



Lake Berryessa Visitor Services Plan Alternative A+

Future Use and Operation of Lake Berryessa

**Lake Berryessa Visitor Services Planning Task Force
Task Force 7 at Lake Berryessa**



April 20, 2004

Table of Contents

I. EXECUTIVE SUMMARY	1
Introduction	1
Background	1
LBVSPT A+ Summary Plan	2
1. Create Planning Organization	2
2. Guarantee Funding	2
3. Improve Short-Term Opportunities and Facilities	2
4. Improve Long-Term Facilities and Mitigate Impacts	2
5. Implement Master Planning for Resorts	3
6. Management Operations	3
7. Land and Water Use Planning and Classification	4
8. Future Operations Review / Root Cause Analysis	4
9. Environmental Improvement, Education and Outreach	4
10. Development Options, Contract Extensions, and Partnering	5
LBVSPT A+ Summary Findings	6
LBVSPT A+ NEPA Criteria	7
II. LBVSPT A+ GOALS, PLANNING PRINCIPLES, AND METHODOLOGY	8
Planning Principles	9
Methodology	10
III. LBVSPT SUMMARY OF ALTERNATIVES WITH COMMENTS	11
IV. BODY OF REPORT	19
1.0 LBVSPT PURPOSE OF AND NEED FOR ACTION	19
1.1 LBVSPT Description of Purpose and Need	19
1.2 LBVSPT Background	20
1.2.1 Regional Setting of Lake Berryessa	20
1.2.2 LBVSPT History of Reservoir Development and Operations	20
2.0 ALTERNATIVES	25
2.1 LBVSPT Preferred Alternative A+ Description	25
2.2 LBVSPT Preferred Alternative A+ Proposed Actions	26
12. User Fees	28
20. Water Craft Carrying Capacity/Water Safety	29
44. Marina Pollution Prevention	32
2.3 Reclamation Alternative A	32

2.4 Reclamation Preferred Alternative B	32
3.0 AFFECTED ENVIRONMENT, EXISTING SETTING, ENVIRONMENTAL CONSEQUENCES, MITIGATION	34
3.1 Land Use	34
3.1.1 Affected Environment and Existing Setting	34
3.1.2 Environmental Consequences and Mitigation	40
3.2 Geology, Topography, and Soils	47
3.2.1 Affected Environment and Existing Setting	47
3.2.2 Environmental Consequences and Mitigation	47
3.3 Biological Resource	53
3.3.1 Affected Environment and Existing Setting	53
3.3.2 Environmental Consequences and Mitigation	57
3.4 Cultural Resources	72
3.4.1 Affected Environment/Existing Setting.	72
3.4.2 Environmental Consequences and Mitigation.	73
3.5 Traffic and Circulation	77
3.5.1 Affected Environment/Existing Setting	77
3.5.2 Environmental Consequences and Mitigation	78
3.6 Noise	84
3.6.1 Affected Environment/Existing Setting	84
3.6.2 Environmental Consequences and Mitigation	86
3.7 Recreation	90
3.7.1 Affected Environment and Existing Setting	90
3.7.2 Environmental Consequences and Mitigation	100
3.8 Scenic Resources	108
3.8.1 Affected Environment/Existing Setting	108
3.8.2 Environmental Consequences and Mitigation.	111
3.9 Socio-Economic Environment	113
3.9.1 Affected Environment and Existing Setting	113
3.9.2 Environmental Consequences and Mitigation	120
3.10 Public Safety	133
3.10.1 Affected Environment/Existing Setting	133
3.10.2 Environmental Consequences and Mitigation.	134
3.11 Hazardous Materials and Soil Contamination	143
3.11.1 Affected Environment/Existing Setting	143
3.11.2 Environmental Consequences and Mitigation.	144
APPENDIX A: STAKEHOLDER CONTACTS	146
APPENDIX B : SAMPLE MASTER PLANNING OUTLINE	148
APPENDIX C: ORIGINAL CONCESSION PLANS, PERMITS, AND APPROVALS	153

APPENDIX D: WATER LEVEL HISTORY

164

APPENDIX E: LAND AND SHORELINE USE COMPARISON

165

I. Executive Summary

Introduction

The purpose of this document is to present a Visitor Services Plan Preferred Alternative A+ for the Future Public Use and Operations of Lake Berryessa prepared by the Lake Berryessa Visitor Services Planning Task Force (LBVSPT). LBVSPT Preferred Alternative A+ is based on an analysis of the relevant historical documents, previous and present public comments, and the economic, environmental, and social data available from more than 40 years of continuous recreational use of Lake Berryessa. The LBVSPT Preferred Alternative A+ will be compared and contrasted to the Bureau of Reclamation's Draft Environmental Impact Statement Alternative A and Preferred Alternative B. A previous draft of the LBVSPT Preferred Alternative A+ has been available for public comment since December, 2002 on our web site at www.LBVSPT.info.

The LBVSPT Preferred Alternative A+ is based largely on the 1992 Final Environmental Impact Statement (EIS) for the Lake Berryessa Reservoir Area Management Plan (RAMP) and the 1993 Record of Decision (ROD), which were updates to the Public Use Plan (PUP) of 1959. These are clearly the legal governing documents for all planning and operations at Lake Berryessa. Preferred Alternative A+ recognizes the proven value of the present socio-economic model in providing a wide range of recreational opportunities to a demographically mixed population, an "integrated diversity" of opportunity.

LBVSPT Preferred Alternative A+ provides a path from Reclamation's Alternative A to the lake-wide improvements desired by all stakeholders without the draconian and highly speculative measures proposed in Reclamation's Preferred Alternative B. No comparisons will be made to Reclamation's Alternatives C or D since they are not significantly different in their affects on the lake from Alternative B.

Although Reclamation claims it has provided a reasonable range of alternatives, LBVSPT does not agree. They did not provide a "common sense" fiscally responsible alternative. The LBVSPT Preferred Alternative A+ is that "common sense" fiscally responsible alternative, simply described as "Preserve the Best, Improve the Rest."

Background

The Lake Berryessa Visitor Services Planning Task Force began a Coordinated Resources Management and Planning (CRMP) process in October, 2002 and published a draft Visitor Services Plan in December 2002. It has been available for comment on the Web at www.lbvspt.info or by mail from the Lake Berryessa Visitor Services Planning Task Force, P.O. Box 3456, Napa, CA 94558-0345.

The LBVSPT joined the Half Moon Bay Coastside Foundation and the California Watershed Posse to initiate a Coordinated Resource Management Plan (CRMP) for the lake. As part of the Public Involvement and Scoping for this proposed CRMP process the LBVSPT announced its plan and formally requested comments from more than 75 public agencies, non-profit organizations, recreational groups, and private companies. The LBVSPT also sent announcement letters to more than 300 private homeowners around Lake Berryessa, more than 1,250 permittees who own trailers or mobile homes at the Lake, and the 7 resort concessionaires. Informational posters and flyers were provided for display and distribution at most of the resorts and businesses around the lake and on the public bulletin boards at public launch ramps and campgrounds. The LBVSPT CRMP was also presented at five public meetings around the lake and at meetings with various public agencies. Our efforts to date have resulted in dozens of public comments on our web site and more than 11,000 written signatures and more than 1,000 electronic signatures at the On-Line Petition web site supporting our plan from residents, visitors to the lake, and friends of the lake.

The LBVSPT has consulted with experts familiar with water resources, public works, sewage treatment, infrastructure construction, resort development, land use law, environmental science, fire safety, and other disciplines. The LBVSPT has also interviewed several of the present concessionaires. A summary of outreach activities to date appears in Appendix A.

LBVSPT A+ Summary Plan

1. Create Planning Organization

- Create a model Coordinated Resource Management Planning (CRMP) process management structure for Lake Berryessa incorporating the suggestions of the National Recreation Lakes Study.
- LBVSPT Preferred Alternative A+ is presented independent of any particular management model, i.e., it does not assume that the Bureau of Reclamation continues in its current management role.
- Reclamation, or other Management Entity (ME), would continue to operate government facilities and programs as currently described in the RAMP. However, they would establish a CRMP process working group to assist in this process and to monitor lake operations.
- Concessionaires in conjunction with the Management Entity (ME) and user groups such as Blue Ridge Berryessa Natural Area Conservation Partnership (BRBNA-CP), including a strong permittee organization such as Task Force 7 at Lake Berryessa (TF7), will establish environmental monitoring procedures and design/development standards as a guide for improvements and new facilities.

2. Guarantee Funding

- Create a financial structure that supports the cost of local government services provided by Napa County and other agencies.
- Explore innovative funding mechanisms, such as special user fees or property tax on long-term sites (for example, a yearly special assessment on more than one thousand long-term sites could make a significant contribution to fund Napa County services).
- In cooperation with the ME, create a Concessionaires Consortium to provide a funding mechanism to spread costs fairly over all lake users for lake-wide public needs.
- Obtain sufficient law enforcement and other support services to fully administer Public Law 93-493. Management practices would include a mechanism to fund additional law enforcement based on a consensus among ME, Concessionaires Consortium, LBVSPT, Task Force 7 and Napa County to create a sound financial support structure.

3. Improve Short-Term Opportunities and Facilities

- Concessions will maintain and improve public access to Lake Berryessa and its shoreline within the concession areas.
- Concessions will improve short-term uses and facilities in quality and quantity, emphasizing medium density development as most preferable. Accommodation will include camping, cabins, park models, and multiple bedroom units. Rental accommodations will be owned by concessionaires and tenants, but all rentals will be managed by the concessionaire.
- Concessions will provide quality recreation facilities and services at reasonable rates, with access for special needs populations designed into the plan for future needs.
- Concession decisions and actions will provide for the health and safety of users, protection and enhancement of resources, and compatibility of uses on the water surface.
- Although there are many ways to accomplish the above goals, a simple planning outline is provided as Appendix B.

4. Improve Long-Term Facilities and Mitigate Impacts

- Long-term uses provide a base of financial support that makes low cost public use feasible. They are the key element during drought periods and economic downturns that sustain recreation operations.
- A Long-Term Site Improvement Program will be developed cooperatively between the concessionaire and the resort homeowners group at each resort.
- Long-term uses will be designed to blend more effectively with the natural environment.
- The Management Entity would allow long-term sites to be rented by tenants to short-term visitors through the concession reservation system to satisfy peak short-term demand when other resort facilities are fully booked. Portions of the rental fee would go to the resort, to lake management, and to the County.

- Provide a base of financial support during drought periods and economic downturns to continue recreation operations. This benefit is confirmed by the Camanche Recreation Area Plan done by the East Bay Municipal Utility District in 1990 which recommends retention of long-term mobile homes for this very reason.

5. Implement Master Planning for Resorts

- Improvements to existing facilities and new construction would be esthetic and accomplished according to all applicable codes within parameters of ‘Sustainable Design’ and in compliance with commonly accepted green design practices, e.g., energy efficiency, water conserving fixtures, and recycling.
- Achieve compliance with current codes and applicable regulations (Federal, State, and Local) through a phased construction schedule.
- Develop a plan for rehabilitation and maintenance of lakeshore and riparian areas.
- Although the Kleinfelder report describes unrealistic worst-case conditions, it can be used as guidance for scheduling planned improvements. Further on-the-ground analysis would be required to determine exactly which facilities at each resort would need to be improved initially and to which requirements they need to comply.
- Reclamation, or other Management Entity, would monitor the concessions for contract compliance with major public health and safety codes. New contracts would include requirements for improvements discussed in this plan. There would be direct incentives to improve all facilities and recreational opportunities.
- In recognition of the necessary financial investments and associated risks for the development of the concession operations, the facilities redevelopment or expansion of the concession areas may be done in phases. The phases will be triggered based upon proven public demand and actual concessionaire financial performance during the initial phase.

6. Management Operations

- Reclamation, or ME, would continue to manage the existing use permits at Lake Berryessa as described in the 1992 RAMP, possibly adding a permit system for boat-in camping.
- Reclamation, or ME, would continue to manage Capell Cove Launch Ramp, consider options to correct its geological and structural failings, and operate it in a safe manner. A competitive launch fee would be imposed to defray operating costs and direct users to more appropriate facilities for the size of their boats. Capell Cove was designed for fishing and small boat launching. Because it is free, it sustains heavy use with large boats. Parking overflows in an unsafe manner onto the main road.
- Reclamation, or ME, would continue to manage the Oak Shores Day Use area. On the “big weekends” of Memorial Day, Fourth of July, and Labor Day, Oak Shores would be open for camping. The small boat launch ramp would be expanded to accommodate larger boat launching. Fees would be collected at Oak Shores for day use, launching and camping. Additional services to be considered in the area, i.e., vending machine snacks and sodas. The Oak Shores area, total 250 acres, would be evaluated for increased use with emphasis on special needs populations. The peninsula which is the eastern portion of Headquarters area [total 35 acres/5 acres used for headquarters], south of Oak Shores should be developed for public access and use. See the Conceptual Plan – Oak Shores Park which shows the intended development of the area.
- Reclamation, or ME, would continue to manage the Smittle Creek Day Use Area. Due to the fact that Smittle Creek has limited parking and the water is a longer distance from parking than at Oak Shores, use for overflow camping is not considered. However, approximately 15 acres could eventually be developed as campground and RV park if demand is shown.
- Reclamation, or ME, would continue to manage existing trails at Lake Berryessa, and develop 30-50 additional miles as described in the 1992 RAMP, based on user need, subject to environmental impact studies and funding. Trails can be developed that connect resorts and public access areas on the west shore. These trails can be used by bicyclists as a safe alternative to riding on the highway. Hikers would not be charged access fees at resort boundaries since they are not “day users”. Resorts would benefit from the hikers’ purchases of drinks and snacks.
- Reclamation, or ME, would identify / develop the ten areas outside of the concessions according to PUP for public access and use, and current trends. Assess if a new concessionaire or expanded scope of existing concessionaires could develop and maintain some of the areas.

7. Land and Water Use Planning and Classification

- Land Use Classifications would follow the classifications described in the 1992 RAMP. Water-Use Classifications are under the guidance of the 1992 RAMP. Although the Water Recreation Opportunities Spectrum (WROS) is in draft form, its application, if accepted by the Department of the Interior, would mandate creating the greatest recreational opportunities possible. All concessions/resorts would maintain the highest level of development in order to serve the public demand.
- WROS would require a full analysis utilizing a preponderance of evidence to identify and to apply new classifications to present use. Planning subsequent to WROS is site specific. No studies or plans with the required analysis and data have been done by Reclamation to allow changes in use at the present time.

8. Future Operations Review / Root Cause Analysis

Future management options are a variable in the future of Lake Berryessa, and a Management Analysis Study will be required for the governmental involvement in the next contracts. Options include:

- **Bureau of Reclamation:** Reclamation could remain as the Management Entity but its past performance and future plans must be critically analyzed to understand the strengths and weaknesses of various options and the root causes of present deficiencies before any future plan is approved and implemented. Reclamation could act as the lead agency in the Coordinated Resource Management Planning process.
- **Bureau of Land Management:** BLM has the expertise and authority to manage recreational areas. BLM would benefit directly from the concessions, which could help fund the Berryessa Blue Ridge Natural Area (BRBNA) project with its hundreds of thousands of acres of government land – thousands of which are in the Lake Berryessa area. The concessions could provide the camping and lodging facilities needed by visitors to the BRBNA so that they could remain in the area to enjoy the resource without the need to provide additional facilities on project land. With BLM as the Management Entity, the funds generated by recreation at Lake Berryessa could remain in the BRBNA and help defray operating and maintenance costs. Lake Berryessa could provide a “line item” budget for the entire BRBNA, which would eliminate funding competition with other BLM areas.
- **Napa County:** Napa County may offer an effective management option. The forthcoming expiration of the concession agreements is an ideal time for the county to take a leadership role and develop its General Plan vision for the future of Lake Berryessa as an integral part of the County. Lake Berryessa could become more significant in the tourist and recreation opportunities offered by Napa County. As the ME, Napa County could have greater benefit directly from the concessions in funding the services that the County is required to provide at the lake. Creating a Napa County Parks Department or Recreation District at Lake Berryessa would open many Federal and State funding sources to local government to support the activities at the lake. The county has the practical experience, the planning and environmental departments, and the law enforcement and safety services that clearly give Napa County an advantage in protecting the resources of this important part of the county.

9. Environmental Improvement, Education and Outreach

- Create a Lake Berryessa Community Education and Outreach program. Long-term data shows, and Reclamation acknowledges, that there are no significant water quality problems attributable to the concessions or long-term sites. Continuing education in all communities around the lake is important for the long term health of the watershed.
- Expand visitor information services which could include:
 - Interpretive center facilities and activities
 - Ocean Arks International Living Machines or manufactured wetlands for wastewater treatment.
 - Waste reduction and recycling programs at each resort

- Detailed educational programs for resource conservation, pollution prevention, as well as solid waste reduction and recycling programs around the lake.
 - Develop mini-interpretive center in the dam area
 - Overlooks at appropriate locations along roads
 - Interpretive trails
 - Interpretive displays in developed access points and concession areas
 - Additional signing
- Create a list of positive programs that increase the recreational as well as socially-beneficial opportunities for underserved communities without proportionately increasing traffic. This may best be done through youth groups, church groups, recreational clubs, or community groups. An example is Fish and Game's Fishing in the City program that uses vanpools. Another example is environmental education programs for schools that increase mid-week use but don't negatively impact traffic through use of small buses or vanpools.
 - Reclamation, or ME, will actively support partnerships with other public agencies and non-profit groups to promote marina pollution prevention programs such as the Napa/Sonoma Marina Program and the California Coastal Commission's Dockwalkers.

10. Development Options, Contract Extensions, and Partnering

- Because Reclamation essentially chose to unilaterally plan for the future of Lake Berryessa, many available modern planning tools and resources, both public and private, were not used. They relied on old studies, unsupported assumptions, and inaccurate data to reach conclusions driven by their policy to remove all long-term uses from the lake.
- LBVSPT contends that since the 1993 ROD was released, more than a decade has been wasted without bringing about the improvements all stakeholders wanted for the lake. Whether that was due to contributory negligence on the part of Reclamation because of management deficiencies, lack of manpower, enforcement problems, recalcitrant concession owners, poorly written contracts, uninformed tenants, and/or limited funds, the requirement now is to make the mandated improvements in response to contemporary and future needs.
- Unfortunately, Reclamation's process seems to assume continued deterioration. This is an intended or unintended consequence of Reclamation's reliance on Preferred Alternative B as a solution to all problems at Lake Berryessa. Their argument is that things are so bad now, and will continue to deteriorate for the next five years, that they have no option but to destroy everything and start over. This negative approach to planning seriously affects the lives and livelihoods of tens of thousands of local people.
- One core issue is capital investment in infrastructure repair and facilities upgrades and the ability of the concessionaires to provide recreational opportunities at a fair profit. Reclamation's own Dornbusch Report points out that Alternative B (and any alternative that eliminates all long-term uses) is only marginally financially feasible with great risk to the investor.
- The LBVSPT proposes that all parties acknowledge the lack of progress during the last ten years and do what should have been done. An Act of Congress could authorize Reclamation or other Management Entity to enter into new 10-year contract extensions with the present or new concessionaires. There is sufficient precedent for this action. It may be the most reasonable way to allow the necessary time to make the required improvements at the lake without massive financial and social dislocations.
- Contract extension terms could be written now and be retroactive where necessary to achieve the aims of RAMP and LBVSPT Alternative A+. The contract extensions would include tough provisions for the phase-in of required improvements and the ability to implement all the positive elements of Alternative A+. It allows a reasonable time for the amortization of capital improvement costs, implementation of codes and standards for long-term sites, and proof-of-concept changes to recreational opportunities without the major and speculative disruptions contemplated in Reclamation Preferred Alternative B.

- A simplified bidding process would show if there are investors who would be willing buyers or partners for present concessionaires and who have sufficient resources to make the improvements proposed. A standard RFP process in the present confused legal, social, and financial morass could be a disaster for everyone involved. No one will bid on a contract that is a losing proposition from the start. Concessionaires and Reclamation would need to negotiate a contract that is financially feasible and gives the concessionaire the incentive to invest.
- Present concessionaires, who lack sufficient capital to make required changes, could sell their concessions to willing buyers or partner with companies that have sufficient resources. Contracts must be financially feasible and return a fair profit under all foreseeable conditions, such as drought, recession, etc. Contracts must be flexible to allow changes to master plans as demonstrated public use changes.

LBVSPT A+ Summary Findings

1. There has been no impact to water quality nor any significant impact to any other environmental criteria from the resorts or long-term sites.
2. There is no provable unmet or “latent” demand for short-term recreational use at Lake Berryessa. (See Section 3.7.1-2-#4, Pg.99)
3. The economic foundation for providing recreational opportunities at Lake Berryessa was initially, and still is, the revenue generated by long-term site users.
4. Long-term sites provide 50-70% of the gross revenue of resorts, support short-term uses, and are a financial foundation for resort operation, especially during winter months and drought years.
5. Recreational opportunities for all users can be reasonably expanded at the lake with the economic support of the long-term user.
6. All resort facilities and mobile homes were built to existing code and can be brought up to new codes through planned improvements or replacements without total destruction and rebuilding as is true in any other jurisdiction in the country. (See Section 1.2.2)
7. Access for short-term users is not limited except at peak times. No public facility, whether freeway or restaurant, can be economically designed to meet peak demand.
8. The desire of the public for long-term site rentals is a legitimate recreational demand and a significant element of public demand. (See Pg.14, #6)
9. Resorts are not dominated by long-term uses nor do they give a majority of prime shoreline to long-term uses. (See aerial photos in Appendix E.)
10. Long-term sites cannot be defined as exclusive use. Historically, there have always been long-term sites available for sale to any qualified person. Anyone may become a long-term site homeowner for approximately the same cost as a modest RV.
11. Visual impacts are not a strong enough reason to destroy the entire lake community. Allowing for personal tastes in architectural style, the emphasis should appropriately be placed on neat, well-maintained sites that comply with all health and safety codes, in colors that complement their environment.
12. More than half of mobile home owners are older than 50 years of age and most extend the use of their units to their children and grandchildren. Alternative B does not meet their family recreational needs, nor does it meet the needs of the many long-term users that are senior citizens (est. 30%-40%).

13. Long-term site owners consider themselves members of the Napa County and Lake Berryessa communities and part of that population. They feel a responsibility to share in the support of Napa County services.
14. One of the significant cultural resources is the historical integrated diversity of the lake community with its wide socio-economic spectrum of users. In many ways Lake Berryessa provides a historical insight into recreational styles and tastes over the decades. We believe it can be considered a cultural resource documenting recent history of design trends in American recreation.
15. Lake Berryessa is a boating and water sports lake. The Visitor Profile is predominantly water recreation enthusiasts. Most have invested in boats and spent years developing their skills at waterskiing, jet skiing, fishing and other boating recreational activities.
16. The reasonable private use of public land is a long-standing American principle, especially when that use supports the common good and provides additional revenue for operations that could not otherwise be funded.
17. Sewer systems do not pose an imminent health threat to water quality, but should be analyzed and a plan developed to bring them up to appropriate standards.
18. There is no imminent danger to health and safety due to fire standards or structure setbacks. All resorts should be analyzed and a phased plan developed to meet all reasonable standards.
19. All development at Lake Berryessa was planned and approved by both Napa County and Reclamation. See Appendix C for detailed documentation.

LBVSPT A+ NEPA Criteria

The environmentally preferred alternative is determined by applying criteria identified in Section 101 of the National Environmental Policy Act (NEPA) to each alternative considered. The alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources is typically considered the environmentally preferred alternative.

Using this analysis, the LBVSPT Alternative A+ should clearly be the preferred alternative.

- **NEPA Section 101 Requirement 1.** Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.

LBVSPT Alternative A+ explicitly recognizes the generational benefits of the present “integrated diversity” socio-economic model of Lake Berryessa.

Alternative B arbitrarily eliminates a legitimate recreational demand for long-term use that has supported the transmission of environmental values from generation to generation at Lake Berryessa. Alternative B impedes senior citizens in their the ability to visit the lake or to teach their children and grandchildren about environmental stewardship.

- **NEPA Section 101 Requirement 2.** Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.

LBVSPT Alternative A+ is an inclusive socio-economic model (all Americans) that provides a wider range of recreational opportunity (productivity). A+ provides more esthetic surroundings than at present while preserving and enhancing a community and cultural environment that has evolved over decades as was acknowledged in the 1993 ROD.

Although Alternative B purports to ultimately expand recreational opportunities, it actually eliminates a large class of users and facilities. Esthetically, it simply proposes to replace one form of built environment (mobile homes) with another (park model cabins, RV sites, and campsites) which have no esthetic superiority.

- **NEPA Section 101 Requirement 3.** Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences

LBVSPT Alternative A+ builds on a proven socio-economic model to meet all the goals of this requirement with no undesirable or unintended consequences. The A+ plan is designed to enhance the benefits of recreational use and protect the environment.

Alternative B does not attain the widest range of beneficial uses. It narrows the range, eliminates all usage for 2 years and only replaces a percentage of present usage many years in the future. It not only has undesirable and unintended consequences, Reclamation even states that it has many *unknown* consequences.

- **NEPA Section 101 Requirement 4.** Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice.

LBVSPT Alternative A+ can be implemented without serious disruption to the economic, cultural, and natural environment. One of the significant cultural resources is the historical integrated diversity of the lake community with its wide socio-economic spectrum of users. In many ways Lake Berryessa provides a historical insight into recreational styles and tastes over the decades. We believe it can be considered a cultural resource documenting recent history of design trends and individual choice in American recreation.

Alternative B clearly is lacking in this requirement by destroying important historical and cultural aspects of life at Lake Berryessa while eliminating diversity and the variety of individual choice.

- **NEPA Section 101 Requirement 5.** Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.

LBVSPT A+ epitomizes this requirement and the judicial criteria used to evaluate it.

Alternative B does not meet this requirement with its “slash and burn” planning approach. There is no balance found in Reclamation’s exclusionary Alternative B nor does it meet the published judicial criteria for this type of decision-making described in Planning Principles below.

- **NEPA Section 101 Requirement 6.** Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

LBVSPT A+ meets and exceeds this criteria because it includes details for educational programs for resource conservation, pollution prevention, as well as solid waste reduction and recycling programs around the lake.

Alternative B has no specific plans to meet this criteria.

II. LBVSPT A+ Goals, Planning Principles, and Methodology

Overall Goal – To accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment, while optimizing visitor experience levels and safety, consistent with other authorized functions of the Solano Project.

The LBVSPT believes in definable goals for protection and use of the lake that are realistic, measurable, and can be implemented. Elements of Alternative A+ provide:

- An unbiased description of the existing situation using all available data including a review of the true root causes of present deficiencies.
- An unbiased, pragmatic projection of the future situation based on corrections of present deficiencies through the application of best management practices.
- An empirical analysis showing the actual demand for services, by type of recreational category.
- A method of phased implementation based on measurable data confirming the need for the services.
- An identified revenue stream to support all operational costs of the services necessary to provide for the health, safety, and use needs of the public.
- A plan that incorporates all of the above, and establishes strong guidelines for future public use and development.

There must be a regional partnership in the development and implementation of any plan for Lake Berryessa. History has shown that management of the lake has suffered from a lack of institutional checks and balances and performance monitoring. The National Recreation Lakes Study Commission Final Report of June, 1999 stated that despite good intentions, many federal agencies are unable to provide recreation facilities and lake conditions that meet public demand and present-day expectations.

The Commission concluded that meeting current and future demands for lake-related recreation, with or without increased appropriations, will require smart, flexible, visionary management and better ways of doing things. The value of providing recreation services through local partners underscores the need to expand and improve development and operating partnerships with state and local governments, and with private businesses. One of the Commission's recommendations is to encourage agencies to work with communities on lake management issues. This directly supports the LBVSPT's contention that a broad-based stakeholder CRMP process, perhaps based on the Blue Ridge Berryessa Natural Area Conservation Partnership (BRBNA-CP) model, or the venerable Joint Powers Authority process used by many local governments, typically at a City/Town/County level, may need to be legally implemented for the benefit of all stakeholders.

Planning Principles

The lack of federal, state, or county funds to provide capital investment for recreational facilities or financial support for ongoing operational costs means that the concessions are essential to the government's ability to accommodate public needs.

All plans for change must be based on proven demand and must be tested before implementation. For example, a 1980 Reclamation proposal for increasing short-term use at one of the resorts included a method for determining success. "For the time period from Memorial Day to Labor Day, measure the occupancy rate of the campground. When the occupancy rate reaches an average of 70% over this period for 2 of 3 years or reaches an average of 80% on the weekend days for 2 of 3 years, the next phase begins".

The development of the lake was driven by the recreational needs and economic realities of the times. Those needs and realities are not significantly different at the present time and for the foreseeable future. There have been 40 years of public use within an economic framework that has accommodated low cost recreation.

Even the Department of the Interior's draft Water Recreation Opportunity Spectrum (WROS) guidebook points out that the "average visitor does not exist" and "recreation demand for different types of recreation experiences is diverse".

"The implication is that to plan and manage for the mythical average user is not appropriate because such an approach will leave out or not accommodate the diversity of public interested in water resources. The conservation of recreation diversity is a fundamental purpose of the WROS system." (WROS, Pg. 6)

“Four decades ago recreation was viewed principally as an activity such as boating or skiing. In the 1970s, recreation science determined that recreationists were motivated and seeking particular type of recreation experience, and that a recreation activity was a means to an experiential end. It was also determined that the conditions of the resource and how the recreation setting was managed could influence what kind of experience a person was likely to have. In the 1990s, recreation science further contributed that recreation experiences led to long-term benefits for individuals, families, communities, as well as benefits to the economy and the environment.” (WROS, Pg. 7 and Figure 6, Pg. 12)

LBSVPT agrees with the WROS standards for decision-making which take advantage of judicial doctrine and terminology:

- *A reasonable decision* is a decision that is fit and appropriate under the circumstances. It is a decision that natural resource decision makers, of ordinary prudence and competence, under similar circumstances, would not view as excessive or immoderate. It is important to remember that the judiciary does not compare a person’s decision against some single absolute right decision conceived by the court; that is, the court’s function is not to make administrative decisions but rather to judge the reasonableness of an agency decision using such judicial doctrine as reasonable care, due diligence, and sufficient evidence.
- *Full and fair consideration of the appropriate information* is the condition of considering the whole situation and making a sound decision.
- *Principled and reasoned analysis* is the condition of not being arbitrary and capricious, perhaps the most frequent allegation in natural resource-related litigation.
- *Best available science and expertise* is the condition of utilizing the best information and experience that is reasonably available to improve certainty.
- *Compliance with applicable laws* is the expectation that a decision maker duly considers and is in conformance with relevant laws and regulations (e.g., NEPA)

The basic planning principles at the core of the LBSVPT Alternative A+ are:

- Encourage Water-Oriented Outdoor Recreational Uses
- Maintain Visual Resources
- Maintain and Improve Public Access
- Improve Short-Term Uses
- Continue Long-Term Uses
- Expand Visitor Information Services
- Financially Support Local Government Services
- Protect Recreational Resources
- Protect Water Resources
- Protect Cultural Resources
- Strictly Interpret Public Law 96-375 – Encourage Improvements

Methodology

The RAMP will be the foundation document for Preferred Alternative A+ and sections from it and from the present Reclamation DEIS will be excerpted and modified where appropriate. All data, reports, maps, and figures from those documents not specifically presented in Preferred Alternative A+ are included in this document by reference.

The LBSVPT VSP is written in a format similar to the Reclamation DEIS for ease of comparison. This LBSVPT document serves two purposes.

1. To present the LBSVPT Preferred Alternative A+ as the LBSVPT-CRMP Visitor Services Plan.

2. To provide the LBVSPT's formal comments on the Reclamation Draft DEIS. Although the entire LBVSPT document should be considered a formal comment on the DEIS, more specific formal comments requiring an individual response are indicated by the BOLD format statement: **LBVSPT Comment**.

III. LBVSPT Summary of Alternatives With Comments

Reclamation Alternative A: Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Alternative A is what Reclamation labels the No Action Alternative, which describes the projection of current conditions up to the expiration of the current concession contracts. NEPA requires this type of alternative in every Environmental Impact Statement. The seven concessions have been developed over 44 years, first under the guidance of the Public Use Plan, currently under RAMP/ROD, in compliance with all state and county codes. The No Action Alternative is a benchmark to which other alternatives are compared. However, a No Action Alternative is not meant to describe a point in time after which all normal activity ceases and deterioration is the only continuing factor.

Reclamation uses its No Action Alternative in contradictory form, stating that Alternative A is operating in accordance with the 1992 RAMP/EIS which mandates compliance and improvements. Yet it then assumes that the concessions continue with no improvements, virtually no maintenance, and without compliance with the RAMP.

Even selecting Alternative A would only assume the changes already required by RAMP would be made in the new contracts. There is no mechanism to implement a new vision. Per Federal guidelines, the No Action Alternative includes any actions which are certain, as well as changes that would occur regardless of any proposed alternative. Usually participants estimate the No Action Alternative by projecting current conditions, resource trends, and probable actions by others through a period of time commensurate with the anticipated lifespan of the action alternatives.

The following statement by Reclamation flies in the face of logic since the conditions described would never be allowed to occur unless concessionaires or Reclamation totally abdicated their responsibilities:

“The No Action Alternative would allow unsatisfactory conditions and trends to continue at the resorts. Human health and safety concerns would continue to mount. Sewage treatment facilities at two of the resorts have a serviceable life of fewer than 15 years, and have been cited for health and safety violations on numerous occasions. Those facilities would become more costly to maintain and failures likely would occur even more frequently as equipment continued to age. In addition, numerous buildings and structures present serious fire protection deficiencies, which would not be corrected and which might be exacerbated under the No Action Alternative, as existing facilities continued to deteriorate.” (DEIS, Page 7)

This statement also appears to indicate that Reclamation intends to abdicate its legal future health, safety, and management responsibilities if Alternative A is chosen. They so much as state this on Page 221 in the DEIS:

“Under this alternative, significant mitigation of these problems is not likely to occur due to the cost of rehabilitation, the age and condition of the various facilities, and the short time remaining under the existing agreements/contracts. Though the resorts have been notified that they are in violation of sections 4290 and 4291 of the California Public Resources Code and the Napa County Fire Code, no punitive actions are planned by the state or county officials responsible for enforcing these codes, for the reasons cited above.”

LBVSPT Comment:

Napa County Fire Department Fire Safety Analysis 2001 is an analysis, not a notification of violation. Reclamation ignores actions and efforts of the concessionaires to make improvements, and is drawing conclusions of what actions the concessionaires are going to take through the end of the contracts. Reclamation is stating that they will take no corrective action; however, removal and replacement of facilities will cost more than rehabilitation. Reclamation has refused project requests from concessionaires, which were improvements authorized by the guidelines of RAMP/1992 and/or recommended by the Kleinfelder Report.

LBVSPT contends that any reasonable person recognizes that there are no serious health and safety problems at the lake. The Reclamation website section, Environmental Concerns, boasts:

“Reclamation is pleased to announce that due to the compliance and diligence of the concessionaires and the affected permittees, the cleanup has proceeded to such a degree that there is no longer a need for a separate information site on these issues. Reclamation thanks those involved for their understanding and conscientious efforts to help clean up Lake Berryessa.” - August 2001

Any “deficiencies” that exist can all be corrected with the right approach to planning.

LBVSPT Preferred Alternative A+: Extend and Improve Current Socio-Economic Model for Concession Operations. Expand and Develop New Short-Term Facilities at Resorts. Retain and Improve Long-Term Sites.

“Preserve the Best, Improve the Rest!” Alternative A+ takes the existing concession operations, which have been developed over more than 40 years, as the benchmark to develop a plan that meets the needs and demands of the contemporary public, is fiscally responsible, and allows the concessionaires the right to a fair profit.

The LBVSPT Preferred Alternative A+ is based largely on the 1992 Final Environmental Impact Statement (EIS) for the Lake Berryessa Reservoir Area Management Plan (RAMP) and the 1993 Record of Decision (ROD). Preferred Alternative A+ recognizes the proven value of the present socio-economic model in providing a wide range of recreational opportunities to a demographically mixed population, an “integrated diversity” of opportunity.

LBVSPT Preferred Alternative A+ provides a path from Reclamation’s Alternative A to the lake-wide improvements desired by all stakeholders.

LBVSPT Preferred Alternative A+ recognizes that to provide capital investment for recreational facilities or financial support for ongoing operational costs means that the concessions are essential to the government’s ability to accommodate public needs.

LBVSPT Preferred Alternative A+ is based on proven financial feasibility. The desires of the contemporary public can be evaluated empirically and accommodated with future improvements that can enhance the user experience. Additional quality short term facilities will be provided as public demand is assessed.

LBVSPT Preferred Alternative A+ is designed to:

A. Encourage Water-Oriented Outdoor Recreational Uses – Water-based recreation is clearly an important element of Alternative A+ since it affects the largest number of Lake Berryessa community stakeholders. Management of water uses and activities at Lake Berryessa is an integral element of the LBVSPT Preferred Alternative A+. Decisions and actions will provide for the health and safety of users, protection and enhancement of resources, and compatibility of uses on the water surface.

B. Maintenance of Visual Resources - Lake Berryessa possesses scenic resources analogous to many California lakes. These resources should be considered as a reasonable part of any plan.

The concept of defining a “visual resource,” much less quantifying it, comes up against that great imponderable – personal taste. Lake Berryessa provides a historical insight into recreational styles over the decades. As such it can be considered a cultural resource. The “built environment” can be esthetic and its removal is not a prerequisite to implementing this principle. Existing developments and new projects will be designed to complement and blend with natural features as much as possible. Present property owners would be encouraged/mandated to bring their property up to reasonable esthetic standards.

C. Public Access - Public access to Lake Berryessa and its shoreline will be maintained and improved to meet empirically-proven demand for recreation and minimize congestion and use conflicts. Access for special needs populations will be carefully designed into the plan for future needs.

D. Improvement of Short-Term Uses - Short-term uses and facilities will be improved in quality and quantity, emphasizing low density development as most preferable. Short-term use would be located in shoreline areas allowing the general public and day users access to the shoreline, encouraging water-oriented recreational opportunities for all users.

E. Continued Long-Term Uses - Long-term uses will be allowed in concession areas, and will be designed to blend more effectively with the natural environment. Current long-term uses assist in supporting necessary reasonable cost services for the short-term users and public access. Long-term site users also bring in many short-term use visitors. Lake stewardship has always been a guiding philosophy of most long-term site users. Long-term users have minimal environmental impact yet provide significant economic and cultural stability to the lake community.

LBVSPT Comments:

1. Lake Berryessa is a unique area that is dependent on seasonal water recreational users. The economic foundation for providing recreational opportunities at Lake Berryessa was initially, and still is, the revenue generated by long-term site users. Recreational opportunities for all users can be reasonably expanded at the lake with the economic support of the long-term user. Long-term users have proved not to have any major negative impacts.

To quote the 1993 Record of Decision for the 1992 Reservoir Area Management Plan (RAMP) which is the present guiding document for planning at Lake Berryessa:

“Continued Long-Term Uses - Long-term exclusive uses will be allowed in concession areas. Current long-term exclusive uses assist in supporting necessary services for the short-term users and low cost public access.”

2. As residents and users of Lake Berryessa, the long-term homeowners of Lake Berryessa clearly have an interest in developing a plan and a future for the lake that benefits the public and the lake environment. They consider themselves “members” of the Napa County and Lake Berryessa communities and part of that population. They feel a responsibility to share in the support for Napa County services. The long-term homeowners have always supported the safe and environmentally-friendly use of the lake by the public. To that end, the interests of the homeowners, concessionaires, and lake managers are in harmony. It makes no sense to alienate the homeowners by threats of removing their homes. In the long run, lake managers will have a much greater chance of successfully implementing the final plan if the homeowners are constructively engaged and allowed to be a part of the future of Lake Berryessa.

3. Reclamation changed its policy on long-term use in April, 2002 by modifying Policy Manual LND 04-01 to condemn “exclusive use” and to define all long-term use as exclusive use. This policy is being used to justify the total elimination of all mobile homes at Lake Berryessa under Preferred Alternative B. How can reclamation then propose Alternative C that allows some number of long-term trailers at the resorts? This is illogical and inconsistent. A policy is not a law. Is it necessary to arbitrarily destroy a community to implement a policy that

has no proven benefit? If long-term uses can be allowed under the conditions of Alternative C, they are clearly legal under LBVSPT Alternative A+. Reclamation cannot argue that policy requires the removal of long-term uses under Alternative B. They are clearly willing to violate that policy by proposing Alternative C.

4. The reasonable private use of public land is a long-standing American principle, especially when that use supports the common good and provides additional revenue for operations that could not otherwise be funded. The concessions are private businesses making use of public land, to provide the public with low cost facilities, for a profit. Allowing this type of private use of public land only by corporations is inconsistent with denying such use to the general public. Individual citizens have as much right to use public land as corporations.

5. Long-term site users are a segment of the public with a vested interest in the ongoing concern of recreational needs at Lake Berryessa. Families and friends have helped develop not just a place but a community, that can only be attributed to long-term users.

6. The desire of the public for long-term site rentals is a legitimate recreational demand and a significant element of public demand. Regarding long-term sites, even Reclamation admits (in an original 1972 planning document) to “recognizing the ***genuine public demand for this kind of recreational activity*** and the heavy public investment in mobile homes at Lake Berryessa”. (Emphasis added) This demand and its positive benefits are exemplified by the coexistence of long and short-term uses at nearby Lake Camanche and Lake Havasu. The US Forest Service explicitly supports this form of recreational use of public land. “Recreation residences are a valid use of National Forest System lands, and an important component of the overall National Forest recreation program. It is Forest Service policy to continue recreation residence use and to work in partnership with holders of these permits to maximize the recreational benefits of these residences [Forest Service Manual (FSM) 2347.1]. The Forest Service Recreation Residence program gives private citizens the opportunity to own a single-family cabin in designated areas on the National Forests... These privately owned cabins (improvements) are located within formally established "tracts" on "lots" designated for that purpose and are authorized and administered under the terms and conditions of a special use authorization (SUA) called a permit. The individual owns the improvements but not the land. The permit requires the payment of an annual rental fee based upon fair market value of the land, not including improvements, as determined by an appraisal.

- **15,570** recreation residences occupy National Forest System lands throughout the country
- **6,314** are in the Pacific Southwest region (California)”

It is inconsistent for the Bureau of Reclamation to have a policy that is directly contradictory to another major federal agency such as the USFS.

7. Exclusive use is an inaccurate description of the present situation. Long-term sites cannot be defined as exclusive use. Historically, there have always been long-term sites available for sale to any qualified person. Anyone may become a long-term site homeowner for approximately the same cost as a modest RV. Even in the best of times, prices of the mobile homes have remained relatively stable and affordable for an average family.

8. Long-term data shows, and Reclamation acknowledges, that there are no significant water quality problems attributable to the concessions or long-term sites.

9. Long-term users provide a unique cultural resource that provides environmental stewardship and education in a multi-generational environment. A majority of long-term site owners are senior citizens or near seniors who transmit their cultural values to family, neighbors, and friends.

10. Long-term homeowners/tenants contribute much to lake management and have not been tapped as a resource by Reclamation or concessionaires to assist in maintaining the lake environment. The permittees are often “stewards of the lake” and supply the manpower and expense to maintain sites, the resort, and public beaches. Strong long-term homeowner/tenant associations working with professional resort owners could do much to create and maintain the best elements of any plan.

11. Long-term users are not full-time residents. They only have limited use of their mobile homes – 180 days of any year - although they are willing to pay for the use of the lake for 365 days of the year.

F. Expand Visitor Information Services - Expand visitor awareness of the lake's environment, wildlife, water management, and safety issues. Expand visitor awareness of Napa County as a whole with its wide range of resources. This will be accomplished by developing visitor information services in concession and public use areas. As an element of visitor education and water quality protection, biological processes such as Ocean Arks International Living Machines or manufactured wetlands could be used for wastewater treatment. Solid waste reduction and recycling services and education should also be provided at all resorts. The Blue Ridge Berryessa Natural Area Conservation Partnership (BRBNA-CP) and the Lake Berryessa Watershed Partnership (LBWP) are models for the management of this educational process.

G. Financially Support Local Government Services - Through agreements with local enforcement agencies or through additional authorities, local government support services will be adequately maintained to provide for the health and safety of visitors and protection of resources. This is particularly important with a proposed increase in short-term users who may not have a vested stewardship interest in the lake. Alternative A+ realizes the need for the county to benefit from the uses at Lake Berryessa, and has incorporated, at a minimum, just compensation for the services of the county, whether through annual fees or various taxes or charges on use. The planned phase of improvements would generate significant fees to the county.

H. Protection of Recreational Resources - Resource protection will be considered in a broad context and based on practical priorities with respect to all proposed actions. Projects and actions will comply fully with the intent of the National Environmental Protection Act (NEPA).

Lake Berryessa is a man-made lake developed by the Solano County Water Project in 1957 to provide agricultural and drinking water to nearby communities. This should be kept in mind when evaluating “environmental attributes” or “natural resources” issues in developing a plan. As a product of human engineering/intervention, all of Lake Berryessa's resources must be judged in the context of what they provide to people. For example, there would be no fish “resources” in this valley had there not been a dam constructed and fish species introduced to provide game fishing as a recreational activity for humans.

I. Protection of Water Resources - All resource and recreational developments will be designed and constructed to minimize impacts on water quality. Safeguards will be instituted to ensure sewage, toxic material, and other harmful substances are not allowed to contaminate the lake. Although the concept of gray water (non-sewage waste water) and black water (sewage-related waste water) are esthetically offensive, neither the accidental (Putah Creek) nor deliberate (Pleasure Cove Outback) releases onto the ground above the lakeshore have affected the measured long-term quality of the water at the Lake. Both were corrected several years ago. The major contaminant is mercury from the Homestake gold mine.

J. Protection of Cultural Resources - The major portion of the Lake Berryessa recreation area has been inventoried for cultural resources such as historically-significant artifacts and sites. Those lands that have not been examined tend to have very steep slopes possessing little potential for significant finds or they have been covered by structures, asphalt, or fill. Protection of cultural resources that may be uncovered through creation of additional hiking trails will be part of the visitor information services element of this plan. One of the significant cultural resources is the historical integrated diversity of the lake community with its wide socio-economic spectrum of users as well as recreational styles and tastes.

K. Public Law 96-375 – This law was passed to protect both the concessionaires and the government by allowing the concessionaire to receive fair market value for their property and improvements and alternately preventing a concessionaire from arbitrarily removing facilities of importance to the recreational services provided.

LBVSPT Preferred Alternative A+ recognizes the critical importance of the fair application of this law to the economic feasibility of any plan. Capital investment decisions depend on a fair and reasonable amortization

period. Thus this law should be applied with a strict interpretation of its language. It is reproduced here in its entirety. (Emphasis added.)

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.***

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.

LBVSPT Comments:

Simply stated, if the facilities have a value the concessionaire will be compensated. If the facility has no value, the concessionaire will receive no compensation. The law does not say that the concessionaire must remove all unwanted facilities and improvements, including roads, sewers, and restaurants simply deemed to have no value by the decree of Reclamation. Yet this is what Reclamation states in their DEIS.

Even Reclamation Manual LND 04-01 Section 4.D.13.c incorrectly interprets Public Law 96-375 in an effort to devalue the concessions. The law is about “fair value” not “Reclamation determinations”:

(c) **Assets That Remain to be Purchased by a New Concessionaire.** Upon expiration, termination, or sale or transfer of a concession contract some fixed assets may not have been fully amortized. If Reclamation determines the fixed assets are still needed for the concession operation, the unamortized value must be purchased by the new concessionaire and based on the original cost less depreciation.

Reclamation continues to use this assumption throughout the DEIS, and it is also included in the assumptions in the Dornbusch Report. Although specifically referring to marina facilities, the following statement is emblematic of the questionable approaches Reclamation is taking. The assumption is that the present concessionaire would not even be compensated for usable marina facilities. The direct quote, with original emphasis preserved: “For the model, we also assumed the next concessionaire(s) would *not* be responsible for compensating the outgoing concessionaires for any improvements they have implemented and will continue to be used under the next concession contract.” (Dornbusch, Page 20)

Note: 96-375, SEC. 5 (a) above. An Act of Congress could authorize Reclamation or other Management Entity to enter into new 10-year contract extensions with the present or new concessionaires. This may be the most reasonable way to solve all the present problems at the lake without massive financial and social dislocations. The

contract extensions would include tough provisions for the phase-in of required improvements and the ability to implement all the positive elements of LBVSPT Preferred Alternative A+. It allows a reasonable time for the amortization of capital improvement costs, implementation of codes and standards for long-term sites, and proof-of-concept changes to recreational opportunities without the major and speculative disruptions contemplated in Reclamation Preferred Alternative B.

Reclamation Preferred Alternative B: Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

DEIS Statement:

“Under the proposed action, Alternative B, Reclamation would develop new facilities and programs at each of the Lake Berryessa’s seven resorts to better serve the short-term visitor. All long-term trailers would be removed from resort areas, and some of the former trailer spaces would be converted to short-term uses such as picnic and camping areas, lodging, food and beverage service, thereby increasing and improving recreational opportunities for short-term users.”

Dornbusch Report (Pg. 53):

“Accordingly, for this analysis we reasonably assumed that project development would occur over a two-year period during which there would be a full cessation of concession activities at the lake.”

LBVSPT Comment:

Reclamation consistently states that it is “increasing recreational opportunities” when its own documentation (Dornbusch Report) shows that it is decreasing recreational opportunities dramatically in the short-term with only speculative hopes that they will increase in the longer term.

DEIS Statement:

“Lakeshore areas at the resorts would be restored to a more natural setting, and public access to those areas would be improved. Reclamation would maintain existing day-use areas and upgrade two vehicle pullouts to improve parking and trailhead access to the reservoir. Additional campsites, picnic areas, and recreational vehicle (RV) sites would be provided, along with customary lodging, houseboat rentals, and food, retail and marina services. A concessionaire would manage the Capell Cove launch ramp and the Camp Berryessa group campground under a fee-for-use system. Reclamation would develop a shoreline trail system and initiate a no-impact boat-in camping program. The existing special-use permit for the Monticello Ski Club would be cancelled.”

“Under the proposed action, Reclamation would adopt a reservoir-wide classification system, the (draft) Water Recreation Opportunity Spectrum (WROS), to designate appropriate types of recreational uses and use levels for the lake and shore areas. This document amends Lake Berryessa’s 1992 Reservoir Area Management Plan, which presently still guides recreation management at the lake. The proposed action is needed to correct over four decades of management practice under which prime shoreline areas have been reserved for exclusive long-term trailer site permittees, to the exclusion of the majority of visitors to Lake Berryessa.”

LBVSPT Comment:

Reclamation continues to repeat fact-empty and data-free statements which are often internally inconsistent. LBVSPT analysis of topographical maps and aerial photographs shows that present long-term sites take up less shoreline and area than short-term uses. An example of internal inconsistency is their comment that scenic resources will improve with the removal of long-term sites. Yet they simultaneously propose to replace those

mobile homes with RV sites. Does Recreation assume that the view of random-design RVs is somehow more esthetically pleasing than well-maintained mobile homes and surrounding landscaping?

DEIS Statement:

“A company with expertise in the commercial recreation hospitality industry was contracted to provide an economic feasibility analysis of the business potential as outlined in Alternative B. That report may be seen on the Reclamation Website, www.usbr/mp/-berryessa/index.html. “Final Feasibility Study (sic), Visitor Services Plan, Draft Alternative B, under “Laws and Regulations”. This analysis determined that Alternative B is economically feasible and provides a reasonable opportunity for a concessionaire to realize a profit. The economic analysis adopted a conservative approach because Alternative B introduces such significant changes from current operations. Typically when calculating business feasibility for the next term of a concession authorization, a major component of the work is projecting the current business. However, in this example the current business will no longer be applicable as all exclusive long-term trailer use will be eliminated and replaced with new facilities and programs that focus on traditional short-term recreation users. The feasibility analysis introduces two important concepts to help assure financial success:

- Phase in of operations over a period of years with only limited initial public services at some of the existing concession areas. The observed level of business and public demand for additional services would trigger secondary phase(s).
- Reduced number of concession operators from the current seven to as few as one.

The same footprints and concession areas would be utilized as in the present operations but a single concessionaire would operate multiple locations. Both of these conditions were suggested by the feasibility contractor in recognition of the significant level of private funding that will be required to develop the new outlined facilities and infrastructure. This scenario reflects the condition seen in numerous National Parks where a concessionaire is responsible for providing commercial visitor services at more than a single stand-alone area. This approach also allows for successful seasonal fluctuations and operations for businesses such as campgrounds, RV parks, cabin rentals, restaurants, and marinas, as examples, and eliminates the dependence on the year around revenue from exclusive long-term use trailer villages.”

LBVSPT Comments:

1. Alternative B throws away millions of dollars of usable infrastructure – that of concessionaires alone worth \$35 to \$50 million with tenant improvements adding another \$50 to \$75 million. Reclamation shuts down the lake for two years to implement Phase 1 (which actually decreases campsites, RV sites, hotels and cabins by 21%), and requires only a single concessionaire because it’s the only way anyone could possibly make a profit (and, per the Dornbusch Report, even that is highly speculative). Reclamation would have to purchase for “Fair Value” the current improvements at a cost of \$35,000,000 or more. The Dornbusch Report assumes that the new concessionaires will not be required to purchase the improvements, as that would not be economically feasible. Furthermore Reclamation would be required to fund the removal of unwanted existing improvements, since there is no requirement for the current concessionaires to do so.

2. From a social justice perspective Alternative B will also cause the loss of almost a generation of recreational users, whether they be short-term or long-term users, since it will be 3 to 5 years before the lake is again available to a modest number of users and potentially a decade before it returns to its original recreation capacity. Five years is a long time in a grandparent’s and grandchild’s life.

3. Contrary to statements in the DEIS, the Dornbusch report states. “The analysis indicated that Alternative B would not represent a viable business opportunity if the underlying concession contract(s) stipulated that the concessionaire(s) would have to fund all of the associated capital investment requirements.”(Pg.7) This is why a

phased approach is proposed. And Phase 2 will only be started if there is a demand. Thus, the whole structure of Alternative B as described on pages 41 through 51 of the DEIS would appear to be nothing more than an academic exercise resulting in the destruction of a whole community.

4. A glaring omission in the Reclamation DEIS and Dornbusch report is the projected impact of multi-year droughts on the financial viability of Alternative B.

IV. Body of Report

1.0 LBVSPT Purpose of and Need for Action

1.1 LBVSPT Description of Purpose and Need

The purpose of this LBVSPT CRMP process is to develop a comprehensive plan for visitor services (commercial and noncommercial) to support a wide range of public recreational opportunities, ranging from long-term mobile home sites to short-term hotel/motel units, cabins, RV and camp sites. These recreation opportunities will be compatible and in compliance with all applicable laws, regulations and codes, and will be consistent with the project purpose and the Reservoir Area Management Plan.

LBVSPT realizes this project is needed to acknowledge the coming expiration of the concession contracts and prepare for an orderly transition to the new contract term and possibly new concessionaires. This transition needs to be accomplished with the minimum possible impact on the environment and present recreational opportunities.

Lake Berryessa, and the seven concessions, provide a nearby recreational outlet for the large San Francisco Bay Area and Sacramento Area populations. For over four decades the resort operations have provided reasonably priced recreational opportunities to the public, the development and operations of which have been supported by the concessionaires and long-term users. The expiration of the current contracts creates an opportunity to upgrade improvements and develop facilities to better meet future needs.

The concessions occupy a total of 12 miles (7.2%) of Lake Berryessa's 165 miles of shoreline. Pleasure Cove and Markley Cove, the southern most resorts, are in the most aggressive terrain with little actual useable shoreline. Much of the shoreline in the concessions is unsuitable for campsites or RV sites, as it exceeds 20% slope. Approximately 4 miles of shoreline within the concessions has slopes less than 20%. Removal of long-term sites from areas not suitable for short term uses makes no sense. Reclamation prefers no use over long term use. Existing uses have evolved based on demand for recreation and should continue to evolve based on a sound plan to accommodate future needs.

All resort improvements were designed and built to California State and Napa County codes. Although some facilities operated by the resorts do not meet the latest environmental, public health, and safety codes (as is true in any city or town in this country), none pose an imminent threat to health or safety. There is a need to create incentives for near-term improvements prior to the expiration of the contracts to ensure the health and safety of the public.

Reclamation's Preferred Alternative B seems to consciously attempt to create a negative financial situation for the present concessionaires. Reclamation, without authority, attempts to mandate that the present concessionaires remove all facilities and structures at their own cost. They have also stated that all facilities and infrastructure must be gone **before the end of the contract**. These policies will make it impossible for the present concessionaires to realize a return on any new investments for the remaining terms of their contracts. By fiat, Reclamation is also trying to close the resorts before the end of the contracts since it would take many months, if not years, to demolish and remove every building, road, and piece of infrastructure.

This appears to be in direct violation of the language and intent of Public Law 96-375. No contract, concession agreement or law requires the concessionaire to remove any improvements. No contract, concession agreement or

law requires the concessionaires to pay for any such removal. The only option of Reclamation is to pay “Fair Value” for the improvements and then to remove or replace them at its own cost.

1.2 LBVSPT Background

1.2.1 Regional Setting of Lake Berryessa

Lake Berryessa is a water storage reservoir located in northeastern Napa County, among the hilly-to-steep slopes of the California Coast Range. Lake Berryessa is located approximately 35 air miles west of Sacramento County in the northeast portion of Napa County. The lake is within 70 miles from the San Francisco Bay metropolitan area and less than 30 miles from Napa, Fairfield, and Davis, and 45 miles from Sacramento. The lake is within 2 1/2 hours drive of 8 million people.

