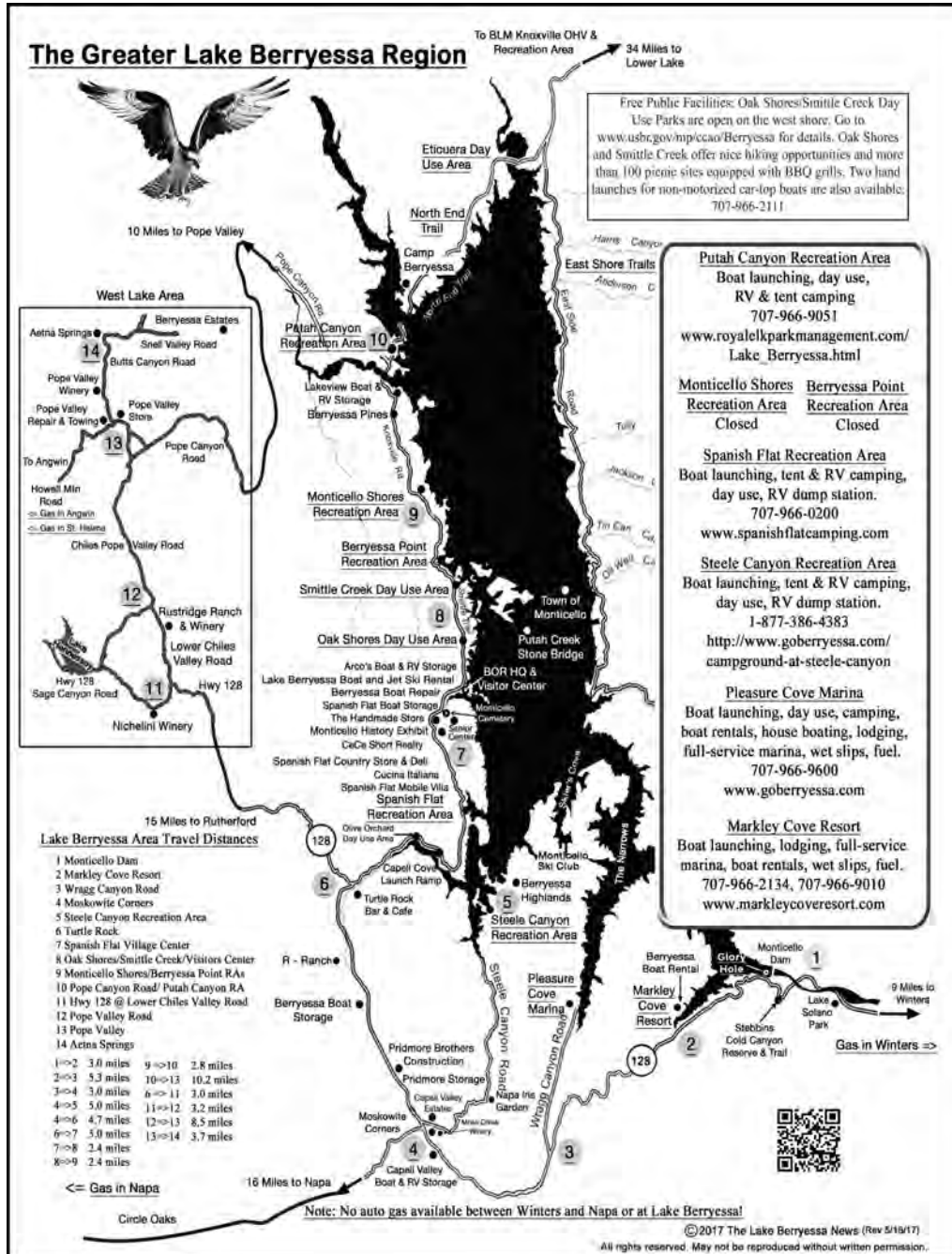


What Happened At Lake Berryessa? A Condensed Political History 1958 - 2018



by
Peter Kilkus

Table Of Contents

Introduction.....	1
Lake Berryessa History Timeline	2
How It All Began: The Origins of the “Big Lie”	11
Will History Repeat Itself In Reverse? What Happened in 1975?.....	17
A Modern History (Short) of Lake Berryessa Issues: 1957 - 2012	19
Napa County Got the Headaches, Solano County the Water	19
Napa and Solano battled over Berryessa’s fate: Powerful forces aligned against Napa	20
Death of Monticello Was a “Heartbreaker”	22
Monticello Dam Proposal Stresses Critical Shortage of Water Throughout California.....	24
Delays in Master Plan Sabotage Berryessa Economy	24
Notice of Intent: Solano Project--Lake Berryessa; Napa, California	27
The “Big Lie” Continues: Task Force 7 Protests Reclamation’s Unjustified Negative Propaganda	29
The Facts Fight Back: What You Need to Know About the Battle for Berryessa	30
Local Chamber of Commerce Businesses Fight Back.....	32
Residents Fight Back: More Than 900 Unleash Scorn on Reclamation Plan	33
The City of Winters Fights Back.....	36
The Perversion of Public Law 96-375: Demolition Hardball by the Bureau of Reclamation	38
Reclamation Defends Unjust Requirement to Demolish ALL Existing Facilities At Lake Berryessa	44
The Pensus Years: The Lake Berryessa News View	45
Pensus: The Short Story That Was Actually A Fantasy	45
Pensus Signs Berryessa Contract – Begins Facilities Development – Announces Resort Openings.....	46
Springtime at Lake Berryessa: Pensus in Bloom?.....	48
They’re Off Like a Herd of Turtles! Bureaucracy at Berryessa	49
Lake Berryessa: When Do Past Memories Actually Become “HISTORY”?	52
Goodbye 2011: Another Year of Process Without Progress! Will 2012 Be Any Better?.....	56
A Lake Berryessa Midsummer Night’s Dream (With Apologies to William Shakespeare).....	58
Applehood and Mother Pie! What’s Right, What’s Wrong, and Why.....	61
Catch-22: The Bureaucratic Double Bind Theory in Practice.....	68
Seasons, Cycles, and Radical Change: Chaos Theory - Lake Berryessa Style	70
Floundering About at Lake Berryessa (This is not a fishing story.).....	72
SNAFU, FUBAR and BOHICA: Deciphering Berryessa’s Ancient Rock Sculpture at Steele Park.....	75
Feds Final Folly: The Destruction of Steele Park - Public Law 96-375’s Unintended Consequence.....	77
A Modest Radical Proposal: Transfer Management of Lake Berryessa to Napa County	79
A Path Forward To Revitalize Lake Berryessa: Fire The Feds!.....	85

Open Letter to the Federal Government: Get Out of Lake Berryessa!.....	87
Napa County and the Bureau of Reclamation: Working Together to Rebuild Lake Berryessa?	89
Will 2017 Be Lake Berryessa's Lucky Year?.....	91
Milestone Achieved! A Positive Report on the Potential Future Rebirth of Lake Berryessa!	93
The Future of Lake Berryessa Looks Brighter, But The Sun Also Rises A Bit Slowly.....	95
Napa County Releases Lake Berryessa Request For Information & Interest.....	97
"Holes In History" at Lake Berryessa: Simple Incompetence, Fervent Ignorance, Malicious Arrogance.....	99
Revitalizing Lake Berryessa - Idling Towards Home	101
Beating A Dead Horse With A Stick OR Beating A Horse With A Dead Stick? Berryessa Betrayed AGAIN!.	102
Napa County Frustrated by Bureau of Reclamation Stalling Tactics Talks on Resort Redevelopment	104
Congressman Thompson Interior Department Officials Tour Lake, Discusses Managing Partner Agreement ..	105
Another Bureau of Reclamation Time Warp Moment - The “2020-something...” Schedule	106
Lake Berryessa History Through Napa Register Editorials	108
Stop resort owners from polluting lake: February 27, 2001	108
You can help chart future of Lake Berryessa: July 22, 2003	108
Berryessa: Put it back in public hands: February 23, 2006	109
Berryessa's future brightens: June 15, 2006	110
Clock ticking at Lake Berryessa: April 12, 2009	110
The local’s view of fiasco at the lake: April 15, 2009.....	111
Restoring trust at Berryessa: April 17, 2009	112
Bureau hopes to return Berryessa to its heyday: April 10, 2011	113
Inching forward at Lake Berryessa: March 16, 2013	114
Lake Berryessa History Through Napa Register Articles	116
Reclamation considers revamping Berryessa shoreline: February 25, 2001	116
Trailer Clash: February 25, 2001.....	117
Officials plan makeover for Lake Berryessa: August 12, 2003	120
Lake Berryessa public hearings begin: November 13, 2003	121
Report says Berryessa better off without trailers: November 9, 2003.....	122
Battle over Berryessa: Lake's history full of federal-local tensions: December 11, 2003.....	123
Battle over Berryessa: Trailer owners offer own blueprint for future: December 11, 2003	126
Crowd tells feds not to move Berryessa trailers: January 22, 2004	127
Residents debate Berryessa's future: January 11, 2004	128
Lake Berryessa trailer owners hire lobbyists: July 26, 2004	129
Mobile home park residents challenge feds over lake economy: December 12, 2004.....	131
Berryessa trailer owners score a victory	132

Berryessa trailers must go: June 6, 2006	136
Rancho Monticello, a resort with eye toward the future: June 12, 2006	137
Trailers ousted from lake: June 7, 2006	138
Spreading the word about Berryessa's businesses	140
On the edge at Lake Berryessa: March 18, 2007	141
Bidding heats up on control of resorts: December 6, 2007	142
Feds identify likely winners to run Berryessa resorts: April 2, 2008	143
At Berryessa, resorts begin to close, owners angry, future uncertain: June 10, 2008	144
Big changes at Berryessa: July 27, 2008	146
Remake at the lake: January 1, 2009	148
Salvaging summer at the lake: March 23, 2009	149
Bureau names top bidder for Berryessa resorts: January 14, 2010	152
Deal signed for six Berryessa resorts: April 29, 2010	154
Feds terminate Pensus resort contract: December 7, 2012	155
Latest Berryessa resort rejuvenation effort fails: February 19, 2016	156
Bureau faces angry locals over Lake Berryessa failures: March 3, 2016.....	157
Talks continue between Napa, Bureau on Lake Berryessa resort redevelopment.....	159
Napa County moving closer to reviving Lake Berryessa resorts	160
Dueling Napa Register Letters To The Editor	162
Return Lake Berryessa to the taxpayers: March 2, 2001	162
Don't Blame Resorts For Sewage Problems: March 5, 2001	162
What to do with Lake Berryessa? November 12, 2001	163
Don't attack Berryessa resorts: December 4, 2001	163
Mobile home owners want to make Berryessa a better place: December 12, 2001	164
Give public access to Berryessa: February 20, 2002	165
Berryessa doesn't need motor boats: February 7, 2002	166
Trailer ownership at Lake Berryessa defended: March 1, 2002	167
Bring Berryessa back to nature: March 3, 2003	168
Return Berryessa to natural state: March 18, 2003	169
Reintroduce Berryessa to California: March 27, 2003	169
Beware federal Berryessa plan: April 3, 2003.....	170
Ask for what you want at Berryessa: April 16, 2003	171
Don't let feds destroy Berryessa homes: April 24, 2003	171
Don't forget the good at Berryessa: August 20, 2003.....	172
Lake plan should keep mobile homes: August 21, 2003	172
Trailer sewage is exaggerated (and already resolved): August 24, 2003	174

