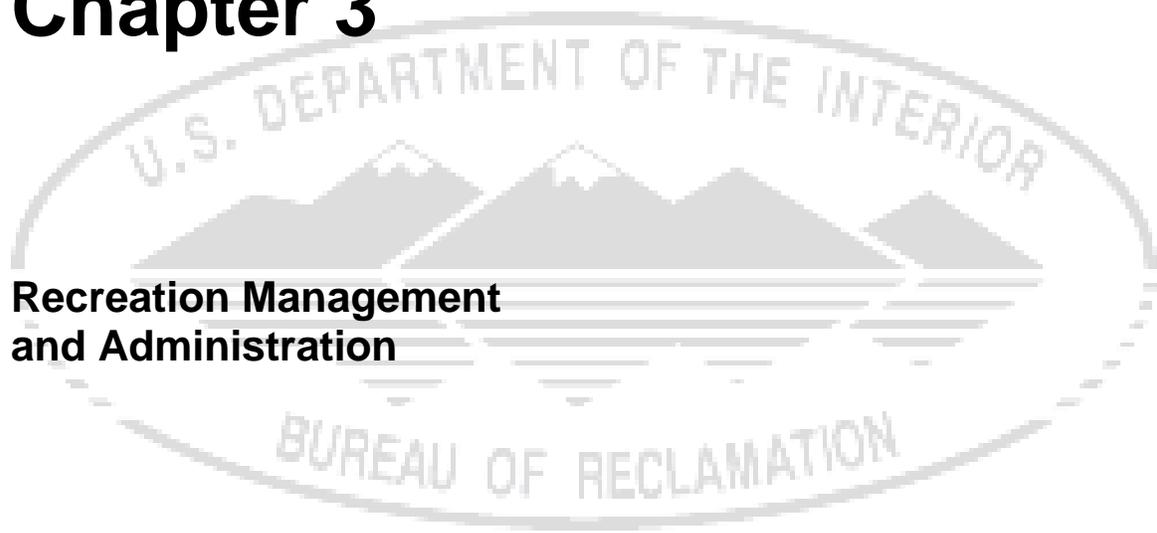


Chapter 3



**Recreation Management
and Administration**

CHAPTER 3 - RECREATION MANAGEMENT AND ADMINISTRATION

Managing Agency Policy

Recreation lands (880 acres) at Webster Reservoir are managed by the Department as Webster State Park (Figure 18). They are to provide non-urban park areas for the inspiration, recreation, and enjoyment primarily of resident populations and they are to provide wayside parks as picnic areas or rest stops for the traveling public. The Department has the sole responsibility of State Parks, fish and wildlife, and all functions concerning them.

In the May 1967 lease agreement between Reclamation and the State of Kansas, the Department assumed administration of recreation and wildlife management at Webster Reservoir and Woodston Diversion Dam. This lease agreement, for a 50 year term, allows the Department to collect fees and use them for the improvement of the recreation facilities within the lease area. All proceeds from user fees and concessions are to be used for O&M and recreation improvements at Webster Reservoir. A copy of this agreement can be found in Appendix A1.



Figure 18 - Main Entrance Sign

At Webster Reservoir, the Department administers 3,164 acres of land and 3,739 acres of water surface (at top of conservation pool) for recreation and wildlife purposes. Opportunities for recreation at Webster Reservoir include fishing, camping, boating, wildlife observing, sight seeing, swimming, picnicking, and hunting.

Visitor Management

Visitor Use

Recreational use of Webster State Park fluctuates along with the water level of Webster Reservoir. Peak visitation was highest in 1999 with an estimated 201,048 visitors (Kansas Department of Wildlife and Parks). Coincidentally, the reservoir level was near top of conservation pool for the entire recreation season in 2000. The five year average visitation from 2000-2004 is approximately 175,700 visitors.

