

113TH CONGRESS
2D SESSION

H. R. 4166

To transfer recreational management authority for Lake Berryessa in the State of California from the Bureau of Reclamation to the Bureau of Land Management, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2014

Mr. THOMPSON of California introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To transfer recreational management authority for Lake Berryessa in the State of California from the Bureau of Reclamation to the Bureau of Land Management, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Lake Berryessa Recreation Enhancement Act of 2014”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purposes.
Sec. 3. Definitions.

Sec. 4. Transfer of administrative jurisdiction.
 Sec. 5. Management of Recreation Area.
 Sec. 6. Continued authorities of Commissioner of Reclamation.
 Sec. 7. Existing authorizations.
 Sec. 8. Recreation and concession fees.

1 **SEC. 2. FINDINGS; PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the Monticello Dam—

4 (A) was authorized by the Reclamation
 5 Project Act of 1939 (53 Stat. 1187);

6 (B) resulted in the formation of Lake
 7 Berryessa; and

8 (C) is operated by the Bureau of Reclama-
 9 tion;

10 (2) Lake Berryessa—

11 (A) covers approximately 28,915 acres of
 12 surface water and land;

13 (B) has 165 miles of shoreline;

14 (C) has a 2,000 acre wildlife area on the
 15 east side;

16 (D) is located less than 100 miles from
 17 both Sacramento, California and San Fran-
 18 cisco, California; and

19 (E) has become an important regional
 20 recreation destination; and

21 (3) the recreational use at Lake Berryessa gen-
 22 erates tourism that is important to local economies.

23 (b) PURPOSES.—The purposes of this Act are—

1 (1) to provide diverse, high quality recreational
2 facilities and services on the water and land sur-
3 rounding Lake Berryessa;

4 (2) to conserve the natural, scenic, scientific,
5 historic, and other resource values contributing to
6 the public use and enjoyment of that land and
7 water;

8 (3) to promote cooperation between the Federal
9 Government and private entities to manage that ex-
10 ceptional resource;

11 (4) to authorize the Secretary to manage cer-
12 tain resources under the Bureau of Land Manage-
13 ment; and

14 (5) to transfer to the Secretary, without consid-
15 eration, administrative jurisdiction over certain Fed-
16 eral land for management as a unit of the Bureau
17 of Land Management.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) DAM.—The term “Dam” means—

21 (A) the Monticello Dam; and

22 (B) any facility relating to the Monticello
23 Dam.

1 (2) RECREATION AREA.—The term “Recreation
2 Area” means the Lake Berryessa Recreation Area
3 designated by section 4(a).

4 (3) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior.

6 (4) STATE.—The term “State” means the State
7 of California.

8 **SEC. 4. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

9 (a) IN GENERAL.—Administrative jurisdiction over
10 the Federal land described in subsection (b) is transferred
11 from the Bureau of Reclamation to the Bureau of Land
12 Management for administration as the Lake Berryessa
13 Recreation Area.

14 (b) DESCRIPTION OF LAND.—The land referred to in
15 subsection (a) is the approximately _____ acres of water
16 and land administered by the Bureau of Reclamation that
17 is within or adjacent to Lake Berryessa and is identified
18 as “_____” on the map dated _____.

19 **SEC. 5. MANAGEMENT OF RECREATION AREA.**

20 (a) IN GENERAL.—Subject to the authority of the
21 Secretary under section 6, the Secretary shall manage the
22 Recreation Area in accordance with sections 601 through
23 604 of Public Law 93–483.

24 (b) APPLICABLE LAW.—Subject to valid existing
25 rights, the Secretary shall administer the Recreation Area

1 in accordance with laws (including regulations) applicable
2 to units of the public lands of the Bureau of Land Man-
3 agement.

