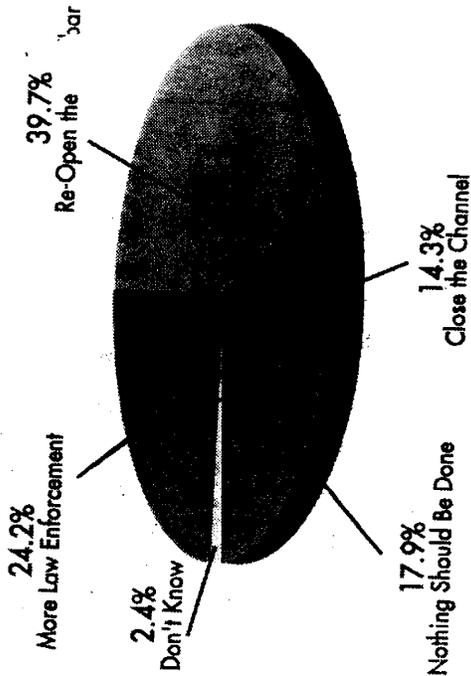
Dave LaPlante has, with his wife, Crystal, owned All-Season Water for the past two years. The LaPlantes rent kayaks, personal watercrafts and water sports equipment, and they say their business has never been brought into questions before.

"When we started this business we checked to see if there were any permits needed. We contacted all entities: BLM, sheriff's department, police department, Army Corps of Engineers. All of them had no problem with us having a rental business on the water," LaPlante said. "We worked for a full year and we didn't have any problems and everything went great. Then, last year, the city started nit-picking."

LaPlante said he has a city business license and pays city, state and federal taxes

See Sinking, Page 7A

What do you believe is the best way to prevent indecent behavior in the Bridgewater Channel on busy weekends?



### Survey: Sandbar reopening would solve Channel indecency

Almost 40 percent of people who responded to a recent Today's News-Herald Internet poll believe reopening the Sandbar is the best way to prevent indecent behavior in Bridgewater Channel.

This is not a scientific poll, but merely represents the views of the people who chose to take the Internet poll.

You may visit havasunews.com to respond to the current survey question. "What, if anything, should the county do to reduce the mosquito population to prevent more cases of West Nile Virus?"

*DON CLARK  
LOW ARTICLE  
SAY IN BAY  
SAY TO CONTACT WITH  
BOAT RAMP*

*OWNER of CAMPBELL BOATS  
JUST LEASED A BUNCH of STATE LAND*

## 2 Council members will sit on boat ramp committee

BY BRIAN WEDEMEYER  
Today's News-Herald

Two Lake Havasu City Council members will be involved in future talks regarding a proposed public boat ramp on the city's south side.

With a unanimous vote, the Council appointed Mayor Bob Whelan and Councilman Don Clark to a planning committee for a new launch ramp south of Contact Point.

Talks between local, state and federal agencies have picked up in recent months, said Parks Director Bill Mulcahy. Local developer Ken Komick is expected to present a conceptual plan during a planning

meeting today at City Hall.

Mulcahy said Council involvement would be needed as future talks extend beyond city staff.

"We've got some momentum now," Mulcahy said. "If we can keep that going before we all retire, I think that would be good."