Lakeside trailers are eyesores: September 16, 2003.....	174
Private access to Berryessa is wrong: September 16, 2003.....	174
Private trailers - Get off our land: September, 2003.....	175
What to look for in Berryessa plan: September 7, 2003.....	176
Return Berryessa to the public: December 15, 2003.....	177
Work together on Lake Berryessa: December 8, 2003.....	178
A critical view of Kunze: January 5, 2004.....	178
Keep Berryessa mobile homes: January 16, 2004.....	178
Open access to Berryessa: April 22, 2004.....	180
Drop enviro-elitism at Lake Berryessa: March 13, 2005.....	182
Berryessa economics don't add up: March 27, 2005.....	182
Will there be a future for Lake Berryessa? March 30, 2005.....	183
Still time to save the lake: March 10, 2005.....	184
Lake Berryessa misconceptions: March 11, 2005.....	184
Public has plenty of lake access: March 30, 2005.....	185
Bureau working to improve Berryessa: May 10, 2005.....	186
Get the facts on Lake Berryessa: May 27, 2005.....	187
Sierra Club, politicians ruining life at the lake: November 19, 2005.....	189
Transparency at the lake by Cong. Thompson: November 23, 2005.....	190
Leave the lake alone: November 25, 2005.....	191
Majority of residents and businesses oppose BOR plan: November 26, 2005.....	191
Don't let the Bureau wreck Berryessa; September 19, 2006.....	192
Give Berryessa folks consideration: January 27, 2007.....	193
Resorts are backbone of lake: January 27, 2007.....	194
Lake mobile home owners just want equal treatment: February 1, 2007.....	194
The right move at Berryessa: February 1, 2007.....	195
Children ask "Why'd they take our lake?" June 28, 2007.....	195
Preparing for a new experience at the lake: July 6, 2007.....	196
Bureau of Reclamation decision is unjust, divisive: July 17, 2007.....	197
Bureau owes us all answers on Berryessa: November 13, 2008.....	198
Lake fiasco proves government fails people: March 24, 2009.....	199
The mess at the lake: March 28, 2009.....	200
Flaws in Reclamation's plans for the lake: April 24, 2009.....	200
A bait and switch at Lake Berryessa: May 27, 2009.....	202
A tremendous loss at the lake: July 31, 2009.....	202
Stop the insanity at Berryessa: September 24, 2009.....	203

Introduction

Without THE LAKE BERRYESSA NEWS there would be no Lake Berryessa News...and finally there would be no definitive history of what happened at Lake Berryessa. Having participated directly for more than twenty years as an advocate for the lake in the fiasco that was the Bureau of Reclamation's Visitor Services Plan, its farcical but tragic outcome, and the process of rebuilding, I have very strong views of the causes and results - supported by facts and data which were mostly obfuscated by the proponents of the destruction of the lake's residential and business community.

The Bureau of Reclamation and their supporters destroyed family recreation at Lake Berryessa for a generation of families, children, and friends. Many people ask me about the history of the process that led to the present situation at Lake Berryessa. When I explain what happened most become incredulous and can't believe the government could have done something so stupid. "How could they have gotten away with that?" they exclaim.

The goal of this book is to provide the history and the context within which such an incredibly destructive course of action took place.

The initial timeline shows a condensed history of the process. The next section tells the story through the eyes of Lake Berryessa News articles. With the permission of the Napa Register, a parallel history is presented through contemporaneous editorials, articles, and letters to the editor from the Napa Register.

This book is not a traditional academic exercise in historical exposition. Academic historians define history as presenting facts without expressing any opinion or analysis of the events whereas memories are comprised of emotions that can have a great influence on the perception of an actual event. Critical historians live by the old saying of "there are two sides to every story and then there is the truth."

I'm more interested in the narrative approach to defining this history. Almost two decades have passed since this story began, and Lake Berryessa history has been created with every day of that twenty years.

This book is the raw, as-it-happened, unfiltered picture of what many of us lived through. It is organized chronologically; focused on a single coherent story; primarily descriptive but also analytical; primarily concerned with people but also the abstract circumstances in which they find themselves. To me a big part of the fascination with any history is trying to discover what was going on inside people's heads in the past, and what it was like to live in that past.

The future may finally looking brighter for Lake Berryessa or does it? History continues to unfold.

Peter Kilkus, Lake Berryessa, 2018

Lake Berryessa History Timeline

1958	Reclamation enters into a long-term agreement with Napa County to manage recreational development at Lake Berryessa.
1958-1959	Napa County awards seven long-term (30 year) concession agreements to newly formed resorts to provide recreation services. Leased mobile home sites provide revenue needed to support short-term uses such as camping and launching.
1959	Lake Berryessa Public Use Plan (PUP) prepared by the National Park Service (NPS). "Should accommodate 3,000 boats at 125 launch ramps; minimum of 8,000 picnic sites and 800 camp sites."
Apr. 22, 1970	The first Earth Day marks the birth of the modern environmental movement. Coincidentally, the five year "The Big Lie" attack on Lake Berryessa begins.
February, 1972	Government Accountability Office Audit: "Public Recreational Facilities Not Adequately Developed at Lake Berryessa." One of the first 1970s reports criticizing Lake Berryessa facilities. Generally a silly hit piece introducing "The Big Lie: The Lake Berryessa resorts, especially the mobile homes in the resorts, discouraged the general public from accessing the lake, prevented the public from using the best parts of the shoreline, and also polluted the lake."
1972 - 1973	Congressman Don Clausen involvement: Supported Napa County. Introduced H.R. 11758 to authorize the Federal government to direct the development, operation, and maintenance of day-use facilities.
March, 1972	National Park Service releases controversial "Plan for Recreation Development - Draft". Opposed by Napa County.
April, 1972	Napa County released "Lake Berryessa Day Use Facilities Plan" in response to the NPS plan.
August, 1972	National Park Service formally updates the PUP at Reclamation's request. "Plan for Recreation Development - Final". NPS concluded that Lake Berryessa is "not of national significance for recreation". Proposed 16 Development Areas all around the lake to serve 9 million annual visitors!
1974	After years of fruitless discussion and debate with Reclamation regarding the Lake Berryessa management agreement, Napa County notifies Reclamation of its intent to turn lake recreation management back to Reclamation by 1975.
1974-1980	Congress enacts Public Law 93-493 authorizing Reclamation to manage recreation at Lake Berryessa. Reclamation constructs facilities as authorized: two day-use areas, public boat ramp, parking lot, and administrative offices. Amends 1975 Public Use Plan to allow mobile homes with some restrictions. Reclamation constructs federal recreation facilities as authorized: two day-use areas, public boat ramp, parking lot, and administrative offices. Amends 1975 Public Use Plan to allow mobile homes with some restrictions.

1976 - 1980	Reclamation Lake Manager, B.E. Martin, attempts to cancel concession contracts. A lawsuit ensued and was settled in the concessioners' favor in 1979. Court concluded: Plaintiffs (concessioners) 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."
September, 1980	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. Intent was twisted by Reclamation to force removal of ALL facilities in 2009 because they "didn't want them". This was the key element in the destruction of most facilities at the resorts. Reclamation's interpretation was upheld in court.
1980	Reclamation extends all seven concession contracts for ten years each.
1988-1989	Reclamation prepares the Lake Berryessa Reservoir Area Management Plan (Ramp). Allowed long-term use for its positive economic benefits (Pg.60).
May 1, 1992	Reservoir Area Management Plan (RAMP) Final Environmental Impact Study (FEIS) released. Detailed 150 page+ analysis. Supported resort owners and long-term uses with some restrictions.
May, 1995	Inspector General (OIG) Report (95-I-870): "Recreation Management Activities at Selected Sites, Bureau of Reclamation." Criticized Reclamation for not removing mobile homes at the resorts.
1995	Reclamation extends all seven concession contracts for another ten years.
May, 2000	OIG Report (00-I-376): "Concessions Managed by the Bureau of Reclamation" is critical of Reclamation management. Timing seems designed to support the newly announced Visitor Services Plan with negative comments about Lake Berryessa.
June 26, 2000	Reclamation announces the Visitor Services Plan (VSP) in a news release.
October, 2000	VSP Bulletin #1 sent out: Included VSP Schedule and negative (Big Lie) photos.
Nov. 7, 2000	Reclamation formally initiates the Visitor Services Plan (VSP) process with a Notice of Intent published in the Federal Register on November 7, 2000.
Mar. 6, 2001	Reclamation holds a "Media Tour" to publicize "pollution" problems allegedly caused by long-term sites. Beginning of the "Big Lie" strategy originally used in the 1970s to discredit the resorts and mobile homeowners (permittees).
March 23, 2001	Reclamation VSP planning memo released for public comment on the VSP.
March 31, 2001	Reclamation hosts VSP open house at Solano County Fairgrounds - 500 people attend. Meeting announcement states that this is "not a formal meeting."
May, 2001	VSP Bulletin #2 sent out soliciting public comments. In July 2001, Reclamation provides 28 pages of comments and written responses.

May, 2001	Task Force 7 at Lake Berryessa formed with co-chairs Peter Kilkus and Pat Monaghan. Mission Statement: "To prevent the unjustified removal of mobile homes from Lake Berryessa through political action, community education, and environmental stewardship."
May 10, 2001	Task Force 7 requests meeting with Reclamation for permittees. Reclamation ungraciously agrees "even though permittees are only one special interest group." Reclamation is clear that all long-term sites are to be removed in any new plan.
Aug. 7, 2001	TF7 representatives meet with Reclamation to discuss VSP. Reclamation again made it clear that mobile homes must be removed as part of any plan. Reclamation states permittees have no rights and have paid "\$10,000 for a trailer and \$50,000 for a view."
August, 2001	Removal of 127 trailers from the "Outback" at Pleasure Cove due to a Notice of Violation from the Regional Water Quality Control Board.
May-June, 2001	Reclamation begins "Public Scoping" per the National Environmental Policy Act (NEPA) process.
September, 2001	Reclamation publishes "Scoping Responses" – first public comment responding to VSP questions of 3/23/01.
November, 2001	Lake Berryessa Visitor Services Planning Task Force (LBVSPT) is formed and introduces its Coordinated Resource Management Plan (VSP-CRMP) and a new web site for public comment on the draft VSP. LBVSPT is a broader group than Task Force 7 and includes all stakeholders who support positive future improvements at Lake Berryessa. "Preserve the Best, Improve the Rest."
Sept. 23, 2002	Task Force 7 representatives travel to Washington, D.C. to meet with local Congressional representatives and present 10,015 signatures to the Bureau of Reclamation stating: "We, the undersigned, are opposed to the Bureau of Reclamation's intention to remove all long-term sites at Lake Berryessa. We do not believe there is a compelling public policy reason for this harmful action, which would devastate the community and cause economic hardship to many citizens. We support the LBVSPT alternative plan, which retains long-term sites, advocates an environmentally sound policy for managing the lake, and provides the public with a rewarding recreational experience."
Dec. 19, 2002	LBVSPT publishes its (VSP-CRMP). LBVSPT representatives meet with Reclamation representatives to discuss the VSP. Reclamation rejects the plan.
Dec. 30, 2002	Reclamation publishes its Environmental Compliance and Facility Condition Assessment Report, Seven Concession Areas ("Kleinfelder Report"). Generally negative summary of existing facilities and infrastructure at the resorts.
February, 2003	LBVSPT distributes letters and posters announcing VSP CRMP to all businesses and resorts around Lake Berryessa and 25 public agencies. Posts notices on Reclamation information boards at public launch ramp and Smittle Creek. Posters are taken down by Reclamation.
Mar. 4, 2003	In response to LBVSPT announcement of VSP CRMP, Congressman Mike Thompson rejects LBVSPT, defends Reclamation process.
Mar. 17, 2003	LBVSPT mails 360 VSP CRMP announcement letters to all home owners around Lake Berryessa (Berryessa Highlands, Spanish Flat, Berryessa Pines)