The Department has identified development zones within the State Park. The four development zones utilized in the park are as follows:

- Intensive: Facilities in this zone include a shower building, restrooms, boat ramps, a beach area, utility campgrounds, and high use primitive campgrounds. The intensive zone is basically a high use area.
- Moderate: Facilities include a shower building, some utility campgrounds, primitive campground, and restrooms. These areas generally receive moderate use compared to the intensive development zones and high use areas. Marina Point Campground would be an example of a moderate development zone. (Figure 19)
- Minimum: The minimum development zone is the rangeland and agricultural areas within the park. The only development in these areas include the nature trail, establishment of native grasses, and roadways, which give access to other zones in the park

Campgrounds/use areas in the intensive development zones are as follows:

- Canada Campground
- Eagle Landing Campground
- Lake View Campground
- Office Area
- Old Marina Campground (Figure 20)
- Rock Point Campground
- Swimming Beach



Figure 19 –Marina Point Campground



Figure 20 – Old Marina Campground

Interpretive Program

An interpretive program is to explain the natural, historical, and/or cultural values of the reservoir area and the surrounding lands through various means. It provides the visiting public with information making their visits more meaningful and enjoyable. Often the best means of interpreting the historical and cultural values of the reservoir area is an unmanned visitor contact point (interpretive kiosk). Three visitor information shelters are located within the State Park; one near Rock Point boat ramp, one near the Old Marina boat ramp, and one near the Canada boat ramp. These shelters provide information to lake visitors.

Public Use, Regulations, and Enforcement

The Department's rules and regulations concerning visitor behavior apply to Webster State Park. The park manager and park ranger are deputized to carry out law enforcement activities. In addition, a law enforcement certified, seasonal park ranger has been added to the staff at Webster Reservoir. The public lands manager, Rooks County sheriff, and State highway patrol officers are readily available if needed. A patrol boat is available for water safety patrol.

Special Uses and Events

Special uses include equestrian use, off-road vehicle (ORV) use, and group use. According to State and Federal regulations, equestrian use and ORV use in parks are confined to designated roads and trails. There are designated equestrian use areas at Webster Reservoir; however, there are no designated open ORV areas at Webster Reservoir; therefore, this type of use is prohibited. Group use of the area, whether for picnicking or camping, is on a first-come-first-served basis except for half of the sites in the Old Marina and Rock Point campgrounds. Large picnic shelters are provided. Collecting flora and fauna specimens is prohibited by State and Federal laws unless a valid scientific collector permit is obtained from the Department. Also, archeological and cultural resource collecting is prohibited by State and Federal laws. For further policy concerning the collection of archeological and cultural resources, see Cultural Resources in Chapter 4 "Agency Responsibility".

The Department hosts many special events each year including fishing tournaments, kids' fishing derby, family reunions, kids' fun days, ceremonies, and special hunts at the reservoir. These special events are regulated, subject to permit requirements, and require prior approval from the Department.

Safety and First Aid

Reclamation is a partner and sponsor for the Federal Crime Witness Program (Program). The Program is designed to heighten public awareness of the serious impacts of crime within and around dams, reservoirs, and other Federal facilities. It features a nationwide toll-free hotline (1-800-437-2744) which allows anyone to confidentially report any illegal activity that they witness against Reclamation property or personnel. This number is posted on signs around the facilities at Webster Reservoir and Woodston Diversion Dam.

All Department vehicles are equipped with radios and first aid kits. Park rangers and conservation officers are trained in first aid procedures while seasonal employees receive some training. No visitor safety awareness campaign is presently being implemented.

ADA Accessibility

Reclamation and the Department are required to comply with the Americans with Disabilities Act of 1990 (ADA) to ensure equal opportunities for individuals with disabilities to experience our facilities and natural resources. ADA requires that,

to the maximum extent feasible, facilities must be accessible to, and usable by, the disabled. The Code of Federal Regulations (CFR) requires that for new construction, each facility or part of a facility constructed by, on behalf of, or for the use of a public entity be designed and constructed so the facility is readily accessible to and useable by disabled individuals. The CFR also require that for alterations, each facility, to the maximum extent feasible, be altered to make it readily accessible to and usable by the disabled.