The city does not have any land or money budgeted for such a pro-



Whelan

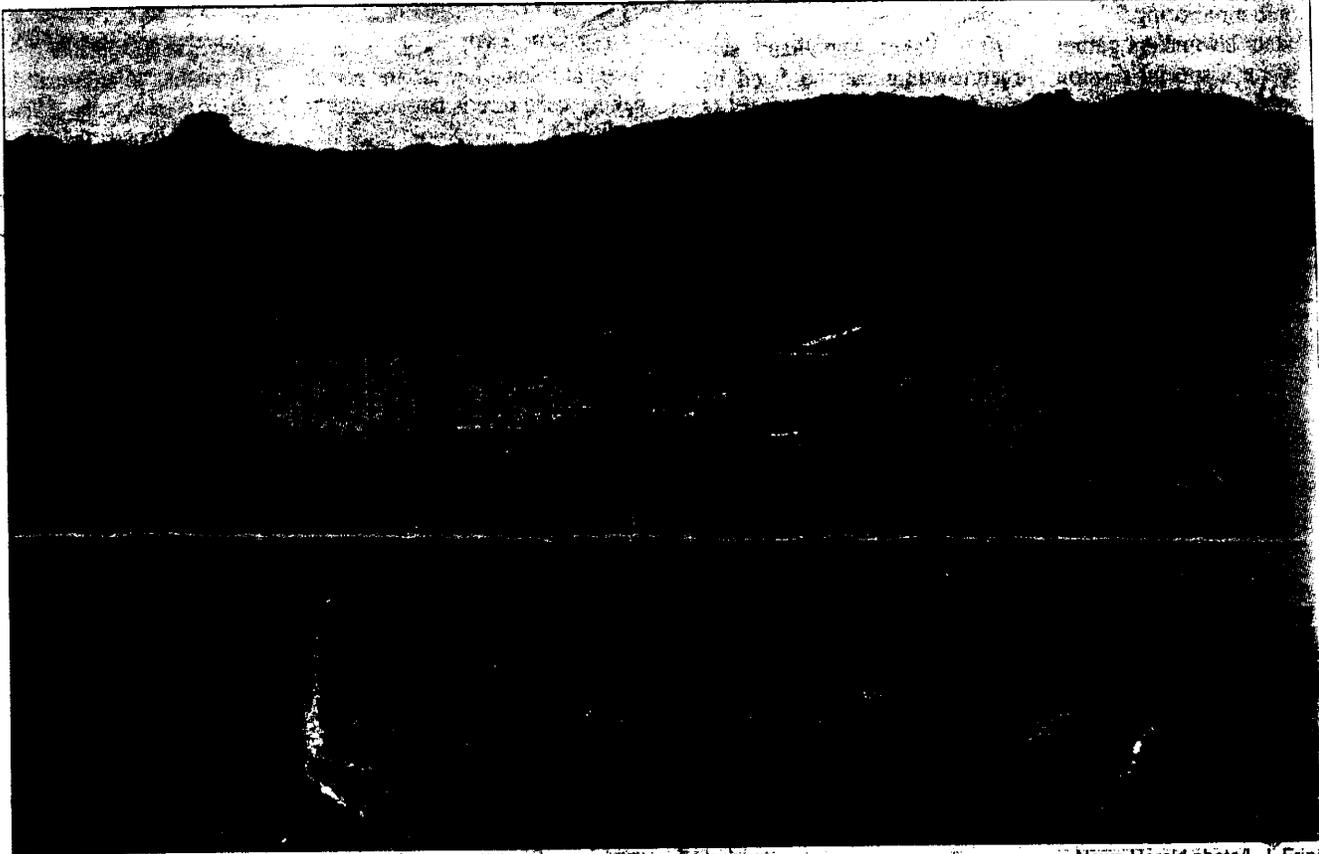
ject. Future funding would come from the developer as well as the Chemehuevi Indian Tribe, which has expressed interest in parking a ferryboat at the location.

Mulcahy said the tribe has access to federal transportation funds that could help pay for infrastructure at the site.

Site Six, Windsor Beach State Park and Lake Havasu Marina are currently the only public boat ramps within city limits. Some have been forced to close on busy summer weekends due to heavy crowding.

You may contact the reporter at [bwedemeyer@havasunews.com](mailto:bwedemeyer@havasunews.com)

# CONTACT POINT OPTIONS STUDIED



News-Herald photo/L.J. Frini

This is the general area where federal, state and local officials are discussing the possibility of building a public boat ramp and other recreational projects.

## Public boat launching ramp, other recreational projects being discussed

BY BRIAN WEDEMEYER

Today's News-Herald

Federal, state and local officials are discussing a proposal to build a public boat ramp and other recreational facilities near Contact Point in Lake Havasu City.