May 10, 2003	LBVSPT/TF7 holds scoping and information meetings at Putah Creek Resort, Rancho Monticello Resort, Spanish Flat Resort, Steele Park Resort.
May 25, 2003	TF7 Banjo Band Flotilla event introduces a Petition Signature drive. Boat caravan to Steele Park Resort, Spanish Flat Resort, Rancho Monticello Resort, and Putah Creek Resort with representatives to gather signatures and educate campers and visitors.
Jun. 2, 2003	LBVSPT began Online Petition in support of LBVSPT CRMP: 986 signatures as of April, 2004.
July, 2003	Reclamation Area Manager, Tom Aiken, releases incendiary, false presentation and brochure promoting The Big Lie that resort mobile homes are polluting the lake. Includes nasty photos of a few mobile home violations at the Pleasure Cove Outback which had been known to Reclamation for many years and should have been resolved by them. Presentation claims Native Americans will weave special baskets to purify the lake water. Task Force 7 writes strong rebuttal to the brochure and presentation.
Oct. 15, 2003	Reclamation releases the Dornbusch Report which evaluates the financial feasibility of VSP draft Alternative B, the “preferred alternative” which removes all mobile homes from the lake. Concludes the Reclamation’s plan is marginally feasible but intensely complex based on highly questionable assumptions. Reclamation disingenuously promotes the report as justification for major disruption of lake operations with no guarantee of success.
Oct. 31, 2003	Draft Environmental Impact Statement (DEIS) released (250 pgs.). Four alternatives (A, B, C, D) proposed, but skewed to remove “long-term” sites “to correct over four decades of resort operations under which prime recreational areas have been reserved for long-term trailer site permittees to the exclusion of the majority of visitors to Lake Berryessa.” New version of “The Big Lie”.
November, 2003	Initial DEIS comment period begins. Extended twice in response to intense stakeholder demands created by TF7 and LBVSPT.
Apr. 20, 2004	LBVSPT publishes its final Lake Berryessa Visitor Services Plan: LBVSPT Alternative A+. Proposes improvements to all facilities without the destruction of mobile homes. “Preserve the Best, Improve the Rest.”
May, 2004	Reclamation evaluate DEIS comments but intentionally skews results to support its plans. Reclamation categorizes comments that “want change” as being against retention of mobile homes even though written by present mobile home owners who also want positive change. Includes 888 Blue Water Network form letters to ban jet skis as anti-mobile home comments. A physical review by TF7 of all the 1,600 comment letters at the time (excluding the irrelevant Blue Water Network form letters) showed that at least 60% support the retention of mobile homes and other positive improvements.
September, 2004	Citizens to Protect Lake Berryessa commissions an independent economic peer review of Reclamation’s DEIS.
Oct. 25, 2004	Economic Analysis of the Dornbusch Associates Report and the Bureau of Reclamation’s “Alternative B” Plan for Lake Berryessa By Adam B. Summers, M.A. & Michael R. Summers, Ph.D. Supports the conclusions of LBVSPT A+.

February, 2005	Reclamation, in an almost unprecedented action based on the Summers and Summers Economic Analysis, reopened the DEIS comment period for 45 days to accept additional comments the economic issues of their plan.
Apr. 4, 2005	Lake Berryessa resort owners publish their VSP alternative: Resort Owners Plan (ROP), Future Recreation Use and Operations of Lake Berryessa. An independent economic analysis of the ROP is commissioned by LBVSPT: Analysis of the Resort Owners Plan for Lake Berryessa by Adam B. Summers, M.A. and Michael R. Summers, Ph.D, April 4, 2005. Summers Report supports the conclusions of the ROP.
Summer, 2005	Citizens to Protect Lake Berryessa and other groups bring the issue before Congress and request a review of the Reclamation's actions and the implementation of the Resort Operators' Plan in place of the BOR DEIS. Receives no support from Cong. Mike Thompson.
September, 2005	Reclamation submits modified DEIS and analysis of comments to Reclamation's Washington, DC Office.
Nov. 4, 2005	Final Environmental Impact Statement (FEIS) released.
Nov. 19, 2005	Winters Protest Meeting: More than 900 people with a stake in Lake Berryessa's future packed the Winters High School gym to denounce the Bureau of Reclamation's effort to eliminate long-time family recreation. Cong. Thompson does not attend. Reclamation's plan for Lake Berryessa continues to grow in unpopularity.
November, 2005	At the request of Congressman Richard Pombo, Reclamation extends 30-day "cooling off" period under NEPA to a full 6-months and accepts comments to the FEIS throughout this time.
Jun. 2, 2006	Final Record of Decision (ROD) released. Requires removal of all mobile homes. Creates an "Annual Usage" category but refuses to allow this option to be used in future bids without penalty to the bidder.
Apr. 22, 2007 Earth Day	Rancho Monticello Resort Announces Compliance with the ISO 14000 International Environmental Standard. Rancho Monticello becomes the only resort at Lake Berryessa to implement an Environmental Management System meeting the requirements of ISO 14001, the internationally-recognized environmental management standard being used by leading companies around the world.
Jun. 16, 2007	Berryessa For All v. United States Bureau of Reclamation seeks injunctive relief on the basis that the FEIS and VSP ROD violate NEPA, Administrative Procedure Act, and Federal Law.
June, 2007	Reclamation completes appraisals of existing facilities. Appraisals are contested as too low by concessioners for excluding their major infrastructure investments. Ultimately the appraisals were of no practical value since Reclamation claimed that no existing facilities were necessary and required them all to be demolished at the Concessioner's own cost - citing their flawed interpretation of Public Law 96-375.
June, 2007	Initial Bid Prospectus released soliciting proposals for all seven concession areas. Evaluation standards were deliberately written to favor a single bidder for multiple resorts and to penalize inclusion of the annual usage sites approved in the Record of Decision.

Sep. 6, 2007	Initial due date for proposals in response to the Prospectus.
Jan. - Feb. , 2008	After delays due to litigation by Markley Cove owners, Reclamation panel evaluates bid proposals.
April, 2008	<p>Selection of successful bidders: Pensus (5 resorts), Forever Resorts (Pleasure Cove), Markley Cove. The selection of Pensus is regarded by most knowledgeable observers as a fundamental error on the part of Reclamation. Subsequent events prove them correct.</p> <p>Reclamation rejects the best and most environmentally-advanced bid from Lago Resorts on a technicality without even evaluating it. The bid was declared non-responsive due to one sentence that did not make the U.S. government the first lien holder on personal property loans. Lago Resorts, a partnership among Rancho Monticello, Putah Creek, Berryessa Marina, Spanish Flat and Markley Cove, immediately agreed to fix the “deficiency” but was rejected by Reclamation. Another major nail in the coffin of the recovery of Lake Berryessa as a prime recreation destination.</p>
June, 2008	Negotiations initiated or scheduled between successful bidders and Reclamation. Pleasure Cove contract with Forever Resorts signed. Markley Cove contract nearing end of negotiations but never signed. Complex Pensus contract in process.
July 10, 2008	District Court Order in Berryessa For All v. United States Bureau of Reclamation: Court determines that the FEIS and VSP ROD adequately complied with NEPA and federal law. Mobile home owners have no further recourse and must demolish their homes at their own expense (approximately \$3,500 each) since they are too old to be moved.
Dec., 2008	Reclamation awards new long-term concession contract for Pleasure Cove Marina to Forever Resorts.
March, 2009	Reclamation cancels negotiations with Markley Cove and Pensus because of a minor technicality in the bid document regarding future federal funding. The Antideficiency Act prohibits the government from purchasing, or implying that they may purchase, assets for which funds have not yet been officially approved by Congress. This could have been easily resolved. A single government attorney seriously disrupts a decades long process. Requires a complete rebid of the concession selection process, but allows Pleasure Cove contract to remain in force.
May 15, 2009	Revised Bid Prospectus released for six concession areas.
May 26, 2009	Intense public pressure forces Reclamation to sign interim contracts with Markley Cove and Steele Park to avoid interruption of services.
Jun. 9, 2009	Intense public pressure forces Reclamation to agree to operate temporary campground at Oak Shores Day Use Area.
June, 2009	Reclamation initiates “environmental remediation and clean-up” at each concession area, including demolition of millions of dollars of useable facilities and infrastructure (launch ramps, roads utilities, restaurants, marinas, lodging).
Sep. 30, 2009	New bid proposals due; five separate proposals received. Some previous bidders dropped out. Reclamation’s bid evaluation panel analyzes latest proposals during November.

Jan. 14, 2010	Pensus Group selected as most responsive bid for all six concession areas. Markley Cove loses the bid it had previously won. Markley owners question the legality of the results and demand an investigation. OIG Investigative Report (March 3, 2011) determines there were no improprieties with contract award process.
Feb. 5, 2010	Reclamation signs settlement agreement with former operators regarding clean-up and access and use of launch ramps and roads at the Steele Park concession area. Reclamation pays Steele Park owner several hundred thousand dollars despite previous requirement to demolish said roads and launch ramp. This action contradicts Reclamation's demolition policy implemented at the other resorts and appears to be the intense public pressure to keep Steele Park open for basic recreation services.
Apr. 28, 2010	Pensus Contract awarded. Pensus changes resort names which is a profoundly unpopular action with the local community. Basic services are provided by Pensus during 2010 at Lupine Shores (previously Steele Park) and Chaparral Cove (previously Putah Creek) concession areas. Relations between Pensus and Reclamation soon begin to deteriorate.
Jun. 21, 2010	Long-term concession contract awarded to Pleasure Cove Marina LLC, superseding latest contract, despite previous statements by Reclamation that no contract changes would be allowed.
Dec., 2011- Feb., 2012	Relations between Pensus and Reclamation continue to deteriorate with long legal arguments exchanged. Many of the problems appear to observers to be caused by Reclamation's unrealistic policies and poor management. Pensus management appears inept and arrogant despite the validity of many of their complaints.
Feb. - Mar., 2012	Reclamation provides Pensus a Letter of Non-Compliance with 30-day opportunity to cure. Pensus responds to Reclamation's demand for cure. Reclamation provides Pensus a Notice of Proposed Termination
May - Sept., 2012	Reclamation and Pensus agree to invoke mediation. Mediation ended with no settlement.
Dec. 6, 2012	Notice of Proposed Termination referred to Mid Pacific Regional Director whose final decision is to terminate the Pensus contract.
Dec. 7, 2012	Under intense public pressure, Reclamation staff began operating three concession areas (Steele Park, Spanish Flat, Putah Creek) to continue to provide services to the public.
Dec., 2012	Reclamation held three public meetings to explain decision to terminate Pensus contract. Agrees to change five recreation area names to Putah Canyon, Berryessa Point, Monticello Shores, Spanish Flat, Steele Canyon. Names for Pleasure Cove and Markley Cove remain.
Jan. - Sept., 2013	Reclamation negotiates draft interim concession contracts with potential contractors; purchased picnic tables, fire rings, and upright BBQ's to replace Pensus personal property; installed six double-vault concrete toilets at Steele Canyon, Spanish Flat, and Putah Canyon; installed six aluminum courtesy docks at Steele Canyon, Spanish Flat, and Putah Canyon Recreation Areas; and funded a \$128,760 contract to provide private security services for Putah Canyon, Monticello Shores, and Berryessa Point Recreation Areas.
Jan. 17, 2013	Reclamation holds a public meeting to discuss the establishment of a Community Forum followed by six Lake Berryessa Community Forum meetings during 2013.