The reservoir’s drainage basin lies along the eastern slope of the Coast Range in Napa and Lake Counties, northwest of Solano County. Lake Berryessa is fed by Putah and Pope Creeks and their tributaries. There are few perennial tributaries in the basin, as flow in most drainages significantly diminishes or disappears by late summer. In winter months, however, runoff from rain and snow pours almost immediately into the drainages because of the lack of snowpack or significant groundwater storage in the upper watershed. Winters there seldom stay cold enough to develop a snowpack, and there is little groundwater storage because porous sandstone and shale underlie the eastern shore and both ends of the lake. The western side of the lake is bounded by sedimentary and associated intrusive rocks, such as serpentine and dolomite.

The Coast Range between Monticello Dam and the Pacific Ocean is cut by numerous faults; the Wragg Canyon fault is located just three miles southwest from Monticello Dam.

1.2.2 LBVSPT History of Reservoir Development and Operations

In 1948 Lake Berryessa was authorized as part of the U.S. Bureau of Reclamation (Reclamation) Solano Project. The Solano Project was authorized for flood control and to supply water for irrigation, municipal, and industrial uses. The primary project facility was the Monticello Dam which was constructed on Putah Creek in 1957. Lake Berryessa has a total storage capacity of 1.6 million acre-feet and is approximately 23 miles long and 3 miles wide, at the widest point.

Lake Berryessa is located approximately 35 air miles west of Sacramento County in the northeast portion of Napa County. The lake is within 2-1/2 hours travel time from the San Francisco Bay metropolitan area and within 1 hour from Napa, Fairfield, and Davis.

Due to anticipated radically fluctuating water levels, recreation use of Lake Berryessa was initially considered not to be important. However, by August 1958, recreation demand was high as was evidenced by the **800 or more boats which operated on the lake despite the lack of public facilities.** (Emphasis added.)

Lake Berryessa became officially available for public use in 1959. A Public Use Plan (PUP) was prepared for Reclamation by the National Park Service (NPS). It designated the initial land uses for approximately 28,916 acres of federally-owned land, including 19,250 acres of surface water area. The PUP included a General Development Plan to guide development according to: (1) the capacities of the land and water to accommodate public use, and (2) the recreation needs and desires of the people who would use the area.

Under an agreement signed in 1958 with Reclamation, Napa County entered into a Management Agreement to administer the development of federally-owned lands at Lake Berryessa. The management agreement included a preliminary general development plan which was subsequently included as part of the PUP.

Because of the county’s limited resources, and because a large majority of the public recreation use was by non-county residents, Napa County chose to rely on concessionaires to provide most of the recreation services and facilities. The concessionaires entered into the current contracts in 1958 giving the concessionaires the right to a reasonable profit and requiring concessionaires to develop facilities to accommodate the recreational needs of the

public. Development planning occurred from 1958-1962 with construction beginning after that. Revenue from these concessionaires was used by the county to fund the recreation management function at the lake.

Under concession agreements, seven resorts were developed on 1,700 acres of land and water under the terms of the 1959 PUP including Lake Berryessa Marina, Putah Creek Park, Rancho Monticello, Spanish Flat, South Shore (now known as Pleasure Cove), Markley Cove, and Steele Park. Lake Berryessa and the surrounding land owned by the government is more than 19,000 acres.

In general, initial and subsequent development of Lake Berryessa did adhere to all the recommendations of the 1959 Public Use Plan (PUP). All developments met applicable County codes, conformed to the PUP, and had prior approval of all County, state and Federal agencies having jurisdiction over the lake. Recreational opportunities would never have been developed at the lake without the financial foundation provided by long-term sites, with their reliable source of revenue. Mobile homes installed on pads, implying a sense of permanence, encouraged members of the public to invest in the future of Lake Berryessa. This economic model for the development of Lake Berryessa has provided exceptional recreational opportunities to the general public for decades. It is replicated at other lakes, including nearby Lake Camanche.

In 1971 the United States General Accounting Office (GAO) completed a study of public recreation facilities at Lake Berryessa and found them not adequately developed per the original unrealistic assumptions. In 1972 at the request of Reclamation, the National Park Service (NPS) completed an update to the earlier 1959 PUP. The new plan recommended that the lake become either a National Recreation Area or a State Recreation Area with the Federal Government purchasing and controlling all existing access improvements (roads, launch ramps, etc.). The plan was never officially adopted and no funds were appropriated to reimburse concessionaires for their improvements.

All development at the lake was managed by Napa County from 1958 through 1974. Reclamation has managed in place of Napa County from 1975 to the present. All construction was legal, permitted, and in accordance with planning guidelines at the time. This is documented in a court case from the period quoted below:

From a 1978 Court Judgment

“Plaintiff (Rancho Monticello) constructed, at its own cost and expense, facilities for public use including but not limited to buildings, stores, access roads, vehicle parking areas, boat launching ramps and docks, mobile home pads, swimming beaches, picnic areas and camp sites. All of said improvements conformed to the Public Use Plan and had prior approval of Defendants (Bureau of Reclamation) and of all County, State, and Federal agencies having jurisdiction over said matter.”

Reclamation initiated the process to develop the Reservoir Area Management Plan (RAMP) in 1989 and produced an Environmental Impact Statement supporting various alternative actions, which had been authorized and mandated by Public Law 93-493 in 1974. In 1992, Reclamation completed the Reservoir Area Management Plan (RAMP) and Environmental Impact Statement (EIS) for Lake Berryessa. The Preferred Alternative called for 41 actions defining the future management strategy for the lake. This resulted in a 1993 Record of Decision (ROD) with 41 Preferred Alternatives for action. The RAMP recognized the value of long-term sites to the financial support of short-term recreational facilities. It also allows the relocation of long-term sites when and if their removal for demonstrated short-term recreation needs is documented.

The RAMP recognized the desire of Reclamation to give priority to public access and short term uses of the prime shoreline. Reclamation is now trying to change the definition and meaning of “prime shoreline” to include all areas occupied by long term uses, even those areas unsuitable for short term facilities. This would, if allowed to proceed, result in the loss of recreational opportunities for members of the public who have proven their demand for services by their continual use of Lake Berryessa.

The natural and logical evolution of recreational opportunities for Lake Berryessa is for management, concessionaires and users of the lake to work together to build a community that can protect the resources of the lake, while maintaining and developing services and facilities to enhance the user experience for **all** segments of the public while following the RAMP.

Adherence to the RAMP will result in a greater number of short term facilities without sacrificing the long term facilities and using public. The continued economic stability provided by long term uses will allow better short term facilities to be constructed or upgraded.

LBVSPT Comments on DEIS Section 1.2.2:

Public comments at the time of the 1992 RAMP are documented in its Final Public Involvement Report, 1992. Only 17 group comments and approximately 105 individual letters were included in the report. The majority of public comments were critical of the plan. Some supported houseboats and hang-gliding and one wanted an airstrip on Big Island. But more telling were the 9 group letters and 81 individual letters (approximately 70% of comments) that condemned Reclamation's proposals for elimination of long-term sites.

Local public agency comments were no more supportive than the individual comments. Public agencies recognized that the 1992 RAMP proposed changes that could not be practically implemented. Various comments on that plan are included below. They may presage the types of comments expected for the present DEIS:

“The VSP does not appear to address the impact of increased day-use traffic on lake infrastructure necessary to maintain public and environmental safety. Local community services such as sheriff, fire department, medical services, environmental services, and utilities, among others, will certainly be affected by the plan the BOR is formulating. However, there is no indication in the draft VSP that these necessary infrastructure services have been considered in the long-range plan. It is clear the BOR will not be able to manage these services itself. Local government and communities will need to be involved to ensure the plan is supported at all levels.”

“The BOR cannot simply impose an unfunded mandate on the local communities and expect the long-range plan to be successful. The BOR must engage California, Napa and Solano Counties, local government, and local communities to obtain valuable input and support from these necessary infrastructure providers. Moreover, Lake Berryessa is located within these local jurisdictions. Local sovereignty cannot tolerate significant federal action without pervasive local involvement.”

Napa County Conservation, Development, and Planning Department: “The current level of activities at the lake are already posing significant environmental effects in areas such as traffic and law enforcement. These impacts will only be increased by projects under consideration through the RAMP planning process. Specifically, Napa County's law enforcement and emergency medical assistance services in the area are already extended to their limits. Increased development could cause additional budget and staffing problems for the County to maintain those essential services. Local roadways leading to the lake are presently inadequate to accommodate peak hour/peak period traffic...Expansion of Lake Berryessa recreational facilities or activities would further degrade service levels on these local roads, contrary to the conclusions reached in the EIR...”

An Inter-Office Memo from the Napa Road Superintendent to the Director of Conservation-Development and Planning states: “We do not think that the impacts upon traffic and traffic safety resulting from development have been adequately studied or analyzed...The decision not to consider the issue of quality of construction of roads or control over use of roads...is ignoring a major impact imposed upon the County and State. Any development which increases the use of the roadways, as this development certainly will, and which changes the character of the traffic using the roadways (i.e., more boat trailers, motor homes, etc.) causes an increased burden to the agencies maintaining these roadways...Law enforcement likewise feels the burden of increased traffic...”

In the 1989 EIS: "...recreational traffic to and from Lake Berryessa is contributing to the higher accident rate. A significant increase in recreational opportunities at Lake Berryessa may continue to elevate the accident rate."

In 1999 the Inspector General's Office audited Reclamation's operation of Lake Berryessa and concluded that Reclamation had not effectively managed its existing concessions operations at Lake Berryessa. This was due to inadequate contract provisions, mainly in the areas of contract default and operation and maintenance plans, and because it had not enforced existing contract provisions in the areas of building improvements, health and safety inspections, and prices charged the public. This report caused the Bureau to begin more aggressive enforcement at the Lake.

Apparently local Reclamation management was stung by these conclusions. Discussions with concessionaires and tenants provided numerous documented examples of what appear to be adversarial and arbitrary enforcement activities from that time continuing to the present. Although enforcement of standards is a primary responsibility of Reclamation, and the LBVSPT recognizes constraints due to contract terms as well as the recalcitrance of some of the concessionaires to comply, a consistent, firm, businesslike but cooperative program to correct problems would undoubtedly have been more effective.

In October, 2000 Reclamation presented its proposal for a formal Visitor Services Plan in a newsletter with a schedule for completion. In November, 2000 it published a Notice of Intent (NOI) in the Federal Register stating that it was initiating a formal Visitor Services Planning effort for the Lake Berryessa Recreation Area. The plan was finally released on October 31, 2003.

Reclamation Development and Operations

In October, 1974, Congress passed PL 93-493, of which Title VI authorized Reclamation to assume management of Lake Berryessa and authorized the appropriation of \$3 million for developments. Between the mid-1970s and the late 1980s, Reclamation planned and constructed the Oak Shores and Smittle Creek day-use areas, along with Capell Cove public launch ramp and parking area. During the same period, Reclamation constructed the current administrative office complex. Napa County and the Bureau of Reclamation have had over four decades to provide services and access to the public on the 93% of the shoreline that they have exclusive control of, and to participate in the development of services at Lake Berryessa.

LBVSPT Comments on Reclamation Development and Operations:

1. Trail Development - RAMP proposed 30-50 miles of trail development of which Reclamation has done nothing - no plans have been developed and no environmental impact studies have been done.
2. Reclamation developed Oak Shores (30 acres) for day use with parking, restrooms, picnic tables and swimming area. It receives minimal use. When first opened in 1977, Reclamation collected a fee for the use of the facilities at Oak Shores. In the mid-1980s, however, a drought resulted in such a drop in visitor-use that the fee collection was deemed impractical. The fee system was discontinued, and public use of Oak Shores has remained free of charge since that time. Visitor use has not returned to pre-drought levels.
3. Smittle Creek Day Use Area is approximately 5 acres which were developed with minimal facilities. According to the RAMP, 15 additional acres could be developed for camping and RV use. Smittle Creek Day Use Area receives minimal use.
4. North Area Campground, Camp Berryessa, is 30-40 acres that has been used exclusively by the Boy Scouts on a permit basis. The land which is some of the best shoreline property at Lake Berryessa, according to RAMP, could provide up to 300 individual sites for tent camping and RVs. Reclamation has done nothing since RAMP 1992 to open this prime area to the public. The group use permit needs to be less discriminatory to include family, cultural and other public groups. Camp Berryessa receives minimal use.

5. Boat Access Camping was proposed in RAMP: “Establish a boat access camping program for semi-primitive (Class IV) and dispersed recreation (Class III) which will be administered by Reclamation...Initially only 50-100 sites would be established.” Reclamation has done nothing in more than ten years. Boat access camping does not exist, no plan exists, and no areas have been developed to accommodate the camping.
6. Flood-proofing: Operational Policy 15, the implementation of RAMP for Floodplain Actions requires Reclamation to approve flood-proofing that was to be complete by 1998. Although many tenants complied, Reclamation never established firm requirements and did not attempt to inspect for compliance in 1998 nor any time to date.
7. Facility Development and Design Standards were proposed in RAMP: “Establish and implement facility development and design standards for resorts including size restrictions, density, architectural styles, lot development, resort motif, and utility service standards to upgrade facilities.” Reclamation has not prepared any development or design standards for the concessionaires or the using public. Reclamation has not met with any stakeholders to prepare any development and design standards.
8. A consequence of Reclamation’s Alternative B, which shuts the lake down for 2 years and slowly implements new facilities, is that recreational users will still attempt to use the lake, as in 1958. This will cause serious user conflicts, as well as health and safety hazards. Reclamation is required to provide recreation. There is a proven public demand for recreation at Lake Berryessa. Yet Reclamation’s Alternative B attempts to demolish the development that assures affordable recreation.

From a 1978 Memorandum Opinion, Findings of Facts and Conclusions of Law

“During the first two years that the lake was forming, the water and land areas began to receive heavy public use, despite limited access from old existing roads and despite the lack of sanitary facilities and garbage disposal facilities. The new lake became a serious health problem to both the United States and Napa County, and the Napa County Board of Supervisors was advised by both California state and County Boards of Health that the lake would have to be closed to the public. As the United States had provided no funds for public use facilities at the lake, a plan was formulated for private concessioners to provide public use facilities with their own private funds at no cost to Napa County or to the United States. ”

In conclusion, Reclamation has not provided the services and facilities that could have benefited the public. If items 1 - 8 above were not addressed by Reclamation for more than 10 years since the RAMP mandated them, what confidence can there be that Reclamation will ever complete them? There is no appropriation for Reclamation to pay “fair value” for the concessions improvements, or for Reclamation to invest in major improvements in seven resorts. Reclamation is creating an environment that would not allow a fair profit, as is required by law. This may drive away any investors or potential bidders for a new contract, in which case Reclamation would bear the full financial and operating responsibilities, certainly an impossible situation. Reclamation’s Preferred Alternative B is destructive and contradictory to their official mission, which is to, “manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.”

2.0 Alternatives

This chapter provides a detailed descriptions of LBVSPT Preferred Alternative A+ and contrasts it to Reclamation Alternative A and Reclamation Preferred Alternative B.

2.1 LBVSPT Preferred Alternative A+ Description

Alternative A+ outlines what the situation would be at Lake Berryessa if appropriate actions were undertaken to address expiring concession contracts and other programs within the 1992 Lake Berryessa Reservoir Area Management Plan (RAMP). Although the seven concession contracts will expire in 2008/2009, operations vital to the million-plus annual visitors should not be discontinued arbitrarily.

Selection of LBVSPT Preferred Alternative A+ would allow a Management Entity (ME) (to be determined, but possibly Reclamation) to plan for the orderly transition of the existing resort facilities to new or continuing concessionaires. The ME would provide support by negotiating new competitive concession contracts directly tied to the chosen Visitor Service Plan (VSP). These new contracts would use the existing contracts as guidelines, but be based on the concessionaires' financial ability and desire to implement the new requirements. This Alternative will meet necessary codes, regulations, standards and policies in a phased implementation.

Success may be more likely if there were a negotiated 10-year extension to the present contracts because of the need to implement the major improvements for current code compliance. Plans should be presented that show options that need to be considered for economic, environmental and practical concerns. This extension would not preclude new companies from bidding to purchase the resorts from the present concessionaires. Although not opening all concessions to an uncontrolled open bidding process, it would be the best practical approach to an orderly transition to a new management structure now that all the issues have been clearly defined.

LBVSPT Alternative A+ Objectives:

1. Create a model CRMP management structure for Lake Berryessa incorporating the suggestions of the National Recreation Lakes Study.
2. Create a financial structure that supports the cost of local government services provided by Napa County and other agencies required by the public use of the lake.
3. In cooperation with the lake manager, ME, create a Concessionaires Consortium to provide a funding mechanism to spread costs fairly over all lake users for lake-wide public needs such as free public access areas.
4. Fund a subset of public access areas outside the main resorts as one element supporting an "integrated diversity" of recreational opportunities for the general public.
5. Provide a base of financial support during drought periods and economic downturns to continue recreation operations.
6. Achieve compliance with current codes and applicable regulations (Federal, State, and Local).
7. Develop a plan for rehabilitation and maintenance of lakeshore and riparian areas.
8. Increase public access to the lakeshore and enhance short-term use opportunities.
9. Improvements to existing facilities and new construction would be accomplished according to all applicable codes within parameters of 'Sustainable Design' and in compliance with commonly accepted environmentally sensitive practices, e.g., energy efficiency, water conserving fixtures, and recycling.
10. This plan would not attempt to determine the nature and extent of the various facilities but leave that up to the professional determination of the concessionaires.

11. In recognition of the necessary financial investments and associated risks for the development of the new concession operations, the facilities redevelopment or expansion of the concession areas may be built in phases. The phases may be triggered based upon proven public demand and actual concessionaire financial performance during the initial phase.
12. The RAMP land-use classifications are sufficient for planning at Lake Berryessa. Additional water-use classifications such as those from the draft Water Recreation Opportunity Spectrum (WROS) may be adopted in the future if appropriate.

2.2 LBVSPT Preferred Alternative A+ Proposed Actions

1. Land Acquisition

Acquire additional lands to improve recreational access and services to public lands and minimize impacts to adjoining lands. Master Planning for Lake Berryessa would consider land configurations of each of the concessions and how public use can be provided in the safest, most effective manner. Master Planning for Lake Berryessa would also consider land configurations of all public lands for which public use can be developed/provided in the safest, most effective manner, that optimizes recreational use and disperses public use with additional land and easement acquisitions considered for long term public use access and use benefits..

2. Land Disposal.

Dispose of or exchange lands around Lake Berryessa not required for either the operation of the Solano Project, watershed protection, or recreational or wildlife purposes will be considered. Only lands separated from the lake by highways would be considered in this action. As lands are identified for disposal, appropriate public involvement and environmental procedures will be followed. Approximately 500 acres could ultimately be involved. In consideration of “best use” of land, Napa County should be apprised of the potential land available and complementary development uses analyzed.

3. Dispersed Recreation Area Improvements

Develop and/or improve dispersed recreation areas (Class III) which could include access trails, sanitation facilities, garbage collection, parking, visitor information signing, etc. to provide for the health and safety of the public and protection of resources. In some cases, improvements would only involve a replacement of existing deteriorated facilities. Sites to be developed and/or improved generally would include areas with existing improvements and those areas being used frequently by the public which lack any improvements.

4. Use and Development of Oak Shores Area

Oak Shores Day Use Area would be developed to better accommodate user trends. A full size launch ramp and courtesy dock would be constructed. Oak Shores would be open for overflow camping. The Oak Shores Area, total 30 acres, would be evaluated for increased use with emphasis on special needs populations.

5. Smittle Creek Day Use Area

Maintain Smittle Creek as a day use area. Evaluate user trends and consider improvements to increase user experience. Approximately 15 acres could eventually be developed as a campground and/or RV park, should public demand be proven.

6. Facilities for Special Needs Populations

Improve accessibility for special needs populations in all facilities at Lake Berryessa including concession areas. In some cases, retrofitting of appropriate facilities may be required in accordance with Section 504 of the Rehabilitation Act of 1973, as amended. Master planning efforts for Lake Berryessa would address special needs populations wherever possible. Oak Shores would be further developed to accommodate special needs populations.

7. Trail Development

Develop a predominantly unsurfaced multi-purpose riding and hiking trail system (30 to 50 miles) in dispersed

recreation (Class III) and semi-primitive areas (Class IV). Horseback riding is a popular activity in various park settings and may be a viable activity at Lake Berryessa. Trails could accommodate a variety of uses, but would not be available to motorized vehicles. Trail use by bicyclists should be considered as a safety measure to move bicyclists off the adjacent highway, and provide for recreational bicycling.

Any development of trails on the eastside is a low priority due to lack of access and environmental sensitivity as well as fire safety and sanitation issues. Analysis of public demand, public trends, Lake Berryessa specific terrain, environmental impacts and funding would be reviewed before any action is taken to construct the trails. An analysis of recreational user developed trails and a trail design considering health and safety issues would need to be established. After a sound plan is developed, a phase-in structure would be applied, proven use and maintainability would expand the trail system incrementally.

Reclamation claims that: “The most significant additions to recreation services offered by Reclamation in this alternative would be a substantial trail development program along the lake.” (Page 202) This is not supported by any data. Even the most casual observer must admit that Lake Berryessa is not a hiker’s paradise during the summer months, nor would a costly trail development program change that. There are so many superior hiking venues in the Bay Area that Lake Berryessa is not even in contention for most hikers. LBVSPT supports a reasonable trails program such as that being worked on by the BRBNA-CP Trails Committee. Many people like to hike, including most long-term users. But this is neither a significant way to increase short-term use nor to increase any business activity around the lake.

8. Boat Access Camping

Establish a limited trial program to explore the value of boat access camping for a restricted area, possibly Big Island and PUP identified public land areas intended for public use, which will be administered by the lake manager, ME. Empirical results of the program will be analyzed for effectiveness. Although this proposal helps disperse short-term users around the lake, it can have potential negative environmental impacts if not enough support and maintenance resources are applied to trash, sewage, and other issues. A similar program at Lake Sonoma may serve as a guide.

Note: Public comment on the LBVSPT web site for a boat-in camping program has been mostly negative due to garbage, fire, and other concerns.

9. Non-Motorized Recreation Areas Uses and Improvements

Oak Shores to be reclassified according to the “Conceptual Plan – Oak Shores Park” for the late 1970s - two main “non powered lagoons” that are between the little island and big island “power boat lagoon.” Along with the Oak Shores beach area, designate the shallow area along the present Camp Berryessa campground and other PUP-identified public land areas intended for public use as a non-motorized recreation area which provides a launch ramp for small boats.

10. Group Campground/Overflow Campgrounds

Develop a low density, high quality campground/day use area northeast of the Putah Creek Bridge with Camp Berryessa, the North Area Campground, as it’s core. Group camping would be a primary use, but it would be reserved for overflow individual camping on major holiday weekends and overflow camping only as needed on other weekends not reserved by groups. Oak Shores would also be overflow camping on Memorial Day, Fourth of July, and Labor Day holidays. Smittle Creek would be developed as needed. Other PUP-identified public land areas intended for public use, specifically for camp areas, need to be evaluated for campground uses.

11. Boat Launching

All boat launching would charge a competitive fee. Users would then use the launch ramp best suited to their needs and the free small boat launch ramps would not be burdened with heavy watercraft and unnecessary use. Develop additional small boat launching opportunities in conjunction with the proposed north shore campground to disperse use. It will be utilized by day users and campground users. Appropriate user fees may be charged. Designate appropriate non-motorized launch ramps in conjunction with #9 and #10 above.

12. User Fees

Concessionaires will be allowed to charge fees for entrance, launching, day uses, camping, RV site use, short-term use, long-term use, docks and boat storage. Napa County should benefit directly from and/or participate in user fees.

Reclamation, or ME, will charge user fees in areas where improvements have been made or a special service is provided. Semi-primitive (Class IV) and dispersed recreation (Class III) areas around the lake will remain open to the public at no charge. Fees could be charged for:

- Day Use / Oak Shores
- Camping / Oak Shores
- Group or Camping Overflow / Camp Berryessa
- Launching / Capell Cove
- Launching / Oak Shores
- Launching / Camp Berryessa
- Houseboat inspections
- Boat access camping program services
- Special events
- Special permit processing

13. East Shore Recreational Limitations

Continue to limit recreational access to the East Shore of the Lake. Pursue possible Fish and Wildlife Management Area designation with appropriate agencies. Consult with Napa County for best and compatible uses.

14. Visitor Information Services

Expand visitor information services which could include:

- Interpretive center facilities and activities
- Ocean Arks International Living Machines or manufactured wetlands for wastewater treatment.
- Waste reduction and recycling programs at each resort
- Develop mini-interpretive center in the dam area
- Overlooks at appropriate locations along roads
- Interpretive trails
- Interpretive displays in developed access points and concession areas
- Additional signing

Create a list of positive programs that increase the recreational as well as socially-beneficial opportunities for underserved communities without proportionately increasing traffic. This may best be done through youth groups, church groups, or community groups. An example is Fish and Game's Fishing in the City program that uses vanpools. Another example is environmental education programs for schools that increase mid-week use but don't negatively impact traffic through use of small buses or vanpools.

15. Limited Special Uses of Lands

Allow limited, e.g., specific days, dates, and times, special uses of lands around Lake Berryessa, including those shoreline areas exposed due to extreme drawdowns, only if such uses are not incompatible with other recreational activities. Off road vehicle use will continue to be prohibited. Lands may not be closed to the public to accommodate limited special uses. However, general public access to an area where limited special uses have been approved may be restricted temporarily for reasons of public health and safety. Specific guidelines and procedures and mitigation measures may be developed for each special use to minimize impacts on resources including water supplies.

16. Special Events on Land

Allow special events and/or activities (equestrian activities, races, bicycling events, etc.) which may temporarily

displace other recreational uses on a limited irregular basis through a permit system. The temporary closure of lands to the general public for reasons of public health and safety may be authorized for the duration of the event. Specific guidelines and procedures and mitigation measures may be developed for each special use, to minimize impacts on resources, including water supplies.

17. Water Surface Zoning and Restrictions

Establish and implement (after coordination with the Napa County Sheriff's Dept.) appropriate restrictions for water surface uses and activities, such as non-motorized recreation areas, to promote public health and safety, foster compatibility of recreational uses, and protect and enhance natural resources.

18. Limited Special Uses of the Water Surface

Allow limited, e.g., specific days, dates, and times, special uses (such as water skiing instruction or slalom courses) of designated coves and other specific water surface areas only if such uses are not incompatible with other recreational activities. However, general public access to an area where limited special uses have been approved may be restricted temporarily for reasons of public health or safety. Additional public involvement and necessary environmental documentation may be required prior to restricting public access for limited special uses. An example might be Skiers Cove which could be open as a 5 MPH zone to anglers and others when not being used for water ski activities.

19. Special Water Use Events

Allow special water use events and/or activities (races, regattas, swims, fishing derbies, etc.) which may temporarily displace other recreational uses on a limited irregular basis through a permit system. The temporary closure of coves or other areas for reasons of public health and safety may be authorized for the duration of the event. These events may also be considered special land use events due to the need for shoreline access and support.

20. Water Craft Carrying Capacity/Water Safety

Limit the total launching, marina capacity, and storage capabilities for all watercraft to 3,000 based upon present user satisfaction studies. The carrying capacity will be revised if research shows that additional watercraft may be safely accommodated. Concessionaire Consortium, Concessionaires, and/or ME, should provide boater safety and education courses in cooperation with the Coast Guard Auxiliary. Reducing boater conflicts by increasing boater education efforts and visitor information services would also increase user satisfaction.

21. Local Government Services

Through agreements with local enforcement agencies or through additional authorities, local government support services will be adequately maintained to provide for the health and safety of visitors and protection of resources. This is particularly important with a proposed increase in short-term users who may not have a vested stewardship interest in the lake. Alternative A+ realizes the need for the county to benefit from the uses at Lake Berryessa, and has incorporated just compensation for services of the county through a special annual service fee on long-term sites and appropriate service charges for short-term users.

22. Flood-proofing and Anchoring Structures and Facilities

Structures and facilities in the reservoir floodplain (440 - 455 foot level) will be flood-proofed and/or anchored. Reclamation's definitions of various flood stages are shown below. The lake level has never been higher than 446.7 feet (1983) since the dam was constructed. Since 1985 it has only reached 444 feet once in 1998. It is typically at or below 440 feet (Glory Hole). (See Water Level Charts in the Appendix D) These facts need to be considered when evaluating the economic impacts of various actions on the Lake communities based on arbitrary statistical probabilities of future lake levels.

Base Flood plain: Lake Berryessa's 100 year floodplain (1% probability). Any area below the 449.5 feet mean sea level (msl).

Structural Base Floodplain: An elevation of one foot above the Base Floodplain.

Reservoir Floodplain: Lake Berryessa's maximum elevation prior to breaching the roadway of the dam. Any area

around the Lake Berryessa shoreline that is between 450.5 to 454.9 feet msl. The dam height itself is 456 feet. Highway 128 was designed to be the emergency spillway before the lake overtops the dam.

Flood Warning Stage: 441 feet mean sea level.

Flood Watch Stage: 444 feet mean sea level.

High Flood Stage: 448 feet mean sea level.

Catastrophic Flood Stage: 453 feet mean sea level.

Flood Watch Season: December 1 through May 31.

Resort operators shall develop approved emergency flood-proofing plans for securing water, sewage and utility systems within the Reservoir Floodplain against contamination due to high water.

NEPA provides for a “tiering” process in implementation of plans. A broad statement of policy is followed by narrower statements and studies down to site-specific plans. “Tiering is appropriate when it helps the lead agency to focus on issues which are ripe for decision and exclude from consideration issues already decided or not yet ripe.” Under this approach, economic and environmental issues would take planning precedence, while floodplain issues such as anchoring or removing facilities at 455 feet msl or below would be a lower priority.

23. Prohibit Future Construction of Facilities in the Reservoir Floodplain

Prohibit the construction of new or additional permanent structures and facilities, including those for long-term uses to be located within the Reservoir Floodplain (440 feet to 455 feet mean sea level), except items which have been authorized in master plans for water or related activities. This prohibition does not apply to normal routine maintenance required for existing structures and facilities. Temporary facilities serving day and short-term uses may be allowed in the Reservoir Floodplain provided they can be flood-proofed or removed on short notice.

24. Removal of Structures and Facilities for Environmental Causes

Structures and facilities may be eliminated in unstable or environmentally unacceptable areas, provided no effective mitigation measures can be implemented. Long-term site tenants may relocate within the same resort or to another resort.

25. Future Long-Term Use

Long-term use is essential as a balanced portion of any concession at Lake Berryessa. The long-term user has created the stable financial base that allowed for the improvements to be made to the resorts, so that they could offer affordable services and facilities to the short-term and day user. With the seasonal nature and drought fluctuations of Lake Berryessa, long-term use minimizes risk to all operations at the lake.

26. Shoreline Areas

Shoreline areas within resorts and on other public lands will be developed to have public access, prohibit use and storage not specifically approved by Reclamation or ME, minimize safety hazards, create short term and special needs facilities and optimize recreational opportunities.

27. Resort Master Plans and Development

Master plans will be created for each resort to provide thematic, yet resort-unique, design and development criteria. The Concessionaire Consortium may, as a team effort, develop guidelines and timelines for resort improvements. Resorts will develop recreational facilities and services that are most appropriate to their land configurations, water accessibility and locations.

28. Land Use Planning and Design Guidelines

All new projects within concession/special use areas will generally adhere to basic planning and development criteria. Such criteria will minimize the impacts of new development on existing resources and will require some changes over the previous patterns of development occurring within concession/special use areas. Whenever feasible, establish and implement facility development and design standards for resorts including size restrictions, density, architectural styles, lot development, resort motif, and utility service standards to upgrade facilities. Public Lands identified by PUP for public use will be designed according to the theme and standards of the Managing Entity, or should the come under the development of a concessionaire according to the theme and

standards they get approved.

29. Facility Development and Design Standards

Whenever feasible, establish and implement facility development and design standards for resorts, including size restrictions, density, architectural styles, lot development, resort theme, and utility service standards to upgrade facilities. These would supplement existing State of California “Title 25” Standards.

30. Commercial Houseboats/Overnight Occupancy Vehicles (OOVs)

As a method to provide access for diverse recreational opportunities and additional short-term users, allow 75-100 commercial houseboats or other types of commercial OOVs to occupy Lake Berryessa. A higher quota may be authorized if supported by sufficient studies.

31. Sewage and Gray Water Holding Facilities

All vessels, including houseboats, cruisers, patio boats, etc., capable of discharging sewage and gray water shall be equipped with holding tanks that can be discharged by vacuum pumping only. Resorts having moored vessels capable of holding and discharging sewage and gray water shall provide sufficient pumpout facilities.

32. Private Houseboats/Overnight Occupancy Vehicles (OOVs)

Privately owned houseboats (noncommercial vessels) will be allowed at Lake Berryessa since they do not occupy shoreline space and do contribute to the number of short-term users as guests. Houseboats will be authorized for placement on the lake by permit and moorage agreements with those resorts capable of providing pumpout services. Houseboats and OOVs will be regulated by size, sewage and gray water holding capabilities, etc.

33. Limitations on Shoreline Modifications Below 440 Feet

Modifications of the shoreline (dredging, filling, earth shaping, revetment work) below 440 feet mean sea level will only be allowed as required for maintenance of existing facilities, to improve aesthetics, day-use public access, or to alleviate health and safety problems. Modifications could include improvements to provide for additional day use activities such as swimming, picnicking, shoreline access and minor marina facilities. The original shoreline configuration will not be altered to accommodate additional overnight facilities, storage areas, etc. Reclamation or other lake manager approval is subject to receipt of appropriate Napa County, Department of Fish and Game, Army Corps. of Engineers, or other Federal or state agency permits as may be required.

34. Long-Term Uses Floodplain Issues

Revisit study regarding floodplain issues in RAMP. Remove certain long-term sites in the floodplain in accordance with zones and new development plans. Keep certain long-term sites in the structural floodplain in accordance with zones and new development plans with the requirement of flood-proofing.

35. Flood-proof or Remove Permanent Structures and Facilities in the Reservoir Floodplain

Flood-proof all permanent structures and facilities located in the Reservoir Floodplain (440 to 455 feet mean sea level). Review structures for use in new development plans which may require removal of certain structures.

36. Create Short-Term Sites from Existing Long-Term Sites

Provide additional short-term facilities (day use, camping, etc.) in designated shoreline locations (cluster concept) currently occupied by long-term uses in accordance with proposed zones and new development plans.

Conversions to short-term will be based upon a number of criteria and not just on where the sites are located.

Short-term sites and site areas will be developed in a phased manner based on user need and proven use. Long-term sites that are displaced will be allowed to relocate in accordance with zones and new development plans, provided space is available. Displaced long-term sites may be offered multi-year use of short-term cabins as compensation.

37. Relocation of Long-Term Sites

Long-term uses (modular units, mobile homes, travel trailers, cabins, etc.) which are displaced due to new development plans may be relocated to another site in the resort provided space is available, or to another resort

that has available space. Sites may be identified in subsequent resort master plans or reorganization plans. All relocations will be subject to standards review and upgrades.

38. Facility Development and Design Standards

Lake Berryessa would develop a master plan with thematic variations for the resorts to appeal to diverse users and concessionaire desired style. Establish and implement facility development and design standards for all resorts, including size restrictions, density, architectural styles, lot development, resort motif, and utility service standards to upgrade facilities.

39. Land in Concession Areas

Review uses of undeveloped, unused land in concession boundaries for “best use” purposes and identify in master plan the use or non-use as appropriate.

40. Variable Rate Franchise Fees

Establish and implement variable rate franchise fees within concession areas as an incentive to emphasize capital investment, health and safety, maintenance levels, public access and/or other recreational objectives.

41. Fee Reviews and Approvals

Adjustment of long-term fees will not require review and approval by Reclamation or ME, but will be subject to review by homeowners associations. Long-term use fees may be reviewed and approved by Reclamation, or ME, at the request of the homeowners association or the concessionaire provided all administrative costs involved are reimbursed. Adjustment of fees and charges for other resort services would continue to be subject to Reclamation, or ME, review and approval prior to implementation.

42. Long-Term Uses / Rental Options

Continued long-term uses will be allowed in concession areas. Long-term uses assist in supporting necessary services for the short-term users and for low cost public access. Long-term uses will be designed to blend more effectively with the natural environment and meet relevant health and safety standards. Allow long-term sites to be rented by tenants through the concessionaire’s short-term site reservation system to satisfy peak demands at the resort when all other short-term facilities are full. Part of the rental fee would go to the resort and part to Napa County.

43. Water Quality Programs

Reclamation will coordinate with other agencies to monitor water quality data. The Lake Berryessa Watershed Partnership is a key group to assist in this program. Integrate the publication of this data into the Lake Berryessa Community Education and Outreach program proposed in Plan Element #14 above.

44. Marina Pollution Prevention

Reclamation will actively support partnerships with other public agencies and non-profit groups to promote marina pollution prevention programs such as the Napa/Sonoma Marina Program and the California Coastal Commission's Dockwalkers. Publicity regarding the activities and results of these programs will be part of the Lake Berryessa Community Education and Outreach program proposed in Plan Element #14 above.

2.3 Reclamation Alternative A

Reclamation DEIS Section 2.3, pages 38 through 41 are included here by reference.

Within the context of Reclamation’s DEIS process, the LBVSPT believes Alternative A is the project with the least environmental impact. However, the LBVSPT Preferred Alternative A+ should be the final choice for implementation.

2.4 Reclamation Preferred Alternative B

Excerpted from Reclamation DEIS, Pages 40-41.

“The focus at Lake Berryessa would be the development of new facilities and programs to better serve the short-term visitor. This alternative would permanently remove all private long-term exclusive-use trailer sites and provide increased and improved short-term use opportunities. Camping, RV sites, cabins and other overnight accommodations, food and beverage outlets, retail sales (groceries, camping, boating, hiking, etc. supplies), house boating, marinas, and picnicking would be increased and improved. Another major area of attention would be the improvement of lakeshore access in and around the resorts for day use activities some of which would be free. This alternative would also include providing selected areas of service offering a varying level of amenities. Reclamation would have an expanded involvement in providing visitor facilities including a focus on the development of a major trail system around Lake Berryessa. Water surface zoning would be implemented including additional 5 mph areas and adding and expanding facilities and areas for non-motorized watercraft.

The remainder of Reclamation DEIS, Section 2 included here by reference.

LBVSPT Comment on DEIS Section 2.4

Reclamation simply wants to wipe out 40 years plus of development, with its proven public demand and affordable public use, in exchange for an unsupported, unrealistic, and unproven Alternative B.

3.0 Affected Environment, Existing Setting, Environmental Consequences, Mitigation

This chapter describes the existing environmental setting for the areas potentially affected by the LBVSPT Preferred Alternative A+ and contrasts them to Reclamation Alternative A and Reclamation Preferred Alternative B.

The affected environment is described for each resource of concern in the proposed project areas, and the descriptions include information relating to possible impacts, mitigation efforts, and the final selection of a Preferred Alternative. This chapter also evaluates the effectiveness of mitigation measures to determine whether they would reduce potentially significant impacts to less-than-significant impacts.

3.1 Land Use

Summary of Impacts by Alternative

- **Alternative A: No impacts**
- **Alternative A+: Positive impacts**
- **Alternative B: Major short term impacts / Major long term impacts**

3.1.1 Affected Environment and Existing Setting

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Location

Lake Berryessa is a long, relatively narrow body of water located on the eastern slope of California's Coast Range, in Napa County. It is situated about 40 miles west of Sacramento, the state capital. The reservoir is created by Monticello Dam, a 304-foot-high concrete structure that impounds Putah Creek where the creek crosses the eastern boundary of Napa County 9 miles west of Winters. The resulting lake is approximately 23 miles long by 3 miles wide at its broadest point, with a total storage capacity of 1.6 million acre-feet. Commercial and noncommercial (i.e., Reclamation-operated) developments are located primarily along the western lakeshore, between Camp Berryessa to the north, Capell, Wragg and Markley Coves to the south, and the Putah Creek corridor below Monticello Dam to the southeast.

Jurisdiction

Lake Berryessa is operated by the Department of the Interior's Bureau of Reclamation, which manages reservoir resources through concurrent jurisdiction with various federal, state and county authorities. Concurrent jurisdiction was Congressionally established in 1948, when the Lake Berryessa Reservoir was authorized as part of the Solano Project. Under this arrangement, the United States and the State of California jointly and concurrently hold and exercise all management rights.

Mission, Policies and Authorities

Mission/Goals

LBVSPT – Overall Goal: To accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment, while optimizing visitor experience levels and safety, consistent with other authorized functions of the Solano Project.

RAMP – The overall goal in the management of Lake Berryessa will be to accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment while optimizing visitor experience levels and safety consistent with other authorized functions of the Solano Project.

Reclamation – The mission of the Bureau of Reclamation is to manage, develop and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

BLM – It is the mission of the Bureau of Land Management to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations.

Policies and Authorities

Government Policies

Reclamation – Historically, the primary purposes of Reclamation water projects have been irrigation, flood control, and providing water for domestic, industrial and municipal use. In 1965, PL 89-72 (the Federal Water Projects Recreation Act) further charged the Secretary of Interior with providing recreational opportunities for reservoir users. The act thereby established outdoor recreation as an additional purpose for developing water resources. Consequently, potential recreational benefits and costs became and continue to be important factors in the evaluation of prospective water developments. The Reclamation Management Act of 1992 (PL 102-575, Title 28) reaffirmed the federal responsibility to provide recreational opportunities at federal water projects.

BLM – Congress enacted the Federal Land Policy and Management Act of 1976 (FLPMA) which recognizes the value of the public lands by declaring that these lands would remain in public ownership. Congress also gave us the term “multiple use” management, defined as management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people.” BLM has had to address the needs of a growing and changing West. The American public values balanced use, conservation, environmental management, recreation, and tourism. Public lands are increasingly viewed from the perspective of the recreational opportunities they offer, their cultural resources, and their vast open spaces. <http://blm.gov/nhp/facts>

Governing Documents

Following are the main governing documents which have driven the development of Lake Berryessa:

1) Management Agreement 1958 – In 1958 Reclamation and Napa County (Napa) entered into a Management Agreement to administer the development of federally-owned lands at Lake Berryessa. The management agreement included a preliminary general development plan which was subsequently included as part of the Public Use Plan (PUP).

2) Concession Contracts 1958-2008/2009 - The concessions were granted a possessory interest in the land by agreements in 1958 prepared by Napa County. Napa County was authorized to grant exclusive possession of portions of the lake shoreline under a Management Agreement between the County and the United States of America dated July 31, 1958.

3) PUP 1959 - Lake Berryessa became officially available for public use in 1959. A Public Use Plan (PUP) was prepared for Reclamation by the National Park Service (NPS). It designated the initial land uses for approximately 28,916 acres of federally-owned land, including 19,250 acres of surface water area. The PUP included a General Development Plan to guide development according to: (1) the capacities of the land and water to accommodate public use, and (2) the recreation needs and desires of the people who would use the area.

4) NEPA 1969 - The National Environmental Policy Act of 1969, as amended, (42 U.S.C. 4321 et seq., Public Law 91-190, 73 Stat. 852), requires that all Federal agencies proposing legislation and other major actions significantly affecting the quality of the human environment consult with other agencies having jurisdiction by

law or special expertise over such environmental considerations, and thereafter prepare a detailed statement of these environmental effects.

5) PL 93-493 1974 - The 1974, PL 93-493. 601 -Authorized Reclamation to develop, operate, and maintain such short-term recreation facilities as it deems necessary for the safety, health, protection, and outdoor recreational use of the visiting public. To review all the existing developments and uses on Federal lands, and to provide for the public recreational use and enjoyment. 602 -Required Reclamation to develop a recreation management plan (RAMP). 603 -Reclamation was appropriated \$3,000,000 for development of short-term use and operational facilities. (RAMP page A-1/Appendix)

Public Law 93-493 1974 – The Reclamation Development Act of 1974, Public Law 93-493, October 27, 1974, Title VI, Solano Project Recreational Facilities, California.

Sec. 601. In order to provide for the protection, use, and enjoyment of the aesthetic and recreational values inherent in the Federal lands and waters at Lake Berryessa, Solano project, California, the Secretary of the Interior is hereby authorized to develop, operate, and maintain such short-term recreation facilities as he deems necessary for the safety, health, protection, and outdoor recreational use of the visiting public; to undertake a thorough and detailed review of all existing developments and uses on Federal lands to determine their compatibility with preservation of environmental values and their effectiveness in providing needed public services, to implement corrective procedures when necessary, and to otherwise administer Federal land and water areas associated with said Lake Berryessa in such a manner that, in his opinion, will best provide for the public recreational use and enjoyment thereof, all to such an extent that said use is not incompatible with other authorized functions of the Solano project.

Sec. 602. The Secretary of the Interior shall make such rules and regulations as are necessary to carry out the provisions of this title and may enter into an agreement or agreements with the State of California, or political subdivision thereof, or a non-Federal agency or agencies or organizations as appropriate, for the development of a recreation management plan, and for the management of recreation including the operation and maintenance of the facilities in the area. The agency performing the recreation management functions is authorized to establish and collect fees for use of recreation facilities.

Sec. 603. There is authorized to be appropriated to the Secretary of the Interior the sum of \$3,000,000 (April 1974 price levels) plus or minus such amounts, if any, as may be justified by reason or ordinary fluctuations in development costs as indicated by cost indexes applicable to the types of development involved herein. There is also authorized to be appropriated such sums as may be necessary for administration of existing facilities and for operation and maintenance of the facilities authorized by this title.

Sec. 604. All funds authorized to be appropriated by this title shall be non-reimbursable.

6) PUP Amendments 1,2,3 1975/1976 – 1. Reclamation authority to provide for the protection, use, and enjoyment of the esthetic and recreational; to amend PUP. 2. Reclamation to provide short-term facilities and services, supplemental and non-competitive with resorts; to keep concessionaires involved in decisions affecting them and their operations. 3. Reclamation to allow long-term sites; long-term uses to be converted to short-term use as public needs develop and in accordance with PUP.

Public Use Plan, Amendment No 1, Management Authority, July 1, 1975. Legislative Authority to provide for the protection, use, and enjoyment of the esthetic and recreational values inherent in the Federal lands and waters at Lake Berryessa. Delegated Authority for Reclamation to develop and adopt amendments to PUP.

Public Use Plan, Amendment No 2, Policies for Recreation Management at Lake Berryessa, July 7, 1975. Objectives. It is the objective of the Bureau of Reclamation to provide outdoor recreation

facilities and services for the visiting public at Lake Berryessa which will accommodate a variety of aquatic-related recreation experience opportunities, to the extent and quality and in such combination that will protect the esthetic and recreational values and assure optimum public short-term recreational use, and social benefit. – Policies B. Facilities. 3. A variety of design standards will be adopted so as to provide different levels of comfort and convenience in response to varying, wants, tastes, and values of the public at large. 4. Facilities and areas developed by the Bureau of Reclamation will be supplemental and not competitive with the resorts. D. Concessioner Relationships. The Bureau of Reclamation will assume management responsibilities of Lake Berryessa on July 1, 1975...the Bureau representatives will continue, to the extent practicable, to keep the concessioners involved in decisions affecting them and their operations.

Public Use Plan, Amendment No 3, May 27, 1976. Objective. The objective of the Bureau of Reclamation to allow private long-term uses, including mobile homes, trailers, cabins or other facilities at Lake Berryessa under the following policies. Such private uses will be permitted until public need develops with consideration for expiration of concession agreements or until such other time as mutually acceptable to the concessioner and the Bureau of Reclamation. The sites on which these long-term uses are permitted will be converted to short-term use as public needs develop and in accordance with the Public Use Plan (PUP) or revisions or modification of this plan that may be adopted by the Bureau of Reclamation.

7) PL 96-375 1980 - In 1980, PL 96-375 authorized the Secretary of the Interior to initiate concession-related changes at Lake Berryessa. Specifically, the Secretary was authorized to negotiate new concession agreements with existing concessionaires at the lake for two consecutive 10 terms, not to exceed 20 years, commencing in 1989, to comply with PUP and RAMP. Another condition stipulated that all permanent facilities and improvements of the resorts shall remain the property of those concessionaires. At the option of the Secretary of the Interior, the United States could require those permanent facilities not to be removed, 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.

Public Law 96-375 October 3, 1980 - 96th Congress - An Act

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 concessionaires 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 appropriation Acts.

5(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."

8) US Dept of Interior/Water and Power Resources Services (Reclamation) Reorganization Plans - December 12, 1980. Reclamation presented reorganization plans for Rancho Monticello, South Shore, and Markley Cove Resorts – guides for development of the resorts with development phasing over a 10 year period. Long-Term Use Zone - a “core” of long-term uses to remain at the resorts for the full term of the concession

agreement. It is felt that this type of core is needed in any kind of resort business, if possible, to provide for its basic economic stability. This reduces the risk by allowing for a base income and thereby reduces the economic effects of such things as gasoline shortages, national emergencies, or long drought periods. Since long-term-type use is not the highest public use of public lands, it is felt that where this “core” of long-term uses can be held on lands less desirable for short-term uses. Initial Short-Term Use Zone – This zone will be used to test the market for public demands for short-term, quality facilities...It will be used to trigger a changeover from long-term uses to short-term uses.

9) RAMP/EIS/1992 – Environmental Impact Study (EIS) prepared in compliance with the National Environmental Policy Act (NEPA), Public Law 91-190; Council on Environmental Quality Regulations (40 CFR 1500-1508); Department of Interior Manual 516, Implementing Procedures; Bureau of Reclamation, National Environmental Policy Handbook, Floodplain and Wetlands Executive Orders 11988 and 11990, respectively; the Fish and Wildlife Coordination Act; the Endangered Species Act; and the National Historic Preservation Act. This EIS addresses the impacts from several Actions considered in Reservoir Area Management Plan (RAMP) for Lake Berryessa, Napa County, California.

10) RAMP/1992 – The comprehensive land and water use document that established development and use priorities for Lake Berryessa Reservoir Area - Reservoir Area Management Plan (RAMP). Public Law 93-493 required Reclamation to develop a recreation management plan (RAMP) in 1974, completed 1993 with ROD. “Overall Goal – The overall goal in the management of Lake Berryessa will be to accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment while optimizing visitor experience levels and safety consistent with other authorized functions of the Solano Project.”

11) RAMP/ROD/1993 – Preferred Actions served as an update to PUP. The 41 Preferred Actions (RAMP pages 20-34) were for the following issues: 1) Land Acquisition. 2) Land Disposal. 3) Dispersed Recreation Area Improvements. 4) Administration Point Day Use. 5) Smittle Creek Day Use Area. 6) Facilities for Special Needs. 7) Trail Development. 8) Boat Access Camping. 9) Island Uses and Improvements. 10) North Area Campground. 11) Boat Launching. 12) User Fees. 13) Fish and Wildlife Management Area. 14) Visitor Information Services. 15) Limited Special Uses of Lands. 16) Special Event on Land. 17) Water Surface Zoning and Restrictions. 18) Limited Special Uses of the Water Surface. 20) Water Craft Carrying Capacity. 21) Establish Law Enforcement Capabilities. 22) Flood-proofing and/or Anchoring Structures and Facilities in the Base Floodplain. 23) Prohibit Construction and Placement of Facilities in Reservoir Floodplain. 24) Limitation on Long-Term Uses. 25) Removal of Structures and Facilities for Environmental Causes. 26) Storage in Shoreline Areas. 27) Resort Master Plans and Limitation on Development. 28) Land Planning and Development Criteria. 29) Facility Development and Design Standards. 30) Commercial Houseboats/Overnight Occupancy Vessels (OOVs). 31) Sewage and Gray Water Holding Facilities. 32) Private Houseboats/Overnight Occupancy Vessels (OOVs). 33) Limitations on Shoreline Modifications Below 440 Feet Mean Sea Level. 34) Removal of Long-term Uses from Base Floodplain Area, and Flood-proofing and/or Anchoring Long-term Uses between 450-455 feet. 35) Flood-proof or Remove Permanent Structures and Facilities in the Reservoir Floodplain. 36) Create Short-term Sites from Existing Long-term Sites. 37) Relocation of Long-term Sites. 38) Facility Development and Design Standards. 39) Deletion of Land from Concession Areas. 40) Variable Rate Franchise Fees. 41) Fee Reviews and Approvals.

12) Operational Policy 15 (Revision January 6, 1997) –Policy on Floodplain Actions and Removals. Adopted pursuant PL 93-493, EIS/RAMP, ROD.

Land Classification Categories

Reservoir Classification

The following classification categories were developed for the 1992 Lake Berryessa RAMP/EIS. Because the RAMP/EIS still guides management at the reservoir, the classes are employed in the analysis of impacts associated with this document’s No Action Alternative and LBVSPT Alternative A+.

The 1992 RAMP categories are:

Class I - High Density Recreation Areas. Class I areas are “intensely developed and managed areas intended for mass public use, such as resorts with restaurants, marinas, launch ramps, RV hookups, paved parking and roadways, moorage, mobile home parks, campgrounds, restrooms, day-use and maintenance areas.”

Class II - General Outdoor Recreation Areas. Class II areas are “substantially developed areas intended for specific uses as camping, picnicking, boat launching, developed parking, paved roads, launch ramps, restrooms, showers, designated campsites and (potable) water.”

Class III - Dispersed Recreation Areas. Class III areas are “minimally developed areas, generally with road access, minimal sanitation facilities, road pullouts, trail development, fencing and ... controlled access.”

Class IV - Semi-Primitive Areas. Class IV areas are “undeveloped natural areas, with limited or constrained access, intended for limited recreational use with minimal improvements such as trails, low density boat-in camping and fencing for livestock control.”

Class V - Restricted and Easement Areas. Class V areas are “areas which have restricted recreation potential due to their use for project administration and operation, or where flood easements are involved.”

Related Plans, Projects and Management Arrangements

NEPA requirements and guidelines specify that projects must be reviewed for consistency and conformity to local and regional plans and policies of those jurisdictions that could be affected by proposed actions.

Programmatic Environmental Impact Statement/Reservoir Area Management Plan

A Programmatic Environmental Impact Statement (EIS) was prepared in 1992 in compliance with the NEPA, PL 91190; Council on Environmental Quality Regulations (40 CFR 1500-1508); Department of Interior Manual 516, “Implementing Procedures”; Bureau of Reclamation, National Environmental Policy Handbook; Floodplain and Wetlands Executive Orders 11988 and 11990; the Fish and Wildlife Coordination Act; the Endangered Species Act; and the National Historic Preservation Act.

Lake Berryessa Wildlife Area Management

The Lake Berryessa Wildlife Area is cooperatively managed by Reclamation and the California Department of Fish & Game. In 1995, the two agencies signed a Memorandum of Understanding to formalize a cooperative relationship for the establishment and management of the wildlife area on federal land. (The management area includes the shoreline fluctuation zone and appropriate open water.) The primary purposes of the Memorandum of Understanding are to (1) “restore, enhance, and protect the fish and wildlife resources along the east side of Lake Berryessa,” and (2) “develop compatible outdoor recreational opportunities for the public.” The federal land on the east side of Lake Berryessa, above the high-water mark (elevation 440 feet msl), totals approximately 2,000 acres.

Quail Ridge Reserve Management

Quail Ridge Reserve is managed as an educational and scientific reserve for the study of unique and rare natural ecosystems. Management of the reserve is undertaken by the California Department of Fish & Game, the Napa County Land Trust, the Quail Ridge Wilderness Conservancy, the Bureau of Land Management, the Bureau of Reclamation, and the University of California. The arrangement is formalized under a Memorandum of Understanding dated November 22, 1991 (see Attachment 4).

Blue Ridge/Berryessa Natural Area Conservation Partnership

The Blue Ridge/Berryessa Natural Area Conservation Partnership is a coalition of public resource and land management agencies, non-profit conservation and preservation organizations, and private-sector interests working to conserve more than 500,000 acres of private and public lands located in Napa, Solano, Yolo, Lake, and Colusa Counties.

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

Concessions Operations

Under Alternative B, proposed actions affecting the seven existing resorts would include removing long-term private trailers and mobile homes and recreating short-term visitor facilities such as RV and camp sites, cabins, retail outlets and picnic sites. Other actions would include expanding the houseboat program, improving lakeshore access, and developing local trails as part of a new reservoir trail network. The Capell Cove launch ramp, currently operated by Reclamation, and Camp Berryessa, a group campground currently used by the Boy Scouts under a special-use permit, would be operated by a concessionaire under a fee system. A boat-in camping program also would be developed.

3.1.1-1 LBVSPT Comment:

1. Land Use Classifications: Reclamation has analyzed Alternatives B, C and D, using the land and water use level classifications provided by the Water Recreation Opportunity Spectrum (WROS), rather than the RAMP. However, arbitrarily changing classifications without the inventory and analysis process required by WROS itself is inappropriate.

2. Government Operations: Reclamation appears to abdicate its responsibility for Reclamation-owned and built Capell Cove launch ramp (in serious geological peril) and Camp Berryessa, (in need of funds to make improvements) to be operated by a concessionaire under a fee system. Although there are promises, where are there real provisions for an expanded houseboat program or a boat-in camping program? With the exception of managing a few day use areas and turnout modifications, Reclamation is nearly inactive.