The coordinated effort would involve the Bureau of Land Management, Bureau of Reclamation, Arizona State Parks Department, the Chemehuevi Indian Tribe and Lake Havasu City.

In addition to the boat ramp, the project also would include an access road from State Route 95, restrooms and a concession area, according to a press release issued Tuesday.

The proposed site is located on property owned by Arizona State Parks as well as public land administered by BLM.

The agencies involved are reviewing funding options to support the facility. BLM also is attempting to determine what type of authorization is required to complete the project.

A new Resource Management Plan for the BLM Lake Havasu Field Office is scheduled for completion in late 2005. The agencies are exploring the possibility of starting the project outside the planning process.

"This group will make no definite determinations while in the planning stages," said Rick Knotts, western regional manager for State Parks, in a prepared statement. "Information will be made available to the public regularly as the group reviews the viability of this project."

Knotts said public comment would be solicited during the initial stages if the project is deemed appropriate.

There are currently three public boat ramps in Lake Havasu City — Site Six, Lake Havasu State Park (Windsor Beach) and Lake Havasu Marina. Some are forced to close on busy summer weekends due to crowding.

You may contact the reporter at [bwedemeyer@havasunews.com](mailto:bwedemeyer@havasunews.com).

## Proposed launching facility



Lake Havasu City, the Chemehuevi Indian Tribe, the Arizona State Parks Department, the Bureau of Land Management and the Bureau of Reclamation are all discussing a coordinated effort to install a launching facility and other recreational facilities adjacent to Contact Point.



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Arizona State Office  
222 North Central Avenue  
Phoenix, AZ 85004  
www.az.blm.gov

In Reply Refer To:  
1781/6517 (AZ-912)

*McPherson 10/8/04*  
*Stevens 10/8/04*  
*Taylor 10/8/04*  
*Routledge 10/12/04*

OCT 12 2004

Mr. Andy Jacobs  
Office of Senator John McCain  
2400 East Arizona Biltmore Circle #1150  
Phoenix, Arizona 85016-2108

Dear Mr. Jacobs:

We appreciate the opportunity to respond to your inquiry of September 10, 2004, on behalf of your constituents Robert Koeppe and others in the Anglers United, Inc., Lake Havasu Chapter.

Mr. Koeppe is correct in his assertions that there are 17 agencies with responsibilities on Lake Havasu. There is not a single entity with complete jurisdiction. Enclosed for your information, is a list of federal, state and local agencies that have jurisdiction on Lake Havasu.

In his letter, Mr. Koeppe states that the Bureau of Land Management (BLM) has received \$3 million to produce a resource management plan (RMP) and that there are "still no results." Starting in 2001, the BLM began work on the Lake Havasu RMP. To date, BLM's budget for development of the plan has been \$1.6 million. The purpose of the plan is to set in place parameters for the management of the 1.3 million acres of public land within the boundaries of the Lake Havasu Field Office. Because of the limited management role of the BLM regarding boating on Lake Havasu, the RMP does not include development of a lake management plan. Instead, the RMP focuses on those areas where BLM does have jurisdiction, such as shoreline recreation and the lake bottom. Typically, it takes three to five years to complete an RMP, and the Lake Havasu draft RMP is scheduled to be out for public comment this winter.

An additional concern of Mr. Koeppe in his letter is lake crowding. This is a growing issue on Lake Havasu and BLM does recognize the need to deal with this concern. We have approached other agencies, including the Bureau of Reclamation, Arizona Game and Fish Department, and the City of Lake Havasu to bring together as many of the agencies with jurisdiction as possible to initiate a dialog on the holistic lake management issue, including boating. We have partnered with the Bureau of Reclamation to complete a Water Recreation Opportunity Spectrum Study, which identified the current recreation opportunities and issues which need to be reviewed to improve public experiences and

safety as well as resource use and protection. We feel this study is an excellent starting point for the discussions on the lake management issues.