May 1, 2013	Reclamation executes an interim contract with John and Linda Frazier to operate Markley Cove Resort. Contract had the unique and inconsistent provision, not allowed in any previous contract nor included in the previous bids invoking Public Law 96-375, that any company winning a future bid or buying Markley Cove would have to pay for the assessed value of the facilities (approximately \$6M).
May, 2013	Reclamation executes an interim contract with Pleasure Cove Marina, LLC, to operate Steele Canyon and Spanish Flat Recreation Areas, and with Royal Elk Park Management to operate Putah Canyon Recreation Area.
August, 2013 to January, 2014	Reclamation prepares a Market Development Plan, Conceptual Site Plans, Conceptual Designs, and Potential Market Demand and Financial Feasibility Analysis for five concession areas.
Sep. 11, 2013	Reclamation awards a contract to design and install three RV Dump Stations in Steele Canyon, Spanish Flat, and Putah Canyon Recreation Areas and to design and install a water distribution system at Putah Canyon Recreation Area.
January, 2014	Reclamation releases preliminary conceptual site diagrams for Steele Canyon, Spanish Flat, Berryessa Point, Monticello Shores, and Putah Canyon and held a public workshop to gather input on the draft plans.
July, 2015	Reclamation releases Concession Bid Prospectus.
February, 2016	Reclamation announces that no successful bids were received in response to the Prospectus for the development and long-term management of five concession areas at Lake Berryessa (Putah Canyon, Spanish Flat, Monticello Shores, Berryessa Point and Steele Canyon recreation areas).
Mar. 2, 2016	Reclamation holds Community Forum Public Meeting to explain results of failed bid process and faces vocal criticism from the attendees. Provides several potential alternative future actions. No communication from Reclamation since then.
March, 2016	Lake Berryessa News begins Renaissance Lake Berryessa campaign to return management of Lake Berryessa to Napa County.
April, 2016	Reclamation informs interim concessioners for three recreation areas that their contracts may be extended up to two years.
May 20, 2016	Reclamation releases Markley Cove Bid Prospectus several months late.
May, 2016	Lake Berryessa News: "A Path Forward To Revitalize Lake Berryessa: Fire The Feds!"
June, 2016	Lake Berryessa News: "Letter to the Federal Government: Get Out of Lake Berryessa!"
June, 2016	Napa County Supervisors direct staff to enter into negotiations for a Managing Partner Agreement between the County and Reclamation for the management of Lake Berryessa.
January, 2017	Napa County Supervisors direct staff to sign a Memorandum of Understanding with Reclamation and a contract with Ragatz Sedgwick Realty who will assist the County in identifying interested concession partners by marketing the opportunity to the resort community and performing a feasibility analysis to determine the best use of each site.

March, 2017	Napa County releases on-line survey to help determine the public's desires for the types of recreational opportunities and amenities they would like to see at the lake. More than 3,000 people responded. 92% are interested in visiting Lake Berryessa if it has the right facilities.
July, 2017	Ragatz Sedgwick Realty presents comprehensive, extremely positive 434-page report to Napa Supervisors, Lake Berryessa: An Untapped Resort Development Opportunity.
October, 2017	Napa County releases a Request for Interest and Information (RFII) to solicit potential concessionaires for five sites at the lake. Nine companies responded.
January, 2018 - October, 2018	Negotiations between Napa County and the Bureau of Reclamation regarding a Managing Partner Agreement (MPA) continue with no visible results. Napa County frustrated by Reclamation stalling tactics. Original schedule for an RFP has slipped by six months. Reclamation says it supports the process but will not finalize a decision to allow new concession contracts with 55-year terms. Reclamation requires a long-term schedule and financial analysis from Napa County. County presents a new plan. Schedules slip again into 2020 and beyond. No tangible results follow.

How It All Began: The Origins of the “Big Lie”

The Big Lie

"The Lake Berryessa resorts, especially the mobile homes in the resorts, discouraged the general public from accessing the lake, prevented the public from using the best parts of the shoreline, and also polluted the lake."

Poor planning by the Federal Government began on Day 1 of Lake Berryessa's life. It morphed into an ongoing struggle to economically develop the lake's recreation facilities with no source of revenue offered by any Government agency. Only Napa County stepped up to the challenge and developed the basically successful system of seven resorts operated by concessionaires, using revenue from leased mobile homes, to pay for the day uses services provided to the general recreating public.

Lake Berryessa was formed in 1957 by the completion of the Monticello Dam. The project, as authorized by the Congress, contained no provisions for recreational facilities. The Bureau of Reclamation believed that, because of the anticipated radical fluctuation of the water level, the lake would not become a major recreation area. While the lake was being formed, however, the public began to use it, and it soon was apparent that it would be a major water recreation site.

Because facilities were not available to accommodate the public and because Reclamation lacked both authorization and funds to develop and manage such facilities, the BOR sought to have the State of California or local government agencies assume the responsibility of managing public recreational facilities at the lake. The State expressed no interest and, in November 1957, advised Reclamation that it had no funds available for such development.

In July 1958 the BOR entered into a management agreement with Napa County for the administration and development of recreation facilities at the lake. This agreement, as rewritten in 1962, provided that the county, and all parties acting under the county's authority, would develop the area in accordance with a Public Use Plan (PUP) for Lake Berryessa.

The Public Use Plan was prepared for the Bureau by the National Park Service in 1959. The plan stipulated the areas that should be developed and the number of boat launching, picnicking, camping, and other recreational facilities that should be provided in each area. Napa County adopted the policy that the recreational facilities would be developed and managed by private concessionaires, at no cost to county taxpayers, because users of the lake included many nonresidents of the county.

The county established the Lake Berryessa Park Commission to administer and manage the lands around the lake. The county loaned funds to the commission to construct a park headquarters but made no commitment of funds toward the development of recreational facilities.

Subsequently Napa County entered into contracts with seven concessionaires to develop and operate recreational facilities at various locations at the lake. Each concessionaire contract provided for scheduled completion dates for public recreational development and provided that all facilities be completed by the end of calendar year 1966.

These development costs were to be recovered by charging the general public admission fees. In addition, the contracts with the seven concessionaires provided for the county to receive three percent of the concessionaires' gross proceeds as a franchise fee. These funds were to be used by the county to finance the Lake Berryessa Park Commission. Any excess funds were to be used for public-use development at the lake.

The Public Use Plan provided for one of the areas at the lake commonly known as Bum's Beach, to be developed into a major public-use area by Napa County. It was to contain up to 50 boat launching ramps, 4,000 picnic sites,

600 camping sites, and swimming areas. Bums' Beach (now Oak Shores) was the only area at the lake available to the general public on a no-charge basis and was Napa County's contribution toward public recreational facilities. A major difference existed in the development at Lake Berryessa compared to development at the other lakes in the region at the time. The development and construction of picnicking and overnight camping facilities at the other lakes had been carried out by the managing Federal or State agency. Upon completion many of these facilities were turned over to private concessionaires for operation and management.

At Lake Berryessa all development, construction, and management had been left to concessionaires who had to finance the costs of these activities. The major development effort at all seven concessionaire areas was the addition of mobile homes. Napa County officials at the time confirmed the reasons why they considered that the inclusion of long-term, mobile-homes was necessary.

The revenue from the long-term leases of the mobile-homes provided the concessionaires with steady year-round incomes which could not be realized from seasonal picnicking and overnight camping facilities. They stated that public-use facilities, such as picnic and camp sites, did not provide an adequate return on investment and that the concessionaires had developed the mobile-home parks to help cover the costs of developing and operating seasonal-type, public-use facilities.



Editor's Note: In my research of the history of Lake Berryessa I came upon this interesting 45-year old Oakland Tribune article. It discusses the turmoil of the early '70s which led to Napa County giving management of the lake back to the Bureau of Reclamation in 1975. This was the period which spawned "The Big Lie" about the lake which was used again in the 2000s and led to the present situation.

County, Lake Businesses Losing in Lake Berryessa Fuss (1971)

By Norm Hannon, Oakland Tribune, Saturday, November 27, 1971

“Pat Botts has completely stymied the government,” says Napa County Administrator Al Haberber, a little helplessly. “Don’t say one person can’t do anything,” he goes on with grudging admiration. “She has raised hell. She’s brought in Nader’s Raiders, Senator Tunney, and the General Accounting Office. The federal bureaucracy is incapable of making a decision because of Pat Botts,” he concludes.

Mrs. Botts is the Lake Berryessa real estate agent and antique dealer who for a number of years has been blasting the way Napa County has been running things at Lake Berryessa, the popular 25-square mile reservoir which it took over in 1958 from the Bureau of Reclamation.

So far her efforts have resulted in:

- A moratorium on any further development by the seven concessionaires at the lake whose mobile home developments and docks cover substantial areas west and south sides.
- A broadside in Ralph Nader’s report, “Power and Land in California,” charging misuse of government land.
- A report by the National Park Service, issued last month, recommending that it take over and operate Berryessa as a National Recreation Area, which would push Napa County out of the picture and conceivably wipe out the concessionaires.
- A bill introduced in Congress by Sen. John Tunney implementing the Park Service’s recommendation.

- An audit by the General Accounting Office which absolves the seven concessionaires of any profit gouging and reveals, in fact, that only two of them are making any money.

In a remodeled schoolhouse on Route 121 near the lake, where she lives with her husband, Mrs. Botts keeps metal filing box full of documents to support her charges. Her concise presentation is followed by a slide showing of conditions at the various resorts, and she will offer to accompany any doubters on a guided tout of the lake.

Her answers are quick and she has hundreds of facts and figures at the ready. Her remarks sometimes get a bit personal. She admits to one economic motive for her campaign. Real estate in the area is hard to sell when it's so much cheaper to buy a mobile home and put it on federal land at the water's edge. Mobile home sites and hook-ups go for about \$500 per year. Taxes outside the federal "take line" runs as high as \$18 per hundred.

She would like to see a faster pace of development on surrounding lands, but she says the visual pollution on the lake shore and other ecological considerations also concern her, including lack of public access to most of the 7,000 federal acres surrounding the lake.

This last point hits the crux of the argument over what has happened at Berryessa in the last 13 years.

At the northern end of the lake, on a gate which bars access to the road down the forbidden east side, there are two signs. The big one reads, "Farm Access Road, Do Not Enter." Beside it, only inches away, is a smaller sign: "Boundary, Lake Berryessa, U.S. Department of the Interior, Bureau of Reclamation." The bureau's buffalo seal makes it official. This is federal land from which the public has been barred by a county ordinance. About 15 people have been arrested for trespassing on the east side of the lake in the last 12 years.

A strong case can be made for keeping any kind of permanent development off the east side. The area is covered with fragile native grasses and small oaks and the curiously folded ridge behind it frames the lake beautifully and sets its character. Yet the only use allowed on it is grazing by three private lessees, Herbert Gunn, a member of the Park Commission, the Procter and Gamble Company which owns 13,000 adjoining acres, and Jose DelSante.

Ed Bernard, a Napa County supervisor from St. Helena, remarks that the Bureau of Reclamation made some "odd compromises with the property owners on the east side."

The park service's report says, "Appropriate uses (for the east side) include shoreline fishing access and grazing (the latter at least until such time as minor development is warranted or the pollution from cattle wastes reaches a point at which it becomes unacceptable.)"

Gil Yates, the park director, points out that a serious fire hazard exists on the east side in the summer. But he is more concerned about the problem of policing it. For the 10 years the county has run things at the lake, the same five rangers, using four boats, have had responsibility for the entire area.

Under present financing there is no prospect of beefing up Yates' thinly stretched ranger force, so his concerns are understandable. It's easier just to keep people off the east side, which is probably 60 miles long or more, counting all the coves and inlets. It's a rather uncomfortable place in the afternoon summer sun anyway, with temperature often topping 100. In the winter, however, when fishermen are the main users, they can't see why they should be kept off when cattle aren't.

Yates is a one-time owner of the Berryessa Marina, which he sold in 1966. He denies one published report that suggested he might still retain an interest in it. He states flatly that he doesn't.

On the west side where all the uproar centers, there is as much complaining about what the county hasn't done as there is about the space the resort owners have taken up. A 25-mile drive from the dam to the Fill, a popular fishing area at the north end, won't bring you to a picnic table. The only toilets are two pairs at "Bum's Beach," the largest continuous stretch of public access on the west side.

All the trash cans have been provided by a beer company, although the county does spot burlap sacks at intervals on trees and picks them up periodically with the garbage boat. Among dozens of fishermen this reporter spoke with up and down the west side the main complaints were the lack of access to the choicest areas and the high cost of getting a boat in the water. This is what made bank fishermen of them. There are enough good spots between the resorts to catch fish.

They complain about everything except the fishing, which is fabulous. Bass, rainbow trout, silver salmon, and crappies teem in the lake. If it's polluted they're lapping it up. And they grow big. None of them believe the lake is polluted, except perhaps near the docks. "I drink the water right out of the lake when I'm out in my boat," said Merle Lear of Fairfield, a vehicle inspector for the state.

