

# Reclamation Manual

## Directives and Standards

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For the purposes of Reclamation Manual (RM) Directive and Standard (D&S), *Recreation Program Management*, LND 01-03, the following definitions apply:

1. **Accessibility.** Legal responsibility to provide access to all members of the public, including those who are disabled. Disabilities include mobility, total or partial loss of hearing, visual impairments or blindness, and cognitive or mental disabilities.
2. **Concession.** A non-Federal commercial business that supports appropriate public recreation uses and provides facilities, goods, or services for which revenues are collected. A concession involves the use of the Federal estate and usually involves the development of real property improvements.
3. **Cooperating Association.** An association that enhances interpretive programs, provides visitor information, funds research, and supports various resource themes.
4. **Entrance Fee.** A fee charged by a Reclamation partner for entry into a designated recreation area or park. Entrance fee does not apply to any type of fee that may be charged by a concessionaire for the use of their facilities or services. Reclamation is prohibited from charging an entrance fee by the Federal Lands Recreation Enhancement Act (REA). See Paragraph 6.B. of RM D&S, *Federal Lands Recreation Enhancement Act Program Management*, LND 01-02.
5. **Expanded Amenity Fee.** A fee charged by Reclamation at a designated recreation site for specialized facilities and services pursuant to REA. See Paragraph 7.B. of LND 01-02.
6. **Fair Market Value/Market Value.** The amount in cash or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal. All government appraisals shall conform to the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards of Federal Land Acquisitions, as implemented in accordance with the Department of the Interior's Appraisal Services Directorate Appraisal Policy Manual, or any succeeding standards and manuals.
7. **Federal Lands Recreation Enhancement Act (REA).** REA is Public Law 108-447, enacted on December 8, 2004, that allows certain agencies to charge specific recreation fees and retain those fees collected, rather than deposit those fees into the general fund of the United States Treasury or to other accounts as specified by certain statutes. **Note:** REA also established a pass program that provides a number of pass options for the public to use at Federal recreation sites (i.e., annual, senior, and access pass).

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8. **Fixed Asset.** Any structure, fixture, or capital improvement permanently attached to the Federal estate.
9. **Jurisdictional Transfer.** A permanent transfer of Reclamation lands, appurtenant infrastructure, and management of the resources to another Federal entity through appropriate transfer documents and/or appropriate legislation.
10. **Management Agreement.** A contractual agreement between Reclamation and a partner that outlines each party's duties and responsibilities and establishes a management relationship that provides public recreational uses and services on Reclamation lands and waterbodies.
11. **Management Transfer.** An action that transfers recreation management responsibilities to another entity that may also include the transfer of other agreed upon management responsibilities (e.g., weed and pest management, fire protection, trespass resolution, etc.), in lieu of Reclamation management.
12. **Managing Partner.** A Federal or non-Federal public entity that manages recreation and other agreed-upon cultural, natural, and environmental resources through a management agreement with Reclamation.
13. **Minimum Basic Facilities.** Pursuant to Public Law 89-72, minimum basic facilities are defined as guardrails, turnarounds at the ends of existing roads, and sanitary facilities necessary to protect the health and safety of the public.
14. **Off-Road Vehicle.** Any motorized vehicle (including the standard automobile) designed for, or capable of, cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or natural terrain. The term excludes the following: (1) nonamphibious registered motorboats; (2) military, fire, emergency, or law enforcement vehicles when used for emergency purposes; (3) self-propelled lawnmowers, snowblowers, garden or lawn tractors, and golf carts while being used for their designed purposes; (4) agricultural, timber harvesting, construction, exploration, and development equipment and vehicles being used exclusively as authorized by Reclamation; (5) any combat or combat support vehicle when used in time of national defense emergencies; and (6) "official use" vehicles.
15. **Operation, Maintenance, and Replacement.**
  - A. **Operation.** Activities that relate to the normal performance of the functions for which a facility or item of equipment is intended to be used.
  - B. **Maintenance.** Upkeep of constructed facilities and structures and capitalized equipment that is necessary to realize the originally anticipated useful life of a fixed asset.

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- C. **Replacement.** The substitution or exchange of an existing facility, facility component, or item of equipment for another having the capacity to perform the same function.
16. **Planning Document.** A Reclamation-approved plan formulated to achieve specific goals or objectives.
17. **Private Exclusive Recreational or Residential Use.** Any use that involves structures or other improvements used for recreational or residential purposes to the exclusion of public uses and are not associated with the official management of a Reclamation project. This includes those uses described in 43 CFR part 429, *Use of Bureau of Reclamation Land, Facilities, and Waterbodies*, and the uses currently defined in 43 CFR part 21, *Occupancy of Cabin Sites on Public Conservation and Recreation Areas*. Examples of private exclusive recreational and residential use include, but are not limited to, boat docks, piers, moorings, cabin sites, residences, trailers, manufactured or mobile homes, structures, roads, and sites for such activities as hunting, fishing, camping, and picnicking that attempt to exclude general public access.
18. **Project-Specific Authority.** Legislative authority that allows Reclamation to administer a specific project purpose (e.g., recreation, fish and wildlife, flood control, power, etc.) on Reclamation project lands.
19. **Reclamation Project.** A Reclamation project means any land, facilities and waterbodies used for water supply, water delivery, flood control, hydropower, or other authorized purposes including fish, wildlife, and recreation administered by Reclamation under Federal laws.
20. **Recreation Facility Construction.** The development, replacement, modification, expansion, enhancement, or rehabilitation of a recreation facility.
21. **Recreation Planning Process.** A process that allows for public involvement, determines the recreation needs, incorporates environmental analysis, and culminates in an approved planning document.
22. **Resource Management Plan.** A comprehensive plan that (1) is consistent with applicable laws; (2) is developed in consultation with appropriate Federal and non-Federal departments or agencies, tribes, authorized beneficiaries, and public; (3) provides for the development, use, conservation, protection, enhancement, and management of resources; and (4) is prepared in a manner that is compatible with the authorized purposes of the Reclamation project and associated lands.
23. **Special Use Areas.** An area at or within a Reclamation facility or an area of Reclamation lands or waterbodies, in which special rules for public conduct apply that differ from those established in Subpart C of 43 CFR part 423. **Note:** A special use area must be established by an authorized official as provided in Subpart E of 43 CFR part 423.

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24. **Standard Amenity Fee.** A fee charged at a designated recreation site that has a combination of basic amenities pursuant to REA. See Paragraph 7.A. of LND 01-02.
25. **Third-Party Agreement.** A third-party agreement is an agreement between a managing partner and another entity to provide recreation related services and/or facilities.
26. **Turn Back.** A turn back is an action taken by a Federal or non-Federal managing partner that ultimately results in having all recreation responsibilities being transferred or conveyed back to Reclamation for its sole management.
27. **Use Authorization.** Use authorization means a document that defines the terms and conditions under which Reclamation will allow the use of its lands, facilities, and waterbodies. Use authorizations take the form of easements, leases, licenses, permits, and consent documents. **Note:** When issuing a use authorization under REA (i.e., special recreation permit), the procedures for issuing the authorization are the same as those procedures outlined in 43 CFR part 429; however, the disposition of collected fees are different. Refer to LND 01-03, Paragraph 7.F.(1)(d).
28. **User Fee.** A fee charged by Reclamation or a managing partner for the use of facilities, resources, or programs within a designated recreation site or area. **Note:** This user fee is not the same as a standard or expanded amenity fee that may be charged by Reclamation pursuant to REA.