BLM will continue its efforts to serve as a catalyst in addressing the lake management issues and appreciates the involvement of concerned citizens and groups, such as Mr. Koeppe and Anglers United, Inc.

Please feel free to contact us if you need any further information.

Sincerely,

**ELAINE Y. ZIELINSKI**

Elaine Y. Zielinski  
State Director

Enclosure

cc: The Honorable John McCain  
United States Senator  
241 Russell Senate Building  
Washington, District of Columbia 20510

bcc: Lake Havasu Field Office (070)  
Attention: Field Manager  
2610 Sweetwater Avenue  
Lake Havasu City, Arizona 86406-9071

Peggy Britell  
DOI-BLM WO-615  
1620 L Street North West, Suite 406C  
Washington, District of Columbia 20036

AZ-912

DW/laj:10/8/04:S:/exstaff/congressional/correspondence/Koeppe 10-6-04

# Agencies with jurisdiction on Lake Havasu

## Federal Agencies

### Bureau of Land Management

#### BLM

Manages recreation on withdrawn and acquired Bureau of Reclamation (BOR) lands adjacent to the lake and river in Arizona and California. BLM is assigned full responsibility for the negotiation, execution, and administration of leases; administration of Reclamation Lands used or to be used for recreation or wildlife activities; administration of the special permit program on the lands; and for coordination.

Under the current Memorandum of Understanding with BOR, BLM is also assigned all enforcement on these lands.

### Bureau of Reclamation

#### BOR

Manages flow of water to all down river users. Produces hydro-electricity at dams along the river. Getting more involved with recreation issues.

### Fish and Wildlife Service

#### FWS

Manages two national wildlife refuges along the lake/river, including habitat and recreation. Bill Williams River NWR (south end of Lake Havasu); Havasu NWR (north end of Lake Havasu and north along Colorado River to Needles CA).

ESA approval of all biological evaluations on Threatened and Endangered species.

### Army Corps of Engineers

#### Corps

Permitting any structures that may impede flow of water. Section 404 permitting.

### Coast Guard

#### USCG

Keeper of reports of all spills on the river. Permits events on the river and lake.

## **Environmental Protection Agency**

**EPA** Has delegated authority to states for environmental issues.

## **Chemehuevi**

**Indian Tribe** Operates marina with casino on California side of the lake.

Claims law enforcement authority on water adjacent to tribal reservation shoreline on California side of the lake.

## **State Agencies**

### **Arizona**

#### **Arizona State Parks**

Operates Windsor Beach State Park with camping and watercraft launch facilities. Fees paid at this facility provide 58 percent of ASP annual budget.

Operates Cattail Cove State Park with RV camping, 30 boat-in camps and boat launch ramp. Also operates two State Parks with boat launch ramps on the Parker Strip.

#### **Arizona Game & Fish Department**

As delegated responsibility from the Coast Guard, responsible for boating safety training on Arizona waters, and for navigational aids on the water.

#### **Arizona Department of Environmental Quality**

### **California**

#### **Department of Environmental Quality Administration**

#### **Water Quality Board**

#### **ATON (Aids to Navigation)**

#### **Division of Boating and Waterways**

#### **Department of Fish and Game**

California water and air quality management and jurisdiction for Lake Havasu is delegated to San Bernardino County.

## Local and County

**Lake Havasu City** Permits or provides over site of one major marina and four concessions with launch ramps on the Island. The City also owns and manages a public launch ramp and fishing pier on the Island.

**Law Enforcement** Mohave and LaPaz County Sheriff Departments in Arizona. San Bernardino County Sheriff 's Department in California.

FWS provides law enforcement on wildlife refuges.

Arizona Game and Fish Department provides law enforcement on Arizona waterways.

BLM provides law enforcement on public land and BOR withdrawn and acquired lands. (Over 1.4 million acres in the area.)

Lake Havasu City provides law enforcement for the London Bridge Channel, which is private property.