All but one of the anglers favored the plan for a National Recreation Area. They came from throughout the Bay Area and from as far away as Long Beach.

Boating and launching fees were often mentioned. It can cost up to \$8.50 to get your boat in the water if you're a first time visitor. The county's annual sticker costs \$5 and resorts usually charge \$3 for a launch. "The only thing that matters to the people up here is money," said Bill Vaughn of Fremont, who had two nice silver salmon on a stringer near the Berryessa Marina. He said he only went there in winter. His companion, Henry Reager of Newark, said he wasn't sure if the proposed federal takeover would help. "I'd like the specifics of what they've got in mind, first."

H. D. Lalonde of Napa, who had just landed a four-pound rainbow at The Fill said: "Absolutely not! If we're going to turn everything over to Uncle Sam we're in trouble." But like many of the others he felt there should be public boat ramps outside the resorts.

The Park Service's report maintained, and the complaints bear it out, that the resorts have not provided enough facilities for day use, such as picnic areas, and for transient use by overnight campers. This was all supposed to be part of the deal, according to the lease arrangement.

They have given over more and more space to the lucrative "mobile home" developments and the county has apparently gone along. The trouble has been that mobile homes have tended to become semi-permanent second homes on plots of federal lakefront, with private docks.

The operators defend the practice:

"Many people take the position that they are entitled to use the lake in this way (mobile homes) rather than to camp, so long as their use is proportionately representative of the total public use required to be served by this regional facility. "Economic experience with mobile homes assures certain revenues which help overcome operating losses inherent in such seasonally oriented businesses..." one of their written statements says"

The biggest part of the difficulty, the operators and the county maintain, is that the resorts have been laboring under a 90-day termination clause in their leases which makes it impossible to borrow money for improvements. If this was removed - and they've been trying to have it stricken for some years - they would be able to "develop to ultimate standards" inside their own areas and provide the kind of facilities the public wants.

This would supposedly mean an increase in the return to the county from the three percent possessory interest tax which the operators pay on their gross. The county then would supposedly have the wherewithal for better facilities outside the resorts.

Don McFarland, manager of Steele Park Resort and member of the County Planning Commission, said that in the spring of 1970 the owners had expected to get a new contract in which the 90-day clause would be thrown out, but it fell through. Then the Bureau of Reclamation slapped the moratorium on the area and all bets were off until the Park Service plan was finished. Meanwhile the county worked up its own plan, issued in June, which called for more of the same with the 90-day clause out.

When the Park Service dropped its bombshell, the county still continued to stand behind the operators, claiming the “private enterprise” can provide the needed improvements if given a chance. The county boasts the “not a nickel of outside tax money” has ever gone into Berryessa. The county ran things on \$165,000 last year from possessory interest taxes and boat stickers.

Why does the county want to continue to run Berryessa when it’s turned into such a headache?

“Some counties would say, ‘Let the U.S. Government do it’ Habberger says, “But that’s the erosion of local government and we don’t want ours eroded. “No gimmicks and no payoffs...we just think we’re the ones to be in charge.” “It’s a lousy plan. It’s ridiculous.” He says of the Park Service’s report.

He and the operators take particular aim at the “optimum use” figure of nine million persons annually which the plan projects. About 1.8 million people use the lake now, and they believe that’s about where it should be kept.

Tent camping is not one of the uses Berryessa lends itself to - at least in summer when the temperatures are hot. Habberger maintains that the main attraction is Berryessa’s superiority as a boating lake, something the Park Service plan fails to recognize.

He also objects strongly to the suggestion that the lake is polluted. The county hired a sanitarian for \$5,000 to make a comprehensive study which showed that it wasn’t. Most of the users and the fish agree with him, although most of the resorts use a rather primitive ponding system for sewage which depends on evaporation.

County Planning Director, Jim Hickey, former planning chief for the Association of Bay Area Governments said:

“The idea that Napa County is tearing up Lake Berryessa is false. The Bureau of Reclamation knows what’s been going on and everything that’s been done has the BOR signature on it. “Some are saying that we’re incompetent because we are local and can’t see the regional significance of the area. But we’re not stupid...if we had the money we’d do it, but we haven’t got dollar one and won’t have until the 90-day clause is dropped.”

So the county finds itself in the position of fighting to keep control of a lake whose creation it also fought because it meant the loss of prime agricultural land. Much of the trouble at Lake Berryessa can be traced to a time in 1967 when the Park Service, doing its original study for the Bureau of Reclamation, came to the conclusion that because of the steep sides of the lake and the large annual drawdown, the lake had no significant national recreation significance and recommended that a regional or state agency take over. The Park Service is saying now that it was wrong, and should have done the job itself.

County, Lake Businesses Losing in Berryessa Fuss

Oakland *Tribune*

SATURDAY, NOVEMBER 27, 1971 3-E

By WHEE HANSON
Tribune Staff Writer

BERKELEY — "The 1970 has completely spoiled the government," says Santa County Administrator Al Habegger, a little belatedly.

"Don't say our people can't do anything," he goes on with grudging admiration. "It's the raised hell. It's because of the mess that's happened in the county and the General Accounting Office."

The federal bureaucracy is incapable of making a decision because of the mess," he concludes.

His points to the Lake Berryessa and outside agencies longer why for a number of years has been having the way they County has been running things at Lake Berryessa. The popular magazine reviewer which it took over in 1958 for the U.S. Bureau of Reclamation, so far the efforts have resulted in:

—A concentration on any further development by the seven communities at the lake where mobile home developments and docks cover substantial areas of the east and north sides.

—A lawsuit in the Lake Berryessa and Lead in California, charging misuse of government land.

—A report by the National Park Service, issued last month, recommending that it take over and operate Lake Berryessa as a National Recreation Area, which would push Santa County out of the picture and considerably wipe out the recreationists.

—A bill introduced in Congress by Sen. John Tunney, R-Calif., representing the Park Service's recommendation.

NOT
a nickel of
outside tax money.

—An audit by the General Accounting Office which shivers the seven communities of any profit going and remains, in fact, that only two of them are making any money.

In a continued editorial the State III out the lake, where the State with her husband, Mrs. Betty Lewis, a local filing her bill of divestment to support her campaign. The county representative is followed by a strike showing of conditions at the various resorts, and she will offer to accompany any developer on a guided tour of the lake. Her answers are given and



JAMES HICKEY
Santa County planner



MRS. PAT BOFFA
Park Service representative

she has hundreds of letters and figures at the ready. Her remarks sometimes get a bit personal.

She admits to see economic value for her community and mobile homes in the area in kind and when it's so much cheaper to buy a mobile home and put it on federal land as the water's edge.

Mobile home sites and facilities go for about \$100 per acre. Yours outside the park, "Lake Berryessa" are as high as \$10 per lot.

She would like to see a faster pace of development on surrounding lands, but she says the usual policies on the lake there and other scenic areas, including lack of public access to most of the Lake Berryessa area surround the lake.

This last year like the case of the argument over mobile home sites at Lake Berryessa in the last 15 years.

At the northern end of the lake, on a site which has been in the hands of the late Mrs. Betty Lewis, there are two signs. The big one reads, "Fishing Access Road, Do Not Enter."

Inside it, inches away, is a smaller sign: "Wednesday, Lake Berryessa, U.S. Department of Interior, Bureau of Reclamation." The sign's bulletin and makes it difficult to read.

This is federal land from which the public has been barred by a county ordinance. About 15 people have been arrested for trespassing on the east side of the lake in the last 10 years.

A strong case can be made for keeping any kind of permanent development off the east side. The area is covered with fragile native grasses and small oaks and the numerous added signs tend to obscure the land's beauty and sets to the water.

Yet the only use allowed is a grazing by three private interests, Robert, Gene, a member of the park commission, the Pretter and Gorman Co., which owns 11,000 adjoining acres and has facilities. Their cattle graze right up to the shoreline which is off limits to people.

Ed Bernard, a Santa County supervisor since E. Helen, recalls that the Bureau of Reclamation made some "bad" representations with the private owners of the east side.

The park service's report says, "Appreciate that the east side includes shore line fishing access and grazing (the latter at least until such time as water development is undertaken at the public's expense) and other values

reaches a point at which it becomes unacceptable.)

On Lake Berryessa, the park service points out that a serious fire hazard exists on the east side in the summer. But so many are concerned about the problem of parking it. For the 10 years the county has run things at the lake, they serve five campers, some with boats, have had responsibility for the entire area.

Under present financing there is no prospect of building a parking lot. The county is stuck with a lot of land, but it's not just to keep people off the east side, which is probably the most scenic and most scenic area. It's rather an unfortunate place in the otherwise temperate zone, with temperatures above freezing 300 days a year. However, when temperatures are in the 30s, they can't see why they should be kept off when cattle are there.

Value is a real issue. Most of the land is owned by the county, but the county can't see why they should be kept off when cattle are there.

The county can't see why they should be kept off when cattle are there.

THAT'S
the erosion of local
government and we
don't
want ours eroded.

published report that suggested it might still retain an interest in it. He states that the lake is not to be sold.

On the west side where all the sport centers, there is no such complaining about what the county hasn't done as there is about the space the sport centers have taken up.

A 10-acre drive from the lake to the lake, a private fishing area at the north end, won't bring you to a picnic table. The only table are two years at "Hunt Beach," the largest commercial stretch of public access on the west side. All the beach club has been provided by a loan company, although the county does get back up on the lake at intervals on trees and picks them up periodically with the garbage.

Among dozens of fishermen, the reporter spoke with up and down the west side the most complaints were the lack of access to the closest areas and the high cost of parking.

The operators defend the practice:

"Many people like the public lands that have been turned into the lake in the way mobile homes rather than to camp, so long as their use is proportionately representative of the total public use represented to be served by the regional facility."

"Financially, operations with mobile homes require certain revenues which help maintain the park service's operation in a such financially sound business." One of their owners comments says.

The biggest part of the difficulty, the operators and the county maintain, is that the county has been using up its money on the lake in a way which is not to be done.

ing a boat to the water. This is what made boat fishermen of them. There are enough good spots between the resort to catch fish.

They complain about everything except the fishing, which is business. But, unless there are more boats, and crappies been in the lake, it's not just to keep people off the east side, which is probably the most scenic and most scenic area. It's rather an unfortunate place in the otherwise temperate zone, with temperatures above freezing 300 days a year. However, when temperatures are in the 30s, they can't see why they should be kept off when cattle are there.

It's not just to keep people off the east side, which is probably the most scenic and most scenic area. It's rather an unfortunate place in the otherwise temperate zone, with temperatures above freezing 300 days a year. However, when temperatures are in the 30s, they can't see why they should be kept off when cattle are there.

It's not just to keep people off the east side, which is probably the most scenic and most scenic area. It's rather an unfortunate place in the otherwise temperate zone, with temperatures above freezing 300 days a year. However, when temperatures are in the 30s, they can't see why they should be kept off when cattle are there.

It's not just to keep people off the east side, which is probably the most scenic and most scenic area. It's rather an unfortunate place in the otherwise temperate zone, with temperatures above freezing 300 days a year. However, when temperatures are in the 30s, they can't see why they should be kept off when cattle are there.

The only thing that matters to the people up here is money," said Ed Vogel of Fremont, who had two nice olive oil trees on a cottage near the Berryessa station. He said he'd buy them there in winter.

His companion, Henry Dinger of Newark, said he wasn't sure if the proposed federal takeover would help.

"I'd like the specifics of what they've got in mind, first," he said. "I'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."

He said he'd like to know what they've got in mind, first."



ED BERNARD
County Administrator

make it impossible to borrow money for improvement.

If she was removed — and they've been trying to have it struck for some years — they would be able to "step up" to obtain standards inside their own areas and provide the kind of facilities the public wants.

The supposedly would mean an increase in the value to the county from the 1 per cent property tax that the speculators pay on their land. The county then would apparently have the water provided by better facilities within the county.

