

# Chapter 3



# Chapter 3 - Recreation Management and Administration

## Managing Agency Policy

At Box Butte Reservoir, the Commission's Parks Division administers approximately 180 acres of land for recreation and 1,600 acres of water surface (at TOC pool) for recreation and fish and wildlife purposes. The recreation lands are located in the northeast portion of the reservoir.

The recreation lands at Box Butte Reservoir are managed as a State Recreation Area (SRA). The goal of the Parks Division for the management of State Recreation Areas is: "Preserve and protect Nebraska's recreation area resources and provide high quality outdoor recreational opportunities for visitors". Recreation areas are defined in state statute as "areas with a primary value for day use, but with secondary overnight-use facilities or potential, and which have reasonable expansion capability and are located in accordance with sound park management principles" (Nebraska Game and Parks Commission 2004). The Commission is charged with the development and administration of a balanced state park system to provide non-urban park areas for the inspiration, recreation, and enjoyment primarily of resident populations and to provide wayside parks as picnic areas or rest stops for the traveling public. The Commission has sole charge of state parks, fish and game and all functions concerning them.



Figure 9 - Main Park Entrance Sign

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In the May 1995 lease agreement between Reclamation and the State of Nebraska, the Commission assumed the administration of recreation and wildlife land management at Box Butte Reservoir. This lease agreement has a 25 year term length and allows the Commission to collect fees and use them for the improvement of the recreation facilities within the leased area. All proceeds collected from user fees are to be used for O&M and recreation improvements at Box Butte Reservoir.

A copy of the “Lease between the United States and the State of Nebraska Game and Parks Commission” and its amendments are located in Appendix A1.

### **Visitor Management**

#### ***Visitor Use***

Visitor use patterns, reported in the annual Recreation and Wildlife Summaries for Box Butte Reservoir, show the most popular activities to be fishing, camping, boating, and picnicking. Visitors also participate in sightseeing, swimming, waterskiing, and hunting. Origin of recreational use is estimated to be 80 percent within a two-hour drive and 20 percent from over a two-hour drive. Annual visitation at Box Butte SRA averages 20,000 visitor use days.

#### ***Recreation Facilities***

Box Butte SRA offers overnight camping with 14 hard surfaced recreation vehicle (RV) type camping pads with 30 and 50 amp electrical hookups. There are also 40 primitive campsites available for tent camping. There are four picnic shelters with tables and grills and other non-designated picnic areas offering tables and grills. Potable water is available. There are two boat launch lanes each with a separate dock system, and a fish cleaning station. There are no modern restrooms at Box Butte; however there are three vault toilets.

#### ***Public Use, Regulations, and Enforcement***

The Commission’s rules and regulations concerning visitor behavior apply to Box Butte Reservoir. The area conservation officer is deputized to carry out law enforcement activities. The Dawes County Sheriff is available, if needed.

#### ***Special Uses and Events***

Special uses include off-road vehicles (ORV), equestrian, group-use, collecting, and climbing. According to State and Federal regulations, ORV and equestrian use in parks are confined to designated roads and trails. There are no designated “open” ORV areas at Box Butte Reservoir; therefore, these types of uses are prohibited. Group use of the area, whether for picnicking or camping, is on a first-come, first-serve basis. There are no reservable facilities at Box Butte Reservoir SRA.

Collecting flora and fauna specimens is prohibited by State and Federal laws unless a valid scientific collector permit is obtained from the Commission. Also,

archeological and cultural resource collecting is prohibited by State and Federal laws. For additional policy concerning the collection of archeological and cultural resources, see Cultural Resources in Chapter 4 “Agency Responsibility”.

### ***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 crimes 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 Box Butte Reservoir.

All Commission vehicles are equipped with radios and first aid kits. Conservation officers are well trained in first aid procedures. No visitor safety awareness campaign is presently being implemented.

### ***ADA Accessibility***

Reclamation and the Commission are required to comply with the Americans with Disabilities Act of 1990 (ADA) to ensure equal opportunities for individuals with disabilities to experience the facilities and natural resources. ADA requires that, to the maximum extent feasible, facilities must be accessible to, and usable by, individuals with disabilities and this requirement contemplates a high degree of convenient access. 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 shall be designed and constructed in such a manner the facility is readily accessible to and useable by individuals with disabilities. CFR also requires that for alterations, each facility or part of a facility constructed by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of a facility or part of a facility shall, to the maximum extent feasible, be altered in such a manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities.

Reclamation has evaluated all facilities at Box Butte Reservoir for accessibility and has developed an action plan to guide future retrofits. Reclamation and the Commission have entered into a cooperative agreement to cooperatively fund and complete all needed ADA retrofits to ensure facilities are accessible according to ADA.

### ***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.

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### ***Reclamation's Concession Principles***

Currently, there is no concession operation located on Reclamation lands at Box Butte Reservoir. In the event a concession operation is developed in the future, the following concession principles will apply:

- (1). 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***

In accordance with the master lease agreement between Reclamation and the Commission, the Commission is vested with the responsibility for administration of recreation, wildlife, and related uses on Reclamation project lands and waters including Box Butte Reservoir. The Commission may issue and administer licenses, permits, and contracts to persons or associations for the purpose of regulating the privileges to be exercised.

The Commission may grant concession contracts under which recreation, wildlife, and related uses are made available within designated areas. However, all new licenses, 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 Commission is responsible for enforcing terms and conditions of each contract.

### ***Cabin Lot Permits***

There are no cabin lot permits located on Box Butte Reservoir lands.

### ***Exclusive Use***

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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. Existing exclusive use will be administered in accordance with 43 CFR, Part 21 and Part 429. Exclusive use occurs when there is:

- 1) An established process that frequently rotates users of specific sites; or
- 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:

- Phase out existing exclusive use facilities, services, or sites if the planning process determines that the lands are needed for other public purposes; or
- 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.

There is no exclusive use occurring on Box Butte Reservoir lands.