3.1.2 Environmental Consequences and Mitigation

3.1.2A Alternative A Proposals and Impacts

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

3.1-1A: Potential Impact Due To Inconsistency with Reservoir Jurisdiction

The No Action Alternative would be consistent with the continued Concurrent Jurisdiction authority held by the Bureau of Reclamation since the establishment of Lake Berryessa Reservoir in 1948. Implementation of Alternative A would not create an impact in this regard. The elements of Concurrent Jurisdiction are described in Chapter 3.1 Affected Environment/Existing Setting.

3.1-2A: Potential Impact Due To Inconsistency with the Mission of Reclamation

The No Action Alternative would be consistent with the mission statement for Reclamation (as it is quoted in Chapter 3.1) and with the ongoing management of programs and facilities at Lake Berryessa Reservoir. Implementation of Alternative A would not create an impact in this regard.

3.1-3A: Potential Impact Due To Inconsistency with Reclamation Policies

The No Action Alternative would permit commercial activities at the reservoir to continue under existing conditions, which are in conflict with current Reclamation policy at the reservoir. These activities were permitted under concession agreements that were signed before the current policy was developed, and the agreements remain valid until they expire in 2008-09. Their expiration offers an opportunity to bring concession operations into compliance with existing policy, but such change would not occur under a No Action Alternative. Further,

the No Action Alternative would not be consistent with Reclamation policy regarding non-commercial facilities and services the agency provides to the public. That policy emphasizes short term facilities and services, whereas current emphasis is on long-term, private uses. Therefore, implementation of Alternative A would have significant impacts in this regard.

3.1-4A: Potential Impact Due To Inconsistency with Uses of Reclamation Land (Grazing)

Under the No Action Alternative, Reclamation would continue to permit grazing activities on Reclamation land. That management practice is consistent with approved land use policies for the reservoir. A non-exclusive grazing easement has been granted for that portion of land that lies between contour elevation 440 and the eastern line of Reclamation's acquisition, and between the south boundary of Parcel 4, Unit R-23, and between the south boundary of Parcel 3, Unit R-29. Implementation of Alternative A would not alter, interfere with, or otherwise impact the grazing use of that Reclamation land.

3.1-5A: Potential Impact Due To Inconsistency with Land Classification Categories as Described in the 1992 RAMP

The No Action Alternative represents ongoing management under the guidance of the 1992 RAMP, which designates levels of appropriate visitor uses and/or development at the reservoir. Therefore, implementation of the No Action Alternative by definition would be consistent with the continued use of the land classification categories described in that document. Alternative A would have no impact in this regard.

3.1-6A: Potential Impact Due To Incompatibility with Napa County Land Classification

There are no private lands within the federal take-line that would be subject to Napa County zoning criteria. Therefore, implementation of Alternative A would have no impact in this regard.

3.1-7A: Potential Impact Due To Incompatibility with Related Plans (RAMP)

The No Action Alternative represents ongoing management under the guidance of the 1992 RAMP; therefore, implementation of Alternative A would be compatible with the preferred actions described in that management document. However, several of the actions proposed by the RAMP are not yet fully implemented. These actions include developing trails, rehabilitating facilities for special-needs populations and implementing water surface zoning and use restrictions. Progress toward the remaining RAMP proposed actions would continue unless and until a new Preferred Alternative is approved and implemented under the current EIS process. Implementation of Alternative A would continue that progress, and therefore would create no impact in this regard.

3.1-8A: Potential Impact Due To Incompatibility with Related Plans (Lake Berryessa Wildlife Area)

Under the No Action Alternative, the 30-year Memorandum of Agreement signed by Reclamation and California Fish & Game in 1995 would remain in effect. Alternative A is compatible with the provisions of that Memorandum of Understanding, and implementation of the No Action Alternative would have no impact in this regard.

3.1-9A: Potential Impact Due To Incompatibility with Related Plans (Quail Ridge Reserve)

The Quail Ridge Reserve is cooperatively administered under a Memorandum of Understanding signed by the Bureau of Land Management, California Fish & Game, Napa County Land Trust, University of California, Quail Ridge wilderness Conservancy and Reclamation. This Memorandum would remain in effect under the No Action Alternative. Therefore, the alternative is compatible with the provisions of the Memorandum, and its implementation would have no impact in this regard.

3.1-10A: Potential Impact Due To Incompatibility with Related Plans (Blue Ridge/Berryessa Natural Area Conservation Partnership)

The Blue Ridge/Berryessa Natural Area Conservation Partnership is an alliance of public resource management agencies and non-profit conservation and preservation organizations with private sector interests in ranching, mining and recreation. Member organizations work together toward the conservation of more than 500,000 acres of private and public lands in Napa, Solano, Yolo, Lake, and Colusa Counties. Under the No Action Alternative, Reclamation would continue to support the goals and objectives of the Partnership. Implementation of Alternative A therefore would be compatible with the partnership, and would have no impact in this regard.

3.1.2A LBVSPT Comment:

No Action Alternative A / Essentially No Impact regarding the Potential Impact Issues in 3.1.2A-1 to 3.1.2A-10.

Regarding DEIS 3.1-3: Potential Impact Due To Inconsistency with Reclamation Policies

Concessions are under contract to provide facilities and services to the public. Reclamation appears to imply that commercial activities at the reservoir are in conflict with current Reclamation policy. There is no known Reclamation policy that indicates there is an inconsistency with Reclamation Policies.

3.1.2A+ Alternative A+ Proposals and Impacts

LBVSPT Preferred Alternative A+: Extend and Improve Current Socio-Economic Model for Concession Operations. Expand and Develop New Short-Term Facilities at Resorts. Retain and Improve Long-Term Sites.

3.1.2A+ LBVSPT Comments:

3.1-1A+: Impact - Alternative A+ has No Impact regarding the Potential Impact Issues in Impacts 3.1-1 to 3.1-10 above. RAMP is the major document guiding Alternative A+. Alternative A+ is not written with an absolute Management Entity in mind.

3.1-2A+: Consortium - LBVSPT Preferred Alternative A+ proposes creation of a lake-wide consortium made up of all the concessions because LBVSPT realizes the importance of a unified approach to lake management. As a consortium, the group can evaluate present and future recreation needs and work together to develop the best plan for providing appropriate services. The Concessionaires Consortium could also contribute to a common fund to help defray the costs of operation of free public facilities around the lake. The costs would thus be fairly spread among all concessions and resort visitors.

3.1-3A+: Master Plans - Under Alternative A+ Resort Master Plans would be developed. Existing configurations would be evaluated for what changes would be needed to better meet the criteria of present and future uses. The plans would propose actions affecting the seven existing resorts which would include upgrading long-term sites where necessary, including relocations, improving and developing short-term visitor facilities such as park models, cabins, RV and camp sites, and picnic sites. Improved density, aesthetics and safety would be considered as underlying factors for all decisions. Marina, food services, retail outlets, fuel docks, docks, boat storage and other facilities and services at the concessions would be evaluated in relation to the total plan.

3.1-4A+: Access - Other actions would include expanding the houseboat program, improving lakeshore access, and developing local trails as part of a new reservoir trail network (minimal environmental impact/financially reasonable). The Capell Cove launch ramp would remain free to the public and operated by whatever Management Entity runs the lake operations (major maintenance/ improvement costs funding evaluated). As an alternative, the free launch ramp could be operated by Spanish Flat Resort with costs to them funded by the proposed Concessionaires Consortium. Possibly another Alternative Management Entity may operate Capell Cove on a fee basis if that funding mechanism is deemed to be appropriate or necessary.

3.1-5A+: Short-Term Use - Camp Berryessa, previously the Boy Scout camp, would be operated by the adjacent concessionaire under a fee system. When not reserved, the group campground would revert to a normal individual campground and act as an overflow campground on the major summer holiday weekends or on other busy weekends when standard campgrounds are full and the group campground is not reserved.

3.1-6A+: Proposal - The following section itemizes specific changes proposed under Alternative A+ for the individual resorts. These are general proposals only and assume that the concessionaires will be the primary drivers for possible business opportunities that provide a needed public service. It assumes continued year around operation, as at present, to be able to provide the widest range of recreational opportunities. Several resort owners, industry professionals, tenants, and supportive individuals have contributed to these proposals, which are intended to be directive, and not conclusive. Resorts would be open year-round to accommodate the diverse recreational user, although highest use is seasonal. LBVSPT has based the following on projecting current resort operations to better meet present and future needs with the guiding principles of providing a wide range of recreational opportunities in a natural environment based on sound economic responsibility.

- **Markley Cove** would offer houseboats, as well as marina, retail and food services and hiking opportunities. Limited long-term and short-term units would be available.
- **Pleasure Cove**, emphasizing a thematic design character, would offer limited long-term and short-term units, camping, a camping center facility, RV sites, marina, and retail and food services. Short-term facilities and camping may expand to the Outback.
- **Steele Park**, emphasizing a thematic design character, would offer hotel/motel accommodations, long-term and short-term units, food services, camping, RV sites, picnicking, hiking and retail and marina services that include boat storage. Steele Park also would function as a water skiing training center for the lake. Nearby Skiers Cove monitored by the Monticello Ski Club would continue to provide additional group water ski activities in a safe environment with no user conflicts.
- **Spanish Flat**, emphasizing a thematic design character, would offer long-term and short-term units, economical cabins, marina, food and retail services, camping, RV sites, hiking, and picnicking. This resort also offers more affordable long-term sites so that families of more modest means can enjoy this form of recreational opportunity. The Spanish Flat concessionaire also could operate the Capell Cove boat launch. Negotiations with Reclamation would include how the repairs are done to Capell Cove and how that would be funded. The launch ramp may be operated on a fee basis at competitive rates.
- **Lake Berryessa Marina**, emphasizing a thematic design character, would continue to provide a range of accommodations and services at its RV, cabin, and long-term sites. It also would offer picnicking and hiking opportunities, marina, retail, and food services. It would continue to be a major rental site for various types of watercraft.
- **Rancho Monticello**, the largest resort on the lake, emphasizing a thematic design character, would offer a wide range of long-term and short-term units/cabins, camping and RV sites, picnicking, and retail, food and marina services, and boat storage.
- **Putah Creek**, emphasizing a thematic design character, would offer hotel/motel accommodations, meeting and educational spaces, long-term and short-term units, food/dining services, picnicking, swimming and hiking opportunities, and marina services, including canoe/kayak rentals. The concessionaire also would operate the Camp Berryessa group campground on a fee basis. Since this resort is located at the north end of the lake, a long distance from Steele Park, it could also offer water ski school services in a nearby cove. Another public water ski club could be allowed a special use permit to operate under the Pope Creek Bridge.

3.1.2B Alternative B Proposals and Impacts

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

3.1-11b: Potential Impacts Due to Inconsistency with Reservoir Jurisdiction, Mission, Policies, Uses (Grazing), Land Classification (RAMP) and Napa County Land Use Classifications

With one exception, the potential impacts of Preferred Alternative B on the topics listed above would be identical to those described for Impacts 3.1-1A through 3.1-10A for Alternative A, above. The exception pertains to land classification. Under the No Action Alternative, the land classes described in the 1992 RAMP would continue to be applicable, as that alternative would essentially extend the life of the RAMP. However, under the Preferred Alternative B (and under the other action alternatives), Reclamation's more recent WROS recreational-use classification system would be implemented.

3.1-11B LBSVPT Comment:

WROS is a draft which does not have a final form, nor has it been proven to be more appropriate than the Land Classifications in RAMP. Reclamations use of WROS could have significant impact to concessions and recreation enthusiasts. Not mentioned by Reclamation/DEIS, Alternative B could also be an Impact on grazing with the proposed 150 miles of trails.

3.1-12B: Potential Impacts Due to Incompatibility with Related Plans (RAMP)

Implementation of the Concession Operations and the Government Operations components of Alternative B would not conflict with the ongoing requirements of the 1992 ramp until the expiration of concession agreements in 2008-09.

3.1-12B LBSVPT Comment:

Alternative B cannot be implemented until the concessions expire. The plan is in total conflict with the principles of PUP and RAMP which require resource protection, and recreational opportunities according to public needs and demands.

3.1-13B: Cumulative Environmental Impacts To Land Use

Definition of Cumulative and Indirect Impacts

A cumulative impact is defined as the impact on the environment, which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or Non-Federal) or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. (40 CFR 1508.7-.25)

An indirect impact is one that may *eventually* result from a direct impact of a particular action, which would cause either beneficial or adverse results. Indirect impacts are generally associated with an intended use of water, and include economic and human population growth inducement, changes in land use (including habitat changes affecting biological resources) and potential industrial development.

Based on the analysis in this VSP/DEIS, information from the 1992 RAMP/EIS and other documents, the proposed implementation of the Commercial and Government Operations components for Alternative B would not result in significant cumulative environmental impacts to the Affected Environment (including Location, Jurisdiction, Mission, Uses (grazing), County Land Classification and Related Plans). The application of recreation use criteria under WROS recreational-use classification system, as part of the management policy for Lake Berryessa, would be consistent with Preferred Action 17 in the RAMP, which stipulates the adoption of water surface and zoning restrictions. Implementation of the WROS system would have a beneficial effect, as it provides a means of assessing and regulating public use of the reservoir and thereby provides increased protection to the natural resources. Also, there is no record of incremental actions in the past or present or envisioned for the

near future, taken or to be taken by Reclamation or other authorities, which constitute cumulative impacts to the Land Use topics under this alternative; and no indirect impacts would be anticipated.

3.1-13B LBVSPT Comment:

Preferred Alternative B: Reclamation's removal of all long-term trailer sites would have a tremendous impact on the intended use of water for the recreational enthusiast, to the financial structure of the concessions, and to the users who depend on the facilities and services offered by the concessionaires. Reclamation's attempt to implement WROS for a recreational-use classification system is hypocritical since they try to use this system to diminish recreational opportunities.

3.1-14B: Potential Impacts to Land Use from Irreversible and Irretrievable Commitments of Resources

Definition of Irreversible and Irretrievable Commitment of Resources

Irreversible commitments are decisions affecting renewable natural resources, the implementation of which would cause a resource to deteriorate to a point that renewal could only occur over a long period of time or at great expense, or that would cause the resources to be removed or destroyed (40 CFR 1502.16).

Irretrievable commitments are those decisions that would result in the loss of production or use of natural resources, or that would represent lost opportunities during the time the resource could not be used (40CFR 1502.16.). There would be no impacts to Land Use topics due to the irreversible or irretrievable commitment of resources as a result of implementation of Alternative B.

3.1-14B LBVSPT Comment:

Implementation of Alternative B would lose production of concession revenue for at least two years, deny the use of land to visitors and limit or deny water sports enthusiasts recreational opportunities, which could then result in health and safety problems.

3.1-15B: Potential Impacts to Land Use from Short-term Effects versus Long-term Effects

Definition of Short-term Effects versus Long-term Effects

Reclamation guidelines for the preparation of planning documents under NEPA specify that relationships between short-term uses and long-term productivity be considered (40CFR15002.16).

Short-term effects are those positive or negative effects that may occur as the result of actions in a selected alternative and that may affect the short-term use or productivity of the resources involved.

Long-term effects are those positive or negative effects that may occur as the result of actions in a selected alternative and that may affect the long-term use or productivity of the resources involved. There would be no short-term effects associated with Alternative B for land use-related topics. Long-term productivity would be enhanced, however, through the continued support for the various agreements with other agencies and owners of the surrounding lands. It is further anticipated that long-term productivity would be positively affected by the implementation of the WROS recreation-use classification system, which would increase protection of the natural resources and strengthens Reclamation's role in managing overall visitation.

3.1-15B LBVSPT Comment:

There would be major short-term effects associated with Alternative B for land use-related topics. Long-term productivity would be negatively impacted for an unknown length of time.

3.1-16B: Unavoidable Adverse Impacts to Land Use

Definition of Unavoidable Adverse Impacts

Unavoidable adverse impacts are those environmental consequences of an action that cannot be avoided, either by changing the nature of the action or through mitigation, and that would adversely affect a resource (40 CFR 1502.16). There would be no unavoidable adverse impacts to land use associated with Alternative B.

3.1-16B LBVSPT Comment:

The action associated with Alternative B is not reasonable. It is adverse to the intent of NEPA and has significant effects on the human environment. The impacts are severe to the concessionaires, long-term, short-term and day users, the local economy, and the environment. There is no effort in Alternative B to reasonably mitigate the adverse environmental effects of removing existing facilities and infrastructure, denying public use - including all long-term, short-term and day users use of land and water. To implement Alternative B is irresponsible.

Reclamation's plan is not supported by its own economic feasibility report. The plan actually proposes dramatic decreases in recreational opportunities while using language stating that it is expanding recreational opportunities.

It also proposes minor cosmetic projects like adding parking spaces to a marginally interesting trail on Steele Canyon Road or creating non-motorized watercraft launch ramps as if they were important. For example later in its document it talks about the non-motorized watercraft launch ramps potentially relieving some launch ramp congestion at the resort ramps which is clearly not supported by any observational data or the experience of veteran users of the lake, both short-term or long-term.

3.2 Geology, Topography, and Soils

Summary of Impacts by Alternative

- **Alternative A: No impacts**
- **Alternative A+: No significant impacts**
- **Alternative B: Major short term impacts / Major long term impacts**

3.2.1 Affected Environment and Existing Setting

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Geology/Topography

Lake Berryessa is located in the northeastern portion of Napa County, among the hilly to steep mountains of the California Coast Range. The eastern shores and both ends of the lake are underlain predominantly by Cretaceous Knoxville sandstone and shale, over which the Bressa, Dibble, Los Gatos, Maymen, Sobrante, and Tehama soils series formed. The western side of the lake is bounded by Jurassic Franciscan sedimentary and associated intrusive rocks, such as serpentine and dolerite. The Montara, Hambright, and Henneke soils developed over those materials. The coast range between Monticello Dam and the Pacific Ocean is cut by numerous faults. The Wragg Canyon fault is located three miles from Monticello Dam; the Concord-Green Valley and the West Napa Faults are approximately 25-30 miles southwest of the dam, and are viewed by the State of California as having a low probability of seismic activity in the foreseeable future. See websites <http://neic.usgs.gov/neis/states/california/hazards.html>, and <http://geohazards.cr.usgs.gov/eq> for maps of seismic activity in this area of central to western California.

Soils

There are 11 soil types and complexes identified by the USDA Natural Resource Conservation Service (formerly, the Soil Conservation Service) along the shores of Lake Berryessa. These include Bressa-Dibble soils, Contra Costa loam, Hambright-Rock Outcrop complex, Los Gatos loam, and Tehama silt loam found on old alluvial fans, terraces and on upland plateaus; Bressa-Dibble soils, Los Gatos loam, Montara clay loam, and Sobrante loam found on upland foot slopes, side slopes, and ridge tops; and Bressa-Dibble soils, the Hambright-Rock Outcrop complex, Henneke gravely loam, Los Gatos loam, Millsholm loam, and Montara clay loam, situated on upland plateaus, ridge tops, side slopes, and foot slopes. A more detailed description of soils and their distribution is provided in Figure D-1 of the 1992 RAMP. The Affected Environment topics of Geology, Topography and Soil described for the No Action Alternative A also apply to Alternatives B, C and D.

3.2.2 Environmental Consequences and Mitigation

Impact 3.2-1: Potential Impacts Due to Seismic Instability, Changes in Topography, Erosion and Soil Movement from Excavation, Grading or Fill

There is no evidence for potential impacts to any development at Lake Berryessa resulting from geologic, soil or seismic instability, or changes in topography, erosion and soil movements from excavation, grading or fill. An assessment by the State of California found the potential for seismic activity in the general area of the reservoir to be very low. (see websites referenced above).

3.2-1B LBVSPT Comments

- **Alternative A: No Impact**
- **Alternative A+: No Major Impacts:** No major impacts. Improvements perceived would use as much of the existing infrastructure at the resorts as possible, while adapting to master plans that make better use of the land. Rehabilitation and construction would be done over time with intent on minimal land disturbances.

- **Alternative B: Potential Major Impacts**

Impact 3.2-2B: Potential Impacts Due to Land Subsidence or Unstable Soil Conditions

The developments along the western shore are situated mainly on a soil type described as the Bressa-Dibble Complex, with Henneke Gravelly Loam and the Los Gatos Loam soils present to a lesser extent. Although the Bressa-Dibble Complex is considered unstable when slopes are greater than 30 %, there have been no past incidents of subsidence or unstable conditions reported for soils underlying the resorts or other major use areas, with the exception of Capell Cove launch ramp.

The Millsholm Loam underlies the north bank of Capell Creek, near its mouth. The erosion hazard for this type of soil is considered high and the slope above the Capell Cove launch ramp at one time did fail. An engineering report prepared in 1995 indicated that the parking and ramp facilities were built on an old landslide composed of clay and rock material. Subsequent rainy seasons and high reservoir levels allowed water to reach and saturate these materials, reducing their sheer strength. This condition together with the erosion of the toe of the slope and additional moisture caused the present slope to fail. The hill structure, which encompasses approximately 42,000 cubic yards of material, continues to move slowly towards the lake. The parking lot has been repaired and another engineering study to consider more permanent repairs is scheduled for 2004. This is an on-going condition and not seen as a significant impact.

The engineering report prepared in 1995 can be seen in Attachment 6. No other unstable soil conditions have been identified for this alternative.

3.2-2B LBVSPT Comments

Land Subsidence or Unstable Soil Conditions - Reclamation built, owned and managed Capell Cove launch ramp, has significant structural failures. Repairs are estimated at nearly \$1,000,000 DEIS Attachment 6. The slope failure and erosion hazard is the responsibility of the Reclamation. (Applicable comment to DEIS 3.2-3 and DEIS 3.2-4 also).

- **Alternative A – No Impacts**
- **Alternative A+ - No Major Impacts**
No major impacts. Improvements perceived would use as much of the existing infrastructure at the resorts as possible, while adapting to master plans that make better use of the land. Rehabilitation and construction would be done over time with intent on minimal land disturbances.
- **Alternative B – Major Impacts – see LBVSPT Comment regarding 3.2-3 below.**

Impact 3.2-3: Potential Impacts Due to Seismic Instability, Changes in Topography, Erosion and Soil Movement from Excavation, Grading or Fill

As stated in Alternative A, there is no record of seismic instability having affected any structures at Lake Berryessa and the state of California rates the likelihood of seismic activity occurring in the area as very low.

Under Alternative B, in the absence of design and construction plans for the Concession Operations component, it is assumed that new development at each resort would include the eventual removal and/or rehabilitation and construction of various structures and supporting infrastructure, as necessary. This development is anticipated to include both the excavation and relocation of earth materials with an unknown amount of cut and fill expected to occur at each resort site, depending on individual design requirements. There would be a potential for erosion to occur during these activities. However, with the use of best management practices, the potential effects from development related erosion would be considered minor. Corrective measures would include adhering to all design and construction criteria to insure a separation of construction areas from adjacent sources of water.

Construction of resort facilities would adhere to Title 24 of the 2001 California Code of Regulations, which includes requirements to minimize the potential for soil erosion during construction. Measures would include

procedures to separate construction areas from water sources and in the case of Rancho Monticello, insure that the wetlands site adjacent to the sewage treatment plant is protected according to provisions of Section 404 of the Clean Water Act.

Other procedures would include the stockpiling and covering of soils in suitable locations to prevent erosion, and covering or treating disturbed soils (including use of temporary rooted vegetation) to reduce erosion by wind or rain. Rip-rap or other appropriate measures incorporated into project design would reduce erosion impacts to any nearby streams and to the lake. Because these measures would be incorporated into all construction related elements of this alternative, effects are anticipated to be minor.

There are no major changes envisioned for the facilities at Camp Berryessa, a group campground to be managed by the Putah Creek Resort or for Capell Cove Launch Ramp, a Reclamation facility proposed for management by the Spanish Flat Resort, other than modifications required to meeting accessibility standards. Consequently, it is not anticipated that either of these facilities would be affected by erosion from soil movement due to evacuation, grading or fill. The implementation of the Government Operations component, under Alternative B, calls for the development of a trail system and the reclassification of use levels for the reservoir, under WROS criteria. This reclassification would apply to 25 islands, areas along the shoreline as well as the lake surface itself. Reclamation would also continue to manage the day use areas at Oak Shores and Smittle Creek, and the dispersed sites (turnouts) at Markley, Olive Orchard, North shore and Pope Creek. As described earlier, the existing unimproved turnout at Eticuera would be closed and reseeded with native grasses consistent with surrounding vegetation and would be replaced with a turnout a short distance further north at mile marker 18 on the Berryessa/Knoxville Road. This site would include graveled parking for 15-20 vehicles, a small vault type toilet, an information kiosk and a short pedestrian gravel trail to the nearby reservoir. This proposed upgrade would create less than a significant impact to the surrounding environment since a large part of the site has already been used for unofficial parking, the short trail to the lakeshore would follow an older road track used when the area was part of a grazing allotment and the use of a small portion of grassland as part of this proposal would be offset by the rehabilitation of the existing Eticuera turnout.

A turnout at Steele Park would be upgraded much the same way as Eticuera with a low visibility trailhead, graveled parking for 15-20 vehicles, a portable toilet, picnic table, trash receptacle and a graveled trail that would follow a pre-reservoir roadbed to the lakeshore. These modest improvements are not anticipated to create significant impacts to the environment since the area has already been used for day-use activities for a number of years. Any cut or fill activities at these two turnouts would be minimal if occurring at all since the terrain is flat and already suitable for parking.

There are no plans for any development of the remaining sites under WROS and no adverse effects are anticipated.

The design and construction of new trails by Reclamation would also adhere to the same applicable state design and construction codes used at the resorts as well as the Department of Interior, Bureau of Reclamation "Recreation Facility Design Guidelines" (See Attachment 7).

The 1992 RAMP estimates that the construction of a trail measuring 3 feet wide by 50 miles long may affect from 10 to 18 acres of surface material including vegetation, but if well planned and aligned in an environmentally-sensitive manner, a new trail would have a beneficial effect by directing previously indiscriminate uses to the improved system. Although the trail system proposed under this alternative has not yet been designed, it is anticipated that its extent may be at least twice the size of a trail network envisioned under Preferred Action 7, in the RAMP. However, the development of a reservoir-wide trail system, that adopts the erosion abatement and soil conservation criteria proposed for the resorts and utilizes the numerous existing roads and trails and other informal routes that have been created over the years, would likely create only a minor impact to the resources. However, further environmental analysis may be necessary once the final routes have been determined.

3.2-3B LBVSPT Comments:

Reclamation has no design or construction plans for the concessions, although they intend to remove nearly everything from the existing resorts in order to implement some design that does not exist. Simply from the planning stand point Reclamation's actions are irresponsible.

Reclamation built, owned and managed Capell Cove launch ramp, has significant structural failures and repairs are estimated at nearly \$1,000,000. (DEIS Attachment 6) The slope failure and erosion hazard is the responsibility of the Reclamation. (Applicable comment to Impact 3.2-3 and 3.2-4 also).

Reclamation Alternative B has an "absence of design and construction plans for the Concession Operations component" yet they assume that "new development at each resort would include the eventual removal and/or rehabilitation and construction of various structures and supporting infrastructure, as necessary. This development is anticipated to include both the excavation and relocation of earth materials with an unknown amount of cut and fill expected to occur at each resort site, depending on individual design requirements. There would be a potential for erosion to occur during these activities."

The following statement appears to be why the Attachment 11, Wetland Delineation Report, was included in DEIS. "Measures would include procedures to separate construction areas from water sources and in the case of Rancho Monticello, insure that the wetlands site adjacent to the sewage treatment plant is protected according to provisions of Section 404 of the Clean Water Act."

Reclamation, "The design and construction of new trails by Reclamation would also adhere to the same applicable state design and construction codes used at the resorts as well as the Department of Interior, Bureau of Reclamation "Recreation Facility Design Guidelines" (See Attachment 7)." Attachment 7 is a basic guideline for trails but there is no study regarding the use/need, impact, physical or financial feasibility, nor has funding been established.

Reclamation has no trail system design, although their plan calls for 150 miles of trail. The 1992 RAMP authorized Reclamation to develop 30 to 50 miles of trail which has not occurred. Major concerns of a trail system regarding the impacts to land could be significant. In many areas a trail is impossible, unnecessary and/or impractical. There has been no proven demand for the extensive use of trails. Land impacts could be significant for no useful purpose.

Impact 3.2-4B: Potential Impact Due to Land Subsidence or Unstable Soil Condition

As noted under the No Action Alternative, the predominant soil types along the western shore are the Bressa-Dibble Complex, the Henneke Gravelly Loam and the Los Gatos Loam. The majority of development along the western shore occurs on the Bressa-Dibble Complex, which becomes unstable when slopes exceed 30%. There have been no reports of unstable soil conditions or land subsidence. Nevertheless, implementation of the Concession Operations component of Alternative B would be accomplished in accordance with design and construction standards that include all applicable codes regarding the presence and use of unstable soils located within the resorts. Earth materials would be compacted according to approved design and construction specifications. Potential effects under these specifications would be minor.

Under the Government Operations component, with the exception of conditions noted at the Capell Cove launch ramp, the potential effects described for "Land Subsidence or Unstable Soil Conditions" under the No Action Alternative also are applicable to this alternative, as well.

3.2-4B LBVSPT Comments

Land Subsidence or Unstable Soil Conditions - Alternative B: Reclamation built, owned and managed Capell Cove launch ramp, has significant structural failures. Repairs are estimated at nearly \$1,000,000 DEIS Attachment 6. The slope failure and erosion hazard is the responsibility of the Reclamation. (Applicable comment to 3.2-2 and 3.2-3 also).

Impact 3.2-5B: Cumulative Environment Impacts Due to Geology, Topography and Soils

The description of the analysis of cumulative impacts for Alternatives B, C and D provided in Chapter 3.1 apply to this alternative, as well.

The proposals in the Concession Operations component of the plan are the first significant developments envisioned for the resorts since their construction in 1958. This is, therefore, the first time that potential impacts due to geology, topography or soils have been evaluated for environmental compliance purposes. The proposal under the Government Operations component of Alternative B would add to the existing facilities developed by Reclamation, the most recent of which were the day-use areas at Oak Shores, Smittle Creek and the Capell Cove Launch Ramp.

There is no record of past actions that have resulted in cumulative impacts due to geology, topography, or soils; and no such actions are planned. No cumulative or indirect impacts would occur in this regard if Alternative B were implemented.

3.2-5B LBVSPT Comments

Alternative B would have cumulative environmental impacts due to geology, topography and soils with major removals and construction in the resorts, along with 150 miles of trails at Lake Berryessa.

Impact 3.2-6: Potential Impacts Due to Geology, Topography and Soils from Irreversible and Irretrievable Commitments of Resources

Under Alternative B, there would be an impact to soils resulting from an irreversible and irretrievable commitment of resources for the Concession Operations component. This would result from the likely displacement and/or removal of an unknown quantity of soil within the resorts during the construction of new facilities. In addition, some resort land would be temporarily unusable by the public during the construction period. However, the mitigating measures described under Impact Statement 3.2 above would reduce those impacts to less than significant.

Another impact due to geology, topography and soils from irreversible and irretrievable commitments of resources would result from development of the trail system proposed under Alternative B. The completed new trail system could extend over 150 miles and affect up to three times the 10-18 acres of surface material predicted for the 50-mile trail proposed in the RAMP. If construction were similar to that described in the RAMP, an unknown quantity of soils within the project corridor would be displaced or removed, and portions of reservoir land would be unavailable to visitors during the course of trail construction. The impacts would be minor to moderate, assuming that erosion control and landscaping measures (as described above) are employed, and that route alignment would follow advantage of existing roads and trails wherever possible.

No other significant developments are proposed under this alternative, other than the accessibility alterations cited earlier, and no irreversible or irretrievable commitment of resources for these other areas would occur under Alternative B.

3.2-6B LBVSPT Comments:

Alternative B would have Major Impacts Due Geology, Topography and Soils from Irreversible and Irretrievable Commitments of Resources with displacement and/or removal of an unknown quantity of soil. Resort land will be unusable for an undetermined length of time. The 150 mile trail system could affect up to 36 acres of surface material.

Impact 3.2-7B: Potential Impacts Due to Geology, Topography and Soils from Short-term Effects versus Long-term Effects

There are no potential impacts from short-term effects associated with geology or topography under Alternative B; however, there would be impacts to soils from the irretrievable commitment of resources, as described in Impact 3.2-6 above. Development activities at the resorts and along the trail corridor would temporarily prevent public access to those project areas. Long-term uses or productivity, however, would be positively affected, as the

completed, modern commercial and Reclamation facilities (trails) would be environmentally sited and designed to be compatible with their natural surroundings. Finally, the adoption of WROS, as noted earlier, would enhance Reclamation's ability to protect the natural resources and manage overall visitation.

3.2-7B LBVSPT Comments:

Alternative B would have Major Impacts Due Geology, Topography and Soils from Short-term Effects versus Long-term Effects. Short-term effects are devastating: a) shut down the resorts then make massive land changes, with removal and construction b) land and people displacements c) seven resorts with unstable land due to major soil movement – a heavy rainfall could be disastrous. Long-term effects a) costly development b) significant loss of revenue to business owners and county c) deprivation of recreational opportunities d) the adoption of WROS for emphasis on “traditional” recreation is against the principles of PUP and RAMP that are to provide public recreation based on need and desires of those who use the area.

Impact 3.2-8: Unavoidable Adverse Impacts Due to Geology, Topography and Soils

There would be no unavoidable adverse impacts associated with this alternative.

3.2-8B LBVSPT Comments:

Reclamation's Alternative B is unnecessary and detrimental to the land and use of Lake Berryessa. It is effectively a “change of use plan” that attempts to go back to nature at the cost of more diverse land use, recreation, and resources.

3.3 Biological Resource

Summary of Impacts per Alternative:

3.3 Alternative A – No impacts

3.3 Alternative A+ - No significant impacts

3.3 Alternative B – Major short term impacts / Unknown long term impacts

Descriptions of and evaluations of impacts to biological resources at Lake Berryessa were derived from existing data. Information regarding the reservoir's flora and fauna, threatened, rare and endangered species, wetlands and aquatic resources, and water and air quality was provided in part by the Bureau of Reclamation and the U.S. Fish & Wildlife Service, both of the Department of the Interior; the National Resources Conservation Service of the Department of Agriculture; and the State of California and the Napa County Resource District.

Data specific to Lake Berryessa resources was also drawn from the 1992 RAMP/EIS. The RAMP/ EIS provides programmatic direction for the development of specific plans for the reservoir. A number of these plans were identified for possible future environmental analysis. Under NEPA and the Council on Environmental Quality, this sequence of future analysis is termed "tiering." Tiering occurs when specific actions may not be implemented for a number of years, but where general direction and guidance is needed in the interim. The VSP/DEIS also identifies certain actions to be considered for future analysis, since they would not occur until after the resort permits expire in 2008-09.

3.3.1 Affected Environment and Existing Setting

Threatened, Endangered and Rare Species

Special-status species are those that are:

- Listed or proposed for listing as endangered or threatened by United States Fish and Wildlife Service (USFWS) and/or the California Department of Fish & Game (CDFG);
- Candidates for listing by USFWS;
- Considered endangered, threatened or rare (Lists 1-4) by the California Native Plant Society (CNPS) (plants only); and
- Species of special concern or special interest to the CDFG.

Federal and state endangered species legislation gives special status to several species that *may* occur in one or more of the areas depicted in the U.S. Geological Survey 7 ½ minute quadrangles encompassing Lake Berryessa and its tributaries. These quadrangles are Capell Valley, CA, Lake Berryessa, CA, Monticello Dam, CA, Chiles Valley, CA, Brooks, CA, Aetna Springs, CA and Walter Springs, CA.

Raptors such as the bald eagle and peregrine falcon inhabit the area, as noted under "Birds, Common and Protected." In addition, elderberry bushes (*Sambucus mexicana*), which supply habitat for the federally threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), occur throughout the Lake Berryessa area.

No other special-status species are currently known to be in the project area. The USFWS, however, has identified listed species that may be present within the Lake Berryessa USGS quadrangle. (For the species list, see the USFWS website at http://sacramentofws.gov/es/spp_lists/Quadname_Detail.cfm?ID=515C).

Mammals

Mammals present in and near the Lake Berryessa area include black-tailed deer, mountain lion (*Felis concolor*), which is a specially protected mammal under the State Fish and Game code, Section 4800; coyote, black bear, bobcat, gray fox, raccoon, striped skunk, jackrabbit, California ground squirrel and various other small animals. A complete list of wildlife species is provided in Appendix F of the RAMP.

Birds (Common and Protected Species)

More than 80 species of birds are found in the Lake Berryessa area. These include the turkey vulture, great horned owl, belted kingfisher, bald eagle, Cooper's hawk, golden eagle, Aleutian Canada goose, mallard, California quail and wild turkey. (A complete listing is found in the RAMP, Appendix F) All but three species of wild birds are protected in the United States under federal and/or state law. Pursuant to the federal Migratory Bird Treaty Act of 1918 (MBTA), it is illegal to "take" any migratory bird without a federal permit, excluding only three non-native species: the English (house) sparrow, starling, and rock dove (pigeon). The federal MBTA (16 USC 703, Supp. 11989) prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Protections provided by this Act encompass whole birds, parts of birds, and bird nests and eggs.

Raptors, or birds of prey (e.g., eagles, hawks, and owls), and their nests are protected under both federal and state laws and regulations. The California Fish & Game Code Section 3503.5 states that it is illegal to take, possess or destroy any birds in the orders Falconiforms or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." In addition, bald and golden eagles receive protection under the federal Bald and Golden Eagle Protection Act of 1948.

At Lake Berryessa, the peregrine falcon, no longer federally listed as a threatened species, is resident in the area. Golden eagles and Aleutian Canada geese winter on and near the lake. Waterfowl and fish attract eagles, and open water and sprouting grasses provide habitat for the geese. The northern spotted owl and western snowy plover are listed as threatened, but neither species has been observed at the lake. The bald eagle, also listed, has been observed in the immediate vicinity of the reservoir, and two active nests have been observed on the western side of the lake. The greater sand hill crane, a migrant species, and the white-tailed kite, a year-round resident, are both on the state's fully protected list.

Fish

The California Department of Fish & Game (DFG) introduced largemouth bass, smallmouth bass and red-eared sunfish to Lake Berryessa in 1957. Largemouth bass was intended to be the reservoir's principal game fish, supported by red-eared sunfish as its primary food source. Eventually, coldwater species, including kokanee salmon, silver salmon, brown trout, and rainbow trout, were introduced. Threadfin shad were then introduced as the primary forage fish. During this same period, channel catfish, white crappie, and black crappie were introduced to the lake to increase the warm-water fisheries.

In addition to emphasizing warm-water fish, the DFG began a trophy trout program by stocking additional rainbow trout, brown trout and silver salmon in the lake. The only type of trout presently being planted in the lake is the rainbow. However, in February 2001, the DFG made the first planting of Chinook salmon, an activity that has continued into 2003. In March 2002, the first planting of kokanee salmon also occurred.

There are no threatened, endangered or protected fish species reported in Lake Berryessa reservoir or its headwaters. A more detailed discussion of the management of fish can be found in the 1992 RAMP, "E. Fish Resources," page 42. A complete list of fish occurring in Lake Berryessa is found in the 1992 RAMP, Appendix H.

Amphibians and Reptiles

The western pond turtle, the western rattlesnake and the western fence lizard are but a few of the species found in the Lake Berryessa area.

The giant garter snake and the California red-legged frog both are listed as threatened species, but none have been reported in the study area. Further, the shoreline and streams that are within the boundaries of the lake's high use areas (marina/resorts) do not contain habitat considered essential to the survival of the red-legged frog. Although 4.1 million acres, including those of Lake Berryessa, were previously declared critical habitat for the red-legged

frog by the Department of the Interior, this designation was vacated by the District of Columbia Federal District Court on November 6, 2002. The complete Memorandum Order can be found in [DEIS] Attachment 8.

Vegetation

The rolling hills surrounding most of the lake are vegetated with oak, chaparral, and gray pine. North-facing slopes are generally about 90 % covered with black oak, scrub oak and chaparral. South-facing slopes are approximately 60 % covered with more temperature-resistant shrubs such as ceanothus, toyon, chamise, coyote brush, manzanita and poison oak. Forbs and grasses (fescue, wild oats, soft chess, mountain brome, and foxtails) compose much of the understory.

Six major habitat types that occur in the Lake Berryessa area are Blue Oak Woodland, Valley Oak Woodland, California Mixed Chaparral, Chamise Chaparral, Cismontane Introduced Grassland, and Mixed Northern Riparian Woodland.

Blue Oak Woodland is the dominant habitat type surrounding the lake. It occurs both as thick stands along the west and south shores and as open forests along the east shore, throughout the valleys and on lower slopes of the surrounding hillsides. At Lake Berryessa, Blue Oak Woodland occurs with Cismontane Valley Grassland and inter-grades with Valley Oak Woodland and the chaparral habitat types.

Valley Oak Woodland is found on soils that retain more moisture than those that support the Blue Oak Woodland. Typically, this habitat type occurs in the valley bottoms and along intermittent stream banks. California Mixed Chaparral covers many of the south-facing slopes and the higher ridges. It is often found adjacent to oak woodland and grassland habitats. At Lake Berryessa it is commonly associated with steep rock outcrops. Chamise chaparral is found on the most shallow and dry soils, exclusively on south-facing slopes. It is a homogeneous habitat consisting almost entirely of chamise, with some manzanita and buckbrush.

Cismontane Introduced Grassland covers nearly all of the northeastern shore. Historically, this area was probably oak woodland, but past brush clearing and livestock grazing have converted it to a grassland with a few remnant oaks. As in many parts of the region that have received the same treatment, regeneration of oak is not evident.

Mixed Northern Riparian Woodland usually occurs in a narrow band along the stream banks. The transition to adjacent oak woodland is usually abrupt. Riparian habitat makes up a small percentage of the total vegetation in the area. A list of trees, shrubs, grasses, forbs and ferns occurring in the Lake Berryessa area can be found in the RAMP, Appendix E.

Floodplains

Resort facilities and other long-term sites are located within the reservoir floodplain below the maximum lake level of 455 foot MSL. Flooding of these facilities and long-term sites has occurred, and these developments continue to be subject to flooding. Equipment and hazardous chemicals such as oils, gasoline and pesticides, when stored in the reservoir floodplain, continue to pose a threat to the lake's water quality.

Wetlands

Wetlands are a subset of a much broader category, waters of the United States, which include regulated water bodies such as wetlands, and non-wetland habitats such as streams, rivers, lakes, ponds and oceans. Waters of the United States provide valuable habitat for a large number of wildlife species, and they are a sensitive resource. Waters of the United States are subject to regulations and are within the jurisdiction of state and federal agencies under the Clean Water Act (CWA).

The U.S. Army Corps of engineers (Corps) and the U.S. Environmental Protection Agency define a wetland as an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. To fall under the Corps' jurisdiction, a wetland needs to meet specific criteria as defined in the Corps Wetland Delineation Manual.

Under Section 404, the Corps of Engineers, Department of Defense regulates the dredging and discharge of fill materials into waters of the United States. These waters include: intrastate lakes, rivers, streams (including intermittent streams), mudflats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes or natural ponds and wetlands adjacent to any waters of the United States (CFR 33 Part 328).

At Lake Berryessa, two sites have been identified as meeting the criteria for wetlands under Section 404 of the Clean Water Act. The first of these, located within the land assignment for Rancho Monticello Resort, measures 0.206 acres. The second wetland, the Olive Orchard Wetland, which was created by impounding Sugarloaf Creek behind the Knoxville Road, was constructed by Reclamation and Ducks Unlimited to create a seasonal wetland for waterfowl. It is approximately 5 acres in size. Cattails and Pacific willows are the dominant types of wetland vegetation found at the Rancho Monticello site. Pacific willow, cottonwood, elderberry and tule grass were planted at the Orchard Wetland site with the completion of the project in 2001. An Environmental Assessment was prepared prior to the start of the Olive Orchard Wetland project and is provided in Attachment 9.

There are no other areas within the Lake Berryessa boundary that have been identified as wetlands.

Water Resources

The water supply for Lake Berryessa is provided by the 568-square-mile drainage basin above the dam. The elevation of the basin ranges from 182 feet at the base of the dam to 4,722 feet at the upper end of Putah Creek, with most of the basin lying below 1,500 feet. There are four principal creeks that flow into Lake Berryessa: Capell Creek, Pope Creek, Eticuera Creek, and Putah Creek - the main drainage of the basin. The mild climate of the basin has only two noticeable seasons: a warm, dry season from May through October and a cool, wet season from November through April. Most of the precipitation occurs as rain during the cool, wet season, with only minor amounts of snow falling on the upper portions of the basin.

Lake Berryessa has a storage capacity of 1,600,000 acre-feet (AF) at an elevation of 440 feet MSL. The average annual inflow to the reservoir is 369,000 AF and the annual firm yield is 201,000 AF. An additional release of 22,000 AF is required annually to meet prior downstream water rights along Putah Creek. An upstream reservation of 33,000 AF was established by the State Water Resources Control Board to provide water for future development of the area above Monticello Dam. Reclamation has appropriated 7,500 AF of the 33,000 AF to provide for future development around the reservoir. The reservoir water level may fluctuate from a maximum of 455 feet to a minimum elevation of 253 feet MSL. A water level of 309 feet MSL is considered dead storage elevation.

Water Quality

Oversight of the water quality of Lake Berryessa is provided jointly by Reclamation and the California Department of Health Services. Reclamation collects monthly samples at Lake Berryessa for analysis of fecal coliform bacteria. Reclamation also tests water samples taken quarterly from Putah Creek below the dam to determine the presence of biological agents such as *Giardia* and *Cryptosporidium*, inorganic materials such as chloride, fluoride and sulfate, and a variety of minerals including mercury, arsenic, barium and zinc. The California Department of Health Services tests for many of the elements monitored by Reclamation, but takes its samples in the vicinity of the resorts. A recent report prepared by Reclamation indicates that the presence of MTBE, a by-product of gasoline used by motorized watercraft, has essentially disappeared from samples taken at various test sites on the reservoir since the chemical was banned from gasoline in 2001. In summary, water quality from all the sources currently meets the standards for drinking water supplies as specified under Title 22 of the State of California. A sample of the results of Reclamation and Napa County tests for a variety of sites and selected periods between 1997 and 2002 can be seen in [DEIS] Attachment 10.

The Lake Berryessa area is considered a part of the San Francisco Bay Area Air Basin. This basin encompasses nine counties, including Napa County. The unifying feature of this monitoring area is the bay, which is oriented north to south and covers about 400 square miles within a total area of 5,545 square miles. Air quality in the San Francisco Bay Area Air Basin is considered better than in other areas of the South Coast Air Basin and this is due,

in part, to a more favorable climate, with cooler temperatures and better ventilation. With about 20 % of California's population residing in the San Francisco Bay Area, pollution sources in the region account for about 16 % of the total statewide criteria pollutant emissions. There are no large sources of industrial pollution near Lake Berryessa; therefore, visibility from point to point within the major drainage basin is good and air quality in the area is seen as essentially the same as, if not better than, air in the more southern portions of the Bay Area Air Basin. This observation, however, is not supported by empirical data, since there are no air-monitoring stations located within the Lake Berryessa/Putah Creek air shed. The closest station is located at Vacaville, CA, approximately 20 miles to the southeast. A more detailed assessment of the air quality found in the Bay Area Basin may be viewed at the website www.arb.ca.gov/aqd/almanac/almanac02/almanac02.htm. The Affected Environment topics of Wildlife, Birds, Threatened, Endangered and Rare Species, Fish, Amphibians and Reptiles, Vegetation, Floodplains, Wetlands, Water Resources, Water and Air Quality described for the No Action Alternative A.

3.3.1A, A+ LBVSPT Comment:

The Affected Environment topics of wildlife, birds, threatened, endangered and rare species, fish, amphibians and reptiles, vegetation, floodplains, wetlands, water resources, water and air quality described for the No Action Alternative A essentially concludes that there is no endangerments or major environmental concerns. Alternative A+ would have modest impact for redefined use areas mandated by zoning and relocations, every effort would be made to modify existing infrastructure to accommodate new design and development

3.3.1B LBVSPT Comment:

The Affected Environment topics of Wildlife, Birds, Threatened, Endangered and Rare Species, Fish, Amphibians and Reptiles, Vegetation, Floodplains, Wetlands, Water Resources, Water and Air Quality impacts are unknown under Alternative B. Major demolition and developments are slated but there is no "plan". Impacts to certain species and resources in an area of massive demolition and construction are unavoidable. Alternative B also calls for 150 miles of trails and environmental impacts would be certain. Because there is no plan and no study for the trails, no impact can be assessed. The concept of tiering appears to be misused to defer even the minimal description of a plan or planning process.

From the memorandum: GUIDANCE REGARDING NEPA REGULATIONS - 40 CFR Part 1500

"Tiering of environmental impact statements refers to the process of addressing a broad, general program, policy or proposal in an initial environmental impact statement (EIS), and analyzing a narrower site-specific proposal, related to the initial program, plan or policy in a subsequent EIS. ... Tiering, of course, is by no means the best way to handle all proposals which are subject to NEPA analysis and documentation. The regulations do not require tiering; rather, they authorize its use when an agency determines it is appropriate. It is an option for an agency to use when the nature of the proposal lends itself to tiered EIS(s)... where a Federal agency adopts a formal plan which will be executed throughout a particular region, and later proposes a specific activity to implement that plan in the same region, both actions need to be analyzed under NEPA to determine whether they are major actions which will significantly affect the environment. If the answer is yes in both cases, both actions will be subject to the EIS requirement, whether tiering is used or not. The agency then has one of two alternatives: Either preparation of two environmental impact statements, with the second repeating much of the analysis and information found in the first environmental impact statement, or tiering the two documents. If tiering is utilized, the site-specific EIS contains a summary of the issues discussed in the first statement and the agency will incorporate by reference discussions from the first statement...the problems appear when an agency determines not to prepare a site-specific EIS based on the fact that a programmatic EIS was prepared."

3.3.2 Environmental Consequences and Mitigation

Impact 3.3-1: Potential Impact to Threatened, Endangered or Rare Species

Under the No Action Alternative, Reclamation, the U.S. Fish & Wildlife Service and California Fish & Game would continue their oversight and protection of special-status species at the lake. The two known active bald eagle nests are located at least two miles from any developed areas. Reclamation would continue to monitor the

nests to insure adequate protection, especially during the breeding and nesting seasons. Other raptors, such as peregrine falcons, are somewhat more common. Their nesting sites, though not as closely monitored, are not found within the developed areas. The white-tailed kite is another year-round resident, and the greater sand hill crane is a migrant species. Both are on the state's threatened list. To date, human disturbance of any of the protected species has not been observed.

Threatened, endangered or rare examples of other species of birds, amphibians, reptiles and plants have not been documented within the project boundary. The valley elderberry longhorn beetle, which is federally listed as threatened, could potentially exist in elderberry shrubs growing in and near the project area. To date, however, the presence of the beetle there has not been documented. It should be noted that, in addition to the elderberry shrubs growing at Smittle Creek near the entrance to Lake Berryessa Marina, elderberry shrubs are quite common and occur throughout the Lake Berryessa area.

The critical habitat designation for the red-legged frog, which included land around the reservoir, was rescinded by the Department of Interior in 2002. This species has not been found at the lake.

Impact 3.3-2: Potential Impact to Mammals

Implementation of the No Action Alternative, which is a continuation of existing conditions, would not impact resident wildlife populations within the project boundary. Larger mammals such as mountain lion, black bear and bobcat, although not commonly found in the high-use areas in and near the resorts, occasionally are seen in lands bordering the reservoir. The presence of deer and smaller animals such as coyotes, raccoons and striped skunks, however, are more frequent, and would continue to be observed in the developed areas as well as more remote locations around the lake. The immediate protection and management of these various animals would remain the responsibility of California Fish & Game and Reclamation.

3.3-2A, A+ LBVSPT Comment:

All efforts would be made to minimize environmental impacts. A+ is designed as a phase-out / phase-in plan utilizing the existing infrastructure as much as possible. Impact to threatened, endangered and rare species would be minimal.

3.3-2B LBVSPT Comment

Environmental consequences and mitigation are major in the short-term, if not the long-term. Without a plan the full significance of environmental consequences is undetermined. Impacts to threatened, endangered and rare species would be abrupt and consequential. As identified in NEPA, the "human environment" would be devastated under Alternative B.

Impact 3.3-3: Potential Impact to Birds (Common and Protected Species)

Implementation of the No Action Alternative would continue the existing conditions that support a diverse and viable bird population and protect those special-status species listed by the U.S. Fish and Wildlife and California Fish & Game. Active bald eagle nests have been mapped and are monitored to insure appropriate protection, as are other special-status species observed at the lake. Under this alternative, protection strategies currently in place would continue to be used, and there are no actions proposed by Reclamation, state, county or other authorities that are anticipated to impact the various common and protected species of Lake Berryessa.

3.3-3A, A+ LBVSPT Comment:

Protection strategies to birds in place would continue to be used.

3.3-3B LBVSPT Comment

Protection strategies to birds in place are uncertain in Alternative B, which removes existing infrastructure and is unstable for at least two years during which time an unknown amount of construction is undertaken. The new development is unknown because no plan exists. The habitats are vulnerable, destabilized, if not obliterated, under Alternative B.

Impact 3.3-4: Potential Impact to Fish Populations

The No Action Alternative would have no significant impact on the various species of fish that inhabit the lake. Stocking programs, which include periodic monitoring of game and other fish populations, would continue to be conducted by the California Fish & Game. Creel census occurs several times each month, and other than a systemic but non-threatening infestation of rainbow trout by the anchor worm and higher than normal concentrations of mercury occurring in various species, fish populations appear to be healthy.

3.3-4A, A+ LBVSPT Comment:

Based on existing programs and use, the fish populations are healthy. As a product of human engineering/intervention, all of Lake Berryessa's resources must be judged in the context of what they provide to people. For example, there would be no fish "resources" in this valley had there not been a dam constructed and fish species introduced to provide game fishing as a recreational activity for humans. To now give priority to protecting fish resources over other non-destructive human uses of the lake is not logical. The fish resources were introduced and exist to provide recreational opportunities to only one of the Lake communities – the anglers.

3.3-4B LBVSPT Comment:

The potential impacts of Alternative B, along with all of the infrastructure of the resorts, are changes that may or may not guarantee the fish populations are healthy. Alternative B focuses on removing improvements to concessions. The impacts of that flow down to the fish population is unknown - if there are no fisherman is there an impact to fish populations? Abrupt changes have impacts.

Impact 3.3-5: Potential Impact to Amphibians and Reptiles

As stated previously, there are no surveys of amphibian and reptile populations residing within or frequenting the shallows, shoreline and areas up to the take-line of the lake. Though these environs are accessible to visitors, there is no evidence of adverse affects on these species and therefore no significant impact would be anticipated under this alternative.

3.3-5 LBVSPT Comment:

There are no adverse affects on these species and therefore no significant impact is anticipated under any of the alternatives.

Impact 3.3-6: Potential Impact to Vegetation

Vegetative cover has become well established, particularly after the cessation of grazing on sections of the land surrounding the lake. Black and scrub oak dominate north-facing slopes, coyote brush, manzanita and chamise cover sizable areas of south-facing slopes, and fescue, wild oats and foxtails compose much of the understory. This same mix of vegetation is also found on the lake's various islands. Class I and II areas both exhibit more cultivated landscapes, whereas the remaining class-types host a natural and unmanaged vegetative cover. This alternative would have no significant impact on Lake Berryessa vegetation.

3.3-6B LBVSPT Comment:

There are no surveys, therefore we have no conclusions in the concession areas. Alternative B calls for 150 miles of trails, the impact to vegetation would have to be determined by a study and analysis of each area altered.

Impact 3.3-7: Potential Impact to Floodplain

Under the No Action Alternative, incidents of flooding and subsequent adverse affects to the floodplain will continue when the reservoir level rises above 440 feet, flooding those resort buildings remaining in the water influence zone. Impacts occur when equipment and hazardous chemicals such as petroleum products and pesticides are inundated while stored in these lower structures. The potential for impacts has been alleviated to some degree with the removal of approximately 200 trailers from areas termed "dry sites," which are located in

two resorts. These are trailer sites with no sewage and water hookups. They were responsible, in part, for previous water quality violations when the lake level exceeded 440 feet.

3.3-7A, A+ LBVSPT Comment:

Potential impacts have been essentially alleviated.

3.3-7B LBVSPT Comment:

Potential impacts have been essentially alleviated, although Alternative B removal of retaining walls and flood-proofing could result in erosion and damages to the area.

Impact 3.3-8: Potential Impact To Wetlands

There are two wetland sites identified within the project area. The first is from the impoundment of Sugarloaf Creek behind the Knoxville Road, which was created for seasonal waterfowl. Approximately 5 acres are affected. The second is located adjacent to the sewage treatment plant that serves Rancho Monticello Resort. It is 0.206 acres in size. Neither of these sites is threatened by development or visitor activities. Under Alternative A, they would continue to be monitored and protected according to Section 404 of the Clean Water Act. There would be no significant impacts to these resources anticipated under this alternative.

3.3-8A, A+ LBVSPT Comment:

The wetlands areas would be monitored and protected according to Section 404 of the Clean Water Act.

3.3-8B LBVSPT Comment:

Impacts are unknown due to the fact that the “plan” of removal and construction is unknown. No study is doable or available. No impact can be assessed.