Don McFarland, manager of the State Park Board and member of the County Planning Commission, said that in the spring of 1970 the county

SOME
are saying that we're
inept because
we are local.

had expected to get a new contract in which the 30-day clause would be broken up, but it fell through.

Then the Bureau of Reclamation stopped the construction on the area and all but went off to sell the Park Service plan was dropped.

When the Park Service dropped its foothold, the county still continued to stand behind the operators, claiming that "private enterprise" can provide the needed improvement if given a chance.

The county insists that "not a cent of outside tax money" has ever gone into Lake Berryessa. The steady run things in 1970 lost year from property interest taxes and boat taxes.

Why does the county want to continue to run Lake Berryessa when it's moved into state hands?

"Some counties would say, 'Let the U.S. Government do it,' but Habegger says, 'But the money of local government can do it. We can't wait until the state takes over.'"

"The grounds and the people... we just think we're the ones to be in charge."

"It's a long time, it's a long time," he says of the Park Service's report.

He said the operators take particular note of the "operation" of the lake. "If you can't see the plan projects, about 1.8



JOE MELLO TOOK TROUT IN CAPELL CREEK
Fishing is fabulous, even from lake Berryessa.



SIGNS WARN VISITORS AGAINST USING LAKE
Camping, boat launching are limited to resorts



THIS IS WHAT THE CONCERN IS ALL ABOUT AT LAKE BERRYESSA.
Mobile homes on federal land have almost exclusive use of facilities



Will History Repeat Itself In Reverse? What Happened in 1975?

The early 1970s brought much controversy over the management of Lake Berryessa. Napa County was in conflict with the Bureau of Reclamation over how best to provide public recreation at the lake. A moratorium was placed on all construction and development in the concession areas, including remedial construction activities, by Reclamation in 1970. A Board of Supervisors Resolution, No. 71-133, Nov. 1971, refused to continue to allow the Reclamation imposed "moratorium" and resolved to allow construction activities of a remedial nature at Lake Berryessa.

Congressman Don Clausen, responsive to his constituents, visited the lake in 1972. He worked extensively with all parties involved. In mid 1973 there was a Lake Berryessa Conference called by Cong. Clausen. He analyzed the National Recreation Area Proposal which would acquire the concessions and burden taxpayers with \$25 - \$40 million. He concluded that it did not provide a solution and that an expanded, up-dated and restructured cooperative management agreement between the Federal government and Napa County would be the best and most realistic way to resolve the Berryessa question.

He attributed the failures to develop and manage day-use recreation facilities and activities to:

1. Failure of the Federal government to recognize the potential for public recreation when the Lake Berryessa - Solano Project was conceived and constructed.
2. Failure of the Federal government to provide for the development and management of day-use recreation facilities even when its potential was recognized.
3. Inability of the State of California to finance or cooperate in financing recreational resources at the Lake.

He then stated, "Private enterprise, working in concert with government, can do anything better than government alone can --- the only problem is, it was never really given a fair chance to work at Lake Berryessa!" He recognized that funds were necessary to develop the day use capital improvements, and vowed to pursue Federal funds. He felt that the public use plan developed by the National Park Service was an excellent guide in developing a comprehensive day-use recreation plan for the Lake.

The Conference led Congress Clausen to introduce H.R Bill 11758, December 1973. The purpose of the Bill was to authorize the Federal government to direct the development, operation and maintenance of day-use facilities. It further authorized the Federal government to create rules and regulations for the administration of the lands and waters at Lake Berryessa, and to enter into agreements for the operation and maintenance of recreational use facilities in the area. It authorized funds to be appropriated which were necessary to carry out the provisions of the Act.

Supportive of HR Bill 11758, the Napa County Board of Supervisors passed a Resolution. The County considered the bill a solution which would provide for the establishment of much needed day use public recreational facilities at Lake Berryessa by receiving funding to provide recreational uses, while proposing reasonable solutions for the management at Lake Berryessa.

But after fruitless years of discussion and debate regarding the management agreement, in 1974 Napa County withdrew as the management agency of Lake Berryessa through Resolution 74-444, April 1974:

"WHEREAS, since the inception of said recreation managerial effort by the County of Napa, the recreational public has been served through the development of seven separate concession complexes individually managed by private enterprise concessionaires under agreement with the County, as approved by the Bureau of Reclamation, and the volume of recreational uses by the general public has expanded to the extent that presently Lake Berryessa is providing more than two million recreational user-days per year; and

WHEREAS, the County of Napa has, during recent years, sought to negotiate certain amendments to the said

management agreement with the Bureau of Reclamation for the purpose of providing the resort concessionaires at Lake Berryessa with the contractual interest that would permit their more readily obtaining commercial financing with which to accomplish desirable expansion and capital improvements within their respective concession areas; however, such efforts of County have thus far been fruitless; and ...

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Napa, State of California, that it does herewith and hereby determine that the County of Napa shall relinquish and terminate its managerial functions and activities under that certain Agreement entitled "Management Agreement with Napa County for Lake Berryessa Area" and dated January 17, 1962, between the County of Napa and the United States of America, Department of the Interior, Bureau of Reclamation, said relinquishment and termination to be accomplished at a date convenient to said Bureau of Reclamation but not later than June 30, 1975."



A Modern History (Short) of Lake Berryessa Issues: 1957 - 2012

PETER JENSEN, Napa Register, August 19, 2012

Napa County Got the Headaches, Solano County the Water

Death came to the Berryessa Valley, a fertile paradise where families had farmed for a century, during the rains of the winter of 1957. The residents, ranchers and farmers had left, the buildings were razed, the orchards cut down, the crops uprooted. Even the graves in the cemetery were exhumed and moved to higher ground. By order of the United States government, almost everything of value was removed. All that remained that winter was the two-lane highway and the stone bridge — Napa County's longest — over Putah Creek.

By then, the 300-foot-high Monticello Dam was complete at Devil's Gate, where Putah Creek broke east through the Blue Ridge, carving a canyon — and a natural dam site — on its way to the Central Valley. The creek had run through the valley for thousands of years, but now its waters were backing up. They seeped up the highway, over the flattened town of Monticello, over the scoured farmland. On Feb. 26, 1957, crews poured the last bucket of concrete for Monticello Dam. Per tradition, they tossed in a few coins as well.

With the dam's completion, Napa County, which today so prizes its world-renowned agriculture, lost one-eighth of its farmland, an area with annual agricultural production valued at \$1 million in 1947. What it gained was a reservoir, Lake Berryessa, whose benefits would flow primarily eastward. Lake Berryessa would become Solano County's economic treasure, an exclusive source of reliable water for its farms and cities.

In 1948, the federal government had to choose between saving Berryessa Valley for farming or flooding it to benefit neighboring Solano. Napa County touted the valley's 12,000 acres as some of the most fertile in California. But in the eyes of the dam builders, the U.S. Bureau of Reclamation, Devil's Gate was one of the best dam sites in the entire Central Valley. The decision to flood Berryessa Valley reflected California's insatiable need for water, its most precious resource. As the historian W.H. Hutchinson observed, irrigation produces more value every year in California agriculture than the value of all the gold mined in the Gold Rush.

Monticello Dam was designed to hold back 1.6 million acre-feet of water (1 acre-foot equals about 326,000 gallons), an enormous amount. In comparison, Napa, the county's population center, uses less than 15,000 acre-feet per year, none of it from Lake Berryessa. Each year, the dam spills more than 200,000 acre-feet into Solano County, enough water to irrigate more than 80,000 acres of cropland and supply cities such as Vacaville, Vallejo, Suisun City and Fairfield, with enough left over for Anheuser-Busch to make Budweiser beer.

Solano County received a tremendous gift when Monticello Dam was built. Federal taxpayers covered the \$47 million in construction costs, which paid for the dam, a diversion dam, and a 33-mile canal to deliver the water. Solano paid that back over 50 years at zero percent interest.

Lake Berryessa is the largest federal reservoir in California whose waters are available almost exclusively to users in one county, which sits just miles from the source, said Drew Lessard, a deputy area manager for the Bureau of Reclamation. It cost Napa County dearly. Not only did the county lose some of its best agricultural land, but it receives a pittance of the water. The communities and resorts at the lake get Berryessa water, but it amounts to a small fraction of what Solano receives.

In 2005, Napa County studied what Lake Berryessa had cost county taxpayers the previous fiscal year. With the lakeside resorts fully operational, producing tax revenue, the county still lost about \$700,000, according to Helene Franchi, a county budget analyst. The lake was averaging between 1 million and 1.5 million annual visitors back then, according to Bureau of Reclamation statistics. Doing the same analysis in 2006, the county's loss was calculated to be more than \$800,000.

Franchi said the analysis looked at the costs of providing police, fire and emergency medical services to the lake, as well as the costs to the county jail for housing people arrested at Berryessa, among other expenses. The county found that 75 percent of the county's costs were to pay for Napa County sheriff's deputies and other law-enforcement expenses. The revenue didn't come close to covering the expense, she said.

Because the resorts are on federal property, the federal government gives the county an average annual payment of \$127,000 to pay for services that would be covered by the property tax revenue the county would otherwise collect, Franchi said. The county's costs have dropped in recent years because the flow of tourists has slackened due to scaled-back resort operations, but so have tax revenues, Franchi noted.

The lake is still a financial drain on county coffers. In the past two years, the county has lent \$3 million to cover operational deficits and other costs for two troubled utility districts at the lake, one serving Berryessa Highlands, the other Berryessa Estates. These loans will almost certainly be written off as county subsidies, with the prospect that yet more loans will have to be made, officials said. Considering what the value of Berryessa Valley's agricultural production was, and would be if it still existed, the size of the loss grows.

Napa and Solano battled over Berryessa's fate: Powerful forces aligned against Napa

Napa County never wanted to turn Berryessa Valley into a reservoir, but seemingly everyone else did. Solano County, California Gov. Earl Warren, even officials in Washington, D.C., conspired to build Monticello Dam and force the removal of an agricultural community that had thrived since the mid-19th century.

In the early 1900s, farming interests in Solano County were the first to covet Berryessa Valley water. They looked on with dismay as water from Putah Creek, an 85-mile-long stream with headwaters in the Mayacamas Mountains, rushed through the Berryessa Valley before disappearing into the Sacramento River delta network. They imagined a dam at the eastern end of Berryessa Valley at Devil's Gate that would impound this abundant source of fresh water to irrigate Solano's orchards and fields.

In 1907, cities south of San Francisco considered Putah Creek as a far-flung way to provide water for their urban populations. To investigate the feasibility of a dam, they hired three engineers whose histories loom large over the American West, according to the Solano Irrigation District. The first was Arthur Powell Davis, a nephew to John Wesley Powell, who led the first American expedition down the Colorado River and is considered the grandfather of western water reclamation. Later, Davis would become the director of the fledgling Bureau of Reclamation. The second was George Washington Goethals, who had recently finished supervising construction of the Panama Canal.

The third was William Mulholland, the future superintendent of the Los Angeles Department of Water and Power. He would become notorious in western water politics soon after when he spearheaded the draining of the Owens Valley in the Eastern Sierra Nevada to deliver water to Los Angeles. L.A. received enough water to sustain decades of explosive growth. But that would come later. In 1907, the three men devised a storage plan centered on the construction of a large dam at Devil's Gate. When their plan was put aside, Solano County continued to push for the dam, and their calls for it reached a fevered pitch in the 1930s when western dam building was in its golden era.

During the 1930s and '40s, Napa and Solano counties fought a political battle over plans to dam Putah Creek and flood Berryessa Valley in northeast Napa County. Napa County officials wanted to preserve Berryessa Valley for agriculture, while Solano interests wanted the valley's water for Solano's farms and cities. The fight peaked in Congress during a series of hearings on a bill authorizing Monticello Dam before the House Subcommittee on Irrigation and Reclamation in April 1948. At the time, California was experiencing a post-World War II boom of population, agricultural and industrial growth.