4 (c) WATERS.—Nothing in this Act—

5 (1) affects the use or allocation, in existence on
6 the date of the enactment of this Act, of any water,
7 water right, or interest in water;

8 (2) affects any vested absolute or decreed condi-
9 tional water right in existence on the date of the en-
10 actment of this Act, including any water right held
11 by the United States;

12 (3) affects any interstate water compact in ex-
13 istence on the date of the enactment of this Act;

14 (4) authorizes or imposes any new reserved
15 Federal water rights;

16 (5) relinquishes or reduces any water rights re-
17 served or appropriated by the United States in the
18 State on or before the date of the enactment of this
19 Act;

20 (6) impairs the ability of the Bureau of Rec-
21 lamation and its managing partners to operate,
22 maintain, or manage Monticello Dam and other So-
23 lano Project facilities in accordance with the pur-
24 poses of such project; or

1 (7) modifies, changes, or supersedes any water
2 contract or agreements approved or administered by
3 the Bureau of Reclamation or Solano County Water
4 Agency or Solano Irrigation District.

5 (d) EXISTING AGREEMENTS.—To benefit the inter-
6 ests of the public, the Secretary shall act in accordance
7 with any agreement in existence on the date of the enact-
8 ment of this Act with any organization for the manage-
9 ment of—

10 (1) campgrounds located in the Recreation
11 Area; and

12 (2) marinas located in the Recreation Area.

13 (e) COMPREHENSIVE MANAGEMENT PLAN.—

14 (1) DEVELOPMENT OF PLAN.—The Secretary
15 may develop a management plan under paragraph
16 (1)—

17 (A) as a new document; or

18 (B) by adopting the recreational use plan
19 adopted by the Bureau of Reclamation on June
20 2, 2006.

21 (2) APPLICABILITY.—Nothing in this Act re-
22 quires an immediate revision or amendment to any
23 plan for any public land of the Bureau of Land
24 Management.

1 (3) USE OF PLANNING DOCUMENTS.—Until the
2 date on which the Secretary develops a management
3 plan, the Secretary may use planning documents
4 prepared by the Bureau of Reclamation without fur-
5 ther administrative action.

6 **SEC. 6. CONTINUED AUTHORITIES OF COMMISSIONER OF**
7 **RECLAMATION.**

8 Nothing in this Act or any subsequent management
9 plan shall impair the ability of the Bureau of Reclamation
10 and its managing partners to operate, maintain, or man-
11 age Monticello Dam, Lake Berryessa, and other Solano
12 Project facilities in accordance with that project’s author-
13 ized purposes. The Commissioner of Reclamation shall
14 continue to administer and operate—

15 (1) the Dam; and

16 (2) any power facility relating to the Dam.

17 **SEC. 7. EXISTING AUTHORIZATIONS.**

18 (a) IN GENERAL.—Except as provided in subsections
19 (b) and (c), nothing in this Act affects any authorization
20 in effect as of the date of the enactment of this Act made
21 by any department or agency of the Federal Government
22 for the use of land or water located within the Recreation
23 Area (referred to in this section as an “existing authoriza-
24 tion”).

1 (b) ASSUMPTION OF EXISTING AUTHORIZATION.—

2 Not later than 1 year after the date of the enactment of
3 this Act, the Secretary shall assume the administration
4 of any existing authorization, with such revisions as nec-
5 essary to align the authorization with existing law and
6 policies of the Bureau of Land Management.

7 (c) RENEWAL OF EXISTING AUTHORIZATION.—The

8 renewal of any existing authorization shall be made in ac-
9 cordance with such terms and conditions as the Secretary
10 may prescribe.

11 **SEC. 8. RECREATION AND CONCESSION FEES.**

12 (a) FEES AUTHORIZED.—The Secretary may estab-
13 lish, modify, charge, and collect recreation or concession
14 fees at the Recreation Area in accordance with section 803
15 of the Federal Lands Recreation Enhancement Act (16
16 U.S.C. 6802). The amount of the fee shall be commensu-
17 rate with the benefits and services provided to the visitor
18 or with the recovery of the anticipated costs associated
19 with management of the Recreation Area, including costs
20 of maintaining or operating facilities and visitor services.

21 (b) USE OF FEES.—The Secretary may retain fees
22 collected under subsection (a) for the purposes of man-
23 aging the Recreation Area.

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