Impact 3.3-9: Potential Impact to Water Resources

Implementation of the No Action Alternative, which is a continuation of existing conditions, would not affect drainage patterns or the volume of streams flowing into the lake. Therefore, there would be no significant impacts anticipated for water resources under this alternative.

3.3-9A, A+ LBVSPT Comment:

No impact to Water Resources.

3.3-9B LBVSPT Comment

Impacts are unknown due to the fact that the “plan” of removal and construction is unknown. No study or plan or available. No impact can be assessed.

Impact 3.3-10: Potential Impact to Water Quality

Under Alternative A, regular testing of reservoir waters would continue to be conducted by the State of California and Reclamation. Due to a variety of deficiencies in equipment and operations, each of the resorts has been found at various times to be in violation of state and county regulations regarding the treatment of wastewater. When they occurred, these violations caused significant short-term impacts to the water quality in the vicinity of the particular resort out of compliance.

Corrective actions have been undertaken with success by Reclamation and the concessionaires to bring all resorts into compliance with wastewater treatment requirements. These actions have focused mainly on the removal of approximately 200 trailers from two resorts in areas termed “dry sites,” which are trailer sites without water or sewer hookups. Other than previous wastewater incidents noted here, water quality from all sources currently meets the standards for drinking water supplies as specified under Title 22 of the State of California.

However, the sewage systems at some resorts are aging and deteriorating, and are expected to require major improvements within the next 15 years. A significant risk to water quality would exist if all of the current sewage

systems were allowed to remain in continued use until they completely fail. In the event of serious failure of the sewage system, such that untreated sewage were released into the reservoir, potential impacts to water quality could be significant.

3.3-10A, A+ LBVSPT Comment:

Under Alternative A, all resorts will be brought into compliance with wastewater treatment requirements. Water quality from all sources currently meets the standards for drinking water supplies as specified under Title 22 of the State of California. Alternative A+ would evaluate existing sewer systems and address maintenance or new construction to meet the needs of current and future use.

LBVSPT disagrees with comments such as those on Page 109: “When they occurred, these violations caused significant short-term impacts to the water quality in the vicinity of the resort out of compliance.” There is no empirical data to support this statement. All Reclamation data and other public statements contradict this claim.

Speculative and slanted statements do not belong in a document of this nature. An egregious example is on Page 110: “In the event of serious failure of the sewage system, such that untreated sewage were released into the reservoir, potential impacts to water quality could be significant.” No responsible manager or agency would allow this. In addition, all sewage systems are sufficiently removed from the lakeshore that a sewage spill that would actually reach the reservoir is highly unlikely.

3.3-10B LBVSPT Comment:

Impacts to Water Quality are unknown, due to the fact that the extent of removal and major construction is unknown, the impacts to water quality is unknown. No studies have been provided.

Impact 3.3-11: Potential Impact to Air Quality

Under Alternative A, the conditions that may contribute to the quality of air at Lake Berryessa would remain unchanged. The lake’s air shed lies in the extreme northeast part of the larger Bay Area Air Basin. As there are no air-quality monitoring stations within 20 miles of the reservoir, no definitive data exists regarding actual air quality conditions at the lake over the course of the year. Although they are undocumented, potential adverse affects may result from automobile emissions, motorized watercraft concentrated within marina environs and the burning of wood at the campgrounds and day-use areas. These sources of emissions characteristically peak during the summer months of high visitor use. Due to lack of an ambient air-monitoring program, it is not known whether these emissions are within the limits set by federal and state clean air standards.

3.3-11A, A+ LBVSPT Comment:

Air Quality is acceptable.

3.3-11B LBVSPT Comment:

Air Quality is not known, or assumed to be acceptable, major demolition and construction is anticipated.

Impact 3.3-12: Potential Impacts to Threatened, Endangered or Rare Species

Implementation of the Concession Operations components under Alternative B would not cause significant impacts to species protected under the threatened, endangered or rare classifications. One of the two known active nests of bald eagles is located on the west shore, two miles from any developed areas, while the other is located on the western tip of Big Island. Big Island has been given a special designation to insure adequate protection of the eagles, especially during the breeding and nesting seasons. The preferred habitat of the valley elderberry longhorn beetle, a federally listed threatened species, occurs next to the Knoxville/Berryessa Road on the shore of Smittle Creek. It is undetermined whether the beetles actually occur there at this time. Nevertheless, the potential beetle habitat would be protected by requiring any proposed road improvements to avoid that area. The presence of other species listed by the U.S. Fish & Wildlife Service or the California Fish & Game for the Lake Berryessa area has not been documented within the project area.

3.3-12A, A+ LBVSPT Comment:

No impact, or minimal impact to threatened, endangered or rare species.

3.3-12B LBVSPT Comment:

Impact to threatened, endangered or rare species is unknown, due to the fact that a plan does not exist for removal of improvements and future development options.

Impact 3.3-13: Potential Impact to Mammals

The Concession Operations development component of Alternative B would involve the removal, renovation and construction of concession facilities at each resort. (These activities hereafter are referred to collectively as “build-out.”) Wildlife more commonly found in the vicinity of the resorts could be temporarily disturbed while build-out occurs. These impacts would include increased dust, noise and human activity. Due to the abundance of the species that are common to these areas, their familiarity and adaptation to the urban environment, and their ability to move to and survive in other locations, these impacts would be minor.

Also under this alternative, the Capell Cove launch ramp would be managed Spanish Flat Marina, and Camp Berryessa would be operated by Putah Creek Resort. As no additional development is proposed for Capell and only minor changes are envisioned for Camp Berryessa, no significant impacts to wildlife would be anticipated.

The Government Operations component proposes the construction of a more extensive trail network bordering the reservoir. Once the trail alignment has been determined, an environmental analysis might be necessary to evaluate further any potential affects to wildlife. However, any such impacts would be no greater than those anticipated for the resort areas, and for the same reasons.

Alternative B also proposes a use-classification change from the use-levels described in the 1992 RAMP to those adopted under the WROS recreational-use classification system, described earlier. Under this new classification, a number of sites, including islands and shore areas along the lake, would be assigned a new level of public use. These are shown in (Figure 4, Map 2).

Under this component, portions of the lake surface also would be reclassified according to WROS criteria. Several of these would include the areas between the Oak Shores day-use area, the Smittle Creek day-use area, Small Island, and Big Island, which would change from Rural to Rural Natural/ Non-motorized. The area south of the entrance to Steele Canyon Cove would be reclassified as Rural Developed. These restrictions would potentially have beneficial impacts on wildlife in the vicinity.

Reclamation would continue to manage the day-use areas at Oak Shores and Smittle Creek, and the dispersed sites (turnouts) at Markley, Olive Orchard, North Shore and Pope Creek, consistent with PL-93-493 and the RAMP. The existing unimproved turnout at Eticuera would be replaced with an upgraded turnout and trailhead a short distance further north on the Berryessa-Knoxville Road and a turnout at Steele Canyon would be upgraded much the same way.

The day-use sites noted above have been affected previously by various degrees of development. Proposed improvements to those areas under this alternative would have minimal effects on wildlife in these areas.

As previously mentioned, the lake encompasses 25 islands ranging in size from ¼ of an acre to 400 acres. A number of these islands provide habitat for the same types of smaller mammals found in and near the reservoir’s resorts and day-use areas. Under WROS, these islands would remain unimproved, without picnic or camping facilities, and it is anticipated that they would generally experience the same level of use as they would under the No Action Alternative. As there is no indication of adverse effects to wildlife found on these islands, no major impacts would be expected under this alternative.

3.3.2-13A, A+ LBVSPT Comment:

No impact, or minimal impact to mammals and all wildlife.

3.3.2-13B LBVSPT Comment:

Impact to Mammals - The removal, renovation and construction of concession facilities at each resort - “build-out” - is misleading. Reclamation has indicated through classifications, allowances of uses, number of intended accommodations and types that there is absolutely no build-out, but rather a phase of removals and then minimal return of facilities for public use when a final plan is reached and funded. In the meantime wildlife commonly found in the vicinity of the resorts would be displaced and/or disturbed by dust, noise and human activity. The full impacts are unknown due to the vague time of the removals, construction and the lack of a plan.

Reclamation has not consulted with stakeholders regarding major areas directly related to the stakeholders/concessionaires. Reclamation is assuming Spanish Flat would take over Capell Cove and Putah Creek would take over Camp Berryessa. Spanish Flat has a launch ramp. PL 93-493 authorized Reclamation to construct Capell Cove. Problems with the faulty ramp were identified in 1995. Fees could have and should have been charged to defray some of the costs of maintenance and, in this case, major repairs. For Spanish Flat to manage Capell Cove would have to be negotiated or other options considered. Putah Creek should also have the option of negotiating their operation of Camp Berryessa, or other options should be considered. Reclamation has no trial plan or environmental impact study regarding wildlife; therefore, the impact is unknown. The WROS classification for islands would have to be reviewed according to an overall plan.

Impact 3.3-14: Potential Impacts to Birds (Common and Protected Species)

Again, under Alternative B, bird populations at each resort would be temporarily disturbed by increased dust, noise and human activity. Some displacement of nesting birds may occur if vegetation within the resorts were removed during development activities. As with wildlife, there is an abundance of the various bird species present in the resort areas, and their mobility and ability to adapt to an urban environment forecast less than a significant impact to resident populations under this proposal.

There are no special-status species nesting within or potentially affected by the proposed developments at the resorts, the Capell Cove launch ramp, or Camp Berryessa. No significant impact to common or protected species would be anticipated from build-out activities.

Once the alignment of the trail system has been determined, further environmental documentation of potential impacts to various bird species might be necessary. However, since new trails would be designed to be minimally intrusive to the environment and avoid sensitive areas such as active raptor nesting sites, detrimental affects on local populations would be minor.

In areas reclassified under WROS, a variety of both resident and migratory birds may be present, depending on the time of year. The proposed improvements of the turnout sites at Eticuera and Steele Canyon under this alternative would only cause a temporary disturbance to an even lesser degree than that predicted for the resorts, and would have minimal affects on species found there. There is no evidence of special status species nesting at or near these or the other day-use sites or on any of the islands.

Under this component, portions of the lake surface also would be reclassified according to WROS criteria. Several of these would include the areas between the Oak Shores day-use area, the Smittle Creek day-use area, Small Island, and Big Island, which would change from Rural to Rural Natural/ Non-motorized. The area south of the entrance to Steele Canyon Cove would be reclassified as Rural Developed, and a minimum speed zone would be imposed on a portion of the Putah Creek Arm. These restrictions potentially would have beneficial impacts on both year-round and migratory fowl that may use these waters for breeding and nesting. As was described under the topic of mammals, it is predicted that visitor use of the islands would remain at about the same level as for the No Action Alternative. There is no evidence of adverse effects to the various species currently found there, and no significant impacts would be anticipated under Alternative B.

3.3-14A, A+ LBVSPT Comment:

No impact, or minimal impact to Birds.

3.3-14B LBVSPT Comment:

Displacements and disturbances to birds during removal and development activities, which has no plan and schedule, cause these impacts to be unknown. Reclamation attempts to use this component to reclassify portions of the lake surface according to WROS criteria; however, per WROS itself, changes in classifications would require a process of review and evaluation. The recreational opportunities and benefits and effects to the human environment are paramount to the stakeholders, yet Reclamation is attempting to consider the human environment as least important and has not involved the stakeholders in the directions and decisions they have made. There would be major impacts to the human environment due to Reclamation's selective classification regarding birds.

Impact 3.3-15: Potential Impacts to Fish Populations

With the eventual build-out of various concession facilities under Alternative B, species such as sunfish and bass that frequent the warm water, littoral zone or shorelines near the resorts might temporarily be impacted by erosion or run-off from construction sites. However, strict adherence to the construction standards described under Alternative B for Soils would minimize the likelihood of significant impacts.

No major changes are proposed for the Capell Cove launch ramp or for Camp Berryessa under this alternative; therefore, significant impacts to fish populations near those facilities would not be expected.

The implementation of the Government Operations component would include the continuation of the fish planting and monitoring program conducted by the state as first identified under the No Action Alternative.

New trail construction along the shore would employ the same conservative design and construction criteria described for the resorts, and would not be expected to create a significant impact to fish. The two turnout/trailhead sites at Eticuera and Steele Canyon proposed for modest upgrades and already impacted by use do not pose any potential impacts to reservoir fish. The remaining day-use sites such as those at Markley, Olive Orchard, Oak Shores, Smittle Creek, Pope Creek and North Shore are not proposed for any development that would cause significant effects to the lake's fish population. The proposed WROS recreational-use changes for lake surface areas include allowing only non-motorized use between Oak Shores, Smittle Creek and between Big and Small Islands. Prohibiting motorboats would benefit fish resources by eliminating the erosion and re-deposition that occur when those vessels are operated close to shore, and by minimizing the disruption of aquatic vegetation and the harassment or dislocation of spawning fish by motorized vessels.

In general, the design and construction of all facilities around the lake that limit shoreline development and eliminate impacts to the floodplain will improve the general condition of soils, vegetation and water quality, thereby benefiting fish resources throughout the reservoir.

3.3-15A, A+ LBVSPT Comment:

No impact, or minimal impact to Fish populations.

3.3-15B LBVSPT Comment:

Soil erosion from removal and construction would occur, since "eventual build-out" with no plan makes the impact unknown. With nearly \$1,000,000 of corrective construction needed at Capell Cove, it is a misrepresentation to state that "No major changes are proposed for the Capell Cove launch ramp." Significant impacts to fish populations could be expected due to needed construction. See DEIS Attachment 6.

Reclamation equates the construction of the trail system to equate that of a resort; therefore, major impacts would be anticipated over 150 miles of trail.

There would be no fish "resources" in this valley had there not been a dam constructed and fish species introduced to provide game fishing as a recreational activity for humans. To now give priority to protecting fish resources over other non-destructive human uses of the lake is not logical. The fish resources were introduced and exist to provide recreational opportunities to only one of the Lake communities – the anglers. Reclamation proposes unrealistic and unnecessary recreational use changes which greatly diminish the benefits for recreational

users of the lake. Studies would need to be conducted to support the request for use changes and reclassifications, it should not be an arbitrary decision.

Impact 3.3-16: Potential Impacts to Amphibians and Reptiles

The description of potential impacts to amphibians and reptiles would be similar to that provided for impacts to fish under this alternative. As with various fish species that feed in shallow waters, the amphibians and reptiles that inhabit the shoreline and tributaries would be temporarily impacted by any significant erosion and run-off that might occur during build-out activities at the resorts. An increase in human activity also would temporarily disturb these species, but as with wildlife and birds, amphibians and reptiles would be able to relocate to other environs until normal use conditions were restored. With the employment of design and construction techniques outlined in section 3.2, significant detrimental effects on these species would not be expected.

Implementation of the Government Operations components would not create significant impacts to amphibians or reptiles found elsewhere along and above the shore or on the reservoir's various islands. The construction of new trails would only temporarily disturb these species, which are not unaccustomed to human activity; consequently, amphibians and reptiles frequenting the other areas reclassified under WROS probably would be unaffected by the presence of humans, even if visitation gradually increased. The deeper water sites classified under WROS would not normally support habitat for amphibians or reptiles.

Finally, the proposed upgrade of the turnouts at Eticuera and Steele Canyon and the continued operation of the day-use areas (turnouts) at Markley, Olive Orchard, Oak Shores, Smittle Creek and North Shore, would not create adverse effects to reptiles and amphibian populations that may be near these areas. Significant impacts to these species are not anticipated.

3.3-16A, A+ LBVSPT Comment:

No impact, or minimal impact to amphibian and reptile populations.

3.3-16B LBVSPT Comment:

Soil erosion from demolition and construction would occur and since there is no plan the impact is unknown. Reclamation assumes reclassifications which have not been established or accepted. No reclassifications can be accepted without studies, data and stakeholder involvement.

Impact 3.3-17: Potential Impacts to Vegetation

As stated previously, design and construction plans have not been prepared for build-out activities at the seven resorts. Therefore, the potential impact to vegetation when development actually occurs cannot yet be accurately evaluated. Design of new facilities, however, likely would take advantage of existing open space such as roads, parking lots and utilities corridors. By focusing development in areas of previous impact, potential effects of build-out activities on vegetation would be limited and non-significant. The same would be true of any road realignments and improvements proposed as part of an updated structural fire protection plan under Alternative B.

Vegetation adjacent to the Capell Cove launch ramp and Camp Berryessa would not be affected by this alternative.

Vegetation might be moderately affected with the development of a new trail system, as proposed under Alternative B. The actual alignment of the expanded shoreline trail network has yet to be determined; however, an existing trail-development proposal described in the RAMP calls for a trail that is 3 feet wide by 50 miles long. The RAMP estimates that such a trail might disturb 10 to 18 acres of surface material. The expanded trail network proposed under Alternative B, in comparison, calls for up to 150 miles of trail, and could cause correspondingly greater impacts. Such impacts would be mitigated by aligning the new trail system with existing road and developed trail corridors, and by utilizing the numerous informal paths surrounding the reservoir. The expanded trail system also would be aligned to avoid dense tracts of ground vegetation and stands of mature trees. Mitigation efforts would include, whenever possible, the re-planting of vegetation and re-use of other landscape materials disturbed during trail construction. Under these conditions, trail construction would likely cause only

minor impacts. However, further pre-construction environmental documentation likely would be required once the trail network is planned in greater detail.

Vegetation on the islands and the on-shore areas of Markley, Olive Orchard, Oak Shores, Smittle Creek, Pope Creek and North Shore, and that at the improved sites at Eticuera and Steele Canyon would not be affected by trail development under this alternative.

3.3-17A, A+ LBVSPT Comment:

No impact, or minimal impact to vegetation.

3.3-17B LBVSPT Comment:

Design and construction plans have not been prepared for build-out activities at the seven resorts. Therefore, the potential impact to vegetation when development actually occurs cannot yet be accurately evaluated. Alternative B calls for 150 miles of trails when 30-50 miles authorized in RAMP/1992. No need or demand has been proven for extensive trails. No plan has been proposed. No environmental study done nor funds appropriated. The impacts to vegetation appear to be significant.

Impact 3.3-18: Potential Impacts to the Floodplain

Under Alternative B, any specific plans for the reconstruction of resort facilities would include the provision that no structures (other than marinas) be placed below 455 feet MSL. This requirement would insure that any of the solid or liquid materials, such as sewage, with the potential to affect water quality would remain above the water influence zone (100 horizontal feet from elevation 440 MSL). This provision would result in a beneficial effect to the floodplain adjacent to the resorts.

Because this alternative proposes no change in the operation of the Capell Cove launch ramp or the Camp Berryessa group campground, there would be no significant impacts to the floodplain at the mouth of Capell Creek or on Putah Creek.

Reclamation's proposal for trail development, recreational reclassification of a number of island, shoreline and water areas and the upgrading of parking and trail access at Eticuera and Steele Canyon would have no effect on floodplain environments. Continued operations at North Shore, Pope Creek, Smittle Creek, Oak Shores, the Markley turnouts and Olive Orchard would not include external developments or activities likely to be cause adverse effects to the nearby floodplain.

3.3-18A, A+ LBVSPT Comment:

No impact, or minimal impact to Floodplain.

3.3-18B LBVSPT Comment:

Reclamation's plan would have significant impact on the human environment and the environment, including land, wildlife and water (erosion), if structures were removed and there were no new structures below 455msl. RAMP calls for removal of structures used for long-term use in the Base Floodplain, 440 to 450 feet msl. RAMP states that long-term uses, 450 to 455 feet msl be flood-proofed. The lake level has never been higher than 446.7 feet (in 1983) since the dam was constructed. Since 1985 the lake has only reached 444 feet once in 1998. It is typically at or below 440 feet (Glory Hole). (See Water Level Charts at the end of this document.)

These facts need to be considered when evaluating the economic impacts of various actions on the Lake communities based on arbitrary statistical probabilities of future lake levels. Many short-term use facilities including restaurants are within this zone at present.

Alternative B would be destructive to the environment and the extensiveness of the impacts are unknown. Capell Cove has major defects that need repair. Reclamation has ignored the Capell Cove condition since 1995. There will be costly and extensive repairs, impacts to the floodplain are unknown. Reclamation has no plan for trail development, impacts are unknown.

Impact 3.3-19: Potential Impacts to Wetlands

As described under Impact 3.3-8 for the No Action Alternative, there are two Wetlands located within the reservoir boundary. The first, 0.206 acres in size, is adjacent to the wastewater treatment plant at Rancho Monticello. The wetland, which supports cattails and Pacific willows, lies below and 200 feet east of the sewage treatment plant. A Wetland Delineation Report, prepared in April 2003, can be found in Attachment 11.

The treatment plant at that locale has been evaluated by Kleinfelder, Inc. which concluded that it has a life expectancy of less than 15 years. Under Alternative B, no replacement or significant changes to the plant is proposed; however, any modifications that might eventually become necessary would include strategies to protect surrounding water resources, consistent with the provisions of Section 404 of the Clean Water Act.

The second site, the Olive Orchard wetland, is located on Sugarloaf Creek, adjacent to the Knoxville Road. The 5-acre site was created in a joint effort by Reclamation and Ducks Unlimited to provide habitat for seasonal waterfowl. The wetland is adjacent to a paved road but otherwise removed from other existing and proposed development and intensive visitor activities. Reclamation would continue to monitor and protect the area consistent with the provisions of the Clean Water Act.

3.3-19A, A+ LBVSPT Comment:

No impact to wetlands.

3.3-19B LBVSPT Comment:

The wetlands at Rancho Monticello have been identified. The report in DEIS Attachment 11 verifies that the wetlands are not affected by the sewage treatment plant 200 feet away. The life expectancy of the plant according to Kleinfelder is approximately 15 years, and that would be mitigated under current contract or new contract to extend to 30 years or more. Reclamation has no plan for development, therefore impacts are unknown.

Impact 3.3-20: Potential Impacts to Water Resources

Under the Concession and Government Operations components of Alternative B, there are no proposals that would affect either the drainage patterns or volume of water flowing into the reservoir. Therefore, no significant impacts would be anticipated under this alternative.

3.3-20A, A+ LBVSPT Comment:

No impact, or positive impact to Water Resources, due to improved conditions to infrastructure.

3.3-20B LBVSPT Comment:

Reclamation has no plan, therefore impacts are unknown.

Impact 3.3-21: Potential Impact to Water Quality

Alternative B calls for the eventual build-out of resort facilities and rehabilitation or replacement, as necessary, of existing sewer treatment facilities at each complex. Reclamation would prohibit structures from being placed below 455 feet MSL and would require that best-management practices be employed during construction. These restrictions would minimize impacts to nearby water sources, and modernization of the treatment plants would eliminate the kinds of water quality violations that have occurred in the past. An assessment of the current operational efficiency of these treatment plants is described under the Reclamation website, www.usbr/mp/berryessa/index.html.

In addition, the new facilities also would be equipped to pump out the holding tanks of watercraft, a service that would reduce the illegal release of gray water and sewage into the lake. Modern marina designs also would include state-of-the-art fueling equipment, thereby reducing potential impacts from fuel and oil spills.

No substantial changes are proposed for the operation of the Capell Cove launch ramp or the Camp Berryessa group campground that might cause significant impacts to water quality. No additional threats to water quality are foreseen, and potential impacts in the vicinity of the resorts would be minor.

There would be no significant impacts on the reservoir's water quality arising from the proposed improvements to the parking/trailhead areas previously described, or from the reclassification of remaining shoreline and water sites under WROS.

Trail construction would follow the conservation criteria described above for the resorts, and so would have little potential to cause significant impact to nearby water sources. Continued operations at North Shore, Pope Creek, Smittle Creek, Oak Shores, Markley and Olive Orchard would not include external developments or activities likely to be cause adverse affects to the water quality.

Overall, implementation of Alternative B would be expected to have no significant adverse impacts to water quality, and in fact would have beneficial effects on that resource.

3.3-21A,A+ LBVSPT Comment:

No impact, or minimal impact to Water Quality.

3.3-21B LBVSPT Comment:

Reclamation has managed the lake since 1975. Existing structures and facilities have been built to state and county codes and subject to inspections for conditions and compliance. Present marina fueling equipment can be evaluated for improvements and/or the financial feasibility of entirely new "state-of-the art fueling equipment" which would be considered in new contracts. Reclassifications have not been accepted by stakeholders, nor have studies been done to justify any reclassifications. Alternative B demolition and construction have potential negative impacts to water quality. Reclamation has no plan and no studies; therefore, impacts to water quality are unknown.

Impact 3.3-22: Potential Impacts to Air Quality

Under Alternative B, air quality issues could occur as the result of temporary construction activities during the resort build-out and, later, from the increased use of resort facilities once the resorts are re-opened for public use.

During construction activities, air pollutants -- primarily airborne dust, but also emissions from construction equipment -- would be generated. The duration and intensity of these impacts cannot be estimated, as construction plans have not yet been prepared. One function of such plans is to include air pollution abatement strategies to meet federal and state ambient air quality standards. Nevertheless, because Alternative B would confine construction activities to various sections of individual resorts, significant impacts to local ambient air quality likely would not be incurred during the build-out phases. In addition, whenever feasible, the build-out work would occur in off-peak months season. During that period, portions of those resorts under construction would be closed to visitors and any dust impacts to human beings would be minor.

Air quality in the vicinity of the resorts might possibly be adversely affected once all of the visitor facilities are in use, however. The increase in overnight camping and likely popularity of newly built marinas would have the potential to increase pollutants due to a greater number of motor vehicles, powerboats and campfires concentrated in a relatively small area. Because of the lack of air-monitoring equipment to measure current conditions, it is difficult to evaluate the extent of these impacts, but they have the potential to be moderate.

There are no significant changes proposed for the facilities at the Capell Cove launch ramp or the Camp Berryessa group campground that would significantly impact air quality.

The proposed new trail system, recreational-use changes designated by the WROS classification system, and the proposed improvement of turnouts at Eticuera and Steele Canyon would create no significant impacts to local ambient air quality.

Continued operations at North Shore, Pope Creek, Smittle Creek, Oak Shores, the Markley turnouts and Olive Orchard would not include external developments or activities likely to be cause adverse affects to air quality.

3.3-22A, A+ LBVSPT Comment

No impact, or minimal impact to Air Quality.

3.3-22B LBVSPT Comment:

The duration and intensity of impacts to air quality cannot be estimated. Reclamation has no construction plans and no studies have been done for air quality impacts during demolition. Alternative B provides for less camping than exists today - a total of 600 sites at Lake Berryessa where currently there are 700. If camping and RV sites were to be the main future use at Lake Berryessa, and those uses increased, air quality due to increased campfires and outdoor use in rustic areas could have a negative impact.

Closure of resorts, or portions of resorts, demolition and the eventual build-out work could take years, with an outcome of fewer facilities and diminished recreational opportunities. Negative impacts to the air quality of Napa County could increase with increased RVs, numbers of trips, and hauling of boats, etc. Alternative B has no plan, so the cumulative impacts are unknown. There would be major negative impacts to the human environment and to the physical environment, including air quality with Alternative B.

Capell Cove launch ramp is slated for major repairs due to major defects. Recreational use changes due to a new trail system would require studies, data, and stakeholder involvement. Reclamation has no specific plans nor studies; therefore, impacts to air quality are unknown.

Impact 3.3-23: Cumulative Environmental Impacts to Biological Resources

No known cumulative impacts are known have resulted to biological resources at the reservoir as the result of actions taken by Reclamation or other management authorities, and none would be anticipated under Alternative B. The Preferred Alternative, moreover, would employ environmentally sensitive measures to minimize any potentially adverse effects to biological populations, sensitive wetlands and lake environs. Besides taking precautions during development and construction activities, Reclamation would implement the WROS recreational-use classification system. WROS would also allow for more effective management of increasing visitor numbers and their potential effects on biological resources, while increasing opportunities for quality, short-term recreational experiences for the general public.

Continued operations at North Shore, Pope Creek, Smittle Creek, Oak Shores, Markley and Olive Orchard would not include external developments or activities likely to be cause adverse affects to biological resources.

Therefore, no significant cumulative or indirect environmental impacts to the reservoir's biological resources would be anticipated under Alternative B.

3.3-23A, A+ LBVSPT Comment:

No impact, or minimal cumulative Impacts to Biological Resources.

3.3-23B LBVSPT Comment

Reclamation has no construction plans, and therefore no studies have been done to evaluate the potential impacts to biological resources during demolition, construction, and use. The WROS recreational-use classification system requires studies, data, expert evaluations and stakeholder involvement.

Reclamation's target segment for increased visitor use would be users who do not have a vested interested in the long-term biological resources of the lake. Their behavior would need to be considered for the negative impacts that could occur. The trail system plans would require studies and data, as well as continued review as the trail plans are developed and findings made. Currently there is no funding available for the trail system, no proven demand, and no consideration given to the safety and maintenance of the trail once it is developed. No studies

have been done concerning the potential hazards of increased visitor use in dispersed remote locations. Alternative B has potentially significant major Cumulative Environmental Impacts to Biological Resources.

Impact 3.3-24: Potential Impacts to Biological Resources from Irreversible and Irretrievable Commitments of Resources

Alternative B would have some potential impacts to wildlife, common birds, amphibians, reptiles and vegetation as a result of the irreversible and irretrievable commitment of resources related to the proposed developments in the resorts and along the reservoir shoreline. Wildlife would be temporarily displaced due to noise, dust and human activity; vegetation would be removed during construction in the resorts; and project sites would be temporarily unavailable for use by the public. These effects would be mitigated by replanting disturbed vegetation to re-establish habitat and by minimizing visual alterations to the resorts' landscape.

The kinds of impacts to small mammals, common birds, amphibians, reptiles and vegetation that would result from resort development activities also would impact wildlife along the proposed new trail routes. Again, such impacts would be temporary, and would be mitigated in the manner described for the resort developments. Therefore, these impacts would not be significant.

Areas that would be reclassified for recreational-use purposes under WROS are not proposed for development as part of this proposal. Continued operations at North Shore, Pope Creek, Smittle Creek, Oak Shores, Markley and Olive Orchard would not include external developments or activities likely to cause adverse affects to biological resources.

Therefore, no significant impacts to biological resources from irreversible and irretrievable commitments of resources would be anticipated under Alternative B.

There are no other effects arising from the irreversible or irretrievable commitment of resources for the remaining topics of Threatened, Endangered and Rare Species, Fish, Floodplains, Wetlands, Water Resources, Water Quality or Air Quality.

3.3-24A, A+ LBVSPT Comment:

No impact, or minimal impact to Biological Resources from Irreversible and Irretrievable Commitments of Resources.

3.3-24B LBVSPT Comment:

Alternative B would have potential impacts to wildlife, common birds, amphibians, reptiles and vegetation as a result of the irreversible and irretrievable commitment of resources related to the proposed demolition and developments in the resorts and along the reservoir shoreline. Wildlife would be temporarily displaced due to noise, dust and human activity; vegetation would be removed during construction in the resorts; and project sites would be temporarily unavailable for use by the public.

Reclamation indicates that even the nearly 40 years of plantings and vegetation development in resorts would be removed and they would "re-establish habitat" and minimize "alterations to the resorts' landscaping." There is no study, no public demand, no environmentally sound reason, no financially sound reason, no visually sound reason for Reclamation to proceed with Alternative B with subjective Reclamation proposals. The vegetation removals would have severe negative impacts to the assets of the resorts that the public enjoys, as well as to the biological resources.

The result from resort development activities also would impact wildlife along the proposed new trail routes. Reclamation would need to go through proper procedures in order to reclassify areas under WROS. Effects and impacts arising from the irreversible or irretrievable commitment of resources for the remaining topics of Threatened, Endangered and Rare Species, Fish, Floodplains, Wetlands, Water Resources, Water Quality or Air Quality are unknown.

Impact 3.3-25: Potential Impacts to Biological Resources from Short-Term Effects versus Long-Term Effects

Alternative B would have some short-term impacts to wildlife, common birds, amphibians, reptiles and vegetation resulting from the proposed development of resort facilities and new trails. Wildlife would be temporarily displaced due to noise, dust and human activity; vegetation would be removed during construction in the resorts; and project sites would be temporarily unavailable for use by the public. However, Alternative B proposes to replant disturbed vegetation to re-establish habitat, and to employ construction techniques that would limit the amount of dust and noise generated during construction activities. Wildlife species common to the proposed project areas are mobile and adaptive, and can reasonably be expected to re-colonize the affected areas quickly once construction is completed. Long-term productivity in terms of wildlife and vegetation would be unimpeded. Therefore, short-term effects to wildlife and vegetation would be minimal and non-significant. No long-term effects would be expected under the Alternative B proposals.

Areas that would be reclassified for recreational-use purposes under WROS are not proposed for development as part of this proposal. Continued operations at North Shore, Pope Creek, Smittle Creek, Oak Shores, Markley and Olive Orchard would not include external developments or activities likely to be cause short- or long-term impacts to biological resources.

3.3-25A, A+ LBVSPT Comment:

No impact, or minimal impact to biological resources from short-term effects versus long-term effects.

3.3-25B LBVSPT Comment:

Alternative B removal of facilities and vegetation would have significant short-term impacts to wildlife, common birds, amphibians, reptiles and vegetation during removal in the resorts, and construction in the resorts and for the trails. The long-term effects change the environment and uses for which there is no plan; therefore, the impact is unknown.

3.4 Cultural Resources

Summary of Impacts per Alternative:

3.4 Alternative A – No impacts

3.4 Alternative A+ - No significant impacts

3.4 Alternative B – Impacts Unknown

3.4.1 Affected Environment/Existing Setting.

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Ethnographic Resources

At the time that Europeans first arrived in Northern California, the area was occupied by Patwin-speaking Native Americans. This group's territory covered the southwestern portion of the Sacramento River, including Berryessa Valley. At least one ethnographically identified village, Topayto or Topai, and possibly one other, Chemoco or Chemocu, was located in the reservoir area. Stephen Powers reported in 1877 that Topai-di-sel was the name of the group living in Berryessa Valley, but the area's original native culture evidently was destroyed by the late 1830s.

No known Traditional Cultural Properties (TCPs), gravesites, or other places of cultural significance to modern descendants of the original inhabitants of the reservoir area are known to Reclamation. TCPs might include large, prehistoric or historic-era village sites, but those village sites that are known to Reclamation were inundated by the reservoir around 1957. The area may potentially include sites of traditional religious significance to modern tribal peoples, but none of those are known to Reclamation.

Archeological Resources

The first systematic cultural resource studies in the reservoir area were conducted prior to 1957, during construction of Monticello Dam. During the course of that work, 53 archeological sites were recorded; of these, 48 were inundated with the filling of the reservoir.

Subsequent work, including two archeological investigations in the 1970s and 1980s, documented 29 more sites at Lake Berryessa. Many of these sites are partly or fully submerged during periods of high water. The most recent surveys concluded that many of the area's cultural resources are buried; therefore, in most instances, cultural resources are identified only where the overlying ground surface area has been eroded or disturbed.

Documented archeological sites at the reservoir consist of isolated artifacts, artifact scatters, artifact concentrations, campsites and large village sites. The large village sites were located adjacent to the major drainages and are now well below low-water levels. No documented sites are listed on or potentially eligible for listing on the National Register of Historic Places.

Historical Resources

Rancho Las Putas, located on Putah Creek and covering most of Berryessa Valley, was originally a Mexican land grant consisting of eight square leagues. Mexican Governor Micheltorean granted the 35,515.82-acre parcel to Jose and Sixto (Sisto) Berryessa in 1843. The grant was confirmed by the United States Supreme Court in 1855, after California became part of this country. By 1866, Rancho Las Putas was being subdivided for settlement and development. That same year, the town of Monticello was laid out within the boundaries of the former rancho. By 1867, a hotel and store were in operation there and the whole valley was taken up by new settlers. No historical remains related to these developments and located on Reclamation-administered lands surrounding the reservoir are listed or eligible for listing on the National Register of Historic Places.

Museum Collections

Reclamation has curatorial agreements with The Phoebe Hearst Museum of Anthropology, University of California; the Department of Anthropology, University of California, Davis; and the Department of Anthropology, California State University, Sacramento. Under the agreements, these institutions provide protection and care for archeological and historical artifacts collected at Lake Berryessa prior to the completion of the reservoir.

In addition, a small collection of prehistoric and historic artifacts is publicly exhibited and interpreted at Reclamation's Lake Berryessa Visitor Center.

The affected environment topics of Ethnography, History, Archeology and Museum Resources described for the No Action Alternative are the same for Alternatives B, C and D.

3.4.2 Environmental Consequences and Mitigation.

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Impact 3.4-1: Potential Disturbance to Ethnographical, Historical, Archeological and Museum Resources

Under the No Action Alternative, there would be a slight potential for disturbances to the kinds of cultural resources described above. Nearly all the documented archeological sites are inundated by the reservoir and would remain so under Alternative A; no known ethnographic or historical resources would be potentially impacted by continued Reclamation activities; curatorial agreements would remain in effect; and Visitor Center exhibits would remain in place.

However, some 1992 RAMP actions remain to be completed, and some of these may have the potential of uncovering buried cultural remains. For example, Alternative A calls for development of approximately 50 miles of trail. Trail-building activities have a potential to disturb buried cultural resources. Additional cultural resource survey and Section 106 review in consultation with the California State Historic Preservation Office (SHPO) may be necessary if trail routes were finalized and the project became active under this alternative. Even with completion of such work, however, there always remains a possibility that sub-surface cultural remains might be disturbed during construction activities. In the event of an unanticipated discovery of cultural (including human) remains during development, Reclamation would immediately halt activities at that location, notify the California SHPO and comply with all procedures set forth the National Historic Preservation Act of 1966 (16 USC 470) and the Native American Graves Protection Act of 1990 (25 USC 3001), as applicable.

Continuation of the recreation-use classification system utilized by the RAMP would result in ongoing parking in non-designated areas, motor boat related erosion to some shorelines, and visitor impacts to resource-sensitive areas. Some of these areas have a slight potential to contain sub-surface archeological remains.

In summary, no significant disturbances to ethnographic, historical, archeological or museum resources would occur under Alternative A.

3.4-1A, A+ LBVSPT Comment:

Potential Disturbance to Ethnographical, Historical, Archeological and Museum Resources – No impact, or minimal impact.

In many ways Lake Berryessa provides a historical insight into recreational styles and tastes over the decades. We believe it can be considered a cultural resource documenting recent history of American recreational trends in design. Mobile homes from the 1970's have evolved to the present. Some people like a modernistic style versus a rustic style. It would be elitist to claim that the only style allowable at Lake Berryessa should be pseudo-log cabin.

Reclamation was authorized to develop 30-50 miles of trail, in that regard there would be the potential of uncovering buried cultural remains. Reclamation has no plan for the 30-50 mile trail.

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

Impact 3.4-2: Potential Disturbance to Ethnographical, Historical, Archeological and Museum Resources

Alternative B calls for expanded development of resort facilities, a lakeside trail system, and installation of a vault toilet at the Eticuera turnout. During earth-disturbing activities related to these actions, buried cultural remains potentially could be discovered. In view of the intense development and sustained use at each of the resorts since their construction in 1958, the likelihood of disturbing previously undiscovered cultural resources at those locations is minimal. The proposed toilet site would also be sited in areas of previous disturbance, and its development is unlikely to result in disturbance of archeological, historical, or ethnographic resources.

Survey of the lakeshore area suggests that cultural remains there are few, but buried resources could exist there and could potentially be disturbed by trail-building activities, especially if those activities were to occur across 150 linear miles, as proposed by Alternative B.

As with natural environmental review, additional cultural resource survey and Section 106 review in consultation with the California SHPO may be necessary once development plans were finalized for any of these projects. Such work would allow more detailed and accurate analysis of the potential effect of the proposed development on Lake Berryessa resources.

Even with completion of such work, however, there always remains a possibility that sub-surface cultural remains might be disturbed during construction activities. In the event of an unanticipated discovery of cultural (including human) remains during development, Reclamation would immediately halt activities at that location, notify the California SHPO and comply with all procedures set forth the National Historic Preservation Act of 1966 (16 USC 470) and the Native American Graves Protection Act of 1990 (25 USC 3001), as applicable.

Under Alternative B, proposed concessionaire management of the Capell Cove launch ramp and Camp Berryessa would not call for any new activities that might disturb buried cultural resources. Reclamation likewise proposes no major development of day-use facilities at Markley, Olive Orchard, Oak Shores, Smittle Creek, Pope Creek and North Shore.

Areas that would be affected by implementation of the WROS recreational use classification system previously have been surveyed for cultural resources, and none were observed. However, if any unknown archeological, ethnographic or historical resources exist in those areas, changes in recreational use that might arise under the WROS system could potentially result in mild beneficial impacts to those resources by reducing human-caused disturbances in sensitive resource areas.

Curatorial agreements and Visitor Center exhibits would remain in place.

In summary, no significant impacts to ethnographical, historical, archeological, or museum resources would likely result under Alternative B.

3.4-2B LBVSPT Comment:

Potential Disturbance to Ethnographical, Historical, Archeological and Museum Resources – Reclamation is proposing 150 mile lakeside trail, there would be the potential of uncovering buried cultural remains.

Implementation of the WROS recreational use classification system would need to follow proper procedures.

Impact 3.4-5: Cumulative Environmental Impacts to Cultural Resources

Based on analyses presented herein, in the 1992 RAMP/EIS, and in other documents, the proposed implementation of the Commercial and Government Operations components of the action alternatives would not create cumulatively significant environmental impacts to ethnographic, historical, archeological or museum resources. Likewise, no indirect impacts likely would affect these resources as a result of implementation of any of the action alternatives.

3.4-5 A, A+ LBVSPT Comment:

Cumulative Environmental Impacts to Cultural Resources – No impact, or minimal impact.

3.4-5B LBVSPT Comment:

Cumulative Environmental Impacts to Cultural Resources –Reclamation is proposing 150 mile lakeside trail, there would be the potential of uncovering buried cultural remains. Implementation of the WROS recreational use classification system would need to follow proper procedures. Alternative B does propose to essentially destroy the culture that exists today and implement WROS for change of use to areas that have established communities. The human environment and recreational opportunities of today would be diminished and/or destroyed in Alternative B.

Impact 3.4-6: Potential Impacts to Cultural Resources from Irreversible and Irrecoverable Commitments of Resources

No impacts to ethnographical, historical, archeological or museum resources arising from an irreversible or irretrievable commitment of resources would likely result from implementation of any of the action alternatives. However, there always exists the possibility (albeit not the probability) that buried cultural remains might be disturbed during trail construction and resort build-out activities. In the event of unanticipated discovery of cultural remains, Reclamation would follow the laws and procedures specified above. If the cultural remains were determined to be significant under criteria established by the National Historic Preservation Act of 1966, Reclamation would work out mitigation on a case-by-case basis in consultation with the California SHPO and the Advisory Council on Historic Preservation, as applicable.

3.4-6A, A+ LBVSPT Comment:

No impact, or minimal impact.

3.4-6B LBVSPT Comment:

Reclamation's 150 mile lakeside trail could uncover buried cultural remains, the trail could significantly alter the peaceful culture of the extensive, approximately 150 miles, of undeveloped shoreline. Implementation of the WROS recreational use classification system would need to follow proper procedures.

Alternative B does propose to essentially destroy the culture that exists today and implement WROS for change of use to areas that have established communities. The human environment and recreational opportunities of today would be diminished and/or destroyed in Alternative B. There are no plans and no studies that mitigate the commitments of resources under Alternative B.

Impact 3.4-7: Potential Impacts to Cultural Resources from Short-Term Effects versus Long-Term Effects.

Potential long-term effects on cultural resources resulting from implementation of Alternatives B, C or D would be non-significant and beneficial. Such impacts would result from long-term implementation of the WROS recreational-use classification system, which would re-structure types and levels of visitor-use to reduce environmental impacts. Under this type of management, use of shorelines and other areas vulnerable to erosion (and where buried cultural resources might occur) would be controlled; offsite parking would be restricted; and pedestrian traffic would be channeled onto developed trails routed to avoid sensitive resource areas. There would be no significant short-term effects on cultural resources resulting from Alternatives B, C or D.

3.4-7A, A+ LBVSPT Comment:

No impact, or minimal impact.

3.4-7B LBVSPT Comment:

Reclamation's 150 mile lakeside trail could uncover buried cultural remains, a short-term effect. Disturbances to extensive areas in developing trails would have short-term effects as well as the long-term effects of introducing visitors to 150 miles of untouched lakeside areas.

The removal of long-term uses and resort facilities literally tears down a culture that has developed over 40 years. The short-term effects, if a multi-year process can be called short-term, of closing the resorts for two years eliminates significant recreational opportunities for the American public. Many recreational users are families who have a tradition of visiting Lake Berryessa. Denying access to people who have invested their time, money, and sense of family in that destination causes major negative impacts.

Impact 3.4-8: Unavoidable Adverse Impacts to Cultural Resources.

There would be no unavoidable adverse impacts to cultural resources associated with Alternatives B, C or D.

3.4-8A, A+ LBVSPT Comment:

No impact, or minimal impact.

3.4-8B LBVSPT Comment:

Reclamation's Alternative B is avoidable and unnecessary.

3.5 Traffic and Circulation

Summary of Impacts per Alternative:

- 3.5 Alternative A: Minimal impacts**
3.5 Alternative A+: No significant impacts
3.5 Alternative B: Significant impacts

No traffic study comparable to the study prepared for the 1992 RAMP was undertaken for the purposes of this planning effort. However, traffic engineers for NAPA County, California Department of Transportation (Caltrans) experts and traffic officers with the California Highway Patrol were consulted regarding existing traffic conditions on the corridors serving Lake Berryessa. In addition, traffic flow statistics from Caltrans were used to determine the average daily increase in vehicles on the Knoxville/Berryessa Road over the past 10 years. This information is included in the Affected Environment section, below.

3.5.1 Affected Environment/Existing Setting

Lake Berryessa is accessed by county roads (Berryessa-Knoxville Road, Pope Canyon Road, Steele Canyon Road, and Wragg Canyon Road) and state highways (Highway 121 and 128). (See Location Map on Appendix M-1. of the RAMP.) The roads are mainly paved, two-lane routes designed for speeds of 25-55 mph. The four primary feeder roads into the lake originate from Winters, Fairfield, Napa, and Rutherford, CA. The Winters, Napa, and Rutherford routes are state highways; the Wooden Valley Road/Fairfield route is a county road.

The various routes, although rural in nature, tend to have multi-use functions and can be characterized as commuter, commercial, and recreational. On weekdays, traffic is mainly commuter and commercial in nature, with only a minor amount being recreational. However, during weekends and holidays and during the peak recreation season, these routes experience considerable increases in recreational use.

The main routes feed traffic onto additional county roads that provide direct access to the lake or to remote areas beyond the lake. The Knoxville-Berryessa Road is a county road that provides access to the west and north shores of the lake. It serves four resorts, two public day-use areas, a public launch ramp, several small stores and three private residential developments. Two additional county roads of lesser importance that provide access to resorts are Wragg Canyon Road and Steele Canyon Road. Steele Canyon Road also serves local traffic to and from a private residential development.

Pope Canyon Road intersects Berryessa-Knoxville Road at the northwest corner of the lake, and serves Lake County and other northern areas. Wooden Valley Road, maintained in part by both Napa and Solano Counties, provides access from Vacaville and Fairfield. One section of Wooden Valley Road that is located in Solano County is generally narrow and poorly developed, at one point narrowing to a single-lane bridge.

A gravel road maintained by Reclamation serves the northern portion of the east side of Lake Berryessa. The road provides access to east-side ranchers, serves as a fire access route for the California Department of Forestry and Fire Protection (CDF) and can be utilized by Reclamation and California Fish & Game for administrative uses associated with the management of the Lake Berryessa Wildlife Area. In previous years, including the period of Napa County's management of the lake, the east-side road was closed to public use. Since Reclamation assumed management of the lake, public use of the road and previous restrictions have not yet been formally addressed.

A transportation corridor analysis prepared for the RAMP in 1992 indicated that the primary access roads for the Lake Berryessa area were not being used to capacity. Congestion, the study concluded, became an issue only during weekends and holidays over the summer season. This analysis also indicated that the accident rate for most sections of these roads was slightly lower than the state average, except along those stretches that were narrow, curving and had poor visibility. At those locations, the accident rate was slightly higher than average.

CalTrans conducts routine traffic surveys of all state roads every three years unless signal events (such as numerous and long delays on a particular section of highway) indicate a pressing need for a more immediate update. During 1992, the CalTrans Annual Average Daily Traffic count showed that an average of 1,705 vehicles per day used the Berryessa-Knoxville Road. In 2002, the number rose to 2,175 vehicles per day, an increase of 470 vehicles per day and a traffic increase of 27 % increase since 1992.

Nevertheless, consulting Caltrans and Napa County traffic engineers concurred that the 1992 analysis still accurately describes contemporary road conditions, and they continue to believe that the roads serving the reservoir are still below capacity except on weekends and holidays during the summer months.

The California Highway Patrol representative stated that, although no recent in-depth analysis has been conducted for accident rates in the Lake Berryessa area, they appeared to be generally comparable to those of other state roads on similar terrain. However, the accident rate for motorcycles had climbed higher than average on Lake Berryessa roads. The increase was attributed to motorcycle drivers more frequently using those portions of the roads with sharp curves while traveling to destinations other than the reservoir, and doing so in a dangerous and inappropriate manner.

Finally, state and county officials indicated that there are no plans to initiate any significant improvements to either that portion of State Highway 128 that parallels the reservoir or to the Berryessa-Knoxville Road. Such improvements, in their view, are not needed because the roads in Lake Berryessa have not reached their traffic-bearing capacity. For additional information regarding traffic patterns and changes occurring on the state and county roads servicing the Lake Berryessa area, see www.dot.ca.gov/hq/traffops/saferesr/trafdata/.

3.5.2 Environmental Consequences and Mitigation

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

DEIS Impact 3.5-1: Potential Impacts Due to Traffic

Under the No Action Alternative, traffic patterns for the roads serving Lake Berryessa would not change substantially from those described a decade ago in the 1992 RAMP. Napa County and Caltrans engineers predict that, on most weekends during the summer months and on Memorial Day, the Fourth of July and Labor Day, traffic may still be heavy. In particular, heavy traffic might occur on those sections of Highway 128 and the Berryessa-Knoxville Road that serve the day-use areas, the resorts and the Capell Cove launch ramp. Under Alternative A, the number of turnouts along these routes would remain the same and parking would often be available only on a first-come, first-served basis -- especially at the non-fee, day-use sites and at certain peak summer periods at the resorts. During the remainder of the year, however, traffic volume would still be less than the capacity of these roads, according to predictions by Caltrans and county officials.

With road conditions remaining essentially unchanged, it follows that the accident rate on Lake Berryessa-area roads also would be expected to remain static. Those statistics could change, however, for reasons unrelated to use and physical road conditions.

There are no plans by either the county or the state to alter or improve the routes that provide access to the developed side of the reservoir. State and county roads-related activities, of course, are not directly controlled by Reclamation, and their plans could change without regard to which alternative is selected in this planning process.

Finally, the existing RAMP does not propose any new recreational developments that would be expected to change traffic patterns in any meaningful way.

In summary, there would be no impacts due to changes in traffic patterns resulting from implementation of Alternative A.

3.5-1A+ LBVSPT Comment:

No significant impact.

Reclamation is responsible for the day-use areas along Knoxville Road and Capell Cove launch ramp. Reclamation's no-fee practice lures excessive use in these areas and parking along the roads nearby often create a hazard. A+ would recommend that Reclamation charge fees at their locations. People would better disperse between the day-use areas and the resorts for the services they required. Alternative A+ has a contemporary approach to recreational opportunities and trends, but follows the principles of RAMP. A+ would increase short-term use and develop facilities to offer more amenities to accommodate the needs and demands of the American public. Alternative A+ incorporates the responsibility of funding the services required at Lake Berryessa, including traffic and roads, from Napa County which would help mitigate the impacts of traffic due to improvements and development.

3.5-1A LBVSPT Comment:

Minimal impact.

Reclamation is responsible for the day-use areas along Knoxville Road and Capell Cove launch ramp. Reclamation's no-fee practice lures excessive use in these areas and parking along the roads nearby often create a hazard. Alternative A is required to take actions according to RAMP, which mandates increase short-term use and public access to the shoreline. Long-term units are mandated to relocate out of the Base Floodplain while those in the Structural Floodplain require flood-proofing. Modifications to Base Floodplain units by blocking may re-categorize them in the Structural Floodplain minimizing unnecessary displacements. Alternative A is required by RAMP to maintain the infrastructure, including roads, and minimizing impacts of new development.

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.**Impact 3.5-2: Potential Impacts Due to Traffic**

The proposals for the Commercial Operations component previously described for Alternative B apply here, as well.

Under Alternative B, traffic associated with the resorts would decline temporarily once the long-term trailers were removed and only a limited number of short-term facilities (in the initial development phase) were available for public use. The resorts at Spanish Flat, Lake Berryessa Marina, Putah Creek and Pleasure Cove, have been designated for this treatment.

However, once the build-out was completed and visitors became aware of the camping, meeting and other amenities offered at the upgraded resorts, traffic would increase and perhaps parallel current levels. The no-impact boat-in camping program proposed for concessionaire management might also promote a slight rise in traffic once its popularity became established, but this would occur mainly during the peak season, and especially during holiday weekends.

Traffic to the Capell Cove launch ramp might experience a minor, temporary decline once user fees were implemented by the concessionaire. It is predicted that the house boating and water skiing programs, known to be popular with a smaller number of users, would not significantly increase traffic levels at the reservoir.

Under the Government Operations of this alternative, no significant developments are proposed for the day-use areas; the modest improvements proposed for the Eticuera and Steele Canyon turnouts would not likely cause a significant increase in traffic to these sites. The new reservoir-wide trail system might generate additional traffic, but overall traffic would be dispersed because visitors could choose among a number of trailheads.

Implementation of the WROS recreational-use classification system would not be expected to cause a general increase in traffic.

However, visitors to Lake Berryessa during the summer months and particularly during popular holiday weekends could still encounter congested parking areas at facilities such as the Capell Cove launch ramp, the main day-use areas and smaller turnouts. Alternative B does not propose to increase parking substantially for these areas, so parking would still be available on a “first come–first served” basis for these users. The resorts however, would plan for sufficient parking to meet the needs of their customers when finalizing their build-out plans.

On the whole, it is anticipated that the proposals under this alternative would not create significant short-term impacts to traffic circulation in the area since, according to CalTrans and Napa County traffic engineers, local traffic corridors remain underutilized most of the year. While there may be brief, seasonal periods of traffic congestion, state and county traffic experts do not consider that those warrant improving the traffic capacity of Lake Berryessa roads.

3.5-2B LBVSPT Comment:

Significant Impact

No traffic study comparable to the study prepared for the 1992 RAMP was undertaken for the purposes of Reclamation’s planning effort. Under Alternative B, traffic associated with removal and demolition would be a three year process with big trucks hauling displaced modular units away for Lake Berryessa. The county only allows those activities twice a week. The traffic would be adversely affected by the hauling of the trailers and other demolition required by Alternative B. The construction equipment and commuting construction workers over the duration of removal and construction would significantly alter the use patterns of the lake traffic. Displaced long-term and visiting users could create parking outside the resorts in unsafe areas to increase significantly. Reclamation has no studies, no data, and no plans for action that would have considerable impact on the roads and traffic in Napa County. Reclamation also does not have a remedy for costs associated with the proposed heavy road use and traffic during removal and construction of seven resorts.

The stakeholder concessionaires have not been informed or involved in a decision to manage a no-impact boat-in camping program that Reclamation was to manage under RAMP, as well as management of Capell Cove launch ramp. Where are the studies that Reclamation relies on when they state, “It is predicted that the house boating and water skiing programs, known to be popular with a smaller number of users...”?

The turnout and 20 vehicle parking area proposed for Steele Canyon Road at the trailhead of a trail of minor significance is in a dangerous section of Steele Canyon Road at a blind curve and should be seriously reconsidered. Reclamation’s proposed reservoir-wide trail system could create traffic and parking issues. Implementation of the WROS recreational-use classification system could cause a general increase in traffic, or traffic problems associated with more trips, short-term users unfamiliar with the roads, and extensive hauling. Reclamation’s Alternative B is a rough draft opinion without the ways or means to implement the actions proposed.

Traffic would be affected by the additional uses, changed use patterns, and public demand for access. Impacts are unknown.

Impact 3.5-5: Cumulative Environmental Impacts Due to Traffic

No cumulative impacts due to traffic have been identified under this proposal. No significant indirect impacts would be anticipated for Alternatives B, C or D.

3.5-5A+ LBVSPT Comment:

No significant impact. Alternative A+ improves the groundwork laid by RAMP to better meet contemporary demand and current design standards. In the improvement and development of the resorts under Alternative A+, traffic and circulation are elements would be optimized for health and safety with minimal Cumulative Environmental Impacts.

3.5-5A LBVSPT Comment:

Minimal impact, or no significant impact. Action under Alternative A follow RAMP guidelines designed to minimize impacts of maintenance and development.

3.5-5B LBVSPT Comment:

Potential significant impacts. Reclamation does not have a plan under this proposal and does not properly address the Cumulative Environmental Impacts which would reverberate through Napa County should Alternative B actions take place. No studies have been done to explore and evaluate the potentially significant negative impacts due to traffic and circulation.

Impact 3.5.6: Potential Impacts Due to Traffic from Irreversible and Irrecoverable Commitments of Resources

No impacts are anticipated due to traffic in and around Lake Berryessa, relating to any irreversible or irretrievable commitment of resources under Alternatives B, C or D.