The Central Valley Project had made its first delivery of water to Central Valley farmers eight years earlier, but more was needed. So when it came to decide whether the Berryessa Valley agriculture should live or die, California's governor, Earl Warren, left no doubt as to which fate he favored. Napa County was outgunned at the hearings. The pro-dam advocates included Solano County officials and irrigators, and military leaders at Mare

Island Naval Shipyard, the Benicia Arsenal and Travis Air Force Base. Reclamation and Department of Interior officials also spoke in favor of the water project. Pushing against them were members of the Napa County Board of Supervisors and a delegation of Berryessa Valley farmers.

Secretary of the Interior Julius Krug issued a statement that was read at the first hearing, on April 12. The water supplies to those military bases were so inadequate, he said, that fresh water was brought in on barges. Based on an arrangement brokered during World War II, the city of Vallejo, which supplied Mare Island, was relying on water from the East Bay that was piped in over the Carquinez Strait. But that arrangement was set to end in 1952. Other cities in Solano County were relying on groundwater, which was rapidly running dry.

Reclamation Commissioner Michael Straus summed up the natural blessing Devil's Gate offered.

"The rapidly accelerating growth of this area — and particularly in recent times — has brought about a rapidly accelerating water crisis to Solano County," Straus said. "Fortunately in this area Putah Creek gives an opportunity for securing the vital water, and it is of such a physical nature as it flows through the Devil's Gate that it is a natural dam site. ... Anybody going through the Devil's Gate who is interested in this type of development just stops and says, 'Why, nature met us half way here.'"

Stanley Kerr, manager of Reclamation's office in Sacramento, called Devil's Gate the perfect site for a water project, as all the water released downstream could be moved by gravity, without expensive pumping.

"The Monticello Dam and Reservoir site is one of the most favorable in the entire Central Valley," Kerr said. "The only unfortunate aspect of the entire project is that Monticello Reservoir would flood fertile lands in Berryessa Valley and the small town of Monticello. For every farm acre flooded by this reservoir, there would be brought under irrigation 9 new acres. The total benefits created by this project would be about 20 times the damage done to Berryessa Valley."

Gov. Warren said in a statement: "I am of the firm belief that the construction of the Monticello Dam will represent the greatest good to the greatest number. We must conserve every drop of useable water for every purpose to which it can be economically put."

Napa County argued that flooding the Berryessa Valley was unnecessary, and water could be stored by constructing a series of smaller dams higher up Putah Creek, north of the valley. Water for Vallejo and Mare Island could be piped into Napa's Lake Hennessey, where it would travel through the city of Napa's system to those destinations, local officials said.

County Supervisor N.D. Clark called the project an "unnecessary and wanton destruction of deep, rich, fertile soil." He noted that the valley's crop production had a value of \$1 million the year before, and the yields were uniformly high. Wheat averaged 35 bushels to the acre; barley garnered 45 bushels to the acre. Alfalfa yields were 8 tons per acre, while wine grapes could produce 4 to 5 tons per acre, with 8-ton yields not uncommon. A soil survey commissioned in 1933 found that almost all of the valley's soils were considered high-grade, and didn't erode with wind or rain.

On April 26, Clark, the chairman of the Berryessa Valley Protective Association, offered a statement on behalf of that delegation.

"The people of Berryessa Valley, and the town of Monticello, will be made homeless and forced to relocate to other districts at a tremendous loss to them," Clark said. "They will be scattered and separated, one friend from another, one relative from another, and let me say that some of these families have been established since pioneer days."

The county delegation formally requested the subcommittee delay the bill, pending further study of the proposed alternative sites. The bill didn't move forward, effectively blocking the plans for the dam.

“They convinced Congress that the alternatives were as good as the real thing,” said George Gamble, a modern-day Lake Berryessa resident whose family once ranched in Berryessa Valley. “They came back, just smiles on their faces.”

Proponents were unbowed, however, and found a workaround, Gamble said. The water source was declared to be needed for national defense purposes and met the legal requirements for a federal reclamation project, which paved the way for the Secretary of the Interior, not Congress, to authorize the dam.

On Nov. 11, 1948, Secretary Krug signed the documents authorizing Monticello Dam. Proponents later secured funding for the \$47 million project through Congress, and construction began in 1953. For residents of Berryessa Valley, the die was cast. The exodus of the valley’s farm families would soon begin.

“It changed my whole life,” said Murray Clark, 79, a Berryessa old-timer. “It changed everybody’s lives.”

Death of Monticello Was a “Heartbreaker”

Out on the northeast end of Lake Berryessa, down a dirt road where cars can’t help but kick up dust, lives a link to a bygone chapter of Napa County history. A Google map won’t help you find his home, but he’ll tell you where to go. Past the hill, it’s up ahead. And drive slow — dust clouds have a habit of going everywhere you wouldn’t want them. George Gamble greets you at his doorstep, shirt tucked into a pair of denim jeans. Inside his rustic, wood-framed home that you’re sure was built by hand, he asks what you want to know.

“History,” you say, “the history of the Berryessa Valley.”

The valley, which once accounted for one-eighth of Napa County’s agricultural land, was flooded to create Lake Berryessa and provide water to Solano County. Gamble, 75, is a member of an aging group of men and women who knew the valley personally. He grew up visiting his dad’s ranches there before the valley was inundated in the 1950s. His father strung together three ranches during the Great Depression — 9,000 acres total — when the land was cheap, provided you paid off the back taxes.

Back then, the valley floor was covered with family farms whose land titles could be traced to the Homestead Act of 1862 or, if you wanted to go back further, to a Spanish land grant. Lots of dry-farmed wheat and barley fields, with some orchards and grapevines mixed in, Gamble says. Ranching was mostly in the foothills. All of that is gone now, flooded when the Bureau of Reclamation blocked Putah Creek with Monticello Dam, but Gamble remains.

Gamble and his brother, Launce, inherited 5,000 acres of ranchland on the east side of Lake Berryessa, where he now lives. Gamble leases out the ranch today, but he remains involved. If there’s a fence that needs repair, he’s sure to speak his mind. Gamble likes it out here, and he has no plans of leaving. It’s quiet, he says, and he’s learned to live without a grocery store or doctor nearby. He conducts a census of his neighbors on the east side by counting the mailboxes — 13 in total, although some no longer live there and others are only part-time.

Of his rural lifestyle, Gamble says, “To me, it’s utopia. I couldn’t imagine living in the Napa Valley and having to commute an hour or two each way. It would just take the fun out of life. When you only have to commute a hundred feet or so, it’s pretty nice. This is just my way of life.”

His way of life was once shared by hundreds of others in the Berryessa Valley. Murray Clark, 79, was raised in the valley on his family’s property, located 5 miles north of the valley’s only town, Monticello, which had roughly 300 residents. His great-grandfather and great-grandmother moved west in a wagon in the 1860s and settled here. Clark’s grandfather gave each of his children a ranch as a wedding present, and he recalls a childhood of working on his family’s property. His mother worked as a maid in a mansion that burned down in the 1920s, he said.

Gamble recalled an annual rodeo held among the valley’s ranch hands, and the sense of family the event fostered in the community. Huge slabs of meat were buried underground and hot coals were put on top to cook them, he

remembers. The McKenzie General Store had a telephone switchboard that required you to plug in the line and crank it up to use it.

“Going back to when this was a rip-roaring valley, it was a lot different, obviously,” Gamble said. “It was a great feeling among family. Everybody was so friendly. To me, it was the last of the old West.”

The valley was also an agricultural jewel, with a diversity of loam soils whose depth and fertility rivaled Napa Valley’s, according to Napa County Agricultural Commissioner Dave Whitmer. The geologic uplift that produced Napa Valley’s world-famous wine region was at work in Berryessa Valley as well, Whitmer explained. Indeed, the valleys share a similar natural history. Each was formed out of the Coast Range, with a main source of water flowing through its heart. In Napa Valley, that source is the Napa River; in Berryessa Valley, it was Putah Creek.

The main differences between the two are climate and the final destinations of their water supplies. Napa Valley opens to the San Pablo Bay and its vineyards benefit from that marine influence. From its source near Calistoga, the Napa River flows unencumbered to the bay. Berryessa Valley is farther removed from the bay and is ringed by steep slopes on all sides, which gives it a hotter climate more comparable to the Central Valley. More significantly, Putah Creek pushes east through Devil’s Gate, a natural site for a dam.

It took millennia to make the Berryessa Valley landscape, but less than a decade for the Bureau of Reclamation to turn it into a lake. Gamble recalls people moving out of the valley. Through eminent domain, the U.S. government took ownership of all the property in the valley and offered the residents money as restitution. Auctions were held in which people could buy and relocate some of the buildings. The home Gamble lives in today was acquired that way.

Gamble’s father had a 3,000-acre ranch on the valley floor, which he considered the centerpiece of his properties. Losing that “was a heartbreaker,” Gamble said. “My dad put in a lot of years in here. Then you’re told one day that ‘We want your land more than you do.’”

The cowboys and ranch hands picked up and left. Clark said his father struggled to leave the house he was born in. Clark left the valley angry in 1956 and went to work as a welder for Standard Oil in Richmond. He said he’s still angry about it.

“It was devastating,” Clark said. “We were really bitter about it. You hated the Bureau of Reclamation and anybody that had anything to do with it. I still hate them. I know that’s not right, but that’s the way it is.”

He said he’s come to rationalize the loss of Berryessa Valley.

“I’m sure that what was gained far exceeds what was lost, but we don’t see that at the time,” Clark said. “It’s always a resentment. You get over it, but you still resent it.” He couldn’t face going back to Lake Berryessa for a number of years after the dam was built. “I couldn’t go back,” he said. “I couldn’t go see that.”

As he’s gotten older, Clark said he’s realized the importance of preserving the history of Monticello and Berryessa Valley. A memorial is held annually among the old residents, but “it’s getting now where most of the ones that come are descendants,” Clark said. When he dies, Clark knows where he’ll be buried — at the Monticello Cemetery, which once sat on the valley floor but was moved to Spanish Flat.

Out at Gamble’s house along that dusty road, the conversation has turned to broader themes. “What was here, before mankind, was a beautiful thing,” Gamble says. “It was balanced — nature was balanced. Along comes mankind, and they start taking advantage of what is here.

“It’s a shame that amount of good dirt has gone underwater,” Gamble adds. “It’s like everything in the Sacramento and San Joaquin valleys. They’re losing acres and acres every year under asphalt. One day we’re going to need every bit of farming land we can get.

Monticello Dam Proposal Stresses Critical Shortage of Water Throughout California

October 24, 1947 3:00 pm

Painting a gloomy picture of the water situation in California, Congressman Richard Welch, chairman of the congressional public lands committee, informed officials and residents of Napa and Solano counties that the matter called for cooperation rather than controversy.

Welch's warning came at the meeting held last Monday morning at the Napa Chamber of Commerce, when Napa County's opposition to the Monticello Dam project was presented. He called upon the two counties to resolve their differences and work out an acceptable plan for the conservation of the water of Putah Creek as well as other water resources of the area.

"It is regrettable," the congressman stated, "that there are so many people in California, this semi-arid state, whose only interest in water is to turn a faucet, or, in the case of power, push a button."

"There is a critical shortage of water from one end of the state to the other. Napa and Solano counties are by no means the only areas in need of it. I have presented at meetings of my committee from Redding to Fresno, and the situation is the same in all places. In the great central valley, trees are dying even in the cities for lack of water.

"Gentleman, I tell you water is California's biggest problem. Water and power are the life streams for our national defense and our peacetime economy. When you stop to realize that over two and a half million people have settled in California since Pearl Harbor — they are still coming at the rate of 2,000 a week — it is no wonder that there is a growing water and power shortage in every section of the state.

"We should see to it, therefore, that not one gallon of water necessary for the present and future demands of California be permitted to run into San Francisco Bay or the Pacific Ocean. Every kilowatt of potential power must be developed either by public or private enterprise."

