

Reclamation Manual

Policy

Subject:	Concessions Management
Purpose:	Defines the Bureau of Reclamation’s overall roles and responsibilities in providing recreation opportunities, amenities, and visitor services through concession service providers. This Policy benefits Reclamation by providing requirements and principles for implementing a successful concession program at Reclamation’s recreation areas. The benefit of this Policy is the establishment of uniform requirements for concessions operations at both direct and partner managed concessions areas.
Authority:	See Appendix A
Approving Official:	Commissioner
Contact:	Asset Management Division (86-67200)

1. **Introduction.** Reclamation’s multi-purpose water resource projects typically include outdoor recreation areas and opportunities that involve concession facilities and services. Recreation areas and facilities may be managed by Reclamation, other Federal agencies, or non-Federal managing partners. The planning, development, management, and operation of concessions will facilitate a variety of recreation amenities, services, and opportunities to meet the public demand.
2. **Applicability.** This Policy applies to all Reclamation employees involved in the planning, development, management, and operation of concessions on lands and waterbodies within the jurisdiction of Reclamation.
3. **Policy.**
 - A. **Concessions Management.**
 - (1) The Dam Safety and Infrastructure Directorate’s Asset Management Division will administer the concessions management program Reclamation-wide; coordinate with regional, area, and field offices concerning concessions planning efforts and contract requirements; and establish and update this Policy, Reclamation Manual (RM) Directive and Standard (D&S), *Concessions Management by the Bureau of Reclamation* (LND 04-01), *RM D&S Concessions Management by Non-Federal Partners* (LND 04-02), and concessions management guidance.
 - (2) Authorized officials shall implement the concessions management program and are responsible for the day-to-day management activities associated with administering the program.

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B. Stewardship.

- (1) All Reclamation employees involved in concessions management will collaborate to ensure concessions are planned, developed, and managed to meet public needs; are compatible with environmental and cultural resources; and provide a variety of services that are consistent with authorized project purposes.
- (2) Authorized officials must determine when it is in Reclamation's interest to enter into managing partner agreements with Federal and non-Federal partners to develop, operate and maintain public recreation areas and provide concession opportunities through managing partner agreements, pursuant to Public Law 89-72, as amended. Recreation areas are managed by partners under Federal, state, and local authorities, the partner's authorities, contracts, and agreements/leases with Reclamation.

C. **Public Benefit.** Based on the principles contained in this Policy, authorized officials will determine whether to authorize concessions that establish, or continue to provide, appropriate facilities, goods and services for the benefit of the public.

D. **Principles.** Authorized officials will ensure that the following policy principles are implemented in the planning, development, and management of concessions operations at Reclamation's recreation areas:

- (1) Concessions will provide quality recreation facilities and services accessible to the public, including persons with disabilities.
- (2) Concessions will provide appropriate goods and services at reasonable rates.
- (3) Concession operations will provide for the protection, conservation, and preservation of natural, historical, and cultural resources.
- (4) Concessions operations, including the provision of goods and services, will be planned and developed through an appropriate planning process. The plan must be consistent with established resource planning documents and must not conflict with project purposes.
- (5) Concessionaires will be provided with opportunities for a reasonable profit, based on information provided in a financial analysis, including the size and scale of the operation.
- (6) The authorized official will ensure fair competition in awarding concessions contracts and will not allow preferential rights of renewal.
- (7) Reclamation prohibits any use that would result in new private exclusive recreational or residential use of Reclamation land, facilities, or waterbodies

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pursuant to 43 CFR Part 429. Private exclusive use within the terms and conditions of an existing use authorization, as specified in 43 CFR Part 429, is not considered new private exclusive use. Existing private exclusive use will be administered pursuant to 43 CFR Part 429 and 43 CFR Part 21, as applicable. Authorized officials have discretion to allow concessions owners and staff to reside on the Federal estate to safeguard facilities and be available for public assistance. At the end of a concessions contract, owners and staff will be required to vacate the premises and leave it in a state acceptable to the authorized official.

- (8) Concessions operations will comply with all applicable Federal, state, and local laws and regulations.

4. **Definitions.**

- A. **Authorized Officials.** Regional directors or their delegates as referenced in the RM *Delegations of Authority*, Paragraphs 3.D. and 4.K.(1).
- B. **Concession.** A concession is a non-Federal entity that supports appropriate public recreation opportunities and provides facilities, goods, or services for which revenues are collected. A concession includes the use of the Federal estate and may also include the development of real property improvements. A concession is most often a commercial, for-profit entity or a non-profit entity.
- C. **Federal Estate.** The Federal land and water areas under the primary jurisdiction of the Department of the Interior, Reclamation.
- D. **Improvement.** An addition to real property that increases its value or utility or that enhances its appearance.
- E. **Management Agreement.** A management agreement is a binding contract between Reclamation and a government partner to provide and manage public recreation opportunities and concession services on the Federal estate.
- F. **Non-Federal Managing Partner.** A non-Federal partner is a non-Federal government entity, such as states, counties, cities, irrigation districts, etc., that manage recreation and other resources through a contractual managing partner agreement with Reclamation.

5. **Review Period.** The originating office will review this release every 4 years.

RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: _____

Release No. _____

Ensure all employees needing this information are provided a copy of this release.

Reclamation Manual Release Number and Subject

Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: _____

Date: _____