3.5-6A, A+ LBVSPT Comment:

Minimal impact, or no significant impacts. Minimal impact, or no significant impacts. Alternative A actions are in accordance with RAMP, no major changes are planned. Traffic would not increase significantly due to increased short-term use based on historic trends.

3.5-6B LBVSPT Comment:

Alternative B, which removes all existing long-term units and other facilities, commits to years of moving the debris down the Napa County roads and highways. Demolition and construction crews and equipment would be using the roads and highways for at least three years. The state requires permits and has restrictions of moving on the highways that have not been incorporated into a study or plan. Even if Reclamation eventually removed all that they indicate from the concessions, there would be state requirements and permits to put new units and facilities back in.

Alternative B is dependent on short-term use, which would require more trips with more hazards from traffic and circulation, with significantly fewer benefits to the American public and the county that maintains the roads and traffic. Alternative B is a commitment of resources due to traffic, that would be irreversible and irretrievable.

Impact 3.5.7: Potential Impacts Due to Traffic from Short-Term Effects versus Long-Term Effects

No significant short-term effects due to traffic would be expected under any of the action proposals. Possible minor, short-term effects to traffic were identified for Capell Cove as a result of the adoption of launch fees under Alternative B, and resulting from fewer resort accommodations being available during early phases of result development under Alternatives B, C and D. Otherwise any effects would be considered long-term, non-significant, and consistent with traffic patterns previously described.

3.5-7A+ LBVSPT Comment:

No significant impact. In Alternative A+, new development and improvement plans are based on environmental, economic and feasibility principles that have a vision for the future. Changes would be phased in over time, as needed, to accommodate recreational needs with minimal disruption. During the implementation of Alternative A+ there would be short-term effects due to new construction, new uses zones, relocations, having minor impacts on traffic and circulation. Alternative A+ takes responsibility for costs and services related to the roads and highways. The long-term effects would be improved roads and road safety.

3.5-7A LBVSPT Comment:

No impact, or minimal impact. Alternative A, in accordance with RAMP, did not have plans for any significant development actions. The relocation of long-term uses would have short-term effects on traffic. The long-term effects would be increased public access to the shorelines and be beneficial to circulation and recreational uses.

3.5-7B LBVSPT Comment:

Significant Impact. Reclamation action proposals, essentially all addressed in Alternative B, have significant short-term effects. The removal and demolition of units from seven resorts brings in large equipment along with work crews and moves units down the roads and highways of Napa County. Displaced users, returning users, and any new users have the potential of creating significant problems by attempting to create new access to Lake Berryessa that would be suddenly denied at the concessions. Reclamation has no plan and no studies. The time in which to implement Alternative B is no less than three years and possibly considerably longer.

Long-term users have created the economic base that made public use affordable with a high level of health and safety while providing diverse recreational opportunities. Long-term users minimize the use of roadways in many ways including storing their boats at or near the resorts, traveling as a family (including friends in their vehicles), carrying minimal cargo (due to the fact that they keep most of what they need at the lake), and not making two trips in one day as most short-term users do.

The potential impacts due to traffic and use short-term and long-term are both significant and unknown. Alternative B is a change of use dependent of major impacts to traffic and circulation for an unknown amount of time.

Impact 3.5.8: Unavoidable Adverse Impacts Due to Traffic

There would be no unavoidable adverse impacts due to traffic associated with Alternatives B, C or D.

3.5-7A, A+ LBVSPT Comment:

Minimal impact. Alternative A+ would implement change based on utilizing the existing infrastructure wherever possible: "Preserve the Best, Improve the Rest." The plan anticipates a phased in degree of re-organization due to zoning and new development plans. Alternative A+ is based providing recreational opportunities in a safe and practical manner that would minimize any adverse impacts due to traffic. Also see 3.5-7A below.

RAMP/EIS 1992, which has guided concessions and management of Lake Berryessa, mandates the concessions and Reclamation to implement certain changes in the new contracts. Long-term units in the Base Floodplain are to relocate and the shoreline is to have increased short-term and public use. In the process of relocation and developing new units there would be increased traffic on county roads and in-resort roads. The result would be better circulation and traffic patterns. Public need and demand is the driving mechanism for change of use. Changes can be implemented as needed in a low impact process, some of which would simply be attrition. Many improvements have been made by tenants and concessionaires under the current contract. Reclamation has denied permits and project approvals for improvements that follow current guidelines and even those described in Kleinfelder.

3.5-7B LBVSPT Comment

Significant impact. Reclamation action proposals, essentially all addressed in Alternative B, have significant short-term effects. The removal and demolition of units from seven resorts brings in large equipment along with work crews and moves units down the roads and highways of Napa County. Displaced users, returning users, and any new users have the potential of creating significant problems by attempting to create new access to Lake Berryessa that would be suddenly denied at the concessions. Reclamation has no plan and no studies. The time in which to implement Alternative B is no less than three years and possibly considerably longer.

Long-term users have created the economic base that made public use affordable with a high level of health and safety while providing diverse recreational opportunities. Long-term users minimize the use of roadways in many ways including storing their boats at or near the resorts, traveling as a family (including friends in their vehicles), carrying minimal cargo (due to the fact that they keep most of what they need at the lake), and not making two trips in one day as most short-term users do.

The potential impacts due to traffic and use short-term and long-term are both significant and unknown. Alternative B is a change of use dependent of major impacts to traffic and circulation for an unknown amount of time.

3.6 Noise

Summary of Impacts per Alternative:

- 3.6 Alternative A: No impacts**
3.6 Alternative A+: No significant impacts
3.6 Alternative B: Significant impacts

3.6.1 Affected Environment/Existing Setting

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

To the knowledge of Reclamation, no noise-monitoring studies have been conducted at Lake Berryessa reservoir. The general perception of visitors, however, is that noise levels are relatively low at most locations except at the high-use areas on the western shore. The most intense noise occurs at the resorts during summer daylight hours (9 a.m. – 4 p.m.) primarily due to the concentrated operation of motorized watercraft (motorboats and personalized watercraft) in and around the marinas. Whether these noise levels exceed recommended safety margins is a matter of conjecture, as no data are available. Noise is usually defined as sound that is undesirable because it interferes with speech communications and hearing, is intense enough to damage hearing, or is otherwise annoying. Exposure to high levels of noise can create an unpleasant recreational experience for those seeking solitude or relaxation, interfere with sleep (for instance, when camping) and speech and cause irritability, hearing loss and startle effects in human beings. Extended exposure to loud noise can cause cardiovascular and other stress-related physiological and psychological conditions, as well (Kryter 1971). Unnatural levels of noise can have the same kinds of effects on wildlife. It also can disrupt wildlife breeding, nesting, feeding and migration patterns, cause panic reactions, deprive both nocturnal and diurnal species of sleep, and drive animal populations out of affected areas. When noise becomes a chronic stress, it can threaten an animal's long-term survival by causing it continually to expend energy in fleeing and to miss feeding opportunities, by interfering with its ability to detect predators and prey, and by interfering with its ability to identify and communicate with other members of its own species. Richard Knight's 1984 study of the impacts of recreational motorboat activity on a population of bald eagles wintering near a lake provides an example of these effects. Knight observed that motorboats were able to impact large areas of habitat over short periods of time, and that their noise disturbed nesting areas, caused eagles to make avoidance flights and disrupted feeding. A. Radle ("The Effect of Noise on Wildlife: A Literature Review," University of Oregon, Eugene, <http://interact.uoregon.edu/MediaLit/wfae/readings/radle.html>, accessed 09/18/03) provides a summary of this and other studies. The majority of the loud sounds experienced at Lake Berryessa appear to be from powered watercraft operating in and near the marinas. The State of California regulates such noise, and has published the following restrictions regarding noise associated with watercraft on waters regulated by state or county authorities. Engine noise may not exceed the following levels:

- a. For engines manufactured before January 1, 1976, a noise level of 86 dba measured at a distance of 50 feet from the motorboat.
- b. For engines manufactured on or after January 1, 1976, and before January 1, 1978, a noise level of 84 dba measured at a distance of 50 feet from the motorboat.
- c. For engines manufactured on or after January 1, 1978, a noise level of 82 dba measured at a distance of 50 feet from the motorboat.
- d. Testing procedures employed to determine such noise levels shall be in accordance with the exterior sound level measurement procedure for pleasure motorboats recommended by the Society of Automotive Engineers in its recommended practice designated SAEJ34. The department may, by regulation, amend such testing procedures when deemed necessary to adjust to advances in technology.

The provisions of this section do not apply to motorboats competing in a regatta or boat race, on trial runs, or while engaged in official trials for speed records during activities and in those places so licensed by a local public entity or U.S. Coast Guard. In addition, this section shall not apply to motorboats preparing for a race or regatta if authorized by a permit issued by the local entity having jurisdiction over the area where the preparations will occur.

California State requirements also specify that the exhaust of every internal combustion engine used on any motorboat shall be effectively muffled at all times to prevent any excessive or unusual noise and as may be necessary to comply with the provisions of Section 654.05. This section may be found in Attachment 12.

The information provided in the Affected Environment section for the No Action Alternative also applies to Alternatives B, C and D, as well.

3.6.1 LBVSPT Comment:

Noise – Affected Environment/Existing Setting

1. This section (3.6) is mostly irrelevant with respect to modern motorized water-related recreation. It contains typical disingenuous Reclamation comments such as: “Whether these noise levels exceed recommended safety margins is a matter of conjecture, as no data are available.”(Pg. 135)

Since noise has been a major criticism of personal watercraft (PWC) for years, the American Watercraft Association (AWA) can provide noise level measurements to Reclamation upon request. These data show that all motorized watercraft meet existing noise standards, and that PWC, especially models from the last several years, exceed standards and are generally quieter than motorboats.

2. Reclamation comments border on the ludicrous as opposed to the scientific: “Extended exposure to loud noise can cause cardiovascular and other stress-related physiological and psychological conditions, as well.” This type of noise is only found in manufacturing environments and not at any typical lake setting.

3. Reclamation’s discussion of noise is baseless. Motorized boats are for use on water. They are built to specifications and are a major factor in the recreational pleasures at Lake Berryessa. The lake is uniquely suited for motorized boating by its shape and warm waters. Water skiing is very popular for these reasons. In the alternative, it is not a good sailing lake. Many an attempt at sailing ends in becalmed results, and a tow home by a friendly motor boat.

4. Reclamation DEIS, Page 138 includes a statement that borders on an untruth: “In sum, continuation of current management direction as proposed in the No Action Alternative could eventually result in significant impacts due to noise at Lake Berryessa.” This flies in the face of all scientific data, casual observation, and historical experience of forty+ years at the lake!

5. Recreational use is for the most part seasonal and concentrated on weekends. The lake typically has a sparse boat count even on weekdays during the summer season. Motorized boats stay fairly concentrated in particular areas. The recreational user at the lake is typically a boat user and very social. Along with a motorized boats, noise might be heightened by talking, laughter, and water play. Reclamation has created a five mile an hour zone through the islands, which was once prime water ski area. Now it is exclusive to other uses. The shape of the lake leaves a great area of water surface, including fingers, available to those who choose an area for themselves, for more solitude and quiet.

6. Recreational users at Lake Berryessa spend a lot of time outdoors, most of which is near or on the water. Many years of observation show that the day use areas of Smittle Creek and Oak Shores get very limited use. Oak Shores has a launch ramp for small boats, canoes, and other non-motorized craft. It is prime shoreline and has direct access to the islands with their 5 mile per hour zone, yet very few canoes, kayaks or other small boats use

the facility. Oak Shores also has a swimming area that gets little use. Reclamation does not charge a fee because it is not cost effective.

3.6.2 Environmental Consequences and Mitigation

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Impact 3.6-1: Potential Impacts Due to Noise

Implementation of the No Action Alternative would continue the conditions currently found at the reservoir, as described in the Affected Environment section above. That noise centers in the busy marinas; it is believed, but not demonstrated by any research, that other areas of the reservoir experience much less noise. However, exceptions to that general pattern occur on those occasions when personalized watercraft (jet skis) are operating near other watercraft or populated beaches, when a large number of boats congregate at particular locales on the lake during special events, or when boats concentrate at popular sites such as the “Narrows” at the mouth of Putah Creek.

Such concentrations were noted during a 1998 Colorado State University survey entitled “A Study of Boater Recreation on Lake Berryessa, California.” Though the study did not specify noise as one of the issues that boaters cited, the large numbers of watercraft on the lake, particularly during weekends and holidays, can and do create high levels of noise both in the marinas and on open water. The study found that over two weekends of anticipated high use, 490 to 538 boats were on the lake at one time. The survey also found that boats varied in size and horsepower along with their noise level, with several larger craft having motors rated at 300 hp and one rated at 750 hp. This study may be viewed on the Reclamation website www.usbr/mp/berryessa/index.html, “Laws and Regulations”.

During the year in which the survey was conducted, over 1.8 million visitors came to Lake Berryessa. Visitation statistics project that visitation could reach more than 2.4 million by the year 1020 – and it is reasonable to conclude that numbers of motorized watercraft using the reservoir would increase correspondingly. However, noise levels at the high-use areas likely would be only moderately higher, because the size and facilities of the marinas would limit the number of watercraft that could occupy those areas at any one time.

Open water, though, may be a different matter. With few physical limitations (the 1992 RAMP identified a reservoir carrying capacity of 3,000 boats per day), more watercraft could use the lake surface at any given time and the noise level would increase accordingly. It is impossible to predict precisely what levels noise might reach if visitation was to reach projected levels, because there are no baseline data available for extrapolation. At present, Reclamation is unable to determine whether boats operating on the reservoir are in compliance with state law, or if present noise levels are creating a health hazard to human beings. On a purely intuitive level and judging from visitor responses, noise impacts at present do not appear to be significant. However, under Alternative A, there appears to exist some potential for noise eventually to become a significant impact to visitors, staff and others in the immediate vicinity of the marinas and perhaps even near open water, as boat use increases with visitation.

Noise might already have affected wildlife populations in the affected areas for some time, although that possibility, too, is difficult to evaluate. Species that are able to adapt to human presence, activities, and noise (e.g., deer, skunks and coyotes) appear to be thriving around the marinas. On the other hand, species that are more sensitive to human presence, such as cougars and bears, are rarely if ever seen in those same areas. If the marina areas were allowed to naturalize, large animals could possibly return, being attracted to the prey species that are abundant there. It would very difficult to determine, however, whether they currently avoid the area because of noise, or whether they do so for other reasons.

Judging from studies of the impacts of noise on wildlife (see Affected Environment, above), it seems likely that noise may have affected and presently does affect wildlife populations at Lake Berryessa to some extent. Again,

on an intuitive level those impacts do not appear to be significant: dazed, panic-stricken, and half-starved wildlife are not common occurrences around the “noisy” resorts. However, increased levels of noise that might result from higher visitation and motorized watercraft use could potentially become a significant impact to wildlife habitat (as to people) in the vicinity of the marinas and along beach shores near open water utilized by that watercraft.

In sum, continuation of current management direction as proposed in the No Action Alternative could eventually result in significant impacts due to noise at Lake Berryessa.

3.6-1 LBVSPT Comment:

Noise – Potential Impacts Due to Noise

Reclamation’s terminology of “noise centers” in the busy marinas is inaccurate, slanted terminology. The marinas are “activity centers” that include facilities, service areas, stores, snack bars, gas docks, restrooms and parks. These facilities are provided to the public by the concessionaires to increase the visitor’s recreation experience with the amenities they need and demand.

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

Impact 3.6.2: Potential Impacts due to Noise

The implementation of the Concession Operations component of Alternative B could create two kinds of noise impacts: first, the noise of large machinery and power equipment used during the construction phase at resorts; and second, the noise of larger crowds and more traffic in and around the resorts once they are fully operational. During the construction phase, noise levels would vary depending on equipment type used and the duration of its use, the distance between noise sources and nearby receptors (visitors), and the presence or absence of barriers between these noise sources and the public.

When construction plans are drafted, Reclamation would require that they include noise abatement strategies such as limitations to hours of operation and weekend and holiday work, and other features designed to minimize or muffle work-related sounds that might be audible from those areas still open to the public during the construction phase.

Also under this alternative, noise levels in the vicinities of the resorts might be higher once all of the visitor facilities are in use. Additional and improved short-term recreational opportunities, such as overnight camping and attractive new marinas, likely would attract more visitors – along with their vehicles, powerboats, and jet skis. At least some of that use would be concentrated in a relatively small area.

The comparative level of noise and its potential effects cannot be extrapolated because there are no existing baseline data. However, the visitation and use projections discussed under Alternative A also apply here. As under Alternative A, increasing visitation and motorized watercraft use have the *potential* eventually to cause major noise-related impacts.

Under Alternative B, however, Reclamation could manage, mitigate and reduce any adverse noise impacts to non-significant levels, using the WROS recreational-use classification system. Noisy uses could be restricted to particular localities or dispersed to reduce their overall effects, or other actions (e.g., water-speed restrictions) could be employed at the discretion of resource managers under the auspices of the WROS system.

As part of its preferred proposal, Reclamation proposes to implement immediate changes in public use at a number of shoreline and water areas at the reservoir, under the WROS system. Specifically, the areas between the Oak Shores day-use area, Smittle Creek day-use area, Small Island and Big Island would be changed from Rural to Rural Natural Non-motorized zones, and the area south of the entrance to Steele Canyon Cove would be reclassified as Rural Developed. The re-classifications would restrict those areas to non-motorized, significantly reducing the impacts of noise on visitors and wildlife in those vicinities. These actions would have an immediate

beneficial impact, and would substantially mitigate any increasing noise levels that might occur along with growing visitation over the next decade.

Reclamation proposes to construct an extensive trail network bordering the reservoir under this Preferred Alternative. Trail construction, which would likely be done in segments, would occur over a number of months and over a linear area of up to 150 miles, has little potential to create significant noise impacts.

No significant changes are proposed to the Capell Cove launch ramp or the Camp Berryessa group campground that would alter the operation of these facilities. Therefore, no significant impacts from noise are predicted for those localities under Alternative B. The modest development proposed for Eticuera and Steele Canyon are not substantial enough to cause adverse, noise-related impacts to wildlife or visitors.

Finally, under this alternative, the ongoing operations at the Markley turnouts, Olive Orchard, Oak Shores, Smittle Creek, Pope Creek and North Shore would not cause significant impacts due to noise.

3.6-2B LBVSPT Comment:

Alternative B– Noise – Potential Impacts Due to Noise

“The implementation of the Concession Operations component of Alternative B could create two kinds of noise impacts: first, the noise of large machinery and power equipment used during the construction phase at resorts; and second, the noise of larger crowds and more traffic in and around the resorts once they are fully operational. During the construction phase, noise levels would vary depending on equipment type used and the duration of its use, the distance between noise sources and nearby receptors (visitors), and the presence or absence of barriers between these noise sources and the public.” (DEIS page 138)

1. Significant short-term noise impact will occur due to destruction of all infrastructure and rebuilding of all resorts over a period of several years.
2. The reclassification of the areas between the shore and Big Island as non-motorized zones will have no impact on noise, since these areas are already 5 MPH zones, and have no noise-related impacts at the present time.
3. Reclamation attempts to dictate alternatives to the demonstrated preferred uses of the public through their proposed WROS classifications. There is no data to support the Reclamation opinion, nor demonstrated facts, for change of use. No process has been followed that would allow the change of use .

Impact 3.6-5: Cumulative Environmental Impacts Due to Noise

No actions currently proposed by Reclamation or other management authorities would result in cumulative impacts due to noise under Alternatives B, C or D.

As stated earlier, there is no research-generated database with which current noise levels can effectively be evaluated or future levels could accurately be extrapolated. At present, there is no evidence to suggest that current noise related impacts are significant. Finally, there are no indirect noise-related impacts predicted under these alternatives.

3.6-5B LBVSPT Comment:

Massive removal of the infrastructure of seven resorts with heavy equipment, then “build out” of the resorts for a change of use, is an extensive process that will take several years. This process will introduce a completely new continuous pattern of noise to areas that receive most use only during a limited season. The noise pattern of happy families, recreation users and boaters would be replaced with noise of bulldozers taking out more than 40 years of facilities and services which provided affordable public use. Again, Reclamation has no study and no data with which to evaluate their intended actions.

Impact 3.6-6: Potential Impacts from Irreversible and Irretrievable Commitments of Resources Due to Noise

Construction activities related to resort build-out activities under alternatives B, C and D would constitute irreversible and irretrievable commitments of resources that could potentially result in noise-related impacts at Lake Berryessa. However, those impacts would not be significant under any of the three action alternatives.

3.6-6A, A+ LBVSPT Comment:

No impact, or minimal impact.

3.6-6B LBVSPT Comment:

The commitments of resources and noise-related impacts of Alternative B are unnecessary and excessive, as well as a waste of valuable existing resources. The result of Alternative B is diminished facilities, services and recreational opportunities, all occurring over the years that Reclamation will take to accomplish that to the tune of bulldozers and not laughter.

Impact 3.6-7: Potential Impacts from Short-term Effects versus Long-term Effects, Due to Noise.

All of the proposals under Alternatives B, C and D would have positive long-term effects in terms of noise. No significant short-term noise-related impacts are predicted under those alternatives.

3.6-7A, A+ LBVSPT Comment:

No impact, or minimal impact for both short-term and long-term effects.

3.6-7B LBVSPT Comment:

The short-term effects, two years or more, of removal and construction due to noise is significant under Alternative B. The change of use proposed for camping and RV's could produce significant adverse noise impacts. Resorts that accommodated families and recreational users in comfortable units, with amenities, are suddenly essentially all outdoors, all at once, all in one place. Reclamation is wrong to anticipate that the increase of day users and short-term users will parallel the current users.

Impact 3.6-8: Unavoidable Adverse Impacts Due to Noise.

No unavoidable adverse impacts due to noise would be associated with Alternatives B, C or D.

3.6-8A, A+ LBVSPT Comment:

Minimal impact, or no significant impacts. Alternative A has provided healthy and safe recreational opportunities for more than 40 years which still match contemporary needs and demands. Alternative A+ is designed to provide even greater recreational opportunities, with an enhanced plan to make the recreational users visits more enjoyable, taking into consideration the accommodations and uses that minimize conflicts and adverse impacts due to noise.

3.6-7B LBVSPT Comment:

Alternative B begins with adverse impacts due to the noise of demolition and construction, then develops recreational resources that do not fit user needs and demands.

3.7 Recreation

Summary of Impacts per Alternative:

3.7 Alternative A+ - Positive impacts

3.7 Alternative A – No impacts

3.7 Alternative B – Significant adverse impacts

3.7.1 Affected Environment and Existing Setting

Alternative A (No Action): Continue Existing Commercial Service until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Visitors go to Lake Berryessa for a variety of recreational opportunities, most of which are water-dependent and seasonal. The lake offers an assortment of activities, such as power boating and water skiing, picnicking, camping, swimming and fishing. Because most recreational activities that take place at the lake involve water sports, summer is the primary recreation season, with an estimated 75 % of total visitation taking place between Memorial Day and Labor Day weekends. The only exception to the seasonal nature of recreational activities is fishing, which more frequently occurs outside the summer months.

Lake Berryessa is a unique lake in particular location with land and water recreational uses that have developed under the needs and desires of the public. The most popular water uses are motorized boating, water skiing, fishing and swimming. There is limited interest in sailing, canoeing and kayaking, although Lake Berryessa's water mass configuration creates the options for all water recreational opportunities and can accommodate the diverse uses easily.

The water surface at Lake Berryessa is more than 18,000 acres and the seven resorts offer more than 720 campsite / RV site uses and approximately 1,400 long-term sites. The short-term use is comparatively high in relation to Lake Shasta with nearly 28,000 acres of water surface and approximately 470 campsite / RV site uses, and Lake Tahoe with more than 85,000 acres of water surface and 1,220 campsite / RV site uses. Lake Havasu has nearly 21,000 acres of water surface and offers a wide range of facilities with 15 campgrounds and RV resorts, mobile home parks, as well as, 26 hotels, motels and condos accommodating a significant visitor population.

At Lake Havasu, most BLM concessions offer long-term rentals, including mobile homes, RV sites and campsites. One concession is a timeshare/membership, with five other locations on the Colorado River, which has 800 RV sites at the Lake Havasu location. The facilities that BLM directly operates are two campgrounds with a total of 90 sites, and 136 boat-in campsites. Lake Havasu has two seasons, the "Snowbird Season" and the "Summer Boating Season" drawing 2.5 million visitors per year, it may be the most successful government concessionaire operation in the west. All of the BLM concessions at Lake Havasu and the Parker Strip on the Colorado River have a WROS classification of Urban.

Seven resorts at Lake Berryessa Markley Cove Resort, Pleasure Cove Resort, Steele Park Resort, Spanish Flat Resort, Berryessa Marina Resort, Rancho Monticello Resort and Putah Creek Resort offer services and facilities that allow the public recreational opportunities that they demand. The total shore occupancy of all the resorts is 12 miles and now hold what WROS would classify as Urban. The entire 165 miles of Lake Berryessa shoreline is available to the public by car, trail or boat access. There are also twelve islands that can be reached by boat access and in drought years some become joined by land. The east side of the lake is essentially undeveloped and has limited access, which gives the entire lake a sense of being untouched. The resorts concentrated within a few miles of shoreline are the doorways of recreational use on the 26 miles by 3 miles of Lake Berryessa water surface, the resorts welcome the visitors with services and facilities in minimal footprints. Visually the lake is breathtakingly vast, with broad views of water and open land, due to the seasonal use often there are no boats or few boats visible on the lake.

Reclamation has a small Visitor Center/Museum open to the public at various times, located at the Reclamation administrative complex on Government Point. This Center has the potential of being much more significant in providing visitor information and education.

There are a few facilities at Lake Berryessa operated directly by Reclamation that serve short-term users. Those facilities, are limited to day-use areas at Oak Shores and Smittle Creek, and dispersed day-use turnouts at Markley, Steele Canyon, Olive Orchard, Pope Creek, North Shore, and Eticuera.

In the main day-use areas at Oak Shores and Smittle Creek are picnic areas, swimming areas and short hiking trails, both areas can also be developed as camping and RV sites. PL 93-463 in 1974 (601) -Authorized Reclamation to develop, operate, and maintain such short-term recreation facilities they deemed necessary for the safety, health, protection, and outdoor recreational use of the visiting public. (603) -Reclamation was appropriated \$3,000,000 for development of short-term use and operational facilities. Oak Shores, Smittle Creek, Camp Berryessa and a boat-in camping program all could increase short-term “high quality, low density camping.” It has been Reclamation’s lack of development since 1974 that has deprived the public of better facilities on land that is under their operation.

Lake Berryessa, while being very close to large population centers, has had very limited growth and development. The location, roads, seasonal use, facilities and amenities have not created the vibrant recreational use that the area is capable of. The modern recreational user demands a higher level of sophisticated services, which Lake Berryessa has the great potential of delivering. Lake Shasta, Lake Tahoe and Lake Havasu all have highway systems that draw the public, with restaurants, long-term uses, homes and second homes, hotels, businesses, short-term units/sites and recreational services.

From the Executive Summary – Water Recreation Opportunity Spectrum (WROS)
 “Diversity is an asset in America. ...Half a century ago, when people said they were going camping, fishing, or boating, it was clear what they intended. Today, due to many factors such as technology and equipment, more facilities, and diverse public tastes and preferences, there are many types of camping, fishing, and boating. The outdoor recreation industry and profession has become much more complex and sophisticated.”

LBVSPT envisions the future of Lake Berryessa as an opportunity to blend the long-term user demand, the development of operations that deliver services to meet future needs, enhancement of short-term facilities, upgraded services and accommodations, improved road access, and to become a great asset to Napa County.

Current and Predicted Visitation Numbers

A total of 1,079,466 users visited Lake Berryessa in 2002. Visitation at Lake Berryessa does not climb steadily, but instead goes through a cyclical pattern of rising and falling visitation numbers. Since Reclamation began keeping visitation statistics in 1981, the greatest increase in the number of visitors over the period of a year occurred in 1982. Visitation climbed by 634,850 persons, an increase of nearly 40% over the 1981 baseline total. The trend did not continue, however, but declined over the next to years. By 1984, visitation had dropped back to the 1981 level. The next three years saw a steep and steady increase, peaking in 1987 with a total 1,852,584 visitors.

Visitation began declining again in 1988, and finally bottomed out in 1994 with 1,231,162 visitors. That year was the final season of a lengthy drought, which left the lake at the 63 feet below crest on Labor Day weekend. Low lake levels combined with an economic recession at that time may have discouraged visitation.

Visitor numbers rose steeply again in 1995, presumably corresponding with increased lake levels and an improved economy, and reached an all-time high in 1996 when 1,854,996 persons visited the reservoir. Between 1997 and 2001, visitation numbers continued to fluctuate, with the greatest percent change occurring in 1999, which had a 34 % drop in visitation. While numbers steadily increased the following two years, 2002 saw the greatest decline in visitation ever recorded in a single year at Lake Berryessa, as the total plunged to 1,079,466, a drop of more than 56% from the previous year. Severe drought conditions throughout the West, a sagging national

economy, and preoccupation with the possibilities of war and terrorist strikes against the U.S. crippled recreation and hospitality providers nationwide. Those factors probably were responsible for the dramatic decline of visitation numbers at Lake Berryessa. With the vacillating nature of visitation at Lake Berryessa in the past and the current uncertainty with the world political and economic climate, undertaking to forecast long-term trends in visitation numbers is particularly difficult. Nevertheless, the linear regression presented in Figure 9 illustrates the predicted trend of visitation through 2010, which is based on the visitation data between 1981 and 2002. The figure shows a general trend toward increasing visitation at Lake Berryessa. Specifically, it predicts (at the 0.1 confidence level) that Lake Berryessa will have between 875,878 and 2,411,179 visitors by 2010, with a predicted mean of 1,643,529 visitors. That number is similar to the number of people that visited the lake in the “crash” year of 2002.

DEIS 3.7.1 Table 1 - Visitation and Lake-Level Trends at Lake Berryessa Year Total number Change from % change from of visitors* previous year previous year

1981	1,040,506	No data	No data
1982	1,675,356	+634,850	+37.9%
1983	1,345,415	-329,941	-24.5%
1984	1,046,283	-299,132	-28.6%
1985	1,318,357	+272,074	+20.6%
1986	1,597,846	+279,489	+17.5%
1987	1,852,584	+254,738	+13.8%
1988	1,577,701	-274,884	-17.4%
1989	1,614,609	+ 36,908	+ 2.3%
1990	1,426,557	-188,052	-13.2%
1991	1,495,013	+ 68,456	+ 4.6%
1992	1,505,284	+ 10,271	+ 0.7%
1993	1,330,911	-174,373	-13.1%
1994	1,231,162	- 99,749	- 8.1%
1995	1,704,581	+473,419	+27.8%
1996	1,854,996	+150,415	+ 8.1%
1997	1,788,731	- 66,265	- 3.7%
1998	1,818,207	+ 29,476	+ 1.6%
1999	1,354,567	-463,640	-34.2%
2000	1,445,987	+ 91,420	+ 6.3%
2001	1,685,362	+239,375	+14.2%
2002	1,079,466	-605,896	-56.1

Total number of visitors over 22 years: 32,789,481

Average (mean) number of visitors per year: 1,490,431

** The number of visitors is calculated by multiplying the number of vehicles tallied by automatic traffic counters by the average number of persons (2.96) per vehicle.*

Carrying Capacity

While predictions have been made for the number of future visitors at Lake Berryessa, such visitation numbers can be affected by weather patterns (fewer people during drought years when water levels are low and recreation opportunities become substandard), trends in recreational activities, and local and world events. In addition, the total number of visitors is also dependent upon the area’s carrying capacity.

Carrying capacity on Lake Berryessa is evaluated for the reservoir’s land and water access facilities and the water surface. A study conducted for the 1992 RAMP found that water access facilities for short-term day-use were the primary limiting factor with regard to carrying capacity. Currently, short-term facilities are used at or near capacity during the summer recreation season. The study also found that the reservoir’s land and water surfaces rarely reached their carrying capacity, except holiday weekends. The 1992 Ramp has established a carrying

capacity limit of 3,000 vessels on the lake's surface per day. At the time of the study, aerial reconnaissance recorded approximately 1,100 to 1,200 vessels on the lake during a typical summer weekend, with midweek use diminishing to approximately 300 to 400 vessels a day. Regular weekend and weekday-use remains well within that limit --with room to spare. In fact, a 1998 aerial boat count revealed 90 to 188 boats on the weekdays and 493 to 538 boats on the weekend, considerably lower than the 1992 numbers.

Area Reservoir Recreation Demand

The National Recreation Lakes Study Commission estimated in 1998 that there are 900 million visits to federal reservoirs per year. This number was expected to increase by 2 % per year, reaching nearly 2 billion visits by 2048. Jones (1996) also found that the demand for public freshwater lakes and reservoirs for recreational uses is increasing and is especially high in areas where there are few natural lakes. Increasing growth and new road access to lakes has led to a rapid increase of recreational use of reservoirs for boating, swimming, camping, hiking, sightseeing and fishing (National Recreation Lakes Study Commission, 1999).

In California, too, the demand for outdoor recreational opportunities is growing. According to the last California Outdoor Recreation Plan prepared by the state Department of Parks and Recreation (DPR 1993), more than 75% of California residents consider outdoor recreation to be important to their quality of life. With a population now exceeding 33 million, the state is seeing visitation pressures increase on its open lands and established recreational areas. The DPR reports that more Californians are seeking recreational experiences closer to home (mainly near urban areas), and that Californians indicate a strong preference for natural or nature-oriented recreation areas. Lake Berryessa meets both these preferences.

California State University, Chico (1996) conducted a market analysis of people living within 100 miles or a 2-hour driving radius of Lake Berryessa. The market analysis area covered 16 counties, including Alameda, Colusa, Contra Costa, Lake, Marin, Mendocino, Napa, Sacramento, San Francisco, San Joaquin, San Mateo, Solano, Sonoma, Sutter, Yolo and Yuba Counties. In the study, 83 % of respondents said that they had participated in outdoor recreation activities in the previous 12 months, and 80 % of the same respondents said that they participated in outdoor recreation on or near water such as a river or lake.

Current Visitor Profile

A 1998 study, "A Study of Boater Recreation On Lake Berryessa, California," examined boater use-patterns and perceptions to identify two types of users. The two user-types identified in the study were "ramp users" (those who used boat ramps to access the lake surface) and "resort/marina boaters" (those who kept their boats at resorts/marinas at the lake). Both groups were similar in terms of their places of residence and distances traveled to Lake Berryessa, with most residing within 75 miles of the lake. They used the lake because of its proximity to their places of residence. Both groups also were similar in that they tended to have used Lake Berryessa for many years: ramp users had an average of 13 years of experience on the reservoir, and resort/marina boaters had about 18 years of experience there.

Most ramp users were classified as "occasional visitors" because they had visited the lake 10 or fewer days during the year prior to the survey. Resort/marina boaters, on the other hand, were classified as "regular" or "frequent" users, with most having visited the lake 20 or more days in 1997. Further, resort/marina boaters tended to prefer Lake Berryessa to other waters in the area: only 27 % of those participating in the study named other lakes where they boated. Ramp users, on the other hand, were more mobile, with 81 % of those surveyed using lakes or reservoirs other than Lake Berryessa.

Ramp and resort/marina users also differed in terms of the typical length of their visits. While most ramp users surveyed were day-users, most resort/marina boaters visited for two or more days. About as many ramp users (43 %) stayed at long-term sites (i.e., trailers) as they did short-term sites (41 %; i.e., campgrounds, undeveloped areas). In comparison, the majority of marina/resort users (79 %) stayed at long-term sites, with only 8% staying at campgrounds. Resort/marina users are thus almost exclusively long-term users while ramp users are a mix of short-term and long-term users. Nine to 10% of both groups spent nights on their boats at night, with very few (7 % of ramp users and 3 % of resort/marina boaters) staying at lodges or motels.

Interestingly, while both groups participated in similar activities (pleasure cruising, swimming, relaxing, sunbathing and fishing while the boat is stationary), their recreational values and perceptions of their experiences diverged. Ramp users valued the opportunity to experience the outdoors in an undisturbed, natural setting, spending their time on the lake with friends and family, and relaxing. Resort/marina boaters, on the other hand, enjoyed socializing and interacting in the various outdoor environments provided at Lake Berryessa.

Visitor Experience

The quality of a visitor experience depends on a number of variables, including natural resource conditions; the number, duration, and character of encounters with other groups; the number and condition of developed facilities; and the type of activity that the visitor wishes to pursue. Experiences also depend on the preferences, motivations and needs of the user. For instance, visitors on a houseboat seek a type of recreation experience that is different from that sought by kayakers, and so have a different set of expectations and preferences relating to the nature of shoreline development.

Many of the visitors surveyed for the 1998 boater survey commented positively about the water quality and natural environment, which added to their enjoyment of their lake experience. In that study, both user groups were asked to name the qualities they liked best about Lake Berryessa. The most frequent response was related to water conditions (e.g., water quality, availability of calm water conditions) and the condition of the natural environment (e.g., scenery, wildlife, other natural features). Qualities least liked by ramp users were crowded conditions, increasing boat traffic and the use conflict resulting from incompatible boat types and activities. Least liked by marina users were use conflicts resulting from incompatible boat types and activities. Only half as many marina/resort users as ramp users viewed more crowded conditions and increased boating traffic as a problem – presumably because they were more interested in social and sporting activities than in solitude and relaxation. All told, though, less than 15% of all boaters surveyed in 1997 thought the reservoir was overcrowded.

The 1992 RAMP identified five land-use categories, of which four were based on the level of shoreline development and user density. (The fifth category consisted of restricted areas.) Section 3.1 of this document describes these land-use categories in detail.

The range and diversity of categories shows that Lake Berryessa provides for a range of visitor experiences. Visitors using the Class I - High Density Recreation Areas, which consist mostly of the seven resorts, have a highly social experience in a well-developed area with many visitor conveniences. Their recreational activities occur in the developed resort areas and their ventures on the 18,000 acres of water surface. Many users enjoy the opportunity to engage in socially-oriented activities and appreciate the conveniences and comforts available at the resorts.

Visitors using Class IV- Semi-Primitive Areas, such as those along the lake's eastern shore, experience solitude in a natural setting. Their recreational activities occur in a quieter, undeveloped environment. This kind of experience does not appeal to everyone, but particular users appreciate the sights, sounds, and scents of nature, and enjoy the experience of "roughing it" in a remote area.

The variety of recreational activities available is another part of the visitor experience. Visitors to the reservoir enjoy 44 water-related activities, including various kinds of boating, fishing, skiing, swimming, sightseeing, picnicking, and camping/lodging (RAMP, Appendix J, J-1). Some land-based recreational activities, such as walking, hiking, riding all-terrain vehicles and cycling, also occur on the 8,958 acres of public lands surrounding the lake, but those are secondary to the water activities in terms of visitor participation.

Most of the on-shore recreation use occurs on the west side of the lake, where there is a much greater level of development. The east side is managed under the Lake Berryessa Wildlife Area Management Plan, which allows for recreation facilities and use, but in a less developed setting.

The different types of visitor activities are discussed below under the categories "day-use" and "overnight use." To some extent, these categories overlap: although day-users, by definition, do not engage in overnight activities,

overnight-users do engage in “day-use” activities during their stays. The categories are employed here only for organizational purposes.

Day-Use Activities

Boating

Most boating activity at the lake occurs on summer weekends between April 1 and October 15. Although some types of boating, such as sightseeing, occur year-round, most activity is concentrated in the warmer months. The most common watercraft used on the reservoir are ski boats and runabouts. Other common vessels include personal watercraft, fishing boats, pontoon/patio boats, houseboats, sailboats, rubber rafts, canoes, kayaks, paddleboats and rowboats. Runabouts, jet skis, self-powered surfboards and sailboards appear to be particularly popular with visitors, judging from a 1998 aerial survey of boats on Lake Berryessa.

Visitors use their watercraft for pleasure boating, sailing, fishing, sightseeing and water-skiing, as well as for nontraditional and “extreme” sports such as para-skiing, para-sailing, surf-sailing, inner tube “skiing,” and jet skiing. These uses occur throughout the reservoir, but predominantly across the western half. Houseboats, too, are gaining in popularity at the reservoir. House-boating was first introduced to Lake Berryessa in 1981, when a commercial houseboat fleet was authorized at Markley Cove Resort.

Fishing

Most fishing use occurs in the fall, winter, and spring, but typically diminishes throughout the summer. Cold-water game species include brook trout, rainbow trout and Konkani salmon. The lake is stocked with rainbow trout each year and more recently with Chinook and Konkani salmon. Silver salmon and brown trout were formerly stocked at the lake, but have not been reported in recent years. Warm-water game species include bluegill, largemouth and small mouth bass, white crappie, black crappie, and channel catfish.

Although no data specifically on fishing use of the reservoir are available, individuals are routinely observed engaging in several kinds of fishing. According to the 1988 Water Recreation Carrying Capacity Analysis, fly fishing, spin casting, and cane pole fishing from the lakeshore occurs mostly along the lake’s west shoreline. Still-boat fishing, or fishing from an anchored boat or one that is allowed to drift, generally involves spin casting, fly fishing or cane pole fishing from nearly any location on the reservoir. Trolling takes place from a motorboat or rowboat moving at about three miles per hour or less, and occurs in parts of the lake where the water is more than 6 feet deep. Tournament fishing, generally for bass, usually runs from January through April.

Fishing is an increasingly popular sport at Lake Berryessa, with the highest fisherman visitation at the off-season – fall, winter, spring. The resorts accommodate the fisherman needs as much as possible. Putah Creek, Spanish Flat and Markley Cove are particularly supportive of the fishermen in the off-season.

Markley Cove Resort is the site of the “Lake Berryessa Pen Project”, a CIFFI financed \$25,000 trout pen-rearing program designed to enhance Lake Berryessa's Rainbow Trout fishery. The Fish and Game and CIFFI's Project Rainbow Trout built and installed a four-pen, trout rearing facility at the docks of Markley Cove Resort. These pens hold tiny rainbow trout during the fall and winter months in an attempt to teach the fish how to feed and better survive the crucial winter months. - <http://www.kokanee.org/rainbow.htm>

Swimming

Swimmers enjoy the docks at the various resorts as a point from which to swim, sunbath and socialize. Swimmers also enjoy boating out to a destination on the lake to swim, or swimming wherever they are on the lake between other activities such as skiing.

During the period from 1975 to the drought of the 1980s, Reclamation provided lifeguard supervision at the swimming areas in the Oak Shores day-use area. The reduction in visitor-use during the drought caused the lifeguard program to be eliminated. Other activities associated with swimming are air mattress and inner tube floating, playing with inflatable toys and flotation devices, wading, snorkeling and diving. Swimming and floating

occur throughout the lake, whereas the other related activities tend to occur in particular areas. Special swim events, such as open water swimming, distance swimming, triathlons and biathlons, are held at the lake each year under special-use permits issued by Reclamation.

Interpretation

Interpretation and information services are offered in a small Visitor Center adjacent to the Reclamation administrative building. Reclamation personnel and volunteers staff the Visitor Center on a regular basis from May through September. Information is provided regarding recreational opportunities at the lake. The Visitor Center also contains a number of interpretive displays, including several mounted wildlife exhibits and historical information about the local area. Other interpretive efforts, including interpretive trails and seasonal programs, are being initiated by Reclamation. Some regulation related information is available at the Visitor Center, the entrance station to Oak Shores, several other day-use areas and the boat launch facilities at the resorts.

Picnicking, Boat Launching and Parking

All seven resorts at Lake Berryessa offer picnic areas, boat launching, marinas, restaurants and/or food services, moorage and parking, based on a modest fee structure. Most resorts also offer gas services and boat rentals. Government-operated facilities available to the public include the Capell Cove launch ramp, which was constructed between 1977 and 1978. Parking for 71 vehicles and boat trailers is provided there. Since the State of California contributed a substantial portion of the funds for the facility's construction, it stipulated that the public be allowed to use the ramp without charge for a period of 10 years. That time period has expired. Capell Cove has been a popular facility, and its parking spaces usually are filled by midmorning. However, most summer weekends the boaters continue to use the ramp even when the parking facilities are filled, parking their vehicles and boat trailers along the county road, up to more than half a mile from the ramp entrance. Because of the congestion this situation causes along the road, Reclamation has installed traffic control devices and gates that can be closed when the facility is full.

Construction of Oak Shores and Smittle Creek day-use recreation facilities began in 1978 and was completed in the spring of 1980. Prior to construction, the public utilized the area for day-use by parking within the county road right-of-way and walking down to the shoreline. These facilities now provide fewer than 500 parking spaces, many of which are located close to the water. Picnic tables, barbecues and garbage receptacles are placed throughout the area, and modern, conveniently spaced public restrooms are provided. Two swimming areas, Acorn and Coyote, have been designated at Oak Shores.

3.7.1-1 LBVSPT Comment:

LBVSPT proposes that Capell Cove charge a fee that is competitive with the resorts to encourage the user to choose the launch ramp that best suited their needs. Capell Cove has geological problems that need to be corrected for safety and environmental reasons. Parking along the road creates a sub-hazard to the launch ramp and the management thereof.

LBVSPT proposes that Oak Shores and Smittle Creek be better developed for camping and RV sites, even if it is simply to accommodate the "big weekends."

Special-Use Activities

Any club or organization wanting to establish a special-use area, whether for long-term use or short-term use, must enter into an agreement with Reclamation. If the proposal is acceptable and an agreement is signed, Reclamation issues a special-use permit. Reclamation can cancel the permit at any time if the user fails to adhere to the terms of the agreement. One of the current long-term permits was issued by Reclamation in 1975, to allow the Monticello Ski Club, a non-profit organization, to operate a public ski slalom and wake-board course at Skier's Cove, north of Steele Park Resort. Ski club members are on hand to demonstrate the proper use of the facilities and to promote water-skiing in a safe environment. Annual low cost permits are available to the public and are sold at several resorts around the lake. Due to the increasing popularity of this facility, a demand is growing for additional areas for advanced water-skiing and wake-board event opportunities.

A second long-term special-permit is held by the Silverado Council of the Boy Scouts of America, for operation of a group campground, known as Camp Berryessa. LBVSPT proposes that Camp Berryessa change from the exclusive use for the Boy Scouts, to a use that better meets the needs of the public.

Short-term special-use permits can be issued for races, regattas, bass fishing tournaments, swim-a-thons and other events that may occupy large sections of the lake surface or surrounding land or otherwise exclude general public. Generally, Reclamation charges a fee for these activities, to cover administrative costs.

Another important special use is the military's use of the lake for operational exercises. Under the terms of a Memorandum of Understanding with the military, Reclamation is notified when the Department of Defense wants to use the area. Unless there is a conflicting prior use arrangement, permission is routinely granted.

Various business enterprises that provide recreational equipment or services have requested permits or agreements to provide services and/or facilities to the public from areas outside of the resorts. Such business opportunities include rentals of boats, personal watercraft, wind-surfing equipment and a variety of other water-related services. Reclamation typically encourages those entrepreneurs to contact the resorts to discuss the possibility of entering into a sub-concession agreement and conducting their business through the concessions.

Hiking

The existing trail system at Lake Berryessa consists of the Smittle Creek and North End trails. The Smittle Creek trail is 2.5 miles long, starting from Coyote Knolls at the Oak Shores day-use area and following the shoreline to the Smittle Creek day-use area. The North End trail is 4.5 miles long, and begins on the north end of the Putah Creek Bridge and follows the lakeshore to Eticuera Creek. This trail is eroded in many areas, and needs extensive maintenance. Finally, the Markley Cove area has an informal social trail system (created by visitor use, not by plan) connecting various roads side parking areas with the shoreline.

Reclamation is interested in planning and developing trails to serve the lake and surrounding areas. To that end, an informal partnership for trail development is being formed among Reclamation, the Bureau of Land Management, California Department of Fish & Game, the University of California at Davis, and Lake, Napa, Yolo and Solano Counties. No specific plans for trail alignments or construction details have been developed for review under this DEIS; instead, site-specific environmental evaluation likely will be required as each trail-segment proposal is formulated.

There are at least 50 miles of trails that have been formally developed at Lake Berryessa and there are numerous informal trails. Due to the fact that most of the land along the shoreline of Lake Berryessa is very sparse it is easy for hikers to venture through the lands at Lake Berryessa. It is the responsibility of Reclamation, the BLM, and hiking groups to develop and maintain hiking trails, based on available funds, user demand, ensuring public health and safety with environmentally protective measures.

Visit the following websites for current information:

<http://sonic.net/berryessatrails/>

<http://www.reflexpoint.org/~afulks/index.html>

<http://sonic.net/berryessatrails/paddlehike.htm>

The BRBNA has a significant trail system with plans for 150 miles of future development. That use is exclusively for hikers and crosses areas that have greater views and natural ambiances only the hiker can see, above Lake Berryessa. The BRBNA is currently in public ownership under the management of the U.S. Bureau of Land Management, the U.S. Bureau of Reclamation, the California Department of Fish and Game, the California Department of Parks and Recreation, and the University of California Natural Reserve System. Private landowners have indicated their interest in promoting this regional conservation effort, coupling the use of conservation easements and public acquisitions with State and Federal designations to assure permanent, locally promoted, financially secure, efficiently regulated, and enlightened stewardship of the area. Conservation groups, including the Packard Foundation, the Wildlife Conservation Board, the American Land and Quail Ridge Wilderness Conservancies, the California Wilderness Coalition, Cache Creek Wild, and the Land Trusts of Napa,

Lake, and Yolo Counties are actively pursuing land conservation projects in the area. Today the Partnership includes over 100 partners – private landowners, public land managers, universities, nonprofit organizations, area residents, and recreational users– dedicated to the conservation, preservation, and management of over 600,000 acres of this natural, wild, agricultural, and recreational landscape. Membership in the organization is voluntary, the group has and seeks no regulatory authority, and respecting private property rights is a key principle. Visit the BRBNA website for current information: <http://www.brbna.org>

Overnight Use

Six of the seven resorts at Lake Berryessa offer short-term campgrounds. The use of the campgrounds is strictly seasonal, with rare visitors off-season. Weekdays even during the season are not full. The campgrounds are full on a few weekends and/or holiday weekends, as are nearly all facilities in recreation areas. The long-term uses at Lake Berryessa have been the financial backbone to support the facilities and services needed by the short-term campers.

LBVSPT has reviewed the current configuration of the resorts and proposes design plans for better zoning and development within the resorts to help make the recreational user experience safer and more accommodating to user needs.

The one overnight facility on the lake that is not operated by concessionaires is Camp Berryessa, a group site that was constructed by and continues to be operated by the Silverado Council of the Boy Scouts of America. This site is located on the north side of the Putah Creek arm of the lake and on the west side of the Berryessa-Knoxville Road, north of the Putah Creek Bridge. Its facilities are primarily for Scout use; however, Reclamation stipulates in its permit that the Scouts must make the camp available to other organizations and groups when it is not being used for Boy Scout programs.

LBVSPT considers Camp Berryessa to be some of the best land for short-term use its prime shoreline would be ideal for a boat-in area, group accommodations by reservations, or as a more developed area.

3.7.1-2 LBVSPT Comments

Excerpted from the Reclamation DEIS:

“Visitors go to Lake Berryessa for a variety of recreational opportunities, most of which are water-dependent and seasonal. The lake offers an assortment of activities, such as power boating and water skiing, picnicking, camping, swimming and fishing. Because most recreational activities that take place at the lake involve water sports, summer is the primary recreation season, with an estimated 75 % of total visitation taking place between Memorial Day and Labor Day weekends. The only exception to the seasonal nature of recreational activities is fishing, which more frequently occurs outside the summer months.”

As a general rule, public lakes usually attract short-term users – those interested in brief campouts, a day or two of fishing, swimming, or skiing, or other activities. A few visitors may stay longer, sometimes up to two weeks or the posted time limit.

Current use at Lake Berryessa, however, varies somewhat this general rule. Many of the visitors of the reservoir are exclusive long-term users who keep trailers and mobile vacation homes at sites under permits from the seven resorts. In many cases, those users have been frequenting the lake for dozens of years, using their long-term accommodations quite consistently and extensively, especially during the summer months. These long-term visitors, however, while economically important to resort operations, still ***represent a small proportion of visitors to Lake Berryessa.*** (Emphasis added) Concession-operated resorts do offer some facilities for short-term visitors. Those are limited in number, however, and are located in less desirable areas of the resorts – the more attractive locations being reserved for trailer site permittees. For instance, short-term facilities are relegated to areas with poor or minimal access to the lake: resort-operated

campsites tend to be crowded together and located in areas with conflicting use (e.g., adjacent to trailers or in high-activity areas such as parking lots, boat ramps and main access highways). Despite their shortcomings, those facilities generally are filled to capacity on summer weekends.”

1. The statements above again illustrate Reclamation’s proclivity to use slanted language rather than empirical data to support their project proposal. There is no data to support the statements that short-term visitors are relegated to “less desirable areas of the resort.” The operative statement is “Despite their (supposed) shortcomings, those facilities are filled to capacity on summer weekends.” The reality is that short-term uses are filled approximately 20 days a year.
 2. LBVSPT consultation with recreation and concession management professionals has determined that Lake Berryessa is not a “marquee” lake. It is neither a Yosemite nor a Lake Tahoe. Visitation is self-limiting primarily due to road access. There is no empirical evidence that anyone who wants to recreate at Lake Berryessa has ever been denied that opportunity except on major summer weekends where they did not plan ahead. No facility, whether freeway, highway, or campground can ever be economically designed to meet peak needs.
 3. Reclamation is unable to completely explain the major downturn in visitation (-56%) during 2002. Although there may be several reasons, this is the same period that Reclamation undertook a concerted public relations effort to destroy the image of the lake in the public’s mind. Every public statement, presentation to public groups, or public relations tours for the media was consciously aimed at portraying the lake as a cesspool of sewage waste surrounded by a horrible view of decomposing trailers and failing infrastructure. Discussions with people who experienced Reclamation’s late-1970s efforts to destroy all mobile homes and restructure recreation at the lake tell of a similar downturn in visitation.
 4. Reclamation refers to a Recreation Demand Analysis that supposedly supports their claim that there is unmet or “latent” demand at Lake Berryessa. Recreation Demand Analysis is of questionable value as a predictive tool. Such an analysis is described in Appendix J of the 1992 RAMP which compared 1986 visitation numbers at Lake Mendocino, newly opened Lake Sonoma, and Lake Berryessa. For comparable periods 220,500 visitor-days were logged at Lake Sonoma. Lake Mendocino usage increased by 25,300 visitor-days. Lake Berryessa visitor-days increased by 90,000. The idea is that the combined 220,500 Lake Sonoma and 23,500 Lake Mendocino users for a total of 244,000 were people who would have gone to Lake Berryessa if they could. This is what was considered “latent demand” for the use of Lake Berryessa.
- However, Reclamation’s own data in this DEIS shows that for the period 1983 to 1988 the total Lake Berryessa visitation fluctuated by more than 300,000! In fact Lake Berryessa usage increased by more than 250,000 each year for 1985, 1986, 1987 before dropping by 274,000 in 1988. These numbers are clearly larger than the total usage at Lake Sonoma during the report period (the so-called latent demand of 244,000). This clearly invalidates any use of the Recreation Demand Analysis referred to by Reclamation in this DEIS. Reclamation should strike those comments from the final EIS. In addition, the graph on Page 145 provides no useful data. The method by which the numbers are estimated are fraught with inaccuracy and the statistical variability of each data point is so wide as to preclude any trend line determination.
5. Reclamation also downplays the potential effect of droughts on the economic viability of any recreation operation. There have been three significant multi-year droughts since the lake was filled. LBVSPT consultation with concessionaires and local business people indicate that the long-term sites were the primary reason concessions and some local businesses did not fail.
 6. Reclamation misstates the 1992 RAMP when discussing watercraft carrying capacity. The RAMP concluded in Preferred Action #20 that Reclamation should “Limit the total launching, marina capacity, and storage capabilities to 3,000...” This does not necessarily translate to “3,000 boats on the lake’s surface.” It is also unclear why the 1988 study showed 1,100 to 1,200 boats on the lake during a typical summer weekend (with a peak of 3,700!) when the 1998 study shows 493 to 538 on a weekend. Visitation numbers were 1,577,701 in 1988 and 1,818,207 in 1998. But the water surface usage by boats apparently dropped by more than 50% although visitors increased

by 13%! Based on observation, the 1988 numbers seem questionable. It's difficult to imagine that 3,700 boats could have gotten to the lake much less gotten onto the lake surface at the same time in 1988.

7. The 1998 Boater Recreation Study also indicates that recreation resources are not dominated by long-term users as Reclamation continues to claim. Ramp users are those who used boat ramps to access the lake surface. About as many ramp users (43 %) stayed at long-term sites (i.e., mobile homes) as they did short-term sites (41 %; i.e., campgrounds, undeveloped areas). (DEIS, Page 148) The remaining 16% surveyed were obviously day-trippers. Thus this data seems to indicate that 57% of launch ramp users were short-term visitors.

3.7.2 Environmental Consequences and Mitigation

Alternative A+ has minimal environmental consequences with mitigating circumstances that result in a positive impact for the future of Lake Berryessa.

Alternative A follows the RAMP and there are minimal environmental consequences.

Reclamation's Alternative B has no plan, yet proposes actions of huge environmental consequence, and has no viable mitigation.

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Impact 3.7-1: Potential Impacts to Visitation Numbers

Based on visitation patterns documented from 1981 to 2002, it is predicted that visitation under current management practices at Lake Berryessa will generally and slowly increase, reaching a projected average of about 1.6 million visitors by 2010 (see Figure 9). This increase will not be steady, but will accrue over a series of fluctuating highs and lows. These cyclic fluctuations appear to result from a number of independent variables that affect the public's interest in water-related sports and their ability to participate in those activities: weather patterns, local and regional economies and the national political climate.

