

## Exhibit D

# Site Conditions at Beginning of Contract and Areas Temporarily Rescinded from Use

### A. Conditions of Current Facilities in Concession Areas

To a varying degree, Pre-Existing Facilities associated with previous concession operators are abandoned in place in Putah Canyon, Monticello Shores, Berryessa Point, Spanish Flat and Steele Canyon. Pre-Existing Facilities may include roads, boat ramps, gates, fences, retaining walls, underground utilities, power poles/transformers and the like significant portions of which are inoperable and/or not in compliance with current codes. Reclamation has not conducted any inventory of the Pre-Existing Facilities. A brief description of the “as-is” conditions at these five areas can be found below. Reclamation makes no warranty as to their suitability for use for the purposes of this Concession Contract. The Concession Contractor, in accepting these “as is” conditions, will conduct an evaluation of the existing facilities and conditions in the Concession Area to determine if any remains of Pre-Existing Facilities will be retained for use.

The Concession Contractor may use Pre-Existing Facilities for provision of Required and/or Authorized Services. For those Pre-Existing Facilities desired for retention, the Concession Contractor must present a plan for Reclamation’s approval to identify those Pre-Existing Facilities which shall be retained for use, and the steps necessary to bring those pre-existing Concession Area Infrastructure into compliance with current safety and construction codes and standards by the end of Year Two of this Concession Contract. The Concession Contractor must analyze Pre-Existing Facilities for hazards, and if necessary remediate as described in Section 3 of Part 6 of this Concession Contract. The Concession Contractor acknowledges that the United States is under no obligation to improve the present condition of the land or improvements.

Through the course of the contract, other Pre-Existing Facilities may be encountered. For Pre-Existing Facilities exposed or encountered through the execution of this Contract, within one year of the discovery of the Pre-Existing

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Facility, the Concession Contractor must develop a plan to bring the Pre-Existing Facilities up to code for use in the provision of Required or Authorized Services or must develop a plan for removal or remediation as determined necessary.

Portions of Government lands and/or facilities may temporarily be rescinded from use by the Concession Contractor. Further details and descriptions of rescinded areas are in part B of this exhibit.

***[Note to bidder: in the final Concession Contract, the applicable Concession Area information will be included below for the site(s) in the accepted bid]***

### 1. Putah Canyon

Remains of facilities associated with previous concession operators are present in Putah Canyon. These Pre-Existing Facilities include some functional aspects and others that are not functional or in a state of disrepair. These remains include but are not limited to roads, electrical poles, retaining walls of wood, stone, and concrete, landscaping, plantings, gates, fences, and a boat launch. A former underground fuel storage tank site is under remediation by Reclamation and is rescinded from use until further notice; further description is in section B of this exhibit. The requirements of this remediation also limit development and land use in specific areas not rescinded from use. Former wastewater treatment ponds were remediated by Reclamation and do not present limitations for future use. Reclamation has installed facilities such as tables, fire rings and stand-up grills for dry camping and day-use. Property furnished by the government for use is identified in Exhibit E of this contract.

### 2. Monticello Shores

Remains of facilities associated with previous concession operators are present in Monticello Shores. These Pre-Existing Facilities include some functional aspects and others that are not functional or in a state of disrepair. These pre-existing facilities include but are not limited to roads, electrical poles, retaining walls of wood, stone, and concrete, landscaping, plantings, gates, fences, and the subsurface for a boat launch. A removed underground fuel storage tank site limits development and land use in specific areas. Former wastewater treatment ponds were remediated by Reclamation and do not present limitations for future use.

### 3. Berryessa Point

Remains of facilities associated with previous concession operators are present in Berryessa Point. These Pre-Existing Facilities include some functional aspects and others that are not functional or in a state of disrepair. These remains include but are not limited to roads, electrical

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poles, retaining walls of wood, stone, and concrete, landscaping, plantings, gates, fences, and the subsurface for a boat launch. Former wastewater treatment ponds were remediated by Reclamation and do not present limitations for future use.

### 4. Spanish Flat

Remains of facilities associated with previous concession operators are present in Spanish Flat. These Pre-Existing Facilities include some functional aspects and others that are not functional or in a state of disrepair. These remains include but are not limited to roads, electrical poles, retaining walls of wood, stone, and concrete, landscaping, plantings, gates, fences, and the subsurface for a boat launch. Former wastewater treatment ponds were remediated by Reclamation and do not present limitations for future use. Reclamation has installed facilities such as tables, fire rings and stand-up grills for dry camping and day-use. Property furnished by the government for use is identified in Exhibit E of this contract.

### 5. Steele Canyon

Remains of facilities associated with previous concession operators are present in Steele Canyon. These Pre-Existing Facilities include some functional aspects and others that are not functional or in a state of disrepair. These remains include but are not limited to roads, electrical poles, retaining walls of wood, stone, and concrete, landscaping, plantings, gates, fences, and a boat launch. A removed underground fuel storage tank site limits development and land use in specific areas. Wastewater ponds were remediated by a contract for Reclamation. Reclamation has installed facilities such as tables, fire rings and stand-up grills for dry camping and day-use. Property furnished by the government for use is identified in Exhibit E of this contract.

## **B. Areas Temporarily Rescinded from Use**

*[Note to bidder: in the final Concession Contract, the applicable Concession Area information will be included below for the site(s) in the accepted bid]*

Pursuant to Section 4.B. of the Concession Contract, the following Government lands and/or facilities are temporarily rescinded from use by the Concession Contractor. This rescission is necessary for the purpose of conserving, preserving, or protecting Lake Berryessa resources or visitor enjoyment or safety. Upon written notification by Reclamation to revoke the rescission for each location, the Concession Contractor may commence use of the area in accordance with approved CFIP.

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### Berryessa Point Temporary Rescission Area

The approximate area rescinded is described as follows:

An area with a starting point at the East edge of the existing launch ramp, extending to the furthest Eastern end of the peninsula, surrounding the width and length of the peninsula to a point due North from the starting point. Total area is approximately 93,750 square ft. or 2.152 acres.



Figure 6.d - 1: Berryessa Point Temporary Rescission Area

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### Putah Canyon Temporary Rescission Area

The approximate area rescinded is described as follows:

A fenced area at the Northwest corner of the main parking lot and an area at the Northwest corner extending East to the waterline, and perpendicular from the same starting point extending South to the waterline.

Total area is approximately 75,357 square feet or 1.72 acres.



Figure 6.d - 2: Putah Canyon Temporary Rescission Area

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**Exhibit D Approved Effective:** \_\_\_\_\_

**United States of America**

**Concession Contractor**

By: \_\_\_\_\_  
Contracting Officer,  
Bureau of Reclamation

By: \_\_\_\_\_

Title: \_\_\_\_\_