Reclamation has evaluated all facilities at Webster Reservoir for accessibility and is in the process of developing an action plan to guide future retrofits. The Department contracted with “Living Independently in Northwest Kansas” in October, 2000 to survey and make recommendations concerning accessibility for individuals with disabilities. The Department has made plans to retrofit a number of facilities to ensure accessibility.

Reclamation and the Department ensure accessibility in all new facilities to comply with ADA guidelines and when funding is available to retrofit facilities to ensure reasonable access. A number of facilities at Webster Reservoir are already accessible.

Concessions

According to Reclamation’s “Policy, Directives and Standards,” a concession is a non-Federal commercial business that supports public recreational uses and provides facilities, goods, and services for which revenues are collected. A concession generally involves use of the Federal estate and may involve the use or development of capital improvements.

Reclamation’s Concession Principles

- (1). Reclamation concessions will provide quality recreational activities, facilities, and services. Concessions will be accessible to persons with disabilities and will provide appropriate visitor goods and services at reasonable rates.
- (2). Concession operations will provide for the protection, conservation, and preservation of natural, historical, and cultural resources, and will provide resource education and interpretation to enhance visitor enjoyment.
- (3). Commercial facilities and services will be planned and developed through a resource management planning and public involvement process, in cooperation with other public agencies.
- (4). Concessionaires will be provided with opportunities for a reasonable profit and compensation for Reclamation approved improvements.
- (5). Reclamation will ensure competition in the awarding of concessions contracts and will apply sound business practices in the management of concessions.

(6). Exclusive use will be phased out as appropriate.

(7). Concessions will comply with all applicable Federal, State, and local laws.

Concession Contracts

Currently there is no concession operation located on Reclamation lands at Webster Reservoir. There is a concession on private property located adjacent to the old Webster Area Office.

In accordance with the master lease agreement between Reclamation and the Department, the Department is vested with the responsibility for administration of recreation, wildlife, and related uses on Reclamation project lands and waters including Webster Reservoir. The Department may issue and administer licenses, leases, permits, and contracts to persons or associations for the purpose of regulating the privileges to be exercised. The Department may grant concession contracts under which recreation, wildlife, and related uses are made available within designated areas. However, all new licenses, leases, permits, contracts, or changes to existing contracts containing previously unidentified activities, must be submitted to Reclamation for approval prior to execution. Along with the issuance of concession contracts, the Department is responsible for enforcing terms and conditions of each contract.

Organized Group Camps

The Department has entered into an “Organized Site Permit” with Levant Community Church to maintain an organization site for wildlife conservation, and environmental education and to generate funds to promote these causes. The Mission Ridge Church Camp is located at the northwest corner of Webster State Park; in the W1/2 SE1/4 Section 32, T7S, R19W of the 6th P.M, Rooks County, Kansas. The site consists of a large group gathering building, four bunk houses, two shower houses, playground equipment, and a basketball court, all together encompassing approximately 28 acres. The permit is from January 1, 2004 to December 31, 2007. The permittee may have the option to for an additional period of five years, but in no event beyond May 31, 2017; the expiration date of the lease between Reclamation and the Department. The annual rental fee is \$219.40, which is subject to adjustment.

Cabin Lot Permits

Reclamation in its land administration program, is required by the “Policy, Directives and Standards” to make reasonable efforts to see that lands are used according to recognized standards and that the best use of such lands is achieved given the purpose for which the lands were acquired is protected.

Even though administration of lands acquired or withdrawn by Reclamation is assigned to the Department, Reclamation cannot divest its basic interest. Reclamation must ensure nothing is done which conflicts with the primary purposes of the project and ensure the land is receiving proper use in accordance

with sound land use practices.