The predicted average increase in visitation is judged to be insignificant. Eight different years between 1981 and 2002, visitation actually totaled *more* than 1.6 million at the reservoir (see 3.7.1 Table 1 above); consequently, the projected average visitation would not be uncharacteristic of current conditions at the lake. In that sense, Alternative A would have no impact on visitation numbers at the reservoir.

3.7-1 LBVSPT Comments:

Impacts to Visitation Numbers: There is no study or data to show that the number of day-use and overnight facilities provided at the lake is *at present* is a limiting factor for visitation. Campgrounds typically are only full on some summer weekends and seasonal holidays, which is consistent with all similar recreational facilities. There is no study or data to indicate that simply if more campsites were available, visitation would increase.

Alternative A does not impact visitation, which has followed the PUP and RAMP, providing short-term use as needed, but maintaining a stable long-term use economic base to make the short-term use available and affordable.

Alternative B has no sound basis for the proposed actions and uses. Reclamation states, "Since no study of camping demand has been conducted at the reservoir, it is not possible to quantify the extent of this effect and evaluate its significance." Reclamation's proposed Alternative B destroys the entire structure of the resorts, physical, economic and social. They have no plan to compete with the soundness of current operations, and no plan that improves the recreational opportunities for future public use.

LBSVPT Alternative A+ takes the best of what exists and evolves from the present operations to better meet public demand. The goal would be to expand the public use driven by financially feasible operations directed through actual public demand and logical phasing of uses. The increase in visitation would be integrated with funding to support the services required, both in the resorts and through Napa County.

The trend in visitation is a variable consequence based on multiple factors and/or combinations of factors such as a gas war, national or local economic instability, drought, negative or positive media, fires, etc. All weigh heavily on public use and the concessionaires ability to offer facilities and services.

Reclamation Impact 3.7-1 is flawed. Reclamation's analysis of visitor trends is invalid per previous LBSVPT comments. No public facility can ever be economically designed to meet only peak demands. However, several hundred additional short-term sites have been identified for potential development around the lake within the resort boundaries. Applications for these developments have been denied by Reclamation.

Based on the LBSVPT's proposal to allow long-term sites to rent there units to satisfy short-term peak overflow needs could be met.

Alternative A+ – Impacts to Visitation Numbers - Alternative A+ brings a vitality to Lake Berryessa, building on the stable base of long-term users and developing short-term uses to meet public needs in the future. The long range vision of Alternative A+ is based on environmental, economic and social benefits. The results will be increased visitation mitigated by improved roads, services and recreational opportunities for a diverse and demanding public.

Alternative A – Impacts to Visitation Numbers - Alternative A has virtually no impact to visitation numbers, guided by RAMP the increase in visitation is gradual and consistent, increased short-term use is developed as the public needs evolve. In the last few years several resorts have put in park model units (under 400 sq. feet) that fill a gap between camping and larger modular units, which have been popular. Visitation numbers fluctuate based on historic trend.

Alternative B – Impact 3.7-1 to 3.7-9 – Impacts to Visitation Numbers - Reclamations states that “If conditions were changed as the result of implementing one of the action alternatives, the visitation pattern observed to date could change...” Alternative B has no plan and no studies so the statements, “despite purported latent demand for water-related recreational opportunities in the region,” and “Expansion and development of new short-term and public overnight facilities would attract more visitors, thereby increasing average annual visitation,” have no support. The impact to visitation under Alternative B is negative if not disastrous.

First, Reclamation closes the resorts for at least two years, essentially eliminating visitation numbers. Second, the results of the resorts not being available to the public could drive a large number of users to occupy other areas at the lake not equipped to accommodate the public with safe and healthy conditions. Alternative B denies public use, and if/when the resorts were able to reopen, the loss of interest and visitors numbers for the area could take several years to be reestablished.

Impact 3.7-2: Potential Impacts to Recreation Carrying Capacity

The lake surface carrying capacity of 3,000 boats, as identified in the RAMP, was determined by estimating the amount of traffic that reasonably could be funneled through the reservoir's boat launch facilities in a given day – not by the amount of boat traffic that potentially could be accommodated on the lake surface if unlimited access were available. Existing facilities can accommodate the peak numbers of visitors who come during summer holiday weekends such as Labor Day and Memorial Day.

While existing facilities are sufficient enough to allow the lake surface to reach and at times exceed its identified carrying capacity of users, they cannot handle that amount of traffic in a satisfactory manner. Long lines and long waits occur on busy weekends, and parking often spills out onto roadsides. Since there is no reason to predict that demand at the existing boat launches and moorages would increase significantly under Alternative A, this proposal would result in no impacts to recreation carrying capacity.

3.7-2 LBVSPT Comment:

Impacts to Recreation Carrying Capacity – Reclamation DEIS Impact 3.7-2 uses a single questionable data point from 1988 not supported by recent studies (“...the number of watercraft on the lake at times is as high as 3,700...”) to make general statements that have no factual support. However LBVSPT agrees with the conclusion that there are no impacts.

Alternative A+ – Impacts to Recreation Carrying Capacity - Alternative A+ seeks to optimize recreational opportunities in master plan that accommodate water surface use in the safest manner possible to the greatest number of public users. One way that this might be accomplished is offering more amenities which would then extend the season. The impact to recreation carrying capacity would be moderately impacted due to some increase use but mitigating factors are that a more diverse public would be attracted to the lake and activities would be better dispersed between land and water. For instance golf courses, tennis courts, swimming pools and playgrounds offer outdoor activities that do not impact the use of the water surface.

Alternative A – Impacts to Recreation Carrying Capacity - No impacts are assumed with Alternative A.

Alternative B - 3.7-2 to 3.7-10: Impacts to Recreation Carrying Capacity - LBVSPT Comment:

Reclamation has no study to support the need for the non-fee ramps for non-motorized boats at Steele Canyon, Olive Orchard, Oak Shores and Eticuera. Oak Shores currently has a ramp which receives minimal use. Capell Cove launch ramp under the direct operation of the Reclamation has been in need of nearly one million dollars in repairs since 1995. Because it is non-fee, parking overflows to the main road creating hazardous conditions. Reclamation guarantees the concessions to make a profit and gate fees are a common practice. This assures that vehicle use compensates for services and protects the public in the resorts. Thus Reclamation’s DEIS statement “...resorts would no longer charge an entrance fee but only a use fee at the ramps,” makes no financial or security sense.

Reclamation concludes, “Changes in land-based concession operations (e.g., numbers of picnic and campsites, numbers of rooms at lodges and cabins) could not be known until more detailed planning is accomplished, which makes determining potential changes in carrying capacity on land problematic.” Alternative B denies public use for two years which effectively removes the majority of use from the water surface. Reclamation has no plans and no studies to rely on for the impacts Alternative B would have on Recreation Carrying Capacity. All indications are that the impacts are negative to the recreational users.

Impact 3.7-3: Potential Impacts to Demand for Freshwater Recreational Opportunities

Demand for Freshwater Recreational Opportunities is increasing. There is a responsibility of to offer the public water resources with recreational opportunities and benefits whenever possible. Lake Berryessa has evolved under the demand for Freshwater Recreational Use, guided by the PUP and RAMP. RAMP identifies and acknowledges that the long-term users assure that facilities and services are available enabling the public affordable Freshwater Recreational Opportunities.

3.7-3 LBVSPT Comment:

Demand for Freshwater Opportunities –Reclamation DEIS Impact 3.7-3 is wrong. “Unmet or latent demand has been identified within the Lake Berryessa area.” Previous LBVSPT comments (3.7-4) have shown that Reclamation has not empirically identified any latent or unmet demand for recreational opportunities.

Alternative A+ – Demand for Freshwater Opportunities - Alternative A+ creates the greatest opportunities for freshwater recreation based on the uniqueness of Lake Berryessa. The plan adds levels of diversity into a long term management of freshwater opportunities in an environmentally sensitive, economical sound and socially beneficial manner to best accommodate the demand for freshwater opportunities.

Alternative A – Demand for Freshwater Opportunities - Alternative A has had fluctuations in public use which is reflected in lake use. Guided by RAMP the increase in water activity would be gradual and would continue to go up and down. No impacts are assumed with Alternative A.

Alternative B - Impacts 3.7-3 to 3.7-11 – Demand for Freshwater Opportunities - Alternative B denies public recreational opportunities and benefits for at least two years. Uses that would occur, would be under less controlled circumstances, health and safety could be greater concerns and water quality could be adversely affected. The proposed uses under Alternative B are essentially a change of use for Lake Berryessa, reverting to “traditional” recreation – “unmet or latent demand,” and minimizes the motorized use which is the predominant use currently. The negative impact of removing resorts may have long lasting psychological impressions that the lake does not have facilities and users may not be eager to use or return to Lake Berryessa.

Impact 3.7-4: Potential Impacts to Visitor Profile

Visitor Profile evolves with more sophisticated use demands. The public expects more facilities, comforts and amenities when recreating than it did in 1960, 1970, 1980, 1990 and 2000.

The long-term user typically upgrades and/or replaces their units, some families have grown to three and four generations but still use one unit. Most long-term users extend use to many friends - the sense of community is an ever increasing factor for the destination desirability. The short-term user is more diverse, spans greater age differences, and has different needs. The resorts and management at Lake Berryessa can offer a broader range of accommodations to meet the demands of the future public. Houseboats are becoming more popular with add diversity to accommodations.

Development of the North Area Campground, Oak Shores Area and Smittle Creek Area as proposed under the RAMP, would provide new overnight facilities.

3.7-4 LBVSPT Comment:

Impacts to Visitor Profile –The Visitor Profile has been fairly consistent, with both long-term and short-term use. There is a proven high demand for water recreational use: motorized boating, water skiing, and swimming being the preferred activities. Visitor Profile follows the trends of increasingly sophisticated demands. Increased expectations for short-term users is evident with the resorts offering more rental options in the last few years.

Alternative A+ – Impacts to Visitor Profile - Alternative A+ builds from existing use to incorporate future use, crediting the long-term user for establishing and maintaining a financial core, while introducing additional short-term uses which recognize diversity and new levels of sophistication. Improved zoning, campsites, new options in short-term facilities, rental options of larger modular units, motel/hotel accommodations, with supportive rentals and facilities for future users can greatly improve the recreational users experience giving all types of Americans an opportunity to enjoy Lake Berryessa. Alternative A+ could expand the seasonal use and better encourage local businesses outside the resorts to develop. The Visitor Profile would be more diverse under Alternative A+ because more diverse options are available.

Alternative A – Impacts to Visitor Profile - Alternative A would not have an impact to Visitor Profile.

Alternative B – Impacts 3.7-4 to 3.7-12 – Impacts to Visitor Profile – Reclamation states, “Alternative B calls for the removal of all of the exclusive long-term trailers from the reservoir resorts. That action would adversely affect the users of those trailers, entirely eliminating that kind of use and that kind of user. No mitigation of this effect is proposed under the Preferred Alternative.” Alternative B would have severe, adverse impacts to Visitor Profile. Basically the long-term users that made the facilities at Lake Berryessa possible would be kicked out though no economic plan supports Reclamation’s purported actions.

Reclamation is proposes a change of use to “traditional” camping – “lodging opportunities: hotels, motels, lodges, cottages and cabins...,” for “people who have difficulty sleeping on the ground.” “The type of user that would be attracted to such accommodations would not necessarily be interested in water-dependent recreation activities or in outdoor activities, but might be tourists passing through the area.” Reclamation essentially destroys the culture of Lake Berryessa and the current Visitor Profile introduces non-water recreation uses and Visitor Profile, there

is no justification or logic to support that position. Alternative B would have a significant adverse impacts on the visitor profile.

Impact 3.7-5: Potential Impacts to Visitor Experience

If the remaining improvements described in the 1992 RAMP were implemented, visitor experiences –especially those of the short-term user - would be positively impacted in some important ways. Such improvements would include the development of dispersed recreation areas, facilities for special-needs populations, trails and a boat-in camping program. These facilities and services would enhance the visitor experience. Resorts are under contract to maintain the facilities.

3.7-5 LBVSPT Comment:

Impacts to Visitor Experience

Alternative A+ – Impacts to Visitor Experience - Alternative A+ offers a new level of experience at Lake Berryessa with increased recreational opportunities to enhance visitor experience.

Alternative A – Impacts to Visitor Experience - Alternative A would not have a significant impact to Visitor Experience. Short-term use would be increased around the lake, both by the resorts and the ME.

Alternative B – Impacts 3.7-5 to 3.7-13 –Impacts to Visitor Experience - Reclamation DEIS Impact 3.7-5 is totally incorrect in its analysis.

DEIS Impact 3.7-5, Reclamation states, “However, other impacts of implementing Alternative A would be adverse. Deteriorating resort sewage systems would continue to fail, affecting the water quality that so many visitors value. Use conflicts and incompatibilities cited by many boaters would continue. Erosion and unsightly residential materials would continue to accrue in the trailer park areas, impacting the scenic qualities of the shoreline. Noise levels would continue to increase as the growing popularity of noisy personal watercraft, with their ability to access inappropriate use-areas, rises and is not adequately addressed under existing use criteria, infringing on the quiet and solitude valued by many users of backcountry areas.”

There is no evidence that any sewage systems have failed and caused a negative impact on water quality. Noise levels would not “continue to increase” since previous LBVSPT comments have shown that Reclamation has never done the simplest investigation or literature search to substantiate those statements which have been refuted by a significant number of available technical studies including those used recently by the National Park Service to open most National Parks to use by Personal Watercraft (PWC). Personal watercraft are not “noisy” per defined Federal guidelines and measurements.

Alternative B would have severe, adverse impacts to visitor experience. Expectations of long-term users would be terminated for at least two years and forever altered. Explanations to young children that they can’t go to Lake Berryessa for two years are going to be difficult to make.

Impact 3.7-6: Potential Impacts to Day-Use Activities

If the remaining recommendations in the 1992 RAMP were implemented, opportunities for day-use activities for short-term users would be positively impacted. In addition, interpretation would be enhanced by the remodeling of the Visitor Center/Museum and Reclamation’s administrative complex. However, if day-use activities were to continue under current conditions, trends in the various recreational pastimes of boating, fishing, swimming, picnicking and hiking would not substantially change.

Therefore, Alternative A would have no significant impacts to day-use activities at Lake Berryessa.

3.7-6 LBVSPT Comment:

Impacts to Day-Use Activities – Lake Berryessa gets minimal use during the off-season and Day-Use Activities are almost exclusively concentrated to the high season, with the exception of fishing.

Alternative A+ – Impacts to Day-Use Activities - Alternative A+ would increase amenities offering more diverse activities. ME would offer additional Day-Use facilities. Day-Use Activities would have a positive impact for the American public with greater opportunities.

Alternative A – Impacts to Day-Use Activities - Alternative A would not have a significant impact to Day-Use Activities.

Alternative B – Impacts 3.7-6 to 3.7-14 – Impacts to Day-Use Activities - Alternative B would have severe, adverse impacts to day-use activities which would be curtailed for at least two years. After that the services would be limited, many day-use activities would be gone, gas docks may not even be financially feasible for concessionaires to operate. Reclamation seems to think that a non-fee ramps, non-motorized boating and parking lots improve boating experiences. Reclamation goes so far as excluding fisherman from prime areas to the preference of non-motorized use. Reclamation creates exclusive uses for non-existent users and denies recreational opportunities to the public which are mandated in PUP, RAMP, NEPA and WROS.

Impact 3.7-7: Potential Impacts to Special-Use Activities

Under Alternative A, special-use permits for operation of Camp Berryessa and the water skiing school (or ski club) would continue to be administered by Reclamation. Reclamation would continue to review those activities to insure that they continue to comply with permit conditions and agency policy and regulation. The agency also would continue to accept and review requests for permits for new activities or for recurring activities, such as fishing tournaments, boat regattas or similar events that use significant areas of the reservoir or that otherwise affect the use of the lake by the general public.

Therefore, Alternative A would have no significant impact to special-use activities.

3.7-7 LBVSPT Comment:

Impacts to Special-Use Activities – Special-Use Activities are increased under Alternatives A and A+.

Alternative A+ – Impacts to Special-Use Activities - Alternative A+ would partner with the ME and the county to encourage recreational opportunities that were beneficial to the uses and users at Lake Berryessa.

Alternative A – Impacts to Special-Use Activities - Alternative A would have a positive impact for Special-Use Activities. Permits at Camp Berryessa would be expanded and/or the area more developed under RAMP guidelines, which would include a high quality campground and boat launching. Reclamation or ME would also increase management of Special-Use Activities at Capell Cove, Smittle Creek and boat-in camping.

Alternative B - Impacts 3.7-7 to 3.7-15 – Impacts to Special-Use Activities – Under Alternative B Reclamation managed Special-Use Activities such as Camp Berryessa and the water skiing school would be discontinued, and turned over to concessionaires. Reclamation has not involved the stakeholder / concessionaires in decisions regarding operations that directly affect a concession.

Impact 3.7-8: Potential Impacts to Overnight-Use Activities

Overnight-Use Activities / Short-Term Use are anticipated to improve under the guidelines of RAMP. Base and structural floodplain occupancies will be compliant to RAMP, master planning public demand and proven use will trigger certain changes in use. The result will be positive for overnight-use activities.

3.7-8 LBVSPT Comment:

Impacts to Overnight-Use Activities – Overnight-Use Activities / Short-Term Use / Long-Term Use are improved under Alternatives A and A+.

Alternative A+ – Impacts to Overnight-Use Activities - Alternative A+ creates more diverse overnight-use activities. Short-term accommodations will be more diverse to meet the needs and demands of the future public. Long-term accommodations will remain the core of financial stability with new rental options to expand the season and increase availability for public use.

Alternative A – Impacts to Overnight-Use Activities - Alternative A is guided by RAMP which calls for overnight-use activities. Short-term use to be improved and developed as public demand proves that it is needed. Long-term use will be allowed in concession areas, which assist in supporting necessary services for the short-term users and low cost public access.

3.7-13 - Impacts to Visitor Experience

DEIS statements, “The removal of long-term trailer sites would adversely impact the experiences of the long-term user by eliminating that particular experience altogether.” “Changing the land-use classification system developed in the 1992 RAMP to the WROS system would have some impacts to visitor experiences, in that several areas of the lake would be re-designated to exclude motorized craft.” “Overall, Alternative B would have significant negative impacts on the recreational experience of exclusive long-term trailer-site permittees. There is no mitigation proposed regarding the impact to long-term trailer users.”

3.7-13 LBVSPT Comment:

Impacts to Visitor Experience –Reclamation has one plan, that is the elimination of the current concessionaires and current visitors. The result of Alternative B is a financial disaster and cultural obliteration, with severe negative impacts to the Visitor Experience

Alternative B - Impacts 3.7-8 to 3.-16 – Impacts to Overnight-Use Activities – Reclamation DEIS states, “Alternative B would significantly and adversely impact overnight-use experiences for...long-term users by eliminating their trailer sites from the lakeshore...These users would be able to choose from rustic to fully developed campsites, boat-in and on-board camping opportunities, full hookup RV sites, and a variety of hotels, motels, cabins and lodges for overnight accommodations.”

Under Alternative B Reclamation takes away overnight-use activities – All accommodations for two years, then limited facilities, at best, are developed. The impact to overnight-use activities limits not only use, but types of users. Reclamation is destroying a community, recreational area, visitor profile and the financial feasibility in concession operations. The adverse effects are riveting.

Impact 3.7-33: Cumulative Environmental Impacts to Recreation

3.7-33 LBVSPT Comment:

LBVSPT Alternative A+ recognizes that visitors go to Lake Berryessa for a variety of water and outdoor recreational opportunities. LBVSPT’s goal, “To accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment, while optimizing visitor experience levels and safety, consistent with other authorized functions of the Solano Project, ” is consistent with and enhances current recreational uses. LBVSPT is guided by the principles of RAMP in protecting the environment, sound business practices, affordable public use and offering water recreational opportunities. The resorts resolved the health and safety issues that government was unable to provide through the development of the concessions. Through their existence the concessions help protect the natural environment, while benefiting the human environment. The Cumulative Environmental Impacts to Recreation are very positive under Alternative A+, which is designed to be for the most benefit for future recreational opportunities.

Alternative A follows the guidelines of RAMP – “Overall Goal – The overall goal in the management of Lake Berryessa will be to accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment, while optimizing visitor experience levels and safety, consistent with other authorized functions of

the Solano Project.” The Cumulative Environmental Impacts to Recreation are positive under Alternative A which is designed to offer a wide range of outdoor recreational opportunities and protect the environment.

Alternative B –The Cumulative Environmental Impacts to Recreation are dramatically adverse under Alternative B for natural environment and the human environment.

Impact 3.7-34: Potential Impacts to Recreation from Irreversible and Irretrievable Commitments of Resources

3.7-34 LBVSPT Comment:

LBVSPT Alternative A+ uses the land and water resources of Lake Berryessa for activities for which they are suited for. There are no negative Impacts to Recreation from Irreversible and Irretrievable Commitments of Resources.

Alternative A is guided by RAMP. There are no negative Impacts to Recreation from Irreversible and Irretrievable Commitments of Resources.

Alternative B destroys the recreational use and benefits that the public currently needs and demands. Alternative B has severely negative Impacts to Recreation from Irreversible and Irretrievable Commitments of Resources.

Impact 3.7-35: Potential Impacts to Recreation from Short-term Effects versus Long-term Effects

3.7-35 LBVSPT Comment:

LBVSPT Alternative A+ has no significant Impacts to Recreation from Short-Term Effects from the master planning efforts within the concessions. The Impacts to Recreation from Long-Term Effects are positive with improved facilities, accommodations and recreational opportunities.

Alternative A is guided by RAMP. There has no significant Impacts to Recreation from Short-Term Effects from the relocations and increased/improved short-term uses. The Impacts to Recreation from Long-Term Effects are positive with improved short-term public uses.

Alternative B - Displacement of the trailer site users would impact concessionaires, who have historically depended on trailer site rentals to support their business. This action also would impact the trailer site permittees themselves. During redevelopment activities some short term recreational opportunities would be displaced or curtailed, first by construction activities and then from the temporary lack of short-term accommodations. Noise and dust during the construction period would also have short-term effects on some recreational pastimes.

Impacts 3.7-36: Unavoidable Adverse Impacts to Recreation

3.7-36 LBVSPT Comment:

LBVSPT Alternative A+ has no Avoidable, or Unavoidable Adverse Impacts to Recreation

Alternative A has no Avoidable, Unavoidable Adverse Impacts to Recreation

Alternative B –Adverse Impacts under Alternative B include the displacement of all long-term users from their trailer sites. The purpose and focus of the plan is to eliminate or significantly reduce trailer site use. Shutting down resort for two years denies the public of recreation and expectations of the public to have access to recreation how and where they desired.

3.8 Scenic Resources

Summary of Impacts per Alternative:

- 3.8 Alternative A+:** Positive impacts
3.8 Alternative A: No impacts
3.8 Alternative B: Significant adverse impacts

3.8.1 Affected Environment/Existing Setting

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Lake Berryessa was authorized by Congress in 1948 as part of the Solano Project. The Solano Project was a U.S. Department of the Interior, Bureau of Reclamation project designed to provide flood control and water resources for irrigation, municipal and industrial uses. The keystone of the Solano Project was the construction of the Monticello Dam across Putah Creek at Devil's Gap in the Berryessa Valley of Napa County. The Monticello Dam, completed in 1957, rises 304 feet above the creek bed and spans 1,023 feet across the canyon at Devil's Gap, which created Lake Berryessa.

No provisions had been made for the development of recreation facilities at Lake Berryessa during the construction phase of the dam and reservoir. During the first two years of the lake's formation, the land and water areas surrounding the newly forming lake began to experience heavy public use. There were no sanitary or garbage disposal services and the lake area was only accessible by the old existing roads in the area.

Numerous studies were undertaken by Napa County, the State of California and the National Park Service. An early 1957 report by the Division of Beaches and Parks of the State of California entitled, "State Park Potentialities of Monticello Reservoir and Putah Diversion Pool, Napa, Solano and Yolo Counties, California" concluded that there were "high potentialities" in the area for public use, but that State Park Status was not recommended. A further study in 1957 called the "Re-Study of State Park Potentialities of Monticello Reservoir" recommended the State of California accept administration of Monticello Reservoir (later named Lake Berryessa) for recreational purposes.

In 1958 Reclamation and Napa County entered into a Management Agreement whereby Napa County would administer and develop Federally-Owned lands at Lake Berryessa. Napa County then entered into concession agreements with Seven Resorts which were developed on 1,700 acres of land and water. The Resorts are located north to south on the west side of the lake, their locations were chosen under PUP to decentralize and distribute recreation use, in Areas described below:

Lake Berryessa became officially available for public use in 1959. The Public Use Plan (PUP) was prepared by the National Park Service (NPS) in 1959. The PUP included a General Development Plan to guide development according to: (1) the capacities of the land and water to accommodate public use, and (2) the recreation needs and desires of the people who would use the area.

Lake Berryessa, 26 miles long and 3 miles wide, has nearly 18,000 acres of water storage and a capacity of 1.6 million acre-feet of water, and 165 miles of shoreline. The long narrow shape of the main body of water helps to keep the water surface from becoming overly rough. The many fingers on the lake make for quiet coves and smaller surfaces.

Lake Berryessa is nestled between Blue Ridge and Cedar Roughts, east of the Napa Valley. Rolling grass covered and chaparral hills, with rugged oaks and digger pines, dominate the landscape. Massive rock formation at the south end of the lake, and particularly at the dam are stunningly impressive. The southern portion of the lake is

more mountainous with steep stream-carved canyons. Generally the lands are characterized by steep slopes which give way to gently sloping beaches and ridgelines. Several islands (at normal water levels) are adjacent to the west shoreline. Land is relatively flat on the north and east side of the lake at water level. Although not spectacular, the aesthetic effects of Lake Berryessa are enjoyable, the scene is greatly enhanced by the deep bluegreen reservoir water. Views of the lake are very different from various vantage points. The east side of the lake offers a magnificent backdrop for the water area viewed from the entire west side. To the boater, the high ridges enclose the reservoir on all sides, creating the impression of a large natural mountain lake.

The seven resorts and Lake Berryessa, provide a nearby recreational outlet for the large San Francisco Bay Area population. The winding road access, and lack of nearby freeways have kept the visitor population modest. The Visitor Profile is dominantly water recreation enthusiasts, most have invested in boats and spent years developing their skills at waterskiing, jet skiing, fishing and other boating recreational activities. The modular communities at the lake have maintained a range of modest accommodations at the resorts.

Excerpts from the original Public Use Plan describe the potential of the lake as envisioned at that time:

Putah Creek Resort [Area K] "...located between the Pope and Putah Creek arms in the northwest corner of the reservoir....The area includes extensive land of marginal quality, including small peninsulas with steep topography adjacent to the road. Most of the usable land is located in the northern portion of the area, near the Putah Creek arm. The total area estimated is 150 acres. The Pope Creek canyon has nearly vertical sides, with prominent rock outcrops...Area K is of a size and character and in a location to be planned as a major resort and public use area. ...Existing natural launching slopes, swimming areas and favorable topography will permit development of facilities with a minimum of site alteration..."

Rancho Monticello Resort [Area H] "...containing some 140 acres...very favorable for the development of public use areas and facilities...possible future resort use..."

Berryessa Marina Resort [Area G] "...is a relatively small but excellent area, favorable for concessionaires development of public concessionaire development of public use facilities."

Spanish Flat Resort [Area E] "...such size and character as to permit the establishment of all facilities relating to public use of the reservoir in such a quantity to create a logical park unit for development, operation and maintenance... contains approximately 65 acres of usable land for development and day use facilities including the 'island.'"

Steele Park Resort [Area C] with rounded knolls, benches and ridges, is "the peninsula is very favorable for public recreation development and use..." "Area C should become one of the major public use areas at this reservoir. It is of sufficient character and extent to provide for all types of water-associated public use activities."

Pleasure Cove Resort [Area B/Wragg Canyon] and Markley Cove Resort [Area A/Markley Canyon], located at the southern end of the lake in canyons and reservoir arms have a certain remoteness because they are away from the main body of the lake. Both resorts have very limited shoreline access due to the steep terrain, due to the fact that they are located in the arms or fingers of the lake they are exceptionally well suited for berthing and houseboat rentals.

Berryessa Pines at the northwest end of the lake, between Rancho Monticello Resort and Putah Creek Resort, and Berryessa Highlands at the south end, east and above Steele Park Resort are housing communities for permanent residency and more affluent and/or avid recreation user individuals. The communities overlook the lake and use the concession facilities for access to the lake. Many residents in those communities are also avid water recreation enthusiasts, and have invested in boats and become skillful at water recreation sports.

The Bureau of Reclamation provides two large day use areas with limited facilities (Oak Shores and Smittle Creek)*, Capell Cove launch ramp, and many smaller dispersed day use areas. Reclamation also has an administrative complex and operates Camp Berryessa.

Reclamation Operations according to PUP:

Capell Cove [Area D/Capell Creek Arm] "...the first public use area encountered on the Knoxville Road...The area contains relatively flat, wide, triangular-shaped parcel...The area of significance for public use contains between 30 and 35 acres...Due to favorable topography, size and location with respect to Knoxville Road, ultimately Area D will be subject to development...Its somewhat remote relationship to the usable sustained reservoir water surface suggests that a special use be developed which could be of a character that would complement other facilities and areas at the reservoir...There is not sufficient land to develop public launching in connection with the old improved road at the east end of the area...- The recommended development of Area D includes commercial uses, day use facilities and possibly special overnight accommodations. ... A commercial and refreshment building should be located on the west side of the main area so as to serve highway traffic as well as park visitors to Area D... Other day use facilities include picnic sites, special children's amusement facilities such as a fishing pond, pedal boats, bank fishing, and riding stables...Rental boat docks may be located opposite the public use area ...Boat berthing docks are also feasible at the eastern end, with parking provided adjacent to the existing reservoir access road. Limited public day use facilities may be also provided at the eastern end, including picnic units with access to bank fishing. A maximum of one launching ramp...should be provided to accommodate boats berthed in the area. The parking area at the east end of the area should not exceed one acre...- Other facilities may well include a mobile home park on the east side of the main area, where space for a maximum of about 100 such homes is available. Overnight accommodations, such as a motel, may also be feasible along the highway in from of the mobile home area."

Public Agency Development - Future Major Public Use Area [Area between F and G] - Reclamation's Oak Shores and Smittle Creek - "Future Major Public Use Area - The entrance to the future major Lake Berryessa public use area will be one mile north of Area F, or the park headquarters area...Included within a line circumscribing the land areas and bays is approximately 1,000 acres of land and water surface areas, over half of which is land. - This area is bisected by waterways creating two islands. One is approximately 250 acres, while the other is of about 50 acres. Many similar islands dot the area and a very irregular shoreline is created by minor ridgelines and small canyons. - The main island is adjacent...extends out over one-half the width of the reservoir, or for a distance of approximately one and one-half miles from the Knoxville Road. This island area more or less divides the reservoir in half and is prominently seen from anywhere on the (main) water surface. This future major public use area is truly the most magnificent portion of the reservoir in all respects. ..- This future major public use area is of such size, character and quality as to permit the development of all types of public use facilities in sufficient quantity to constitute a major park. Ultimate demand for all public use facilities, particularly those not feasibly included in concession areas, will require the future development of this area. Considering the size of the area, and the kind of facilities to be ultimately needed such as extensive picnicking areas, playfields, additional swimming areas or other facilities of limited income producing character, future development by a public agency, preferably Napa County, is strongly recommended. - The development of the area, however, should not be undertaken until concession areas around the reservoir are used to capacity and demand for additional facilities mentioned above,...are found to be essential.... - The northern portion of this future major public use area is favorable in all respects for overnight use."

Reclamation and the California Department of Fish and Game jointly manage a 2,000 acre wildlife area along the east side of the lake. The east side is mainly grasslands, which had been used for grazing until recently, beginning with flat areas at the water surface and extending eastward from the lake toward the hills. The landscape scattered with a few ranch houses and associated out buildings.

3.8.2 Environmental Consequences and Mitigation.

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Impact 3.8-1: Potential Impacts to Scenic Resources

The resorts are magnets to the public. They are the major element of recreation at Lake Berryessa. They are the complement to the many miles of shoreline and thousands of acres of water surface providing services essential to the safety of the public.

3.8-1 LBVSPT Comments:

The built environment does not “dominate” the shoreline. (See attached aerial photographs and topographical maps.) The resorts themselves occupy only a small part of the lake shoreline and the long-term sites even less. With more than 100 miles of shoreline to enjoy, it is unclear why entering and exiting the lake surface through a resort should cause undue psychological hardship on visitors. However, under the 1992 RAMP resort master planning and architectural standards were required. Continued implementation of the RAMP would lead to a better level of esthetics. The concept of defining a “visual resource,” much less quantifying it, comes up against that great imponderable – personal taste – which changes cyclically. The “built environment” can be esthetic and its removal is not a prerequisite to implement this principle.

Alternative A+ is designed to optimize the water recreational benefits for the public, mandated under the PUP and RAMP. The resorts will be guided under a new master plans that will improve the visual appearances of the resorts and have a positive impact to Scenic Resources.

Alternative A is guided by PUP and RAMP. The resorts have been developed to accommodate the public demands and desires. The new concession contract triggers the relocation of long-term sites and improved public access to the shore which will have a positive impact to Scenic Resources.

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

Impact 3.8-2: Potential Impacts to Scenic Resources

3.8.2B LBVSPT Comment:

Reclamation neglects to analyze the impact to visual resources of the removal of long-term sites and their replacement by RVs and tents of all shapes and sizes. They claim that the long-term sites have dominated the shoreline (refuted by LBVSPT data), but now they propose to dominate the shoreline with other esthetically-uncontrollable artifacts. At least a master plan for long-term sites would bring consistency to the visual impact.

Alternative B has no plan other than to remove all facilities and much of the vegetation in the resorts. The trail system has not been designed. The Impact to the Scenic Resources is unknown.

Impact 3.8-5: Cumulative Environmental Impacts to Scenic Resources

- Alternative A+ has Positive Cumulative Environmental Impacts to Scenic Resources – improving facilities and minimizing effects to the environment.
- Alternative A has Positive Cumulative Environmental Impacts to Scenic Resources – guided by RAMP.
- Alternative B has Negative Cumulative Environmental Impacts to Scenic Resources – destroying facilities and established vegetation by obliterating development in mass resort areas, holding the resorts hostage under construction for at least two years, creating major environmental impacts,– then replacing the needed facilities with dirt camping and parking lots.

Impact 3.8-6: Potential Impacts to Scenic Resources from Irreversible and Irretrievable Commitment of Resources

- Alternative A+ has no Impacts.
- Alternative A has no Impacts.
- Alternative B has severe adverse Impacts.

Impact 3.8-7: Potential Impacts to Scenic Resources from Short-term Effects versus Long-term Effects

- Alternative A+ has no significant Impacts. Alternative A+ improvements and new developments will be done in phases and as the public needs requires change that will benefit the Scenic Resources done with minimal environmental impact.
- Alternative A has no significant Impacts
- Alternative B has severe negative Impacts with the removal and construction in the resorts. The Long-Term Effects are negative for all of those who enjoy the resort facilities currently, and without a plan under Alternative B further impacts are unknown.

Impact 3.8-8: Unavoidable Adverse Impacts to Scenic Resources

- Alternative A+ has no Unavoidable Adverse Impacts to Scenic Resources. Alternative A+ improves the existing areas based on the desires and needs for future recreation opportunities.
- Alternative A has no Unavoidable Adverse Impacts to Scenic Resources, guided by RAMP.
- Alternative B - Unavoidable Adverse Impacts to Scenic Resources. Alternative B is Avoidable and Unnecessary.

3.9 Socio-Economic Environment

Summary of Impacts per Alternative:

- 3.9 Alternative A+: **Positive impacts**
 3.9 Alternative A: **No impacts**
 3.9 Alternative B: **Significant adverse impacts**

3.9.1 Affected Environment and Existing Setting

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Population

Lake Berryessa is delineated as Census Tract 2018 in Napa County used by the U.S. Census Bureau to monitor population and economic changes. Census Tract 2018 data shows residency of approximately 463 in 1970, and 740 in 1980, an increase of nearly 60% over the decade. Data from 1990 increased to 1,426, and increase of 52% over that decade. The data from 1970 to 1990 is an increase of 208%, while Napa County as a whole data has a growth rate of 11-12% from 1980 to 1990 / 1990 to 1999.

Population growth in the area is significant in terms of percentages with elements of growth that include the following. A) The close proximity of Lake Berryessa to two major metropolitan areas has significant populations in the geographical range to attract the recreational user. B) Recreational users have made Lake Berryessa their permanent residences outside the resorts. C) Lake Berryessa now has four subdivisions. D) Napa Valley is a major tourist attraction in the same county. E) Computers, internet and technology have expanded eliminated distance as a barrier to residence locations.

Growth in the area's recreation and hospitality should continue. The rise in employment will then strengthen the local economy. With the stabilizing national economy the demand for recreational opportunities and second homes will increase. The future public will have greater demands for more sophisticated facilities and accommodations.

The State of California's Employment Development Department (EDD) predicts that the rate of population growth in Napa County will double over the next 20 years. By 2020, it predicts, the county will have 157,900 residents. That is a growth rate of 24.3 %, compared to the 12 % growth that occurred in Napa County as a whole between 1980 and 1999. That countywide growth can be expected to result in more home-building and other development in the area surrounding Lake Berryessa.

Employment

Population increases go hand-in-hand with general economic prosperity and low unemployment rates. According to the EDD, Napa County's 1999 unemployment rate was only 3.3%, compared to a 5.2% unemployment rate statewide. Although the Chamber of Commerce publicizes the county's burgeoning biotechnological developments, nearly 28% of jobs in Napa County in 1999 were provided by the service industry. Service jobs include housekeeping for hotels, restaurants and hospitals; waiting tables; janitorial work; secretarial duties; and general management and administration. Retail trade, which includes work in sales, cashiering, waiting tables, and preparing food, provides 17 % of the county's jobs; manufacturing, which includes food service work, general labor, mechanics, packaging and sales, provides 16.3 %; and local, county, state and federal governments provide 15.6 % of jobs. The EDD predicts that in coming years, trade, services, and manufacturing will dominate the county's non-farm job market.

The U.S. Census Bureau uses a different employment classification scheme in its analyses, which will be elaborated below. The 1990 census data reported that Census Tract 2018 had a potential labor force (consisting of

persons 16 years and older) of 1,178 people and an actual civilian labor force of 714 individuals. (Some members of the potential labor force were actually retired, others enrolled in school, others had small children in school, etc.) Of the actual labor force, 685 persons were employed and 29 were unemployed, reflecting an unemployment rate of 4 % at that time. Census data show that of the 685 employed individuals living in Tract 2018, 134 (19.56%) held executive, administrative or managerial positions; 128 (18.691%) worked in service occupations; 100 (14.601%) were in wholesale and retail trade; 96 (14.0%) were in “professional and related services”; 88 (12.85%) were employed in construction; and 82 (11.971%) worked in administrative support jobs. The remaining individuals were employed in sales, craft, repair and production jobs; transportation services; and a variety of other occupations.

Combining some of the census bureau employment categories will cause them to correspond roughly with the categories used by the EDD, so that the data can be compared. Accordingly, the census employment categories of executive, administrative and managerial positions, professional and related services, and administrative support and services can be combined to correspond with the EDD’s service industry category. The census category of wholesale and retail trade appears to be equivalent to the EDD’s retail category, and the census categories of construction, craft, repair, etc. can be combined for comparison to the EDD’s manufacturing category. This reclassification of jobs held by residents of Census Tract 2018 shows that in 1990, 440 (64%, compared to approximately 28 % for Napa County as a whole) of the 685 jobs held by Tract 2018 residents fell into the EDD services category. Another 100 (14.6%) were in retail, and the remaining 145 jobs were in the manufacturing category.

Again, this comparison is rough because the combined census categories do not match up exactly to the state employment categories. However, the results show that the majority of employed Lake Berryessa residents worked in the services industry 10 years ago. An unknown proportion of the service and other jobs held by residents of Census Tract 2018 presumably were (and are) located outside of the tract itself, with employees commuting to nearby urban areas. However, many of these positions are likely related to the recreation/hospitality industry that depends on the recreation area.

The lake currently supports seven concessions that offer marina facilities, recreational equipment rental, equipment repair, food and other services, and sales. These reservoir-related businesses probably account for many of the employment opportunities available to residents of Census Tract 2018.

Income

In 1980, the estimated median family income for full-time residents in Census Tract 2018 was \$20,600. That was approximately \$1,700 higher (+8.3%) than the median family income (\$18,900) for Napa County as a whole.

However, by 1989 the estimated median family income for full-time residents in Census Tract 2018 had risen to \$33,182. Although an impressive increase, this amount was approximately \$3,591 less (-9.76%) than the median family income (\$36,773) for Napa County as a whole. These differences in median income *may* arise from the development of applied technological industries in the population centers of Napa Valley. But regardless of the differences between Census Tract 2018 and Napa County as a whole, family income increased significantly over the course of those nine years. All county residents appear to have benefited from an economic upswing. More recent census data pertaining to family income specifically within Census Tract 2018 are not available for comparison at the time of this writing. However, median household income for Napa County as a whole was reported by the Chamber of Commerce in 1999 to be \$53,300. The general prosperity of the rest of the county is undoubtedly reflected in Census Tract 2018, as well.

During 1985, total gross receipts generated with Lake Berryessa’s seven resort areas were approximately \$7 million. Of the total gross receipts, approximately \$2.4 million (34%) were generated from long-term recreational activities; \$1.8 million (26%) were generated from short-term activities; and the remaining \$2.8 million (40%) were generated at other concessionaire-operated activities used by both long- and short-term users (e.g., convenience stores and snack bars).

By comparison, in 2002 total gross receipts from the seven resort areas totaled approximately \$12,841,000.00. A further view of receipts is available on the Reclamation website referenced earlier. In addition to the resorts, many other businesses in the Lake Berryessa area are likewise dependent on recreation visitors. These include convenience stores, gas stations, restaurants, snack bars, motels, boat storage facilities, beauty shops, real estate offices, and other businesses/employers. Figures for annual income that is generated for these businesses by recreational visitors were not available for analysis in this study.

Concession Services and Facilities

The United States of America and County of Napa entered into the “Management Agreement with Napa County for Lake Berryessa (Monticello Reservoir) Area” July 31, 1958. Napa County then entered into the subsequent concession agreements in 1958.

CONCESSION AGREEMENT / 1958

WHEREAS, United States and the County have not provided facilities and services for the public visiting the area and desire the Concessioner to establish and operate the same at reasonable rates within area “...” as shown upon the Public Use Plan...

WHEREAS, the establishment and maintenance of such facilities and services involve a substantial investment of capital and the assumption of the risk of operating loss, and it is therefore proper that the Concessioner be given assurance of security of said investment and a reasonable opportunity to make a fair profit...

...In determining fair profit for this purpose consideration shall be given to the rate of return required to encourage investment of private capital and to justify the risk assumed on the hazard attached to the enterprise, the cost and current sound value of capital assets used in the operation, the rate of profit on investment and percentage profit in gross revenue considered normal in the type of business involved, the financial history of the future prospects of the enterprise, and other significant factors ordinarily taken into consideration in the determination of a fair profit or return on investment...

Development of the concessions was guided by the Public Use Plan (PUP) 1959 prepared by the National Park Service at the request of the Bureau of Reclamation

PUP / 1959 – from Introduction

The public use plan is prepared for guidance in the development of recreation areas and facilities for public use and enjoyment on and adjacent to the Monticello Reservoir. It is intended to assist the Bureau of Reclamation and the management agency in decisions regarding the best use and development of public lands and water areas for recreation...

...Although the area was not officially opened for public recreation by Napa County until June 1, 1959, the water and land areas already receive heavy public use. Despite the lack of minimum basic public use facilities at that time, including water supply and boat launching facilities, it is estimated that 800 boats were in the area on Sunday, August 31, 1958.

PUP / 1959 – from General Considerations of Public Use

The pattern of use at reservoirs relatively close to urban areas and subject to day and weekend use presents some difficulties in the design, operation and maintenance of its recreational areas. Up to 80 percent of use may take place on Saturdays and Sundays, resulting in a marked fluctuation in weekly use. Seasonal fluctuations in use are dependent on the weather pattern...

...Of greatest importance, however, is the potential of the area for those activities that permit family participation as a unit....

The area surrounding the reservoir should experience considerable growth in both seasonal and permanent population. Although not feasible for all but a small percent of the population at the present time, the weekend or vacation house will probably be very evident. Permanent homes will dot the hills around the reservoir within a few years, with quite a sizeable resident population...

The increased popularity of the mobile home and camp trailer also will affect the weekly and seasonal use pattern of the reservoir area. It will attract many transient as well as “permanent” mobile homes...

Certain specialized commercial recreation facilities will probably be demanded ultimately, including boat rentals, riding stables, excursions boats, restaurants and outdoor theatres. The establishment of these forms of recreation, whether on public or private lands, should be based upon proven demand. It should be emphasized that the reservoir is the major attraction of the area, **and that aquatic and closely related activities will occupy most of the time and interest of the visitor. Hence, other forms of recreation should be supplementary and incidental to the primary use.** (Emphasis added.)

PUP / 1959 – from General Development Plans

The purpose of the Public Use Plan is to assist the County in the future development and management of public use areas and facilities according to: (1) the capacity of the land and water to accommodate public use; (2) the recreation needs and desires of the people who will use the area; and (3) the policies and abilities of the management agency; to determine and make recommendations for the general location, extent, and character of public use areas and facilities; to help in the formulation of policies, codes and ordinances for the management of areas and recreation facilities for maximum use, enjoyment, health, safety to the visiting public. ...

The massive construction of the seven resorts began at the end of 1958 and were completed by 1972 in compliance with county codes. The basic structure of all permitted sites was complete and no new sites have been permitted. Through various means such as replacements, remodeling and new construction, development has continued to occur within the resorts by the concessionaires and the tenants. Today the concessions have an estimated \$35-50 million in improvements and the tenants \$50-75 million in improvements.

Current concessions are operating in accordance with the PUP which was updated by Reservoir Area Management Plan (RAMP). RAMP/1992 and ROD/1993 were the result of Public Law 93-493 passed in 1974. It authorized Reclamation to take over management of Lake Berryessa in 1975, and to undertake a thorough and detailed review of all existing developments and uses at Lake Berryessa. It directed Reclamation to administer the Federal land and water areas associated with Lake Berryessa in a manner that will best provide for public recreation use and enjoyment thereof which are compatible with the authorized functions of the Solano Project.

RAMP/1993

When Reclamation assumed management in 1975, the PUP and all of the existing developments were reviewed. The PUP was found to be suitable as long as it was amended to reflect the existing facilities in the resorts to better define recreation and land use objectives for the lake. Three amendments to the PUP have been implemented.

In addition to amending the PUP, several operational policies have been implemented as part of Reclamation’s management direction at Lake Berryessa. Operational policies establish specific standards for day-to-day operation and maintenance of existing recreation areas and facilities. Additional operational policies shall be developed as a result of those Actions described in this EIS and ultimately incorporated in the RAMP...

... The RAMP will be prepared after the completion of this EIS and the filing of a Record of Decision (ROD) which lists those Preferred or Alternative Actions selected for implementation. It will serve to update the PUP which was prepared in 1959 by the NPS...

This EIS and subsequent RAMP are meant to be “GENERIC” or “PROGRAMMATIC” documents which will provide the overall direction for planning, development, and management of Lake Berryessa while allowing flexibility to make decisions and commit resources to meet contemporary needs.

The RAMP Planning Precepts, which represent Reclamation’s direction and intent for managing the lake and provided the basis for the ROD Preferred Actions include:

Overall Objective – The overall goal in the management of Lake Berryessa will be to accommodate and provide for a wide range of outdoor recreation opportunities in a natural environment while optimizing visitor experience levels and safety consistent with other authorized functions of the Solano Project.

Public Access – Public access to Lake Berryessa and its shoreline will be maintained and improved to meet the expanding demand for recreation and minimize congestion and use conflicts. Existing uses many evolve with day use and other short-term uses taking precedent. The elimination or conversion of some long-term uses may be required to attain this. Access for special needs populations will be emphasized.

Improvement to Short-Term Uses – Short term uses and facilities will be improved in quality and quantity, emphasizing low density development as most preferable, and located in shoreline areas to support water-oriented recreational opportunities.

Continued Long-Term Uses – Long-term exclusive uses will be allowed in concession areas. Current long-term exclusive uses assist in supporting necessary services for the short-term users and low cost public access. These long-term exclusive uses will be located or relocated in areas that are neither prime shoreline locations that are desirable for short-term uses or conflict with other greater public needs. Long-term uses will be designed to blend in more effectively with the natural environment.

Reclamation is responsible for the management of Lake Berryessa and monitoring and enforcing concessionaire compliance with the concession contracts, Reclamation policies, and compliance with county and state codes.

Development at Lake Berryessa has taken place over more than 40 years. The contracts that were first entered in 1958 expire in 2008/2009. Facilities and services are in place that make public access affordable. A steady clientele is established with long-term users that support affordable public recreational opportunities. The new contracts should be a doorway to a new level of future recreational use that accommodates the contemporary and future needs.

The resorts offer a variety of facilities and services for public use, including marinas, restaurants and/or snack bars, stores, boat launching ramps, long-term rentals, short-term accommodations, RV sites, camping sites, picnic areas and related support facilities. Marina facilities include boat launching ramps, boat docks, gas service and boat rentals.

Concession contracts expire as indicated below:

Rancho Monticello Resort	June 15, 2008
Spanish Flat Resort	July 13, 2008
Lake Berryessa Marina Resort	August 13, 2008
Putah Creek Resort	August 13, 2008
Markley Cove Resort	May 26, 2009
Pleasure Cove Resort	May 26, 2009
Steele Park Resort	May 26, 2009

Kleinfelder Report / Available to the Public 2003

Kleinfelder “Environmental Compliance and Facility Condition Assessment Report, Seven Concession Areas Lake Berryessa, California,” dated December 19, 2002 was released to the concessionaires and the public February of 2003. Kleinfelder’s assessment of the seven concession areas entailed inspection of buildings, wastewater systems, potable water systems, roads, parking lots, boat ramps, electrical systems, shoreline development, marinas and environmental hazards.

The criteria for assessment exceeds the standards the Reclamation has ever imposed on the resorts and standards in their Alternative Plans. The cost estimates for repairs are excessive, sometimes ten times what the actual rehabilitation would cost. Values and life expectancies are unreasonable, appearing to be for the express purpose of minimizing the values of the resorts. The report establishes a basis of all construction as if it were built today under today’s standards.

Kleinfelder / Executive Summary 2002

The assessments provide a comparison against code criteria if constructed at present. Costs are based on upgrade or removal replacement of systems depending on condition and based on meetings with Reclamation concerning the envisioned future use plan.

3.9.1-1 LBVSPT Comment:

1. The Kleinfelder Report is a worst-case and highly pessimistic summary assessment of resort conditions. It cannot be used to make rational capital investment decisions since its conclusions are questionable in many instances. Facilities to which it ascribes 3-5 year lifetimes could easily surpass 15 years of useful service with regular maintenance. Old is not bad, as any public works professional will attest. A report such Kleinfelder’s, if presented to a city government, would typically be evaluated for practical impacts and funded through a 20 year bond issue and implemented in phases without destroying everything that exists. Reclamation appears to have presented an entirely different “envisioned future use plan” to Kleinfelder than the DEIS Alternatives indicate.
2. Wastewater systems at the resorts meet or exceed county and state standards. Kleinfelder compares the systems to brand new and assumes that no maintenance or remedial actions will be taken by the concessionaires. Kleinfelder emphatically recommends the cessation for spray disposal. All the resorts use the ponds and spray fields, as do all the public owned systems around Lake Berryessa, most wineries in Napa Valley and the City of Napa.
3. All water systems meet or exceed the Clean Water Act, and are tightly regulated by the state and county, under stringent testing requirements. The systems are continuously monitored, any out of range levels must be reported within 24 hours. The systems are routinely inspected by regulatory agencies and meet the quality standards required.
4. All seven resorts have marinas with launching ramps servicing the many boating recreational users. All resorts have a considerable number of docks which are inspected annually and required to be modified and/or repaired under the current standards. Reclamation has not defined the construction standards that require encapsulated foam billets for docks to be compliant for use. Kleinfelder broadly states that, “It is more economical to replace them with a new dock that meets current guidelines and Reclamation’s specifications.” It is economically and environmentally unreasonable to impose and completely new set of standards and have a massive removal of docks that are in good condition and environmentally compatible, sound practice would require certain reasonable changes to existing docks and phase out the old style dock appropriately.
5. All fuel systems in use are compliant with present use standards. Upgrade to new codes may be required in the future.

6. Roads require maintenance. Kleinfelder imposes standards for county roads in the resorts, which were not adopted by Reclamation in their Alternatives with “Recreation Area Roads.”

7. Shoreline stabilizers of various kinds have been used over the 40+ years of the resorts’ development, some of those work well and should not be disturbed. Modern methods should be evaluated for use in areas that stabilization is needed, and design standards should be issued to resorts and tenants. Reclamation has several areas that are in needs of shoreline stabilization.

Accessibility For People With Disabilities

The goal set by the Commissioner of the Bureau of Reclamation in 1999 was to have all (1) places of employment for Reclamation employees, and (2) places of public visitation (including those managed by Reclamation and those managed by partners such as state, county, water district, etc.) meet Americans With Disabilities Act accessibility criteria by 2010. The first phase of the goal is to have all evaluations completed by 2003. The second phase is to have all action plans completed by 2006. The final phase is to have all retrofits completed by 2010. This goal was established to meet the requirements of the Government Performance Review Act (GPRA), with which all federal agencies must comply. In the Mid-Pacific Region, Reclamation has approximately 200 sites or facilities that must work toward these goals to meet GPRA requirements.

Accessibility evaluations of the facilities at Lake Berryessa were conducted using the Bureau of Reclamation’s Accessibility Data Management System (ADMS). From the inventory in the ADMS database, an evaluation of each major facility at Lake Berryessa was undertaken using a checklist for a comprehensive evaluation of each component (a component being a door, ramp, program, etc.) at each site. This involves measuring such attributes as the slope of a ramp, width of a door, and amount of pressure required to open a door.

The information was then entered into the ADMS database, and the program compared the data to accessibility criteria. From that, ADMS generated a report to identify the deficiencies of each component at each sites.

3.9.1-2 LBVSPT Comment:

All seven resorts at Lake Berryessa, as well as the Capell Cove launch ramp, the Olive Orchard day-use area, the Oak Shores day-use area, the Smittle Creek and Pope Creek day-use area, and the Bureau of Reclamation Visitor Center, were evaluated in this manner. Resorts upgraded to meet necessary requirements imposed by Reclamation in the mid 1990s.

Environmental Justice

Executive Order 12898 requires each federal agency to achieve environmental justice as part of its mission, by identifying and addressing disproportionately high and adverse human health or environmental effects, including social and economic effects, of its programs, policies and activities on minority populations and low-income populations of the United States. This has been further defined as by the EPA's Office of Environmental Justice as: . . . the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

3.9.1-3 LBVSPT Comment:

Lake Berryessa has no record of any surveys or analysis of user-groups based on racial, ethnic or socio-economic parameters. The reservoir has no documented complaint of adverse human health or environmental, social or economic impacts to any group of visitors as the result of Reclamation programs policies or activities at the reservoir.

Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in property or rights held in trust by the United States for Indian tribes or individuals. Trust status originates from rights imparted by treaties, statutes or executive orders. These

can include rights to timber, minerals, water, fishing, gathering and hunting. These rights are reserved for or granted to federally recognized Indian tribes. A defining characteristic of an ITA is that it cannot be sold, leased or otherwise alienated without federal approval. Indian reservations, rancherias and allotments are common ITA designations. Allotments, which can occur both within and outside of reservation boundaries, are parcels of land for which title is held in trust for specific individuals.

Impacts on Other Federal and Non-Federal Projects and Plans

40 CFR Section 1502.16 (c) requires that each Environmental Impact Statement discuss all related federal and non-federal projects in the study area. The effects of the proposed action shall be presented in the document and shared as soon as available with the other federal and non-federal project operators.

3.9.1-4 LBVSPT Comment:

Alternative B has potential conflicts with all existing land use plans, policies within the study area. Napa County is reviewing its General Plan. The BRBNA-CP has major project goals for the area which are not necessarily consistent with those of Reclamation. There has been no cooperative planning process implemented by Reclamation to address all these concerns. The DEIS was basically written in a vacuum rather than a cooperative spirit of regional management.

As residents and users of Lake Berryessa, the long-term homeowners of Lake Berryessa clearly have an interest in developing a plan and a future for the lake that benefits the public and the lake environment. They consider themselves “adopted members” of the Napa County and Lake Berryessa communities and part of that population. The long-term homeowners have always supported the safe and environmentally-friendly use of the lake by the public. To that end, the interests of the homeowners, concessionaires, and lake managers are in harmony. It makes no sense to alienate the homeowners by threats of removing their homes. In the long run, lake managers will have a much greater chance of successfully implementing the final plan if the homeowners are constructively engaged and allowed to be a part of the future of Lake Berryessa

A goal to remove all long-term sites produces a project that is extremely complex and expensive. At one trailer per day it would take 4 years to remove them all, much less restore the landscape and replace them with campsites or cabins. This project would drain management energy and financial resources from potential positive programs, and the government will have an extremely difficult time justifying a budget to do this project. There would be significant disruption to all elements of the Berryessa community from demolition, traffic, and noise.

