

Public Law 96-375

These excerpts are the part of PUBLIC LAW 96-375 that pertains to Lake Berryessa and the concession operations.

SEC.5 (a) Notwithstanding any other provision of law, the Secretary of the Interior is authorized to enter into new negotiated concession agreements with the present concessionaires at Lake Berryessa, California. Such agreements shall be for a term ending not later than May 26, 1989, and may be renewed at the request of the concessionaire with the consent of the Secretary of the Interior for no more than two consecutive terms of 10 years each. Concession agreements may be renegotiated preceding renewal. Such agreements must comply with the 1959 National Park Service Public Use Plan for Lake Berryessa, as amended, and with the Water and Power Resources Service Reservoir Area Management Plan: *Provided*, That the authority to enter into contracts or agreements to incur obligations or to make payments under this section shall be effective only to the extent and in such amounts as are provided in advance in appropriate Acts.

(b) Notwithstanding any other laws to the contrary, all permanent facilities placed by the concessionaires in the seven resorts at Lake Berryessa shall be considered the property of the respective current concessionaires. Further, any permanent additions or modifications to these facilities shall remain the property of said concessionaires: *Provided*, That at the option of the Secretary of the Interior, the United States may require that the permanent facilities mentioned herein not be removed from the concession areas, and instead, pay fair value for the permanent facilities or, if a new concessionaire assumes operation of the concession, require that new concessionaire to pay fair value for the permanent facilities to the existing concessionaire.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-710 (Committee on Interior and Insular Affairs).

SENATE REPORT No. 96-890 accompanying H.R. 5278, and No. 96-938 accompanying S. 3017 (Committee on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 126 (1980): Feb 5, considered and passed House. Sept. 17, considered and passed Senate amended, in lieu of S. 3017. Sept. 24, House concurred in Senate amendment.