The Department administers cabin site permits under Reclamation's policies and regulations, and the Departments Private Cabin/Mobile Home/Waterfront Facility Guidelines. The Department must review the permits at least once every five years. The review will determine if continued use of the individual cabin site is inconsistent with the needs of the general public for the use of the area (43 CFR 21). This requires that all new and renewed cabin site permits will be for a maximum of five years with additional renewal periods of five years each.

Permits must expressly state that they grant no vested property right but afford only a limited license to occupy the land for a defined period of time, pending determination that the land is needed for other greater public use.

The Departments Private Cabin/Mobile Home/Waterfront Facility Guidelines were developed and approved in July 1998. The Guidelines were developed to assure proper use of Department managed lands, to address the various types of exclusive use on Department managed lands, and to insure future proper and equitable administration. These Guidelines are included in Appendix B4.

Exclusive Use

A seasonal cabin lot permit area containing fifty cabin sites was originally designated at Webster. Currently eight cabin sites have been permitted and developed. The original designated seasonal cabin lot area has been revised to include only the eight cabin sites currently permitted. Therefore no cabin sites permits remain available.

Exclusive use is any use which excludes other appropriate public recreational use or users for extended periods of time, including concessionaire-permitted sites on which dwellings or improvements are privately owned, such as a cabin, trailer, or mobile home. Exclusive use occurs when there is neither:

- 1) An established process that frequently rotates users of specific sites; nor
- 2) A process which accommodates changes in use, including a process for determining and accommodating other desired public uses and resource values.

Any new facility, service, or site determined by Reclamation to be exclusive use will not be allowed. New, renewed, or modified partnership agreements will include clauses which require the partner to:

- 1) Phase out existing exclusive use facilities, services, or sites if the planning process determines that the lands are needed for other public purposes; or
- 2.) Remove any exclusive use facility, service, or site if:
 - a) Abandoned or not used for the purpose for which it was authorized;
 - b) Condemned or identified as a public health or safety hazard;
 - c) Destroyed by fire, flood, or other acts of nature; or
 - d) Vandalized beyond reasonable repair.

Replacement or relocation of an exclusive use facility, service, or site identified above is prohibited.

A Recreation Compliance Review completed in April, 2002 recommended actions to reduce the risk to public health and safety while complying with lease agreements, policies, and Federal, State, and local laws. Issues identified within the cabin areas (see below) were corrected by the end of October, 2002.

- (1). Inform permittees that the permitted premises constitute the cabin site permit lot only.
- (2). Mowing, vegetation control, maintenance, and storage of personal property are allowed on the permitted premises only.
- (3). While some permits authorize the construction and use of a dock or other waterfront facilities, no roads to the waterline have been or will be authorized.
- (4). Ensure all areas within the designated cabin area, except the permitted lot premises are available for public use. This includes the shoreline, waterfront facilities, and areas surrounding the permitted lot premises.
- (5). Ensure all areas available for public use adhere to public health and safety standards set forth by lease agreements, Federal, State, and local laws, and other recognized standards.
- (6). Placement of shoreline erosion measures must follow the permitting process (Corps of Engineers, NEPA, etc.) and must be approved in advance by the Department and Reclamation.
- (7). Ensure that water, sewer, and electrical services comply with terms of the permit and Federal, State, and local laws.
- (8). Ensure that living space limitations are adhered to in accordance with cabin site permits.

These items and others will be checked annually to ensure compliance guidelines are met. If lessees are in violation of any of the above items, the Department will notify permittees in writing to correct the deficiency. Before permit renewal, each cabin site will be reviewed in detail by Reclamation and the Department to ensure contract compliance. Permits will not be renewed until full compliance is met. The Department will not approve any additions to cabin sites until repairs are made to existing sites to meet code and comply with cabin site permits.

See Appendix B2 for Reclamation Recreation Management Policy.

See Appendix B4 for Kansas Department of Wildlife and Parks Private Cabin/Mobile

Home/Waterfront Facility Guidelines.

See Appendix B5 for 43 CFR, Part 21 – Occupancy of Cabin Sites on Public Conservation and Recreation Areas.