3.9.2 Environmental Consequences and Mitigation

The following analysis of socio-economic issues is structured somewhat differently from analyses in earlier chapters. For purposes of clarity and accuracy, cumulative and other impacts are evaluated individually for each alternative.

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Alternative A+: Extend and Improve Current Socio-Economic Model for Concession Operations. Expand and Develop New Short-Term Facilities at Resorts. Retain and Improve Long-Term Sites.

LBVSPT Comments: Impact 3.9-1 to Impact 3.9-6, Alternatives A, A+:

3.9-1&2A, A+: Alternative A+ has significantly Positive Impacts to Population. Alternative A has positive impacts to Population

3.9-3A, A+: Alternative A+ has significantly Positive Impacts regarding the Cumulative Environmental Impacts to Population. Alternative A has Positive Impacts.

3.9-4A, A+: Alternative A+ and Alternative A have no significant Impacts to Population from Irreversible and Irrecoverable Commitments of Resources.

3.9-5A, A+ - Alternative A+ Impacts to Population from Short-term Effects and Long-term Effects are Positive. Alternative A has no impacts short-term and positive long-term effects, per RAMP.

3.9-6A, A+ - Alternative A+ and Alternative A have no unavoidable adverse impacts to population.

Alternative B (Preferred): Remove All Long-term Trailer Sites. Concessionaire to Expand and Develop New Short-Term Facilities at Resorts. Develop Trails and Land and Water Use Zones.

Impact 3.9-2: Potential Impacts to Population

3.9-2B LBVSPT Comment:

Alternative B would negatively affect the local population at Lake Berryessa, the local population would decline for those tenants removed in the resorts. The lack of employment due to the shut down resorts would force residents in the Lake Berryessa area to move. The proposed build-outs which do not occur for several years would offer significantly fewer employment opportunities. The resident population at Lake Berryessa enjoys the beauty of Lake Berryessa, many of whom are water recreational users that rely on the resorts for facilities to accommodate their needs, i.e., restaurants/snack bars, boat launching, docks and boat storage. Under Alternative B the removal of the resorts and facilities would negatively effect the resident population, who may choose to relocate. The appeal of the sense of community brought by the resorts and the resort facilities would be gone under Alternative B, not only would that have negative impacts to Lake Berryessa residents, but also for any potential new buyers.

Impact 3.9-3: Potential Cumulative Environmental Impacts to Population from Alternative B

3.9-3B LBVSPT Comment:

The Cumulative Environmental Impacts to Population from Alternative B are dramatically negative initially and significantly negative in the long-term. The loss of residents, employments and communities may never recover. Alternative B changes the course of development and turns back progress of the Lake Berryessa community, negatively effecting the human environment, recreational environment, cultural environment and the environment itself. Alternative B creates environmental instability and negative environmental impacts, resulting in negative impacts to the population.

The negative socio-economic impacts of Reclamation Alternative B would be significant. The 1992 Final Environmental Impact Statement points out that: "In most cases the tenants have owned their travel trailer or mobile home for many years, visit their site regularly, and have usually formed bonds of friendship with their neighbors. . . . Tenants also visit their sites to get away from the pressures of their job or home life, or to provide them and/or their children with the opportunity of living in the country. In some instances, second generation families are continuing to utilize travel trailers or mobile homes purchased years ago.

Impact 3.9-4: Potential Impacts to Population from Irreversible and Irretrievable Commitments of Resources from Alternative B

3.9-4B LBVSPT Comment:

Alternative B has significant Negative Impacts. Irreversible and irretrievable commitments of resources would impact the local population directly under Alternative B. The Preferred Alternative calls for permanent removal of some 1,300 existing trailers from the Lake Berryessa lakeshore, and restoration of the former trailer sites to natural conditions. Their former sites, once restored, would no longer be available for long-term use. The ultimate impact on population of this particular action would be to reduce the local summer-season population. Further irreversible and irretrievable commitments of resources as a result of implementing Alternative B would be incurred by the development of the seven resorts.

The structural destruction of the resorts and facilities are definitively irreversible and irretrievable commitments of resources that obliterate the character and most usefulness of the resort communities. Alternative B has no plan and the actions have significantly negative impacts to the population.

Impact 3.9-5: Potential Impacts to Population from Short-term Effects versus Long-term Effects under Alternative B

3.9-5B LBVSPT Comment:

The negative impacts to population from short-term effects occur because long-term trailer sites on the lakeshore would be terminated and trailer owners would be required to vacate. Negative long-term impacts to population occur with the permanent removal of long-term site opportunities. Short-term and long-term the resorts would not exist as they do to offer employment, services and facilities for residents, which could result in a decline in the residents in the Lake Berryessa area. Short-term effects are more severe and extremely negative, although recovery from those effects could occur over an extensively long period of time.

Impact 3.9-6: Unavoidable Adverse Impacts to Population from Alternative B

3.9-6B LBVSPT Comment:

Alternative B actions are avoidable and should be avoided.

LBVSPT Comments: Impact 3.9-17 to Impact 3.9-21, Alternatives A, A+:

Impact 3.9-17: Potential Impacts to Employment

3.9-17A, A+ LBVSPT Comment:

Alternative A would have no impacts to employment. Alternative A+ impacts to employment would be positive. Alternative A+ would increase employment opportunities with improved facilities and short-term accommodations, and increased recreational opportunities.

3.9-19A, A+ LBVSPT Comment:

3.9-19A, A+: Alternative A+ and Alternative A – Cumulative Environmental Impacts to Employment is Positive

3.9-20A, A+ LBVSPT Comment:

3.9-20A, A+: Alternative A+ and Alternative A – Impacts to Employment from Irreversible and Irretrievable Commitments of Resources are Positive

3.9-21A, A+ LBVSPT Comment:

3.9-21A, A+: Alternative A+ and Alternative A – Impacts to Employment from Short-term Effects and Long-term Effects are Positive

Impact 3.9-18B: Potential Impacts to Employment

3.9-18B LBVSPT Comment:

Alternative B eliminates employment at the resorts with a domino effect to any outside local business – no customers, no business. Concessions shut down for two years is two years of lost employment. It is also likely that a pool of experienced employees will be lost. When the concessions reopen, Alternative B would establish minimal public services and facilities and employment opportunities will be minimal in the resorts and at Lake Berryessa. Alternative B also dictates that concessionaires would take over operation of the structurally damaged if not failing Capell Cove launch ramp and Camp Berryessa group campground. No economic incentive has been proposed to the concessionaires to take over these areas that Reclamation has been operating. Reclamation realizes these facilities and services would require a corresponding increase in administrative, maintenance, grounds-keeping, security, clerical, and hospitality personnel, who Reclamation assumes would be hired by the concessionaires, with no consultation with the current concessionaires regarding that possibility.

Reclamation's discussion on Page 200 of the DEIS seems designed to frighten any small or modest sized corporation from considering a bid on the concessions. It seems designed to squeeze out local entrepreneurs and established family businesses. And this is primarily because Alternative B is so marginally economically feasible - as well Reclamation's arguably illegal interpretation of Public Law 96-375.

Because build-out of the concessions would occur over a period of time, these employment opportunities would only become available over a span of years. A relatively few entrepreneurs with the means to start up hospitality and recreation-based businesses in the surrounding area, along with their employees, would do so at extremely high risk. It is not anticipated, that Alternative B would provide a significant boost to the local economy. The majority of employment opportunities at the lake resorts and surrounding business community under Alternative B would be seasonal and possibly minimum-wage jobs. Further, their availability would fluctuate with visitation, with fewer jobs available in low-visitation years. Most of these jobs would not pay enough to support families or an independent adult lifestyle, so they would only be useful for student types and others seeking temporary supplemental income.

Concession development, for which Alternative B has no plan, would briefly stimulate employment as contractors hired workers for construction, roadwork, and related tasks. Due to economic and limited or no accommodations the construction workers would mostly be for areas outside of Lake Berryessa.

Impact 3.9-19: Potential Cumulative Environmental Impacts to Employment from Alternative B

3.9-19B LBVSPT Comment:

Alternative B Cumulative Environmental Impacts to Employment are devastating to the local employment and economic community structure. The employment rug would be pulled out from those who invested their time and money to help build a community, with the removal of the resorts. Without jobs, the housing market, local businesses and growth would all suffer.

Impact 3.9-20: Potential Impacts to Employment from Irreversible and Irretrievable Commitments of Resources from Alternative B

3.9-20B LBVSPT Comment:

Irreversible and irretrievable commitments of resources would be anticipated to affect employment significantly negatively under the Reclamation's Preferred Alternative B. The basis of the local economy would first be removed, then shut down for at least two years, with significantly few jobs at significantly less pay for the future.

Impact 3.9-21: Potential Impacts to Employment from Short-term Effects versus Long-term Effects under Alternative B

3.9-21B LBVSPT Comment:

The Short-term Effects to Employment is the elimination of employment, then two years of continued loss of employment. The Long-term Effects to Employment weaken the entire community as a whole and lower all employment opportunities.

Impact 3.9-22: Unavoidable Adverse Impacts to Employment from Alternative B

3.9-22B LBVSPT Comment:

Alternative B would have significant adverse impacts – all of which are avoidable by not implementing Alternative B.

LBVSPT Comments: Impact 3.9-33 to Impact 3.9-38, Alternatives A, A+:

Impact 3.9-33: Potential Impacts to Income

3.9-33A, A+ LBVSPT Comment:

Alternative A+ has a positive impact which builds on the financial structure that exists under Alternative A and optimizes the structure of the resorts and recreational opportunities to meet the future needs of the water recreation users. Improved and new facilities and services that meet contemporary and future needs and desires will increase the ability for a larger public to recreate over a greater period of time / season. The results of Alternative A+ will strengthen the local economy, encourage private enterprise, and has positive income results to the concessions and Napa County. Alternative A also has positive effects.

Under Alternative A, income in the Lake Berryessa area is inexorably tied to the resorts and the business of recreational services. During 1995, total gross receipts generated by Lake Berryessa's seven resort areas were approximately \$7 million. Of the total gross receipts, approximately \$2.4 million (34 %) were generated from long-term activities; \$1.8 million (26 %) were generated from short-term activities; and the remaining \$2.8 million (40 %) were generated at other concessionaire-operated activities used by both long- and short-term users (e.g., convenience stores and snack bars). Other businesses in the Lake Berryessa area are likewise dependent on recreation visitors. These include convenience stores, gas stations, restaurants, snack bars, motels, boat storage facilities, beauty shops, real estate offices, and other businesses/employers.

Under Alternative A, current conditions would continue, with revenues generated by the resorts providing the primary sources of income for the area and many of those businesses immediately surrounding the reservoir. Continuation of these conditions, then, would be beneficial and would not cause any significant impact on the local economy. Alternative A / RAMP also require relocations and improved short-term uses that would have an additional beneficial impact to income, with temporary increased employment and long-term additional revenue from improved short-term uses.

3.9-35A, A+: Cumulative Environmental Impacts to Income / Local Economy are Positive.

3.9-36A, A+: Impacts to Income from Irreversible and Irrecoverable Commitments of Resources are Positive.

3.9-37A, A+: Impacts to Income from Short-term Effects and Long-term Effects are Positive.

3.9-38A, A+: No Unavoidable Adverse Impact to Income.

Impact 3.9-34: Potential Impacts to Income**3.9-34B LBVSPT Comment:**

Alternative B literally destroys the current local economy of the Lake Berryessa area. While the resorts are removed and shut-down there are little benefits to the income of the area. When the concession areas reopen Reclamation anticipates job opportunities that would result directly from public services and facilities would primarily benefit local family incomes. For the most part, these benefits would come from low-paying seasonal and/or part-time jobs for teenagers, college students, and adults wishing to supplement their income. Median family income in the immediate area could conceivably increase by a few thousand dollars per annum. Summer jobs also would benefit out-of-area residents who take seasonal work at the lake. These benefits would accrue gradually. It is not known when or if the local economy could come up to the current levels.

Long-term use is also low-impact on short-term users. Long-term sites have their own parking, and often their own docks, storage, and garages so they do not interfere with short-term use capacity at a resort. Long-term use revenue supports the resorts during the off-season because it evens out the cash-flow during the fiscal year. This avoids additional financial complications such as borrowing against future revenue to support off-season basic operations and services which might not be covered by short-term user fees during that period. Patterns of lake usage requires large seasonal facilities but will not support large fixed facilities such as hotel/motel/resort complexes which cannot survive the off-season due to large fixed operational and financial costs.

More importantly, long-term site revenue supports the resorts during drought years when short-term use drops off dramatically. In 40 years there have been three major droughts – two for more than seven years. A drought is considered three or more years of below normal rainfall, translating to a drop of at least 25 feet (to 415 feet msl). In non-drought years certain businesses may do well (restaurants, gas stations, convenience stores, etc). During drought years those businesses can and have failed.

Droughts are a significantly higher risk than floods since this is a reservoir which has some control over outflow rates, but must provide water by law even if there is low rainfall. There is only a 1 in 100 chance that there will be a flood level up to 450 feet. The lake has never been above 447 feet and the top of the dam is at 455 feet. Economic impacts due to potential floods are a very low probability and thus a low planning priority.

Under Alternative B, construction-related employment opportunities arising from development activities would be higher paying than the summer jobs. These employment opportunities, however, could be spread out over the entire Napa Valley region and beyond, and they would exist only during the proposed span of construction activities.

Alternative B weakens the entire local economy of Lake Berryessa, and also increases the risk of failure to local business enterprises.

The proposed development of a trail network and two upgraded parking/trailhead sites as well as the routine maintenance of other day-use facilities by Reclamation upgrades are a cost and maintenance burden that tax payers will have to bear through local and federal taxes.

Reclamation claims that: “The most significant additions to recreation services offered by Reclamation in this alternative would be a substantial trail development program along the lake.” (Page 202) This is not supported by any data. Even the most casual observer must admit that Lake Berryessa is not a hiker’s paradise during the summer months, nor would a costly trail development program change that. There are so many superior hiking venues in the Bay Area that Lake Berryessa is not even in contention for most hikers. LBVSPT supports a reasonable trails program such as that being worked on by the BRBNA-CP Trails Committee. Many people like to hike, including most long-term users. But this is neither a significant way to increase short-term use nor to increase any business activity around the lake.

Impact 3.9-35: Potential Cumulative Environmental Impacts to Income from Alternative B

3.9-35B LBVSPT Comment:

Alternative B destroys the income to the resorts and is subsequently destructive to the local economy / income of the Lake Berryessa area. The devastating short-term effects will continue to propagate through the long-term local economy.

Impact 3.9-36: Potential Impacts to Income from Irreversible and Irretrievable Commitments of Resources from Alternative B

3.9-36B LBVSPT Comment:

Negative impacts to income would occur from irreversible and irretrievable commitments of resources. During the early build-out period, when areas of the resorts would be closed to the public, income would be either beneficially or adversely affected, depending on the nature of the work, e.g., visitor services or construction. These impacts would persist until the build-outs were completed and some visitor services were restored.

Impact 3.9-37: Potential Impacts to Income from Short-term Effects versus Long-term Effects from Alternative B

3.9-37B LBVSPT Comment:

Alternative B destroys the entire resort economic structure, all income, all jobs and resources, in the removal of the resorts. The period during which the resorts are shut down, two years or more, has a total loss of income to the concessions, eliminating a long standing loyal user clientele, and denying public access. With facilities gone and services unavailable, there is no employment required to support the recreation user who are not there. For the long-term Alternative B offers After the concessions reopen, Reclamation offers a few low-paying seasonal jobs resulting from visitor services and facilities under Alternative B.

Impact 3.9-38: Unavoidable Adverse Impacts to Income from Alternative B**3.9-38B LBVSPT Comment:**

Alternative B takes away the income base of the entire Lake Berryessa area, throwing the community into a financial depression.

LBVSPT Comments: Impact 3.9-49 to Impact 3.9-54, Alternatives A, A+:**3.9-49: Potential Impacts to Concession Services and Activities**

The current seven concession contracts will expire in 2008-09. Under PL 96-375 the concessionaire can enter into a new contract, or in the alternate the government, or new concessionaire, would have to pay fair value for all of the improvements.

A new contract is a window of opportunity for all stakeholders to participate in the future public recreational uses at Lake Berryessa. A plan, or in this case, an alternative, can be designed as a guiding force to optimize use and opportunities, while protecting the environment and assuring future generations the opportunities of continued use and enjoyment of Lake Berryessa.

Seven concessions at Lake Berryessa have help to establish a safe and healthy environment that offers facilities and services to a diverse group of water recreational and public users. The resorts have a strong sense of community, not often found in most residential communities. Integral to the future of the community are the positive socio-economic impacts from the alternatives. As the American public grows more sophisticated, demanding and mobile, plans and developments need to consider their significance in their designs and implementations.

Current Concessionaires

The present composition of the seven resort areas “concessions” were developed under the guidance of the PUP 1959, and the update document RAMP/1992 and ROD/1993. The resorts offer a variety of convenience facilities and services in a total resort concept which support diverse water recreation opportunities.

Long-Term Trailer Site Permittees

The development of all seven resorts at Lake Berryessa were supported by the long-term uses. Due to the fact that the concessions leased the land from the government mobile homes were the solution to accommodate public demand, and the public demand for mobile homes or modular units has continued. The modular units use the minimal space while offering comforts and conveniences that make recreational travel manageable and enjoyable, particularly for families. The permittees lease their space from the concessionaire who provides the utilities, sewer and electrical. All of the improvements are owned by the permittees, such as the modular units, decks and other site improvements. It is estimated that the value of the permittees improvements/investments are between \$50 and \$75 million. Long-term users not only visit the lake to enjoy recreational opportunities but also to for social interactions with their “lake friends.” By contract the permittees may only use their units 6 months out of the year, and must have a separate residence, but the permittees pays for the site all year round.

Alternative A+ has a master plan that incorporates long-term uses and units for future optimum recreational uses.

Alternative A / RAMP realizes that long-term uses support short-term uses, but calls for certain units to possibly be relocated.

Short-Term Users

The seven resorts at Lake Berryessa offer a range of overnight options other than the long-term uses. The short-term uses include motels, cabins, RV sites, campsites and houseboats. The short-term accommodations are only full a few days out of the year. Both the resorts and Reclamation areas have room to expand all short-term uses.

Alternative A+ has a master plan that incorporates new short-term uses and units for future optimum recreational uses.

Alternative A / RAMP mandates improved and additional short-term term use near the shoreline to support water-oriented recreational opportunities.

Local Entrepreneurs (Private Business Outside of Reclamation Land)

Local Entrepreneurs are those business operations that may directly or peripherally be impacted or utilized by concessionaires, their customers, or others visiting Lake Berryessa.

The resorts at Lake Berryessa are the hub of the local economy, there has been modest development of businesses outside the resorts. Due to the seasonal use and visitors many of the businesses struggle to survive, some have closed down. There is evidence of new investment dollars coming into the area. Business opportunities could be significantly enhanced with a strengthened economy in the resorts.

Alternative A+ enhances the financial opportunities in the concessions and develops facilities to better accommodate contemporary and future needs. The strengthened resort economies can help attract and support local entrepreneurs.

Alternative A / RAMP retains the financial structure of the resorts and calls for additional short-term uses. The local entrepreneurs have an opportunity to benefit from the recreational users.

LBVSPT Comment:

3.9-49A, A+: Alternative A impacts to Concession Services and Activities are significantly positive. Alternative A impacts are positive

3.9-51A, A+: Cumulative Environmental Impacts to Concession Facilities and Services are Positive

3.9-52A, A+: **Alternative A+** has positive Impacts from the Irreversible and Irretrievable Commitment of Resources to Concession Facilities and Services. Alternative A has no impacts.

3.9-53A, A+: Impacts from Short-term and Long-term Uses are Positive

3.9-54A, A+: **Alternative A+** No Unavoidable Adverse Impacts

Impact 3.9-50: Potential Impacts to Concession Services and Activities Current Concessionaires

3.9-50B LBVSPT Comment:

Alternative B Impacts to Concession Services and Activities are Negative.

Current Concessionaires

Under Alternative B, there would be significant changes to the concession business environment. There would likely be fewer than the seven concessionaires that currently operate at the lake, although same number of resorts would be retained. Alternative B would encourage the merging of separate concessions into fewer, more extensive concessions that operate more than one resort. Under Alternative B, each bidder would prepare a bid package

covering a significantly larger and much more complex business than those currently operated under contract agreements at the lake. Operation of such a concession would demand substantial financial resources and management expertise from the outset. These demands would be challenging for any bidder, including existing concessionaires, to meet.

Alternative B Potential Impacts to Concession Services and Activities are negative and impractical

Long-Term Trailer Site Permittees

Alternative B would terminate exclusive-use, long-term trailer sites at Lake Berryessa. It also would require the existing permittees to remove all of their property from their assigned sites prior to the final day of the contract. In general it seems likely that existing long-term trailer site permittees would be disappointed in this alternative. It would eliminate their opportunity for continued exclusive use of prime Lake Berryessa locations and require the removal of their property and rehabilitation of their assigned site, likely at their own expense.

Alternative B - Overall, impacts to long-term trailer site permittees under Alternative B would be significant and adverse.

General Public (Short-Term Users)

Alternative B is essentially exclusive use for short-term users, devoted to “traditional camping” and RV sites, a few additional accommodations eventually might be cabins and hotel/motel facilities. Alternative B also has fewer houseboats than exist today.

Alternative B – Short-term uses are inadequate and facilities limited resulting in a Negative Impact to the short-term users.

Local Entrepreneurs (Private Business outside of Reclamation Land)

Alternative B is harmful to the Lake Berryessa local economy. There is no reason for an entrepreneurs to want to invest in an area that is going to be shut down, the visitors turned away and recreational opportunities denied.

Alternative B has a Negative Impact for Entrepreneurs

Impact 3.9-51: Potential Cumulative Environmental Impacts to Concession Facilities and Services from Alternative B

3.9-51B LBVSPT Comment:

The concession facilities and services are virtually destroyed under Alternative B. The cumulative environmental impacts will result in damages to the local community.

Impact 3.9-52: Potential Impacts from the Irreversible and Irretrievable Commitment of Resources to Concession Facilities and Services from Alternative B

3.9-52B LBVSPT Comment:

Alternative B Impacts from the Irreversible and Irretrievable Commitment of Resources to Concession Facilities and Services are significantly Negative Alternative B destroys 40+ years of development - it takes away facilities, services, accommodations, dreams, recreation, opportunity, community, economic stability, employment, safety, comforts, culture, investments. As stated earlier in Chapter 3.2, Soils, and Chapter 3.3, Vegetation, impacts would occur following the removal of many existing facilities and infrastructure, which would be replaced with new facilities. In some instances these new facilities may be located in areas that are not currently impacted by structures.

Impact 3.9-53: Potential Impacts From Short-term versus Long-term Uses from Alternative B

3.9-53B LBVSPT Comment:

Alternative B has significant negative impacts. Short-term impacts to concessionaires would be adverse and significant under the Preferred Proposal. Long-term impacts to current concessionaires also would be adverse and significant (as they would be under any alternative), as the concessionaires may be required to demolish or remove some facilities at their own expense, accept unsatisfactory payment for other facilities, and incur costs in the cleanup of trailer sites. These expenses would have long-term impacts to the economic well-being of the concessionaires. Finally, there would be significant adverse long-term effects on trailer permittees, who would permanently forfeit their vacation sites.

Impact 3.9-54: Unavoidable Adverse Impacts from Alternative B**3.9-54B LBVSPT Comment:**

Alternative B has serious negative adverse impacts that are economically-unsound, destructive and only avoidable by not implementing Alternative B. Given that existing contracts will expire within the next few years, and given that necessary modifications of those contracts would incur significant expenses for current concessionaires, these impacts would likely be significant in many instances.

Reclamation has used the contract expirations, not to improve a community, but rather to destroy it - not as an opportunity, but as a controlling mechanism of lives, businesses and resources.

Reclamation tries to blame the long-term sites for the lack of business activity. This is faulty analysis again.

“The long-term trailer residents at Lake Berryessa probably do not contribute significantly to local businesses. It is likely that they bring supplies from home to stock their trailers, and do not regularly patronize local business establishments. Patronage of short-term users of the reservoir would remain at about current levels.” (Page 199)

Discussions with many long-term and short-term users show that long-term users tend to support local businesses, especially restaurants within the resorts. They also use local businesses for labor and supplies to maintain and upgrade their units. Propane companies and electric utilities benefit mostly from long-term users. Short-term and day users also typically bring all their supplies since it is more convenient and cheaper than buying them at local businesses outside the resorts.

Impact 3.9-65: Potential Impacts to Reservoir Accessibility (ADA)

During 2002-03, an accessibility assessment was completed by Reclamation for its public use facilities, including Capell Cove launch ramp, Olive Orchard, Oak Shores, Smittle Creek and Pope Creek day-use areas, and the Visitor Center adjacent to the Lake Berryessa Administrative Complex. In addition, buildings at the seven resorts were evaluated. All of these assessments were conducted under Americans with Disabilities Act Accessibility Guidelines (commonly referred to as ADAAG). The assessment demonstrated that many of the Reclamation and concession facilities fail to meet current federal accessibility standards. Most of these buildings and structures were built before 1980 (before ADA standards were in place) and had never been brought into compliance. Under the No Action Alternative, Reclamation would complete an action plan that identifies the federal buildings to be corrected, the time required to accomplish the work and the cost for each of the modifications. These retrofitting efforts have been designated as agency goals to be met under the Government Performance Review Act (GPRA) by the year 2010.

Although there are no current plans to conduct reservoir-wide renovations of concession facilities at the various resorts to bring everything into compliance with current accessibility standards, individual modifications will occur for various structures. Planning for these modifications will take into account the structure's current state of repair, life expectancy and the public purposes for which it is used. However, a number of these facilities likely will not be made universally accessible.

3.9-65 to 3.9-70A, A+ LBVSPT Comment:

We have not seen the 2002/2003 accessibility assessment report referred to in the Reclamation DEIS, it appears that the federal building do not meet the ADAAG. In the mid 1990s a similar assessment was done and the concessions made modifications to comply with those reports. The Reclamation goal appears to be for compliance by 2010.

3.9-65A, A+: Impacts to Reservoir Accessibility (ADA) would be positive. Under Alternative A+, based on the master plans or the concessions, modifications and future developments would address ADA appropriately. Under Alternative A and the guidance of RAMP concessions have improved accessibility for special needs populations. There are no known violations in the resort.

3.9-67A, A+: Cumulative Environmental Impacts to Reservoir Accessibility are Positive. New plans and developments would be designed to accommodate ADAAG where possible and appropriate. Concessions would continue to act under the guidance of RAMP Preferred Action 6.

3.9-68A, A+: No significant Impacts to Reservoir Irreversible and Irretrievable Commitment of Resources.

3.9-69A, A+: The master plan is designed to accommodate public needs appropriately. Impacts to Reservoir Accessibility from Short-term Effects and Long-term Effects are positive.

3.9-70A, A+– Alternative A+ No Unavoidable Adverse Impacts to Reservoir Accessibility.

Impact 3.9-66: Potential Impacts to Reservoir Accessibility

Under Alternative B, the GPRA goals identified above would still be in effect. The Concession Operations component of the Preferred Alternative would include accessibility provisions in the design and construction of new indoor and outside facilities, and any modifications to existing structures necessary to bring them into compliance.

The Capell Cove launch ramp and Camp Berryessa group campground, both of which would be managed by a concessionaire, will have already been retrofitted by Reclamation in meeting their Government Performance and Review Act goals for 2010.

Under Government Operations, the steps that are already being taken to correct accessibility issues posed by Reclamation facilities and identified under the No Action Alternative would continue under this alternative, as well. Beginning in 2006, the day-use facilities at Oak Shores, Olive Orchard, Smittle Creek, Pope Creek and the administrative complex Visitor Center would be modified to meet current accessibility requirements. These changes would be accomplished during periods when the various facilities are not heavily used and therefore they would not be closed to public use. Consequently, potential impacts to users are predicted to be minor. The trail system design proposed under Alternative B would incorporate appropriate accessibility features to comply with UFAS and ADAAG standards. Topographic conditions, however, may render some parts of these trails inaccessible.

3.9-66B LBVSPT Comments:

Impacts to Reservoir Accessibility is Negative. Not enough is known about when Reclamation first knew they were not compliant with ADAAG, if there were or will be a significant time in which Reclamation does not offer federal facilities not to standards. Reclamation will begin modifications to federal facilities in 2006 to meet ADAAG by 2010.

Impact 3.9-67: Cumulative Environmental Impacts to Reservoir Accessibility from Alternative B
Reclamation won't begin modifications until 2006.

3.9-67B LBVSPT Comments:

Federal facilities appear to be non-compliant with no intention of modifications until 2006-2010. There is not enough information for LBVSPT to identify if there is any significant impact.

Impact 3.9-68: Potential Impacts to Reservoir Accessibility from Irreversible and Irretrievable Commitment of Resources from Alternative B

There would be no impacts from the irreversible or irretrievable commitment of resources linked to accessibility compliance under Alternative B.

3.9-68B LBVSPT Comments:

There is not enough information for LBVSPT to identify if there is any significant impact.

Impact 3.9-69: Potential Impacts to Reservoir Accessibility from Short-term Effects versus Long-term Effects from Alternative B

There would be no short-term effects due to uses associated with the implementation of accessibility standards under this alternative. Accessibility modifications to federal and commercial facilities promote long-term uses that will better serve a greater diversity of visitors.

3.9-69B LBVSPT Comments:

Impacts to Reservoir Accessibility from Short-term Effects versus Long-term Effects are unknown due to the lack of information.

Impact 3.9-70: Unavoidable Adverse Impacts to Reservoir Accessibility from Alternative B

There would no unavoidable adverse impacts to reservoir accessibility associated with Alternative B.

3.9-70B LBVSPT Comments:

Unavoidable Adverse Impacts to Reservoir Accessibility are unknown due to the lack of information.

Impact 3.9-81: Potential Impacts to User Groups Protected under Environmental Justice Criteria

Under Alternative A, visitors would continue to pay for resort services and facilities according to rates that are comparable for the area and approved by Reclamation. There are no data that demonstrate or suggest that the rates currently charged by various resorts discourage use by any group of potential users. There are no known disproportionately high adverse human health or environmental impacts, including social or economic effects to minority or low-income populations, as a result of approved programs and policies employed by the resorts.

Under this alternative, Reclamation would continue to offer services at its non-fee day-use facilities without prejudice toward any particular user-type or special interest group. A number of these facilities have been offering services for over a decade and there is no evidence that issues relating to Environmental Justice criteria have ever occurred in relation to those operations.

3.9-81A, A+ LBVSPT Comments:

Positive Impacts to User Groups Protected under Environmental Justice Criteria, offering diverse recreational opportunities to diverse users.

3.9-81A, A+ LBVSPT Comments:

Positive Impacts To User Groups Protected Under Environmental Justice Criteria, Including those Resulting from Cumulative Environmental or Indirect Impacts, Impacts from Irreversible and Irretrievable Commitment of Resources, Positive Impacts from Short term and Long-term Uses, and Positive Impacts from Actions that are Adverse and Unavoidable.

Impact 3.9-82: Potential Impacts to User Groups Protected under Environmental Justice Criteria

Under Concession Operations, resorts would begin collecting information about the clientele, following GAO procedures. Gathering data about customer interests and preferences is a process that occurs industry-wide. This would allow resort operators to better recognize and, as appropriate, tailor certain programs and services according to the interests of different groups of visitors. In addition, under this alternative, there would be no resort entrance fees, removing the “air of exclusivity” associated with resorts under current conditions. Prices of accommodations would be more amenable to lower income visitors than those that would exist under Alternative A, with economy cabins and campsites available at Spanish Flat and Rancho Monticello, as an example. The operations at Capell Cove launch ramp would remain essentially unchanged, but attractions at the Camp Berryessa group campground would be expanded to include covered dining and shower and laundry facilities, available by reservation. Under Government Operations, Reclamation would continue efforts to more fully appreciate the diverse interests of reservoir user, and would offer programs that inform visitors through different mediums, including multi language publications, about their role in protecting reservoir resources while also having a safe and enjoyable experience. The operation of the non-fee day-use facilities, the elimination of resort entrance fees, the new trail development and the changes in the use levels for land and water sites described previously under Alternative B, apply here, as well.

3.9-82B LBVSPT Comments:

Negative Impacts: . Lake Berryessa provides recreational opportunities available to a wide income spectrum of society. It is not reasonable to assume that costs discourage lower-income individuals from participating in fee-for-use activities at the lake, especially without any data to substantiate such an assumption. Many people who use the lake, and even own long-term sites, are low to middle income. They just focus their disposable income on the recreation-type that most appeals to them – motorized water-based recreation. Not having resort entrance fees is economically and socially unsound. Reclamation’s proposes lower prices for accommodations that do not fit the public needs, desires and demands. The giant Boy Scout camp type of environment does not satisfy diversity needs.

Impact 3.9-83: Potential Impacts To User Groups Protected Under Environmental Justice Criteria, Including those Resulting from Cumulative Environmental or Indirect Impacts, Impacts from Irreversible and Irrecoverable Commitment of Resources, from Short term versus Long-term Uses, and from Actions that are Adverse and Unavoidable

3.9-83B LBVSPT Comments:

Negative Impacts: Reclamation’s action are unsupportive to all user groups for whom the lake will be shut down for two years. Removal of facilities used by the public at Lake Berryessa denies those users of the facilities. Reclamation and the public seem to have very different interpretations of what quality service would be.

Indian Trust Assets

Reclamation policies protect Indian Trust Assets from adverse impacts resulting from their programs and activities, where possible. There is no Indian land within the reservoir boundary and therefore no impacts are expected from either the No Action Alternative or from implementing Alternatives B, C or D.

Impacts on Other Federal and Non-Federal Projects and Plans

Title 40 of the Code of Federal Regulations, Section 1502.16 (c) requires that each Environmental Impact Statement discuss all related federal and non-federal projects in the study area. There are no other federal or nonfederal projects underway or being considered that are within the study area.

International Impacts

Executive Order 12114, dated January 4, 1979 requires federal agencies to consider the effects of their actions when they may have a significant effect upon the environment outside the jurisdiction of any nation, upon the environment of an uninvolved foreign nation that may benefit from the action, and upon global resources protected by treaty or designated by the President. The proposed action at Lake Berryessa is within the jurisdictional boundaries of the United States and does not affect the resources or environmental integrity of any of legal entity.

3.10 Public Safety

Summary of Impacts per Alternative:

- 3.10 Alternative A+: Positive impacts**
3.10 Alternative A: No significant impacts
3.10 Alternative B: Significant adverse impacts

3.10.1 Affected Environment/Existing Setting

Alternative A (No Action): Continue Existing Commercial Services until Permits Expire in 2008/2009. Continue Reclamation Services and Facilities in Accordance with the 1992 RAMP/EIS.

Structural Fire

Most of the development of the resorts at Lake Berryessa took place from 1958 through the early 1970s and were built to county and state codes. Access is a major fire protection need. Section 15.32.410 of the Napa County Fire Code (NCFC) 1999, requires that Fire Apparatus roads have an unobstructed width (not necessarily paved) of not less than 20 feet, and an unobstructed vertical clearance of not less than 15 feet. Safe access requires street and road networks that limit dead end roads, provide reasonable widths, turnarounds and turnouts. Many of the fire access roads, roads in excess of 200 feet, meet the NCFC standards, nearly all that do not meet the standards can be brought into compliance with a reasonable amount of time and money.

The Bureau of Reclamation has an agreement with the California Department of Forestry and Fire Protection (CDF) that authorizes the CDF to provide fire prevention services on lands under the administration of Reclamation at Lake Berryessa. The agreement authorizes the CDF to provide planning for fire suppression, to patrol designated lands covered under the agreement, and to fight fires in the designated areas under Reclamation management.

Concessionaires are required to maintain grounds in accordance with the CDF weed abatement and fire safety requirements. Tenants of the resorts are also required to maintain the grounds of their individual sites in accordance with the CDF weed abatement and fire safety requirements. The CDF inspects the resorts annually and indicates areas for the concessionaires to maintain. CDF Fire Trucks that service Lake Berryessa are water tankers that arrive full and access water from the lake. The Liquid Propane Gas (LPG) Tanks have been put in by the gas companies according to required standards. Speed bumps in the resorts have been installed for the safety of the public. They do not have a significant impact on fire truck access. NCFC PRC 4290 for addressing and street signing for newly constructed roads and buildings can be used as a guideline for resorts to improve signage. CDF also recommends two separate points of ingress/egress for each development. Nearly all of the resorts on the lake have only one point of ingress/egress.

Wild Land Fire

The Bureau of Reclamation has a wildland fire-suppression cost reimbursement agreement with the California Department of Forestry and Fire Protection. The purpose of this agreement is to authorize the CDF to provide fire prevention services on lands under the administration of Reclamation at Lake Berryessa. The agreement authorizes the CDF to provide planning for fire suppression, to patrol designated lands covered under the agreement, to operate heavy equipment to construct and maintain fire roads and fire breaks, to reduce fire fuels and to improve wildlife habitats. In turn, Reclamation agrees to provide CDF with current maps of lands to be protected, to permit the CDF to use Reclamation facilities such as roads, trails and water sources, to provide a Resource Advisor per the request of the state Incident Commander, and to reimburse the CDF for costs incurred in fire suppression activities on Reclamation lands. The agreement is in force until September of 2005.

The primary fire hazard in California is vegetation fires. The recent large scale wildfire in Napa County. The “Berryessa Fire in 2000,” burned 5,731 acres of Bureau of Reclamation, Bureau of Land Management and private lands. There were 15 structures destroyed and 5 structures damaged on private lands. The fire started accidentally on June 13, 2000, when a vehicle towing a boat lost a wheel and set the dry grass at Oak Shores aflame, the fire spread from the Reclamation land to BLM and private lands, none of the resorts were affected. The steep terrain, dry and thick vegetation, and minimal access roads made the fire difficult to control, the fire was contained on June 16, 2000.

Law Enforcement

With the enactment of HR 2925 into law on November 12, 2001, and the subsequent rule-making of June 4, 2002, Reclamation now has legislative authority to use federal, state and local law enforcement personnel in the protection of its facilities, water resources, surrounding lands and the visiting public. Further, though Lake Berryessa operates under concurrent jurisdiction, Reclamation is permitted to enter into agreements where nonfederal authorities can be reimbursed for law enforcement services carried out on Reclamation property. Although uniformed Reclamation personnel can address certain minor violations through the use of warnings, they have no investigative or arrest authority and must rely on the Napa County Sheriff’s Office, the California Highway Patrol and the California Fish & Game to provide this level of enforcement.

Letter of April 1999, from Reclamation to Berryessa Pines resident concerned about a repeat of the July 1998 Rap Concert at Oak Shores with 5000 people:

“Reclamation is working closely with the local law enforcement community to plan for the possibility of another of these events this summer. Since Reclamation has no law enforcement capability, we depend upon support from the Napa County Sheriff’s Office and the California Highway Patrol...”

The Bureau of Reclamation also continues to rely on Napa County and the California Department of Forestry to address visitor safety, fire suppression, and medical emergency needs, both on the water and in shore-based recreation sites. The enforcement of building and sanitation regulations are the responsibility of Napa County. Fish & Game regulations remain the responsibility of state game wardens.

Health and Safety

Basic responsibility for the health and safety of the visiting public is shared among the State of California, Napa County and Reclamation. Though the reservoir is federally-owned and managed, Reclamation insures that county ordinances are enforced at all resorts at the lake. The county enforces Title 25 of the State Administrative Code, which regulates trailers and mobile home parks, and requires that all resorts obtain a yearly operating permit from the county. The Napa County code of ordinances for Lake Berryessa can be seen in Attachment 14.

Water quality monitoring is done on a routine basis. (See 3.3, Water Quality.) The State of California, Napa County and Reclamation routinely inspect the sewage systems in the resorts and surrounding areas to insure their safe operation.

Boating safety is a joint responsibility of the Napa County Sheriffs Department and Reclamation. While the Sheriff’s Department enforces state boating laws, Reclamation also uses boat patrols for similar activities (except for law enforcement purposes). Reclamation, for example, has marked manmade and natural navigational hazards with buoys.

3.10.2 Environmental Consequences and Mitigation.

A previous LBVSPT Comment must be repeated here for emphasis. Reclamation states, regarding Alternative A, on Page 221 in the DEIS:

“Under this alternative, significant mitigation of these problems is not likely to occur due to the cost of rehabilitation, the age and condition of the various facilities, and the short time remaining under the existing agreements/contracts. Though the resorts have been notified that they are in violation of

sections 4290 and 4291 of the California Public Resources Code and the Napa County Fire Code, no punitive actions are planned by the state or county officials responsible for enforcing these codes, for the reasons cited above.”

Does this mean that Reclamation is accepting the legal liability attached to requiring the residents of and short-term users of the resorts to face life-threatening fires or other disasters caused by their inaction?

The LBVSPT believes that any reasonable person recognizes that there are no serious health and safety problems at the lake. The “deficiencies” that exist can all be corrected with the right approach to planning.

Structural Fire

Impact 3.10-1: Potential Impacts Due to Structural Fire Suppression

Alternative A+ would incorporate provisions for a modern structural fire prevention plan that would address the issues presented in the Fire Safety Analysis of the Lake Berryessa Resort Areas by the Napa County Fire Department 2001 - building addresses and road signs, propane tank locations, unobstructed main access routes, improved ingress/egress, defensible space, water supply allowances and road improvements. Alternative A+ works with the ME to ensure that the services required at the concessions for fire protection are funded appropriately. New construction and developments would be required to use fire retardant materials when possible, planning/phasing would optimize fire apparatus accesses, concession and tenants would be involved in landscaping efforts for fire suppression,

Under Alternative A most issues, such as the lack of building addresses and road signs, poorly situated propane tanks, illegal parking on main access routes, underbrush and/or dead trees near structures can be corrected immediately with normal maintenance and improvements. Road improvements will be either completed with normal maintenance and improvements, or implemented under the new contracts.

LBVSPT Comments: Impact 3.10-1 to Impact 3.10-6, Alternatives A, A+:

3.10-1A+: Alternative A+ impacts due to structural fire suppression are positive, with a master plan and phasing the resort structures will be improved in accordance with modern fire prevention planning. Where possible the resorts will have at least two routes in and out of the resort.

3.10-1A: Alternative A impacts due to structural fire suppression are not major. Most are incorporated under general maintenance and improvements in the current contracts.

3.10-3A+: Cumulative Environmental Impacts Due to Structural Fire Suppression from Alternative A+ are positive. Master planning and phasing minimize the environmental impacts, and optimize the protection of the environment.

3.10-3 A: Cumulative Environmental Impacts Due to Structural Fire Suppression from Alternative A are not significant.

3.10-4A+: Potential Impacts from Structural Fire Suppression from the Irreversible and Irretrievable Commitments of Resources from Alternative A+ are positive or insignificant.

3.10-4A: There are no Impacts from Structural Fire Suppression from the Irreversible and Irretrievable Commitments of Resources under Alternative A.

3.10-5A+: Potential Impacts to Structural Fire Suppression from Short-Term Uses and Long-term Uses from Alternative A+ are positive. The long-term would be significantly beneficial for structural fire suppression.

3.10-5A: Potential Impacts to Structural Fire Suppression from Short-Term Uses and Long-term Uses from Alternative A are insignificant.

3.10-6A+: There are No Unavoidable Adverse Impacts due to Structural Fire Suppression from Alternative A+.

3.10-6A: There are No Unavoidable Adverse Impacts due to Structural Fire Suppression from Alternative A.

Impact 3.10-2: Potential Impacts Due to Structural Fire Suppression.

The CDF violations described in its report can be found in every city, town, and rural area in California. The LBVSPT has consulted with fire professionals who have stated that the resorts are not as bad as the CDF report portrays. Many rural and hilly areas which were built out before the latest codes can only provide 12 foot road clearance. The Town of San Anselmo, for example, prohibits parking on any road where a 12 foot clearance cannot be guaranteed. It also requires fire turnouts and turnarounds whenever new construction occurs on a narrow road. It does not analyze all roads for emergency vehicle access (except by practical drive through practice runs) and determine which houses must be destroyed to meet new codes.

Most issues, such as additional emergency exits, turnarounds, road-widening, street signs, can be addressed over a reasonably short period of time. This is true of any code changes – none require the destruction and rebuilding of homes or commercial buildings in any city, town, or county.

Setbacks and other situations described in the DEIS are no different. Human life is not in imminent danger because structures are only 5 feet apart or have trees growing near or over them. If this were the case, all of our cities, towns, and suburbs would have multi-billion dollar programs in place to tear down half their structures and cut down most of their trees. What is required of a rational analysis is a practical approach to improvement projects.

Under Alternative B-Concession Operations, design and construction plans for a build-out would incorporate provisions for a modern structural fire prevention plan to include at least two routes in and out of each resort. Designs also would incorporate roads that permit modern fire equipment to quickly reach all facilities in the resorts, streets and buildings that are properly addressed, defensible space between all resort structures and a network of fire hydrants connected to a water supply able to fight fire at the rate of a 1,000 gallons/minute for two hours, or a storage capability of 120,000 gallons. Depending on final resort designs, potential impacts to soil and vegetation could be minor if existing roads were renovated to accommodate smaller fire trucks, defensible space was created without removing mature trees, and other clearings were incorporated into the route planning for water lines and fire hydrants. However, when the final design is completed, additional environmental documentation may be needed to evaluate potential impacts to vegetation and soil surfaces, and possibly, cultural resources.

LBVSPT Comments: Impact 3.10-2 to Impact 3.10-7, Alternative B:

3.10-2B: Impacts Due to Structural Fire Suppression are negative. Reclamation removes the infrastructure that exists but they have no substantive plan. The idea that “...if existing roads were renovated to accommodate smaller fire trucks...” is not a reasonable solution if the problem they portray is really so drastic. Mature trees overriding “defensible space” and routing of water lines is simplistic as an effort to provide fire safety if the problem is really so severe. Thus, the first conclusion based on Reclamations proposals is that the problem is not severe. Reclamation has no design and no environmental documentation needed to evaluate potential impacts to vegetation and soil surfaces, fire suppression, public safety or financial feasibility.

The analysis in the DEIS is incomplete in its entirety and structural fire suppression is uncertain. Indications are that the physical, cultural and socio-economic environments would be significantly changed which could have major elements of concern regarding fire suppression.

3.10-3B: Cumulative Environmental Impacts Due to Structural Fire Suppression from Alternative B is either negative or unknown.

3.10-4B: Potential Impacts from Structural Fire Suppression from the Irreversible and Irretrievable Commitments of Resources from Alternative B are either negative or unknown. Under Alternative B, there would be impacts due to the irreversible and irretrievable commitment of soil and vegetation during the removal of existing structures and infrastructure, as well as during rehabilitation and new construction of facilities.

3.10-5B: Potential Impacts to Structural Fire Suppression from Short-Term Uses and Long-term Uses from Alternative B are negative and the full impact unknown. Alternative B attempts to use reclassification to change use, having both negative short-term use effects and negative long-term use effects which in each case can be negative to fire suppression. The removal of the infrastructure leaves the resort areas inaccessible for fire protection, removal of concession and tenant improvements obliterates points of protective access, removal of concession and tenant vegetation plantings obliterates areas that have created defensible spaces. Alternative B introduces transient users and assumes “smaller fire trucks.” Removal or loss of all established structure and use is fundamentally negative with regard to fire suppression. An invitation to a mass of day users is potentially devastating and fire dangers severely heightened.

3.10-6B: Unavoidable Adverse Impacts due to Structural Fire Suppression from Alternative B are Negative or Unknown. Alternative B is Avoidable – adverse impacts related to removals, rehabilitation, and new construction under Alternative B have no studies to evaluate the devastating effects that might ensue regarding fire dangers.

Wild Fire

LBVSPT Comments: Impact 3.10-17 to Impact 3.10-22, Alternatives A+, A:

Alternative A+ would continue to abide by the provisions of the agreement with the California Department of Forestry and Fire Protection. This agreement applies to all lands administered by Reclamation and authorizes CDF, on a cost-reimbursable basis, to develop and implement appropriate plans for the suppression of wildland fire occurring within the reservoir take-line. This includes activities to reduce fuel, maintain fire roads and improve wildlife habitat. This agreement is in force until September 2005. Assuming that this agreement would be renewed in September 2005 and again in 2008 under the same criteria and with the same level of service, its provisions would continue to apply to Alternative A+.

Due to the existing resort infrastructures and the improvements in the new contracts with Alternative A+, any wildfire potential would be minimized in the resorts. Upgrades and improvements in the master plan / phasing emphasizes fire suppression. The long-term user / stakeholder takes individual precautions to protect the Lake Berryessa lands, Alternative A+ encourages continued support of the long-term user for a protected environment.

Under Alternative A, Reclamation would continue to abide by the provisions of the agreement with the California Department of Forestry and Fire Protection. This agreement applies to all lands administered by Reclamation and authorizes CDF, on a cost-reimbursable basis, to develop and implement appropriate plans for the suppression of wildland fire occurring within the reservoir take-line. This includes activities to reduce fuel, maintain fire roads and improve wildlife habitat. This agreement is in force until September 2005. Assuming that this agreement would be renewed in September 2005 and again in 2008 under the same criteria and with the same level of service, its provisions would continue to apply to Alternative A.

3.10-17A+: Potential Impacts due to Wildland Fire Suppression of A+ are positive.

3.10-17A: Potential Impacts due to Wildland Fire Suppression of A are insignificant.

3.10-19A+: Cumulative Environmental Impacts from Wildland Fire Suppression from Alternative A+ are Positive.

3.10-19A: Cumulative Environmental Impacts from Wildland Fire Suppression from Alternative A are insignificant.

3.10-20A+: Potential Impacts from the Irreversible and Irretrievable Commitments of Resources due to Wildland Fire Suppression from Alternative A+ are insignificant.

3.10-20A: Potential Impacts from the Irreversible and Irretrievable Commitments of Resources due to Wildland Fire Suppression from Alternative A are insignificant.

3.10-21A+: Potential Impacts from Short-Term and Long-Term Uses from Alternative A+ are positive.

3.10-21A: Potential Impacts from Short-Term and Long-Term Uses from Alternative A are insignificant.

3.10-22A+: No Unavoidable Adverse Impacts Due to Wildland Fire Suppression.

3.10-22A: No Unavoidable Adverse Impacts Due to Wildland Fire Suppression.

Impact 3.10-18: Potential Impacts Due to Wildland Fire Suppression

Assuming that, under Alternative B, a fire suppression agreement is in force that is similar to the one described under the No Action Alternative, there would be no impacts anticipated to resort facilities under the Commercial Operations component. The CDF would respond to fires in the resorts as part of the Napa County Fire Protection Program.

Alternative B minimizes all facilities, staff and improvements in the resorts. In fact, for two years the resorts are shut-down. Subsequently the facilities and supportive personnel are less substantial, therefore the potential for wildland fires increases and the suppression is lessened. Expanded use of the seasonally dry grassy areas surrounding Lake Berryessa with a trail system adds a new element of potential wildland fires in the open space areas which the CDF would be required to respond to.

LBVSPT Comments: Impact 3.10-18 to Impact 3.10-22, Alternative B:

3.10-18B: Potential Impacts due to Wildland Fire Suppression are negative.

3.10-19B: Cumulative Environmental Impacts from Wildland Fire Suppression from Alternative B are negative or unknown. Cumulative impacts of the implementation of Alternative B relate to the removal of the infrastructure of the concessions, resulting in the loss of major supportive factors in wildland fire suppression. Creating a new base of transient users and opening vast trail systems is not a fire suppressive action. Alternative B has no plan, design or data regarding significant changes to the environment and wildland fire suppression.

3.10-20B: Potential Impacts from the Irreversible and Irretrievable Commitments of Resources due to Wildland Fire Suppression from Alternative B are negative. Alternative B ignores the significance of the infrastructure, vegetation plantings and maintenance, and socio-economic value of the concessions that protect the wildlands. Restoring natural landscape – dry grasses, shrubs and oaks, opens the concession lands to potentially increased wildland fires. Developing expansive trail systems outside the resorts in the fire vulnerable vegetation areas creates new major wildfire potential.

3.10-21B: Potential Impacts from Short-Term and Long-Term Uses from Alternative B are negative. Under Alternative B both Short Term Uses and Long-Term Uses are impacted by lack of use, destruction of use and loss of use that impact the wildland fire suppression negatively. Change of use in the long-term adds a layer of greater wildland fire potential. Trail development will increase potential wildland fires, opening vast dry grassy areas (seasonally) to the public at large. An increase in emergency services, and fire services would be expected to increase with the increase in short-term visitors as propagated in Alternative B.

3.10-22B: Alternative B is Avoidable and the Adverse Impacts Due to Wildland Fire Suppression from Alternative B are Avoidable. Alternative B unnecessarily removes a community and infrastructure that have been developed for the health and safety of the public, which have protective values for wildland fire suppression.

Law Enforcement

Impact 3.10-33: Potential Impacts to Law Enforcement – Alternatives A+, A

Alternative A+ would incorporate funding to help support needed law enforcement. If Napa County were the Managing Entity such funding would be more easily directed to pay for the needed services from the county. The master plan and improvements under Alternative A+ would include better user facilities and activities that would curb problems that might otherwise happen, along with increased resort security that would also play a greater role in maintaining a peaceful relations.

Under Alternative A, law enforcement at the reservoir would continue to be managed by the Napa County Sheriff's Office and the California Highway Patrol, since the Bureau of Reclamation has no authority to conduct law enforcement activities on lands it administers.

The California Department of Boating and Waterways has provided funds each year to Napa County for additional officers to increase safety and enforcement coverage on the lake itself, primarily during the summer season. The annual county budget for boat patrol activities during 2000 was over \$256,000. This amount dropped in 2001 to \$213,000, but was increased to \$291,000 for 2002.

Under Alternative A, Reclamation would continue to rely on Napa County to address violations occurring on federal property. However, according to officials in the Napa County Sheriff's Office, without additional deputies assigned to the more heavily used shore areas at Lake Berryessa during the summer months, there is the possibility that the current number of assigned officers would not be able to insure a greater coverage that the Sheriff's Office believes is desirable. Sheriff Office officials have stated that assigning additional law enforcement officers without greater financial support for additional personnel would put an unacceptable burden on their resources.

LBVSPT Comments: Impact 3.10-33 to Impact 3.10-38, Alternative A+, A:

All potential impacts of Alternative A+ are positive. All potential impacts of Alternative A are insignificant. There are no unavoidable adverse impacts due to law enforcement activities

Impact 3.10-34: Potential Impacts to Law Enforcement – Alternative B

Under Alternative B, the long-term tenants, which constitute a moderately large seasonal population, would be removed, and the number of short-term facilities would still be limited for several years. Alternative B closes the safe resort areas and forces the recreational users to access the lake from other points, creating health, safety and law enforcement havoc.

The Concession Operations component proposes a significant increase in short-term camping, which would create a greater daily turn-over of users and a potential rise in the number of incidents that may require the attention or assistance of law enforcement officers.

Use of a new trail system or areas proposed for reclassification under WROS, and the potential impacts they may pose to county law enforcement coverage, would remain undefined until a clearer view of use levels became available

LBVSPT Comments: Impact 3.10-34 to Impact 3.10-38, Alternative B:

3.10-34B: Potential Impacts to Law Enforcement are very negative. Alternative B, removes the greatest source of security – the long term user, inappropriately uses WROS for reclassifications and introduces uses that will

require greater law enforcement capabilities. Law enforcement issues are primarily related to short-term users. Most fires at the lake have been caused by short-term users. An increase in law enforcement, emergency services, and fire services would be expected to increase with the increase in short-term visitors. Therefore, the statement from the DEIS, Page 230, “...there would possibly be a decrease in law enforcement incidents associated with the resorts. That is predicted because the long-term trailer occupants, which constitute a moderately large seasonal population, would be removed...” should be eliminated as unsubstantiated.

3.10-35B: Cumulative Environmental Impacts Associated with Law Enforcement Activities from Alternative B are negative. All indications are that there will be an increased need for Law Enforcement under Alternative B. First, removal of a stable and loyal stakeholder. Second, with closed resorts the recreational users will access the lake from multiple user created points with no controls or monitoring. Third, short term / day use increases will increase the need for more law enforcement. Fourth, the trail system broadens the scope of where law enforcement is needed, diminishing effectiveness.

3.10-36B: Potential Impacts to Law Enforcement from the Irreversible and Irrecoverable Commitments of Resources from Alternative B are negative. Alternative B virtually destroy communities of sanctity and security and replace them with a regressive functionality that will require increased law enforcement.

3.10-37B: Potential Impacts to Law Enforcement from Short term Uses and Long-term Uses from Alternative B are negative. Alternative B in the short term removes the stable resort environment and long term stakeholders and shuts the door on needed facilities, creating an unstable environment, along with unauthorized and unprotected recreational uses, which will require increased law enforcement. In the long term the users will be more transient and potential law related problems would increase.

Law enforcement issues are primarily related to short-term users. An increase in law enforcement, emergency services, and fire services would be expected to increase with the increase in short-term visitors as propagated in Alternative B.

3.10-38B: Adverse Impacts Due to Law Enforcement Activities from Alternative B are Avoidable and Unnecessary. Alternative B removes forty plus years of development and a stable environment, and creates expanded areas of potential law related problems with a greater need for law enforcement

Health and Safety

Impact 3.10-49: Potential Impacts to Health and Safety – Alternative A+, A

Alternative A+ employs the developments that have occurred under Alternative A, improves the facilities and uses to accommodate the current and future needs of recreational users, while emphasizing improved health and safety issues in a master plan. Alternative A+ incorporates funding to help support needed law enforcement and other county expenses incurred due to activities at Lake Berryessa.

Alternative A is the current contract which was initially signed in 1958 due to the need for the protection of the health and safety at Lake Berryessa.

1958 Concession Contract

“WHEREAS, United States and the County have not provided facilities and services for the public visiting the area and desire the Concessioner to establish and operate the same at reasonable rates...

“WHEREAS, the establishment and maintenance of such facilities and services involve a substantial investment of capital and the assumption of the risk of operating loss, and it is therefore proper that the Concessioner be given assurance of security of said investment and a reasonable opportunity to make a fair profit...

The development and principles behind Alternative A is clarified in a court document in 1978.

1978 Memorandum Opinion, Finding of Fact and Conclusions of Law – signed Honorable Robert H Schnacke, United States District Judge

“The Solano Project, authorized by the United States of America as a Bureau of Reclamation project in 1948, was designed to provide flood control and to supply water to portions of Solano County...

The Monticello Dam was completed in 1957, but the lake started to form behind the partially constructed dam during the winter of 1955-1956. The United States originally believed that the lake would not become a major recreational area and during the reservoir construction phase no provision was made for the development of any recreational facilities.

During the first two years the lake was forming, the water and land areas began to receive heavy public use, despite limited access from old existing roads and despite the lack of sanitary facilities and garbage disposal facilities. The new lake became a serious health problem to both the United States and Napa County, and the Napa County Board of Supervisors was advised by both California state and County Boards of Health that the lake would have to be closed to the public.

As the United States had provided no funds for public use facilities at the lake, a plan was formulated for private concessioners to provide public use facilities with their own private funds at no cost to Napa County or to the United States.

In the spring of 1958, Napa County offered to assume responsibility for the management of recreation at the lake and to implement the plan by having private concessioners provide the necessary public use facilities at the expense of the concessioners. On or about July 31, 1958, the United States and the County of Napa entered into a written agreement (hereafter the 1958 MANAGEMENT AGREEMENT). The 1958 MANAGEMENT AGREEMENT established certain “principles” for development and administration of Lake Berryessa and authorized all activities at Lake Berryessa and to enter into binding agreements with private concessioners for the purpose of providing recreational and other public use facilities at the lake, without cost to the United States or to the County of Napa...

...Plaintiff constructed, at its own cost and expense, facilities for public use including but not limited to buildings, stores, access roads, vehicle parking areas, boat launching ramps and docks, mobile home pads, swimming beaches, picnic areas and camp sites. All of said improvements conformed to the Public Use Plan and had prior approval of Defendants and all County, State and Federal agencies having jurisdiction over said matter. To date, the cost of said improvements is in excess of \$1,400,000, and the present value of them is substantially more...”

1975 Reclamation took over management of Lake Berryessa. Reclamation does not have authority to conduct law enforcement and other official activities on lands it administers, and relies on Napa County Sheriff’s Office and the California Highway Patrol, and the California Department of Forestry.

A review of the Napa County Sheriffs’ dispatch logs indicate that for the period January 1, 2002 through December 31, 2002 sheriff’s deputies provided safety related assistance on 192 occasions to residents and visitors in the Lake Berryessa area. The majority of these calls occurred during the peak visitor season, from June through September.

During 2002, the California Department of Forestry (CDF), another source of emergency assistance, responded to 359 calls from areas adjacent to the reservoir and from within the reservoir boundary. These calls included providing medical aid for a variety of causes, including traffic-related injuries. The majority of requests for assistance occur during the months of May through September.

LBVSPT Comments: Impact 3.10-49 to Impact 3.10-54, Alternative A+, A:

All potential impacts are positive or insignificant. There are no unavoidable adverse impacts.

Impact 3.10-50: Potential Impacts to Health and Safety – Alternative B

Alternative B eliminates and/or limits use of the resorts for several years, forcing the recreational user to revert to conditions similar to 1958 when the public used the undeveloped areas of the lake. “Despite limited access from old existing roads and despite the lack of sanitary facilities and garbage disposal facilities. The new lake became a serious health problem to both the United States and Napa County...” - 1978 Memorandum.

LBVSPT Comments: Impact 3.10-50 to Impact 3.10-54, Alternative B:

3.10-50B: Potential Impacts to Health and Safety are negative. Demands on county and state emergency service providers would likely increase at the lake, on the trails and the surrounding areas. All recreational users, but especially family users, would have increased health and safety problems with less safe and secure facilities.

3.10-51B: Cumulative Environmental Impacts to Health and Safety from Alternative B are negative. Alternative B attempts to wipe out 40 plus years of use and development at Lake Berryessa, effecting the physical, socio-economic and cultural, environments negatively, while having adverse impacts to the health and safety of every user and those in the local community.

3.10-52B: Potential Impacts to Health and Safety from the Irreversible and Irretrievable Commitments of Resources from Alternative B are negative. Alternative B destroys the communities and environments that were developed over 40 years for the express purpose of providing public recreational use in a healthy and safe environment. The American dream, family use and devoted recreational use are bulldozed under in Alternative B and traded for limited, exclusive use of transient users, heightening all health and safety concerns.

3.10-53B: Potential Impacts to Health and Safety from Short term Uses and Long-term Uses from Alternative B are negative. Alternative B’s action to remove the resorts increases the health and safety risks of all recreational users who will use public lands in an unauthorized manner to gain access and recreational use at Lake Berryessa. Reclamation has no plan, but indications are that the facilities will not meet the needs of the users in the long term and health and safety issues will continue to plague Lake Berryessa due to the lack of facilities.

3.10-54B: Adverse Impacts to Health and Safety from Alternative B are Avoidable and Unnecessary. Alternative B acts against all principles and the intent for Public Use set forth in the concession contracts 1958, the Public Use Plan 1959 and RAMP/ROD 1992/1993, ignoring current and future demand, desires and use in a healthy and safe environment.

3.11 Hazardous Materials and Soil Contamination

Summary of Impacts per Alternative:

- 3.11 Alternative A+: Positive impacts**
3.11 Alternative A: No significant impacts
3.11 Alternative B: Significant adverse impacts

3.11.1 Affected Environment/Existing Setting

A household hazardous waste recycling facility located on the Knoxville Road between Lake Berryessa and Rancho Monticello Resorts was opened for public use in the fall of 2002. The facility was developed cooperatively by Reclamation, the Departments of Environmental Management for both Napa and Solano Counties, California Environmental Protection Agency- Integrated Waste Management Board, and Solano County Water Agency. The facility is certified by the state to receive batteries, oil, filters, and latex paint.

EPA Award for Lake Berryessa

The Lake Berryessa Area Recyclable Hazardous Waste Collection Site received a “2002 Champions of Green Government” award from the U.S. Environmental Protection Agency (EPA).

The facility is a Household Hazardous Waste (HHW) collection site funded by a grant from the California Integrated Waste Management Board. It was built by the Napa County Department of Environmental Management on land donated by Reclamation, and it is managed by staff from the Central California Area Office’s Lake Berryessa Field Office. The Solano County Water Agency and the Solano County Department of Environmental Management also sponsor the site.

The facility accepts items such as latex paint, used motor oil and filters, vehicle and household batteries, and automotive antifreeze.

It opened in October 2002 and has since collected and safely recycled 200 automotive batteries, 500 gallons of used oil, 200 gallons of latex paint, a 5-gallon bucket of household batteries, and 55-gallon drum of oil filters.

Berryessa staff are working to educate the local community about the facility. One success story is about a concessionaire at the lake who was improperly storing a large amount of recyclable wastes. After the facility opened, Reclamation staff talked to the owner about the new facility. All the recyclable waste at that property has since been removed and recycled.

Steve Rodgers, Park Manager of the Lake Berryessa Field Office, accepted the award plaque received from the EPA, Region 9 (San Francisco). The award nomination was submitted by Michelle Prowse, an Environmental Specialist in the Division of Environmental Affairs, Regional Office.

The facility is located at 6450 Berryessa Knoxville Road, about 3 miles north of Reclamation’s Lake Berryessa Field Office and between Lake Berryessa Marina and Rancho Monticello Resort. Its hours of operation are Thursday through Saturday from 7:30 a.m. to 3:30 p.m.

There are two known hazardous materials and soil contamination sites located in the project area. Both of these sites are former underground fuel storage tanks, the first located in Steele Park Resort and the second located at Putah Creek Resort. Both sites have tested positive for the presence of gasoline and MTBE. Both sites are currently undergoing HAZMAT abatement or bio-remediation procedures to oxidize the fuel residue in the

surrounding soil. There is presently no firm estimate as to the amount of time that will be required to return the affected soil to its pre contamination condition.

The Environmental Condition Assessment Report prepared by Kleinfelder, Inc. found no additional underground storage tanks or evidence of the presence of PCBs within the project area.

Reclamation Website / Environmental Concerns

Environmental Concerns at Lake Berryessa

Until August 2001, the Lake Berryessa website consisted of two sections: Pollution Issues and the Visitor Services Plan (VSP). Although the original purpose of the website was to provide information solely on the VSP, so many pollution problems had been discovered at the lake it was necessary to provide the public with information specific to those issues.

Violations of State and County wastewater regulations had been found at Pleasure Cove, Spanish Flat, Lake Berryessa Marina, Rancho Monticello, Putah Creek, and Markley Cove Resorts, and the California Regional Water Quality Control Board issued Notices of Violation. To correct the contamination, a number of remedies were developed which included the closure of dry sites and the cleanup of sewer ponds.

Reclamation is pleased to announce that due to the compliance and diligence of the concessionaires and the affected permittees, the cleanup has proceeded to such a degree that there is no longer a need for a separate information site on these issues. Reclamation thanks those involved for their understanding and conscientious efforts to help clean up Lake Berryessa.

3.11.2 Environmental Consequences and Mitigation.

Impact 3.11-1: Potential Impacts Due to Hazardous Material and Soil Contamination – Alternatives A+, A

Alternative A+ would work under the guidelines of the California Environmental Protection Agency to meet and comply with standards and requirements regarding hazardous material and soil contamination. Contemporary products and facilities that are environmentally compatible would be considered in all new development and where possible for improvements to existing facilities. A major Alternative A+ goal is to protect the resources at Lake Berryessa for generations to come.

Alternative A is in the process of mitigating the contaminated soil due to former buried fuel tanks at Steele Park and Putah Creek Resorts. All the resorts are guided by the California Environmental Protection Agency standards and guidelines.

LBVSPT Comments: Impact 3.11-1 to Impact 3.11-8, Alternative A+, A:

All potential impacts are non-existent or insignificant. There are no unavoidable adverse impacts.

Impact 3.11-2: Potential Impacts Due to Hazardous Material and Soil Contamination – Alternative B

Alternative B removes all long term trailer sites and many resort facilities. During and throughout the “removal” process the environment, at and around the lake, would be subject to hazardous materials and soil contamination problems. Tenant removals would entail disconnects and removals related to all utilities and sewage. With the forced burden placed on the tenant those removals could very well occur with environmentally unsafe conditions for the tenants, the resorts and the surrounding areas. The county would be heavily burdened with the removal of all of the units traveling on the county roads, a process that could take three years, with congestion, road wear, road safety problems and hazardous materials transportation. The concession areas would be left with certain hazardous material and areas of soil contamination from the removals.

LBVSPT Comments: Impact 3.11-2 to Impact 3.11-8, Alternative B:

3.11-2B: Potential Impacts Due to Hazardous Material and Soil Contamination are adverse and negative.

3.11-5B: Cumulative Environmental Impacts Due to Hazardous Material and/or Soil Contamination are adverse or unknown. The environmental impacts due to hazardous material and/or soil contamination due to the actions related to Alternative B – removal of the resorts /tenants and new construction - for which there is no plan, could have significantly adverse impacts on the water, utilities and sewage systems. Adverse impacts regarding hazardous material and soil contamination are potentially very significant.

3.11-6B: Potential Impacts from Hazardous Material and/or Soil Contamination due to the Irreversible and Irrecoverable Commitments of Resources are adverse. Alternative B's removal plan creates an environment of unstable and hazardous conditions.

3.11-7B: Potential Impacts from Hazardous Material and/or Soil Contamination due to Short-term Uses and Long-term Uses are adverse or unknown. Alternative B's demolition proposal creates an environment with possibilities of hazardous materials introduction into the environment and possible soil contaminations due to conditions and procedures of removals. In the long term, the minimal facilities provided coupled with the transient users could create significant environmental problems.

3.11-8B: Adverse Impacts due to Hazardous Materials and/or Soil Contamination are Avoidable and Unnecessary. Alternative B unnecessarily exposes the concessions to problems involving hazardous materials and soil contamination with the demolition of resort and long term units.

Appendix A: Stakeholder Contacts

Solano Irrigation District *Letters 1/21/03*

Solano County Water Agency *Letter 1/21/03*

The Lake Berryessa News, *email 1/21/03*

Blue Ridge-Berryessa Natural Area Conservation Partnership *email & letter 2/4/03*
c/o The Land Trust of Napa County

Napa Valley Chamber of Commerce, *email & letter 2/4/03*

Lake Berryessa Chamber of Commerce *letter 2/4/03*

- Lake Berryessa Marina Resort *letter 2/4/03, poster and flyers 2/7/03*
- Markley Cove Resort *letter 2/4/03, poster and flyers, 2/7/03*
- Putah Creek Park *Presentation, 2/1/03, Poster 2/7/03*
- Pleasure Cove Resort *letter 2/4/03, poster and flyers, 2/7/03*
- Rancho Monticello Resort *email 2/4/03, poster and flyers, 2/7/03*
- Spanish Flat Resort *letter 2/4/03*
- Steele Park Resort *letter 12/21/02, posters 2/7/03*

California State Park System *letter 2/4/03*

California Coastal Conservancy, *letter 2/4/03*

California Office of Tourism *letter 2/4/03*

Department of Fish & Game – Region 3, Napa CA *letter 2/4/03*

City of Napa, Mayor Ed Henderson, *email & letter 2/4/03*

Napa Police Dept., Chief Dan Monez, *email & letter 2/6/03*

California Inland Fisheries Foundation, Inc., *letter 2/4/03*

California Waterfowl Association, *letter 2/4/03*

Napa County Resource Conservation District, *email & letter 2/4/03*

County of Napa, *letter 2/4/03*

Board of Supervisors	<i>email to all Supervisors 2/4/03</i>
Brad Wagenknecht District 1	
Mark Luce District 2	
Diane Dillon District 3	<i>Personal meeting - August</i>
Bill Dodd District 4	
Mike Rippey District 5	

County Assessor, John Tuteur, *personal conversation, 2/7/03, flyer*

Conservation, Development & Planning, Amy Garden *email 2/4/03*

Director of Transportation Planning Agency: Mike Zdon *letter 2/6/03*

Napa County Transportation Planning Agency, jponte@co.napa.ca.us *email 2/6/03*

California Dept. of Forestry & Napa County Fire Department, Byron Carniglia *email & Letter 2/6/03*

Napa County Farm Bureau, *email & letter 2/4/03*

Solano County, *letter 2/4/03 & emails to all below*

Barbara Kondylis & Field Representative for Barbara Kondylis - Carmen Ward

John F. Silva & Board Aide for John F. Silva - Jim Greco

Duane Kromm & Administrative Assistant for Duane Kromm- Deborah Bayley

John Vasquez

Administrative Assistant for Skip Thomson - Kathy Marianno

Solano County Farmlands and Open Space Foundation *letter 2/4/03 & emails to all below*

Solano Land Trust, Interim Executive Director, **Larry Coons**, Admin Assistant, **Karen Gotherman-Hellar**, Land Steward, **Ken Poerner**, Conservation Planner, **Julian Meisler**

Cache Creek Conservancy, *email 2/4/03*

Quail Ridge Wilderness Conservancy *email 2/4/03*

Davis Aquatic Masters & Pacific Masters Swimming, Inc. *email & letter 2/4/03*

Ecology Action, Santa Cruz, Napa/Sonoma Marina Program *email all members 2/4/03*

U.S. Fish and Wildlife Service, 2800 Cottage Way , Sacramento CA 95825 *email & letter 2/5/03*

Napa County Sheriff's Department, Gary Simpson, *letter & email 2/6/03, follow-up call June, personal meeting Aug.*

Solano County Transportation Department, *letter 2/6/03*

CALTRANS District 4, Oakland, CA *letter 2/6/03*

Community Contacts, Posters and Brochures – February

- Spanish Flat Store
- Moskowitz Corners
- Spanish Flat Inn and Restaurant
- Turtle Rock Store
- Public Launch Ramp
- Smittle Creek Day Use area
- Berryessa Senior Center
- CDF Fire Station
- Supervisor Diane Dillon residents' meeting, Spanish Flat Inn, 2/13/03
- BRBNA-CP meeting, 2/14/03, Rancho Monticello
- Bartel's Realtors
- Coldwell Banker – Brokers of the Valley
- California Parks Corporation

Public Meetings with Presentations

- Putah Creek Resort, May, 2003
- Rancho Monticello Resort, May, 2003
- Spanish Flat Resort, May, 2003
- Steele Park Resort, May, 2003
- Blue Ridge Berryessa Natural Area Conservation Partnership, September, 2003

Appendix B : Sample Master Planning Outline

1. Coordinated General Plan for Lake Berryessa
 - County - Lands, Land Recreation, Parks/Natural Areas
 - County - Water Resource, Water Recreation
 - State - Lands, Land Recreation, Parks/Natural Areas
 - State - Water Resource, Water Recreation
 - Federal - Lands, Land Recreation, Parks/Natural Areas
 - Federal - Water Resource, Water Recreation

2. Master Plan Developed Areas
 - a. Create Zones which separate incompatible uses, where practical. Many Zones can overlap. i.e. Group and Single Family Day Use.
 - Day Use Zone single family occupancy.
 - Day Use Zone group occupancy
 - Camping Zone
 - Group Camping Zone
 - RV Zone
 - Overnight Accommodation Zone (motels, hotels, cabins, modular rentals)
 - Recreational Modular Housing Zone (Long Term Rentals with Overnight Sub rentals)
 - Recreational Modular Housing Zone (Long Term Rentals without Overnight Sub rentals)
 - Dry Storage Zone
 - Moorage Zone
 - Marina Zone
 - Food Service Zone
 - Retail Sale Zone
 - Single Family Housing Zone
 - Multifamily Housing Zone
 - Commercial Services Zone
 - Indian Gaming
 - Visitor Center
 - Meeting facilities
 - Spa Facilities
 - b. Identify current uses which are nonconforming.
 - c. Establish guidelines for phasing non conforming uses to conforming Zones. (Relocations)
 - d. Establish empirical criteria to trigger phases.
 - e. Develop a Motif for each Area
 - f. Establish a timetable for remodel, replacement or construction to bring concession buildings into compliance with chosen Motif.

3. Master Plan for undeveloped Areas
 - Public Information Maps / Displays
 - Public Access Marked / Guiding Manner

- Lake Access Trails Marked and Established
 - Shoreline Picnic Areas
 - Shoreline Garbage / Sanitation Facilities
 - Shoreline Camp Sites
 - Boat-In Access Identified / Developed
 - Vista Points Developed
 - Roadside Turnouts / Vista Points - Unblocked
 - Roadside Turnouts / Improve and Develop
 - Hiking Trails
 - Bicycle Trails
 - Wildlife Zones [seasonal] / No Use Zones
4. Create a Lake Berryessa Planning Commission with authority for Federal and County Lands at Lake Berryessa. i.e. Lake Berryessa Park Commission.
 - All Stakeholders should have proportional representation. Some elected and some appointed.
 - Should include members from surrounding areas i.e. Napa County, Bay Area, Sacramento Area
 - Annual written review and/or meeting mandatory of all affected parties, resorts, management entity, Reclamation, fire, law enforcement, emergency serviced
 5. Create Sanitation and Water Districts to provide services to both County and Federal Land
 6. Improve State and County Roads. Highway 128, Knoxville Road, Monticello Road and Wooden Valley Road.
 - Create Passing Lanes
 - Realignment to provide straighter roads
 - Longer turnouts.
 - Better signage
 7. Enact County Ordinances to ensure compliance and enforcement.
 8. Miscellaneous Planning Notes
 - Free: Replace with subsidized
 - Launch ramps: All developed facilities should have a launch ramp, facilities without launch ramps get little or no usage i.e. Oak Shores, Smittle Creek
 9. Vegetation
 - Use for screening unsightly uses from the lake i.e. RVs, Tents, Modular units etc
 - Use for providing privacy between campsites, RV sites, picnic sites, modular units etc
 - Use to provide a sense of "this is my space". Good for all types of uses.
 - Use for noise control. Keep noise levels of group sites from affecting family sites nearby
 - Use for noise control. Keep noise from short term from affecting long term
 - Use for noise control. Keep noise from long term from affecting short term
 - Use drought resistant plants, trees and ground cover where possible.
 - Use fire resistant plants, trees and ground cover where possible.
 - Use native plants, trees and ground cover where possible.
 - Use flood tolerant plants, trees and ground cover in the base flood plane.
 - Use flood tolerant plants, trees and ground cover in areas below 440' for erosion control.

- Use flood tolerant plants, trees and ground cover in areas below 440' for fish habitat.

10. Siding

- Siding should be fire resistant or fire proof.
- Siding should have a matte finish to minimize visual impacts.
- Colors should be compatible with other structures and vegetation in the immediate area.
- Colors should be varied. Adjacent units should have different colors. This avoids the institutional look. Creates character.

11. Roofing

- Should be fire resistant or fire proof.
- Should have a matte finish to minimize visual impacts.
- Colors should be compatible with other structures and vegetation in the immediate area.
- Colors should be varied. Adjacent units should have different colors. This avoids the institutional look. Creates character.
- Roofs should be integrated with deck and patio coverings to give the appearance of an integrated structure. Such as a single wide unit having a single slope at the same angle as the awning. Use similar or identical materials.

12. Setup

- Units should be as low to the grade as possible. Sunken perimeter foundations could lessen the "trailer" look and give modular units the appearance of cabins or other built in place structures.
- Skirting should be used to lessen the "trailer" look.
- Units should not be placed parallel to the shore where possible to minimize visual impact from the lake.
- Units and their decks and patios should encourage "out door living" and neighborhood.

13. Boat Storage

- Boat and boat trailer storage should be in centralized convenient locations not at the long term sites.

14. Parking

- Spaces should have adequate parking on site.
- Additional small off road parking spaces should be provided for visitors and overflow.
- Long term users should not fill up the day use parking areas next to launch ramps and picnic areas. They should use the centralized parking provided.
- Parking adjacent to stores, restaurants, retail etc. should be of short duration. 1 - 2 hours.

15. Lake access

- Paths, stairways and ramps to the shoreline should be between sites so as not to impede or restrict access to the shore.
- Sites should not extend to the waters edge. Waterfront sites should be well defined and not impede or restrict shoreline access, except where it is unsafe, such as very steep terrain.
- Reservations
- Allow reservations for all short term facilities.

16. Reservations

- Allow reservations for all short term facilities.

17. Camp Sites

- Provide tables.
- Provide barbeque or fire ring.
- Provide level tent pad. i.e. crushed granite or pea gravel area.
- Tent pad a safe distance from the fire ring, barbeque or table.

- Each site should have well defined boundaries.
- Boundaries may be vegetation, boulders, logs or natural formations.
- Boundaries on sites designed for both families and groups should be low or have gaps to provide for group use.
- Where possible campsites should be arranged for use by single families or by groups. i.e. have a "common area", with provisions for a large portable barbeque and large portable tables brought in for groups, abutting 3-6 sites.
- Some sites for single family only. Should have more private boundaries. i.e. bushes which block sight and sound.
- Sites should have delineated parking spaces.
- Some spaces should be "Doubles" suitable for up to 12 persons in one site with two parking spaces.
- Parking for boats on trailers should be provided. May be in a centralized area away from sites or in small lots nearby.
- Where possible sites should have lake views.
- Paths, trails, stairs etc. should be provided for lake access.
- Lake access should be between sites not through sites.
- Area may have a courtesy dock to promote water sports and fishing.
- Sites should not extend to the waters edge. Shoreline use should be promoted except where it is unsafe.
- Water should be within 200 feet of any campsite.
- Water spigots should be self closing with no hose treads.
- Restrooms with showers should be within 400 feet of any site.
- Restrooms must have handicap facilities.
- Dump station should be available.
- Some sites should be designed for year-round use. Well drained, no exposed dirt etc.
- Handicap sites must be provided. i.e. wheel chair suitable tables, barbeques and flat hard surface pathways, extra wide parking spaces etc.
- Sites may be designed for both tent and RV use. May have partial or full hookup.

18. RV Sites

- May provide tables
- May provide fire ring.
- Sites should have partial or full hookup.
- Water on site provided only when sewer is also provided.
- Off sites water spigots should be self closing with no hose threads.
- RV parking should be easy.
- Provide level RV pad. i.e. crushed granite or pea gravel area.
- Each site should have well defined boundaries.
- Boundaries may be vegetation, boulders, logs or natural formations.
- Boundaries on sites designed for both families and groups should be low or have gaps to provide for group use.
- Where possible RV sites should be arranged for use by single families or by groups. i.e. have a "common area", with provisions for a large portable barbeque and large portable tables brought in for groups, abutting 3-6 sites.
- Some sites for single family only. Should have more private boundaries. i.e. bushes which block sight and sound.
- Sites should have delineated parking spaces.
- Some spaces may be "Doubles" suitable for up to 12 persons in one site with two parking spaces (1 RV and 1 non-RV). Should have tent pad.
- Parking for boats on trailers should be provided. May be in a centralized area away from sites or in small lots nearby.
- Where possible sites should have lake views.

- Paths, trails, stairs etc. should be provided for lake access.
- Lake access should be between sites not through sites.
- Area may have a courtesy dock to promote water sports and fishing.
- Sites should not extend to the waters edge. Shoreline use should be promoted except where it is unsafe.
- Water should be within 200 feet of any campsite.
- Restrooms with showers should be within 400 feet of any site.
- Restrooms must have handicap facilities.
- Dump station should be available.
- Some sites should be designed for year-round use. Well drained, no exposed dirt etc.
- Handicap sites must be provided. i.e. wheel chair suitable tables, barbeques and flat hard surface pathways, extra wide parking spaces etc.

19. Group Camping

- Favorite of many cultures. i.e. Chicano, Greek, etc.
- Allowing only one group area is discriminatory.
- Where possible campsites should be arranged for use by single families or by groups. i.e. have a "common area", with provisions for a large portable barbeque and large portable tables brought in for groups, abutting 3-6 sites.
- Design picnic areas so that they may double as Group areas.
- Handicap sites must be provided. i.e. wheel chair suitable tables, barbeques and flat hard surface pathways, extra wide parking spaces etc.
- Area may have a courtesy dock to promote water sports and fishing.
- Parking for boats on trailers may be provided. May be in a centralized area away from sites or in small lots nearby.
- Have restrooms within 400 feet.
- Restrooms must have handicap facilities.

20. Business Center

- Have internet connection, copy machine, printer, fax etc available for guests to keep connected with their work. Will promote longer stays and family togetherness.

21. Picnic Areas

- Design picnic areas so that they may double as Group areas.
- Provide a large barbeque for group activities. May be portable.
- Provide barbeque with each table or grouped tables.
- Provide tables.
- Some tables should be grouped together for small groups.
- Tables should be on "pads" or other high traffic ground cover. i.e. crushed granite or pea gravel. This protects ground cover from spills etc.
- Provide lawns or other high traffic ground cover.
- Have potable water within 200 feet of any site.
- Water spigots should be self closing with no hose treads.
- Have
- Restrooms must have handicap facilities.
- Picnic areas should have lake views where possible.
- Picnic areas should have lake access where possible.
- Area may have a courtesy dock to promote water sports and fishing.
- Handicap sites must be provided. i.e. wheel chair suitable tables, barbeques and flat hard surface pathways, extra wide parking spaces etc.

Appendix C: Original Concession Plans, Permits, and Approvals

Lake Berryessa General Development And Planning Program

The future of the privately finance, County-managed facilities located on Federally -owned lands at Lake Berryessa has been subject of considerable discussion and debate during the past year. A number of both Federal and State legislators and agencies have expressed their opinions and concern about future conditions at the Lake, and some have speculated on what may or may not happen in regards to land use, public facilities and management responsibilities. Through this entire period of multi-agency/multi-legislative levels of deliberation, one fact has remained constant. That fact is that Napa County is now, and will be in at least the immediate future, the agency responsible for the management and development of facilities and services at Lake Berryessa.

While the County has responded to most of the statements, proposals, press releases, and plans made concerning Lake Berryessa, little or no attention has been given to Napa County's Development and Planning Program for Lake Berryessa. The purpose of this statement is to present, in summary form, a chronological description of the County's Development and Planning Program for Lake Berryessa.

The program is also being presented at this time to emphasize the policy decisions made by the Board of Supervisors during the years that Napa County has had the management responsibilities for the Lake. In essence, the statement provides an up-to-date picture of the County's Development Program that emphasizes the following policy concepts:

- 1) The County will take a strong hand in all the planning and development that takes place at the Lake Berryessa. Napa County recognizes the regional importance and use of Lake Berryessa, but also knows that the activities at the Lake take place inside the boundaries of Napa County.
- 2) The County will provide the leadership needed to make certain that all aspects and all levels of planning and development at Lake Berryessa and for the surrounding area are coordinated to insure that the highest possible levels of service, aesthetic and environmental quality are maintained.
- 3) Needed facilities and services at the Lake shall be provided at little, or no cost to the taxpayers at the County, State and Federal level.

General Background

Napa County's initial role in the planning and development of facilities at Lake Berryessa has been primarily that of a catalyst. Starting in 1958 with 165 miles of unimproved shoreline, no funds, and an immediate need for user facilities, the County, with the approval of the Federal Bureau of Reclamation, established a concessionaire (private financing) program to provide the needed facilities.

The original planning for the development of the mobilehome park areas was under the direction and supervision of the State of California. In 1966, Napa County, as part of the management responsibility requested and was given the authority to regulate the mobilehome park developments. At the heart of the County's overall program is the desire of the County to establish and maintain a balanced program of facilities and financing. Facilities are provided through private financing and repaid through user fees. Revenues obtained from the mobilehome facilities provided in each concessionaire area offset the capital cost required to provide day use facilities. User fees paid for these facilities cover the cost of maintenance and policing.

The County, using the balanced facilities and financing program concept, provided facilities that last year accommodated a total of more than 1.8 million user days. While some may argue the concept of private financing as the means for providing users facilities, few can argue with the fact that the facilities to accommodate 1.8 million user days at the Lake were provided at no cost to the general taxpayer at the local and State level.

Stage Two: 1969- 71

At the present time, Napa County is completing the second stage of its overall development and planning program. The following items were included as the Stage Two Program.

A. Inventory and Improvement Program for the Wragg Canyon Concession Area

The Wragg Canyon Concession Area was the first area selected by the County for upgrading. County Building and Health Inspectors went through the entire concession area listing all violations and existing ordinances or code provisions. Base on the results of that inventory and other studies, the operators of the concession area were required to make major improvements.

B. Re-evaluation and Redesign of the Development Plans for the Steele Park Concession Area.

At the County's request, the operators of the Steele Park Concession area undertook a complete re-evaluation of their original development plans. As a result of the concessionaire's re-evaluation, a new development concept based on improved architectural and design standards was developed and applied in the area.

C. Elimination of Private Dock Facilities.

In order to improve public access to the Lake shore, the County instituted a program to eliminate the use of private dock facilities around the Lake. The program initiated at the Berryessa Marina Concession Area will be applied on a Lake-wide basis.

D. Inventory and Evaluation of All Concession Area Sanitation Plants and Facilities.

In order to make certain that all existing sewage treatment facilities in the concession areas were functioning properly and not contributing in any way to the pollution of the Lake, the County employed a special consultant to examine each facility. Dr. William Oswald, the consultant hired by the County, in making his final report said he found no evidence that the concession area facilities were contributing to the pollution of the Lake. He further reported that the Lake itself was basically free from pollution.

E. Re-evaluation of Management Program.

1. Preparation and Negotiation for a New Management Agreement between the County and the Federal Government.

In serving as the management agency for the operations of the Lake, the County recognized several years ago the need for changes in the original contract agreement between the County, the Federal Government, and the concessionaires. One provision, in particular, providing for the cancellation of the agreements following a 90-day notice by either party is working a hardship on the concessionaires in obtaining long-term financing needed to construct various facilities. A new contract form has been prepared and negotiations between the County and the Federal Government are underway.

2. Expanded Staff Capabilities.

In order to make certain that planning and development around the Lake was compatible with what was being developed at the Lake, the county initiated a \$41,000 program to prepare a general plan for the Lake Berryessa Area. The plan was completed and published in August, 1971. The Lake Berryessa Area Plan will be incorporated into the new County General Plan scheduled for completion by July 1, 1972.

In order to provide better access to Lake Berryessa and thereby increase its usability, the County requested the State Division of Highways to conduct route feasibility studies for a new limited access highway in a corridor west of the Lake. The new highway would connect to Interstate Route 80 on the

south, and the Clear Lake Area on the north. The County's request is now being programmed by the Division of Highways.

Stage Three: 1971 – 1973

Work on the County's Stage Three Program, just getting underway, will be completed by the end of 1973. The Stage Three, or current planning and development program, includes the following projects:

Inventory and Improvement Programs for each concession Area on Standards Contained in the California Recreation Mobilehome Park Code.

The County, with the assistance of the California Department of Housing and Community Development, on December 17, 1971, initiated a comprehensive survey of all concession areas to determine compliance in each area with the provisions of the California Recreation Mobilehome Park Code, State Inspectors, working with County Building and Health Inspectors will make a comprehensive survey of each concession area and prepare a complete list of any and all violations. Citations for violations will be written by the County. Each concession area owner will be responsible for seeing that all violations in his area are corrected.

A. Individual Concession Area Plans Re-evaluation.

At the county's request, each concession area owner has prepared up-to-date plan maps for his area. All existing and proposed facilities and uses will be shown on these plans. The County is currently redrafting all of these plans at the scale of 1" equals 400', using a standard land use coding legend. The end result of this program is to provide the County with a complete up-to-date picture of the facilities provided at each concession area and what each concessionaire is planning for the future.

B. Preparation of Overall Plan of Lake Berryessa.

At the present time, the County is preparing a set of up-to-date public use facility standards. These standards, when completed, will be used to identify any deficiencies in the public use facilities being provided at the Lake. Once the overall needs of the Lake have been determined, each concession area will be reviewed in regard to the quantity and quality of public use facilities being provided and the area's capacity and capability to provide additional facilities. In some cases, the concession owners will be requested to provide additional facilities. In other cases, joint financing, or outside financing will be arranged to make certain that overall adequate public use facilities will be available at the Lake.

Additional studies will be made of Lake frontage areas outside the concession areas that would be suitable for various public use facilities. Facility needs that cannot be met within the concession areas will be allocated to other areas around the Lake. Additional planning and feasibility studies will be made to identify the potential cost of the non-concession area facilities and how they can be financed.

C. Expanded Management Program.

Increased emphasis is being placed on the enforcement of all applicable County ordinances and State Codes through an accelerated and continuing inspection program. One additional full-time building inspector has been added to the County's staff in order to insure sufficient manpower is available to maintain the County's Inspection capability in the Lake Berryessa Area.

The prospect for the reorganization of the Lake Berryessa Park Commission is also being studied by the County. The need for a County-wide park and recreation program of which Lake Berryessa would be part of has been a matter of consideration by the County for some time. Exactly how such a transition

would be accomplished has not yet been determined. However it is done, the end result will be the improvement and expansion of the County planning capability inside the take line area.

An expanded planning program is viewed as a critical need by the County. If the County is to become more involved in the development of public use facilities. Expanded planning will also be needed to ensure a close working relationship between the County, State, and Federal agencies involved in the development and maintenance of various facilities or services at the Lake.

For some time, the County has also been considering the need to develop a more cohesive image of Lake Berryessa as a general park facility. Through the use of printed materials, brochures, maps, etc., standardized signing throughout the Lake area identifying points of interest, concession areas, etc., and possibly uniformed personnel, the image of the various concession areas of the Lake Area as part of a single park area could be more clearly established. Such a program, while primarily envisioned as public information oriented program, would require the participation of the Federal Government, the County and the concessionaires.

One additional project currently in the draft stage is the preparation of a Recreation Mobilhome Park Ordinance for the unincorporated areas of the county. The adoption of such an ordinance would give the County more direct control over mobile park development in the Lake area.

The one carry-over item from the Stage Two program is the approval of a new contract between the County, the Federal Government and the concessionaires. In absence of such a new agreement, future funding of needed public use facilities are in jeopardy. Negotiations with the Federal Government on a new contract is continuing.

Stage Four – Continuing Program 1973 –

The continuing phase of the County's planning and development program is built around the concept of a continually expanding program of management, planning and development of facilities at the Lake to meet the needs of an ever increasing population. Until such time as the Lake reaches as optimum user capacity, there is no stopping point in the work that needs to be done at all levels. Even when the Lake reaches its capacity, additional programs, or projects, will be needed to make certain that user services and facilities are maintained at the highest possible level.

Conclusion:

The County, since it first accepted the management responsibility for Lake Berryessa, has not shirked its duty. While limited funds and limited personnel were a problem during the County's Stage One Program, in those early years, there were fewer facilities available at the Lake and correspondingly less need for county involvement. However, the County's capability and commitment in terms of management and involvement at the Lake has grown in direct proportion to the volume of the users and the amount of development that has taken place. The County, with little or no assistance from the State and Federal Government in the past, has meet the challenge of providing the needed facilities and services at the Lake, and is dedicated to continued to do so In the future. However, this statement should not be interpreted to mean the County wouldn't welcome some assistance in the future – particularly financial.

LAKE BERRYESSA GENERAL DEVELOPMENT AN PLANNING PROGRAM

1958 – 1973

STAGE ONE - DEVELOPMENT OF INITIAL FACILITIES AND SERVICES. 1958-1969

A. Construction of Monticello Dam by Federal Government.

B. Selection of Management Agency.

1. Conservation by Federal and State Agencies.
2. Appointment of Napa County.
 - a. Establishment of Berryessa Park Commission.
 - b. Employment of Park Personnel.
 - c. Preparation and approval of management Plan.

C. Construction and Financing of Existing Facilities.

1. Establishment of Concession Areas.
2. Construction of Facilities by Exclusive Use of Private Funds.

STAGE TWO - RE-EVALUATION AND IMPROVEMENT OF FACILITIES AND SERVICES.

1969 – 1971

- A. Inventory an Improvement Program for Wragg Canyon Concession areas.
- B. Re-evaluation and Redesign of Development Plan for Steele Park Concession Area.
- C. Elimination of Private Dock Facilities.
- D. Inventory and evaluation of All Concession Area Sanitation Plants and Facilities.
- E. Re-evaluation of Management Program
 1. Preparation and Negotiation for New County –Federal Management Agreement and new County – Concession Area agreements.
 2. Expand Staff Capabilities at the Lake.
 - a. Employment of Full –Time Sanitation Engineer.
 - b. Employment of part –Time Building Inspector.
- F. Expanded Planning Program.
 1. Financing and Preparation of General Plan for Area surrounding Lake Berryessa by Napa County Conservation, Development and Planning Commission and Lake Berryessa Park Commission.
 2. Request State Division of Highways to Study Need and Alignment for New Limited Access Highway to service Lake Berryessa.

STAGE THREE - PLANNING AND CONSTRUCTION OF ADDITIONAL FACILITIES AND SERVICES.

1971 – 1973

- A. Inventory and Improvement Programs for Each Concession Area base on California Mobilehome Park Standards.
- B. Individual Concession Area Plan Re-Evaluation Including The Redrafting of All Plans, Establishment of Public Use Standards, Identification of Use Facility Deficiencies and program Recommendations to Eliminate Deficiencies.
- C. Preparation of Overall Plan for Lake Including Standards, Policies and Plans included in Item B Plus additional Study of Remaining Lake Frontage.
- D. Expanded management Program.

1. Increased Code Enforcement - State and County Codes and Ordinances.
2. Employment of additional County Building Inspector.
3. Accelerated Planning Program to:
 - Provide County Capability to Prepare Plan for specific Needed use Facilities to Be provided by Private Funding Program.
 - Provide Increased Emphasis on Coordination With State and Federal Programs and Plans for Lake and Surrounding Area.
4. Establishment of Overall Park Concept.
 - Development of Total Park Identification Program.
 - Implementation of program Through Private and Public funding.
5. Preparation and Adoption of Recreation Mobilehome Park Ordinance Applicable to Lake Berryessa Area and All Unincorporated Areas of Napa County.
6. Renegotiation of New Management Agreement.
 - County and Federal Government.
 - County and Concessionaires.

STAGE FOUR - CONTINUING PROGRAM

1973

- A. Expansion of Park Facilities and Programs to Meet User Needs.
- B. Continued Re-Evaluation of Plans and Planning Programs to Insure That Adequate Facilities Are Provided and Maintained for Public Use.
- C. Expanded Management Program.
 - Continue Code Enforcement Program.
 - Maintenance of Qualified Personnel Services and Facilities.

TO: James H. Hickey, Director

FROM: Robert Pritchett, Assistant Park Director

SUBJECT: Lake Berryessa Plan Approval Actions

DATE: February 9, 1973

In response to your request for a report on the status of approved plans and projects at Lake Berryessa, I have made a complete inventory of all of the material on file at the Park Headquarters. As to my completeness of the files, I cannot say since they predate my employment at Lake Berryessa and my current responsibilities as Acting Park Director.

One document not mentioned in my summary report is the 1962 Land Management Plan for Lake Berryessa. That plan is not a development plan, but rather includes all of the various aspects of the general management for the Lake agreed to by the County and the Bureau of Reclamation in 1962.

If you want me to, I will contact the Bureau of Reclamation and each of the Concessionaires and seek to obtain from them copies of additional letters of approvals or plans not contained in the County's files.

RP/jm

BUREAU OF RECLAMATION LETTERS:

- 1960 - Concerning longer than 20 year lease for concessionaires.
 - Launching of boats without using the ramps should be prohibited.
 - No picnicking or camping water edge except developed areas.
- 1961 - Agreeing to longer than 20 year leases – some suggestions.
- 1964 - Results of field trip April 21 and 22, 1964.
- 1965 - In regards to building below 455 elevation.
- 1967 - Regarding erosion, piling and rip-rap expensive – still would not correct situation.
 - Pleased to see Rancho Monticello plans to construct 97 ten units and 57 travel trailer and pick-up camper units, but ask that the proposed layout be redesigned reducing grading.
 - Markley Canyon, 100 floating cabins, would prefer development not be constructed.
- 1968 - Asks Health Department to review all sewage systems.
 - Steele Park proposal to develop campground approved.
 - Letter to Bureau – existing facilities and five-year projections.
 - Bureau at this time cannot amend County agreement – will discuss with Washington, D.C.
 - Letter from County asking the above.
- 1969 - Deficiencies sewage systems – Putah Creek, Berryessa Marina.
 - Asking for Master Plans of resorts.
 - General agreement Napa County and Bureau regarding proposed redevelopment north end of Ranch Monticello.
- 1970 - Spanish Flat three areas for short – term users approved.
 - Steele Park 19 mobilehome sites approved.
 - Bureau states County agreed to submit all proposals for improvement/redevelopment for approval.

- Letter changing approval of 19 units Steele Park to 22 if convention center left out and approving Area A 80 units.
- Points that must be resolved before new agreement.
- Plan requirements sanitary and water supply facilities

- 1971
- Reports prepared by Bureau of Outdoor Reclamation.
 - Napa County comments regarding 1970 Bureau points to be resolved before new agreement.
 - Berryessa Marina install mobilehome for gate keep approval.
 - Putah Creek maintenance man mobilehome approval.

II PARK COMMISSION (1958, 59, 60, 61 filed at County Clerk)

- 1962 Inspection report from Bureau of Reclamation.
 Approved motel units Steele Park.
 Approved site utilization plan Rancho Monticello.
 Plans submitted by Steele Park approved.
 Plot plan sewer and water system Markley Canyon approved.
 Recommended by the Park Director and Park Commission that the Board of Supervisors grant a 50-year lease to Putah Creek Park.
 Approved 10 boat storage sheds Wragg Canyon (South Shore)
- 1963 Approved plans for restaurant and store - Steele Park.
 Markley Canyon declared in default.
 Plans for cabins and manager's home approved.
- 1964 Plot plan Rancho Monticello approved.
- 1965 Spanish Flat 16 trailer units, 20-40 camping units, utility building and covered patio at Lake store approved.
 Steele Park 33 units of double-wide trailers approved.
 Putah Creek Park improvements in sewage system and additional trailer parking facilities approved.
 Steele Park 10 units Greenwood Area approved.
- 1966 Putah Creek Park recommend default.
 Rancho Monticello 51 day-use sites, 18 mobilehome sites approved.
- 1967 Markley Cove Recreation Travel Trailer Area approved.
 Wragg Canyon #66 approved.
 Putah Creek 4 trailer sites surrounding knoll approved.
 Putah Creek 3rd sewer pond approved.
 Markley Cove trailer sites #21, 22, 23, and 24 approved.
 Markley Cove development 50 trailer sites approved.
 Markley Cove trailer sites #25, 26, 27 and 28 approved.
- 1968 Berryessa Marina 16 trailer sites approved.
 Putah Creek 30 trailer sites approved.
 Rancho Monticello equipment shop and 41 boat sheds approved.
 Rancho Monticello 191 camp sites and 35 trailer sites approved.
 Markley Cove 6 trailer sites approved.
 Spanish Flat 8 new and 3 improved trailer sites Sunrise Point approved.
- 1969 Steele Park 68 mobilehomes – Area I, 38 mobilehomes – Area II, and camp sites adjacent to present boat docks approved.

- 1970 South Shore Camp 8 through 21 as proposed by Mr. Annereau be adopted with approval of County Counsel.
Plans from South Shore approved so that progress could be made on default deadline.
New lease agreement with Bureau of Reclamation approved.
South Shore given 1–year to come in to complete compliance.
- 1971 No new policies concerning type or length of leases until Bureau comes to a decision concerning the same.
Phase-out private docks.

III CONCESSION AREAS:

A. Berryessa Marina Plans.

- Addition to sewer lines Lots A-29A – A370: Approved 3/65 – Page, Mora Adams.
- Proposed changes to sewer line system: Approved 2/65 - Page, Mora
- Proposed addition to Trailer Park: Approved 4/64 – Page, Mora, Adams
- Overall Site Plan: Approved 12/61 – Reinhart
- Detail – Entrance: Approved 12/59 – Reinhart
- Overall Site Plan: Approved 12/59
- Electrical and Layout Plans – Trailer Parks: Approved 1/60 – Mora
- Utility Building: Approve 3/60 – N.C. Planning Commission
- Proposed 6 new trailer sites, hookup 4 old sites: Approved Park Commission
- Overall Site Plan: Plan dated 1969.
- Existing and future: Plan dated 1971

Engineering & RoadsReinhart
 Planning or Building..... Mora, Klarenbach
 Health Department.....Page
 Park Director..... Adams, Yates

B. Steele Park Plans

- Restroom Facilities: Plan dated 2/69
- Mobilehome Development: Approved - Park Commission 1/69
- Mobilehome Dock: Plan dated 5/69
- Mobilehome Development Phase 3 – 22 units, Phase 4 – 80 units: Plan dated 5/70
- Master Plan: Plan dated 1968
- Master Plan: Plan dated 1969
- Master Plan status of development: Plan dated 11/30/72
 - Total existing and future campsites – 470.
 - Total existing mobile cottage sites - 107
 - Total planned immediate mobile cottage sites – 80.
 - Total existing and future mobile cottage sites – 407.

C. Putah Creek Park Plans

- Master Plan: Plan dated 3/60: Approved 4/62 – Reinhart.
- Gate House (note corrected from Date to Gate: Approved 8/59 – Mora
- Motel Plans: Approved 4/62 - California State Division of Housing
- Floating Boat Shed: Approved 10/59 – Mora
- Floating Boat Berths: Approved 10/59 – Mora

- Sanitary Sewers: Plan dated 2/62
- Temporary Sewer Ponds - Plan dated 8/67: Approved 9/67 – Park Commission
- Utility Building: Approved 8/59 – N.C. Planning Commission
- Bar and Restaurant: Plan dated 1/61
- Construction Drawings: Plan dated 6/59 - Approved 7/59 – Reinhart
- Water System - Proposed Mobile Home Park - Plan dated 3/65: Approved 2/68 - Park Commission
- Sewage Disposal System: No Date
- Oxidation Plant: Plan dated 4/65
- Trailer Site: Approved 4/70 – Yates, Klarenbach, Page, Todd.
- Master Plan: Plan dated 1964: Plan dated 2/69
- Trailer Sites: Approved 9/69 – Park Commission, Mora, Page
- Master Plan: Plan dated 1969
- Existing and future development: Plan dated 10/71.

Engineering & Roads.....Reinhart
 Planning or Building..... Mora, Klarenbach
 Health Department.....Page
 Park Director..... Adams, Yates
 Fire Marshall..... Todd

D. Markley Cove Resort Plans

- General Site Development Plan: Plan dated 10/58
- Proposed First Stage Construction: Plan dated 11/58
- Area plan A-2 and A-3: Plan dated 8/59
- Motel and Cabin Area - Sewer & Water System: Plan dated 3/62
- Dock Facilities: Plan dated 7/59
- Trailer Sites: No date
- Trailer Sites: Plan dated 7/68
- Master Plan: Plan dated 5/70

E. South Shore Resort Plans.

- Trailer Sites 1 and 2 Shoreline Drive: Approved 5/19/69 – Page, Klarenbach, Yates
- Flush Toilet Buildings – Camp 1 to 12: Approved 5/19/69 - Page, Klarenbach, Yates
- Boat Storage Garages: Approved 3/13/62 – Mora
- Area Plan (as utilized) Variances Requested: Approved 3/18/65 - Page, Adams
- Vista Trailer Park Spaces 57 through 68: Approved 1/7/65 – Page, Mora.
- Design Plan Trailer Areas: Approved 12/11/64 – Page, Mora
- Trailer Park No. 2 Spaces 1 through 7 - Add New Trailer Site #66: Approved 9/67 –Park Commission
- Gate Keep Trailer Site: Approved 2/68 – Park Commission
- Existing and future plan: dated 1971.

Planning or BuildingMora, Klarenbach
 Health Department.....Page
 Park Director.....Adams, Yates

F. Rancho Monticello Resort Plans

- Trailer Sites –115, Camp Sites – 51, Big Flats: Approved 3/64 – Mora, Page, Adams
- Master Plan: Plan dated 1958.
- Equipment Shop & Boat Storage Sheds: Approved 2/68 – Park Commission

- 35 Trailer Sites Turtle Rock Area: Approved 2/68 – Park Commission
- 191 Camp Sites extreme North area: Approved 2/68 – Park Commission
- Construction Plans: Approved 1/63 – Reinhart
- Construction Plans Trailer Park: Plan dated 6/61
- Trailer Park 2-B Turtle Rock: Approved 3/69 - Page, Mora, Yates
- Master Plan: Plan dated 1962 - Approved 1/63 – Reinhart.
- Mobilehomes and Travel Trailers Big Flats: Approved 4/66 – Page, Mora.
- Boat Sheds: Plan dated 8/59
- Boat Docks: Approved 4/61 – Mora
- Site Utilization Plan or Master Plan: No date.
- Trailer Park C I – 64 and A 1 – 25: Approved (no date) - Mora, Page, Adams.
- Camp and Trailer Sites Area D, E, F, G, H, I: Approved 7/64- Mora, Page, Adams
- Camp Site – 71 – North Area: Approved 7/64 - Page, Adams
- Trailer and Camp sites Area 2A: Approved 3/65 – Page, Mora, Adams
- Gate House: Approved 4/61 - Mora.
- Camps 1 through 7: Approved 3/65 – Page
- Warehouse: Approved 2/68 – Park Commission.
- Office and Gate House: Approved 1/70 – Building Department
- Master Plan: Plan dated 1969.
 - Engineering & Roads.....Reinhart
 - Planning or Building.....Mora
 - Health department..... Page
 - Park Director.....Adams, Yates

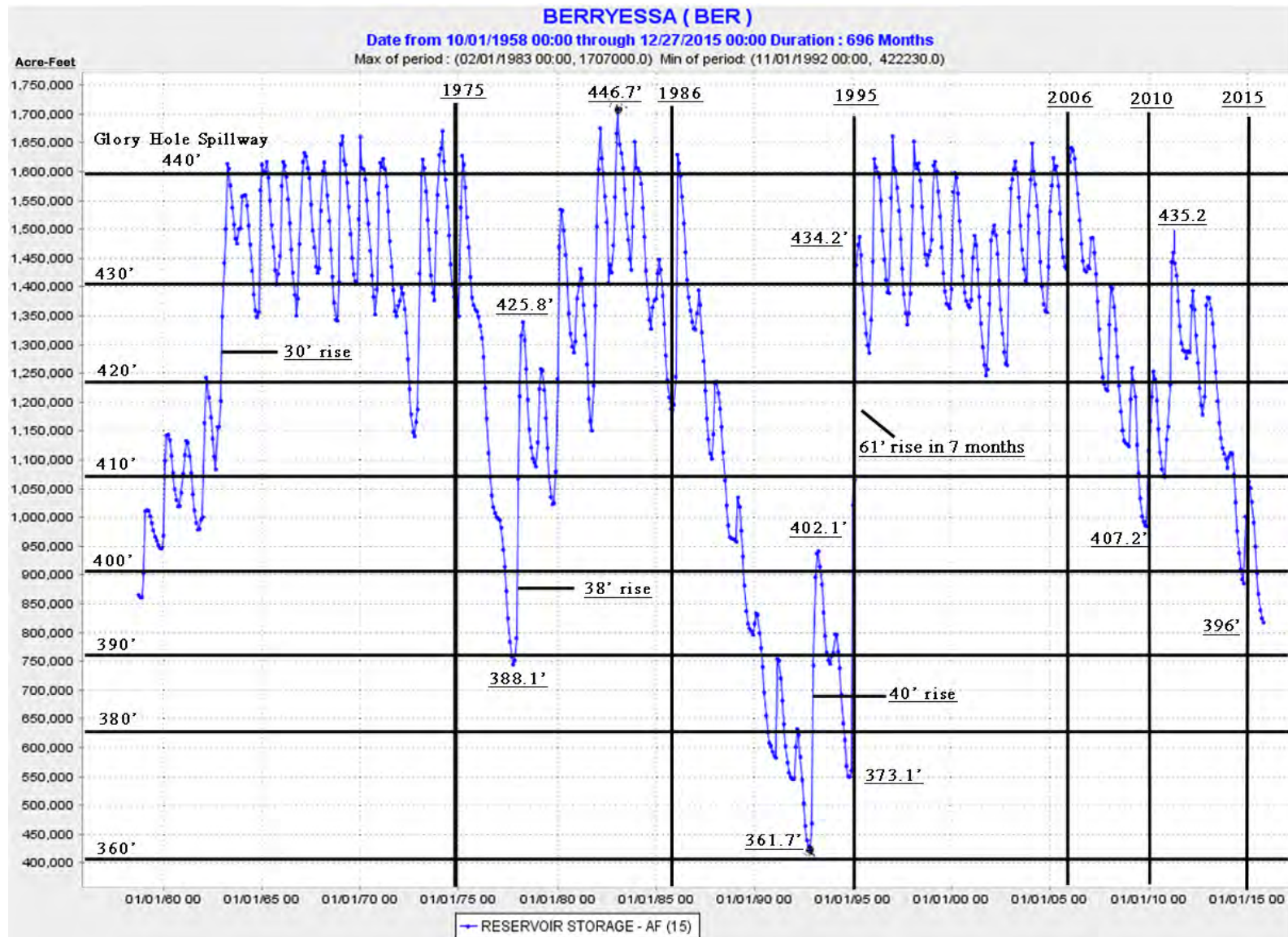
G. Spanish Flat Resort Plans

- Marine Fueling Float: Plan dated 3/62.
- Entrance Gate House: Plan dated 4/59
- Change Room: Plan dated 5/59
- Dock Storage building: Plan dated 5/59
- Site and Park Plan - Plan dated 5/59: Approved 5/65 – Page, Mora, Adams.
- Refreshment & Store Building: Plan dated 5/59.
- Toilet and Shower Building - Plan dated 3/65: Approved 5/65 – Page, Mora, Adams.
- Proposed addition to Lake Store: Approved 5/62 - Adams
- Addition to Trailer Park (Sunrise Point): Approved 5/65 - Page, Mora
- Overall Layout Sunrise Point Campgrounds: Approved 2/61 – Mora
- Sunrise Point – 240 Dependent & Independent Trailer Sites: Approved 6/65 – Page, Adams
- Piggy Back Area: Plan dated 3/65.
- Existing and future: Plan dated 1971.

Planning & BuildingMora
 Health department.....Page
 Park Director..... Adams

This is a true extract, retyped 9 pages from the 1973 typewritten letter, extract copy is available upon request for authentication.

Appendix D: Water Level History



Appendix E: Land and Shoreline Use Comparison



Steele Park Resort

365 Acres

143 Long-Term Sites = 13 acres

Long-term areas outlined in red.

Everything else is short-term use.