Thomas Maxwell, chairman of the Napa County Board of Supervisors, outlined plans for conservation of Putah Creek water through a series of small dams and reservoirs, which would impound the waters in southern Lake County and still preserve the fertile acres of Berryessa Valley. He said that Solano County's need for more water was recognized and that he thought some plan could be worked out which would accomplish that same purpose and at the same time leave Napa County inviolate.

Delays in Master Plan Sabotage Berryessa Economy

With the high-noon sun above and the blue waters of Lake Berryessa below, the twin engines of the Bureau of Reclamation boat rev louder as the wake behind us grows. It's mid-July, and the lake's recreational charms are on full display. Out beyond the bow, the sun-burnt hills are a backdrop to the water's unruffled calm, and the stifling heat of the late afternoon is still hours away. In a tranquil moment such as this, it's hard to imagine how this lake, so conveniently near yet a world away from the San Francisco and Sacramento metropolitan areas, could find itself so mired in problems today.

Lake Berryessa in the second decade of the 21st century is in a state of tumult unprecedented in its 55 years of existence. Businesses have shuttered, home values have plummeted, the number of foreclosures has risen. But the national economy is only partially to blame for the lake's struggles. As a consequence of a change in federal management policy, the flow of tourists, once the lifeblood of the lake's economy, has dropped considerably from its past peaks. The Bureau of Reclamation is struggling to revive the seven resorts that were once the lake's economic engines.

Those resorts once had lodging, trailers, restaurants, stores, a tennis court and an ice cream parlor, almost all of which are now gone. Much of this was torn down in the last decade when the bureau, which manages recreation at

the lake, opted to change six of the seven resorts' operators. We pull up along the lake's western shore, and bureau spokesman Pete Lucero points out some of the sites where 1,300 trailers and mobile homes once stood. The trailers clogged some of the best recreation areas of the lake, he said. Some had no-trespassing signs posted, making public federal land appear privately owned.

The bureau was successful in clearing out much of Lake Berryessa's early development. The problem is that nothing has been built to replace what's been removed. The bureau and the new private operator, Arizona-based Pensus Group, have promised new facilities and new recreational opportunities, but crippling delays have hindered those plans. The bureau and Pensus are now in mediation to work out a new redevelopment schedule. If this fails, the bureau may pursue terminating the Pensus contract, which runs until 2040, and find another operator.

Little at Lake Berryessa has ever gone according to plan. Recreation wasn't a part of the original plan for the lake, which had been conceived as a source of water for agriculture and cities in Solano County. Yet, by the summer of 1958, a year after Monticello Dam's completion, the lake had 800 boats on it, despite the lack of boat ramps or proper access roads. That's when the Bureau of Reclamation contracted with Napa County to have the county assume management of the lake's recreation.

"We weren't in the recreation business," Lucero said. "We were in the dam-building business. Whenever Reclamation has to manage recreation, our first option is to have someone else do it."

A year later, the National Parks Service produced Lake Berryessa's original public-use plan. The plan envisioned the lake as a recreational Shangri-La, drawing droves of tourists from Sacramento and the Bay Area. Day-use sites for picnicking would be built, while the resorts could host longer stays. Boating, hiking, camping, fishing and nature-watching would be the main, family-oriented recreational uses. A four-lane highway would be needed to support all the visitor traffic.

The federal government, however, provided no money to fund the plan and Napa County couldn't afford the cost, so the county solicited private concessionaires to build and run the resorts. The county signed 30-year contracts with each one. To finance their projects, the concessionaires leased spaces to owners of trailers and mobile homes whose extended stays would provide year-round revenue beyond the peak tourist season. The trailers weren't a part of the original plan, but they sprang up along the western shore and stayed there for the next four decades.

"The (original plan) was a great document for public-use planning purposes, but it kind of went sideways," Lucero said.

Napa County managed recreation until 1975, when it handed it off to Reclamation. The bureau extended the

When the U.S. General Accounting Office and the Department of Interior pressured the bureau to get the resorts to improve their trailer-park atmospheres, they added campgrounds, but stashed them in the worst areas, Lucero said. It was hard to get the resorts to do more because of the contracts the county had agreed to decades earlier, Lucero added.

"We were managing contracts for 50 years that somebody else had written," he said.

In the early 2000s, with the contracts expiring at the end of the decade, the bureau overhauled recreation at Lake Berryessa, creating a plan that aligns more closely with the original vision from 1959, Lucero said. Removing the trailers opened up land for public use, with the goal of fostering short-term visitors to the lake who would have diverse recreational options.

"Their intent was to have a seamless transition. Well, this process has been anything but. We just haven't seen it yet," said Stu Williams, a Berryessa resident.

The Bureau of Reclamation started the bidding process on the new resort contracts in 2007, but that effort hit its first hiccup soon after. Federal lawyers determined that the bureau wasn't following the law, causing the whole process to be thrown out and started anew. By the time the second process started, in 2009, many of the resorts' contracts had expired. When the bureau and Pensus signed the new contract in April 2010, the resorts were already shut down.

"Those contracts expired and there was nothing we could do," Lucero said.

U.S. Rep. Mike Thompson, D-St. Helena, has blasted Reclamation's management of the situation, asking that the Bureau of Land Management, which manages wilderness land north of the lake, take over.

"Enough is enough," Thompson told a congressional subcommittee in May. "Reassurances and placations from the Bureau of Reclamation that they're fixing the problem are no longer enough. We need the matter resolved."

Lucero said Reclamation remains committed to its plan for the lake.

"For 50 years this was kind of an exclusive site. It was kind of an unknown jewel. There wasn't a lot of public use here," he contends.

Lucero said he imagines a future in which Lake Berryessa is marketed as a part of a "destination Napa" package.

"Before, you never had a nexus between Lake Berryessa and Napa," said Drew Lessard, a Reclamation deputy area manager. "This mediation with Pensus — we're getting through that."

More changes could be on the horizon. Thompson and U.S. Sen. Barbara Boxer, D-Calif., have sponsored two bills in Congress that would create a National Conservation Area designation stretching from Snow Mountain, in the Mendocino National Forest, to the lake. Carol Kunze, the Napa director for Tuleyome, a conservation group pushing the bill, said the conservation area would help serve visitors with an interest in outdoor recreation. Kunze envisions a series of hiking trail corridors that are currently lacking around the lake. More importantly, focusing on the lake's natural resources could help diversify its visitors, bringing in more people during the off-season months before and after summer, she said.

Kunze, who lives at the lake, said she believes the conservation designation will be a positive benefit to a lake community suffering so much negativity. "If we can get concessionaires redeveloped and get the trail systems created, maybe one day people in the Bay Area will pay attention to Lake Berryessa," Kunze said. "We are really never mentioned unless it's something negative."

George Gamble, a rancher who lives on the east side of the lake, disagrees, and questions the benefits of the designation. "This would be like a piece of Swiss cheese," Gamble said of the map of the National Conservation Area (NCA), which includes pockets of land in Mendocino, Lake, Yolo and Napa counties. "My feeling is they should keep the NCA north of Napa County. I think it's a mistake doing it here in Napa County."

Whatever happens in Washington, D.C., Williams said he hopes Berryessa never loses its down-home, blue-collar character, where residents feel comfortable sitting on one another's front porches. He's lived at locations throughout the Bay Area, but didn't find that kind of warmth until he came to Lake Berryessa, Williams said. He added he owns properties in the Bay Area that he and his wife still maintain, but the lake always draws them back.

Still, Williams can't help but think the lake's problems are far from over. It could be years before the reborn resorts begin full operation, and more years before the tourist flow recovers to full strength, healing the lake's economy.



Notice of Intent: Solano Project--Lake Berryessa; Napa, California

[Federal Register: November 7, 2000 (Volume 65, Number 216)]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr07no00-97] [Page 66763-66764]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Solano Project--Lake Berryessa; Napa, California

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) is initiating a formal Visitor Services Planning effort for the Lake Berryessa Recreation Area. Reclamation intends to prepare an environmental impact statement (EIS) for implementing the provisions of the plan. The purpose of the Visitor Services Plan is to determine the type and level of commercial facilities and services that are necessary and appropriate for future long term operations. The current concession contracts expire in 2009 and the Visitor Services Plan will be used as a basis for future concession prospectuses.

DATES: Formal public scoping meetings are scheduled for May 2001. Notice of the specific dates and locations of the meetings will appear at a future date.

ADDRESSES: Mail comments on the existing facilities, possible issues and alternatives and requests to participate in public scoping meetings to Mr. Bruce Wadlington at the address below. You may also submit requests and comments by sending electronic mail (e-mail) to: bwadlington@mp.usbr.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Bruce Wadlington, Mid-Pacific Regional Concessions Manager, Central California Area Office, Bureau of Reclamation, 7794 Folsom Dam Road, Folsom, CA 95630; telephone: Folsom(916) 989-7175, Berryessa (707) 966-2111 ext. 108 (TDD (916) 989-7285).

SUPPLEMENTARY INFORMATION:

Background

Lake Berryessa was created as part of the Solano Project with the completion of Monticello Dam in 1957. In 1958, Reclamation and the County of Napa entered into an agreement for the County to assume management responsibilities for the lake. A Public Use Plan (PUP) was developed by the National Park Service in 1959 to guide Reclamation and the County in development of the recreational facilities at the lake. In 1975, Reclamation resumed direct management of Lake Berryessa as a result of Title VI of the Reclamation Development Act of October 27, 1974 (Public Law 93-493), which authorizes Reclamation to provide for the protection, use, and enjoyment of the aesthetic and recreational values at Lake Berryessa. In 1987 a new planning process began to develop an updated management document for the lake. A Reservoir Area Management Plan (RAMP) was developed to provide guidance for Reclamation in management issues which were not mentioned in the PUP and to assist Reclamation in administering the lake and concession areas. Reclamation completed a final EIS for the RAMP in 1993.

Presently there are seven (7) concessionaires authorized by Reclamation to provide commercial support services to visitors to Lake Berryessa. These concession contracts have been in effect since the late 1950's. All the contracts will expire by 2009. Reclamation also administers two day-use areas and a public launching facility, as well as numerous roadside turnouts and trails. The eastside of the lake has been

designated a State Wildlife Area and is managed cooperatively by Reclamation and the California Department of Fish and Game.

Visitor Services Plan

The Visitor Services Plan will identify and develop the requirements, terms, and conditions for new competitive concession contracts that will be developed by the Federal Government. Some of the issues to be addressed in the plan include day-use needs, long-term and short-term recreational vehicle and trailer sites, campground development, marina development, consolidation or expansion of operations, new services development and construction, retention or removal of existing facilities, food and beverage service needs, overnight lodging facilities, and support for marine based activities, i.e., fishing (individual and tournament), swimming, water skiing, etc.

Public Involvement and Planning Schedule

The time frame for completion of this plan is 18 to 24 months. Formal Public Scoping meetings are scheduled to be held in May 2001. The draft EIS is expected to be completed by November 2001. The final EIS is scheduled to be released in March 2002.

Anyone interested in more information concerning the plan, or who has an interest in the future development of Lake Berryessa as related to this planning effort or has suggestions as to significant environmental issues, should contact Mr. Bruce Wadlington as provided above.



The “Big Lie” Continues: Task Force 7 Protests Reclamation’s Unjustified Negative Propaganda

To: Tom Aiken, Area Manager, Bureau of Reclamation, August 12, 2003

Our organization would like to formally protest the Bureau of Reclamation's public presentation and recently-released brochure regarding its Visitor Services Plan. Having sat through the slide presentation twice and reviewed the brochure in detail I must say that they are crudely unprofessional in their attempt to blame every problem that ever occurred at Lake Berryessa on the existence of mobile home sites at the resorts.

First Reclamation shows multiple slides of sewage violations at uncontrolled dry sites that have not existed for more than two years (and could not exist under any circumstances in the future) to paint all mobile home and trailer owners as crass polluters. This is as offensive as it is untrue. Reclamation was entrusted with the responsibility to know of these violations. Even a process of resort self-inspection and reporting should never have been allowed without a strong auditing program in place. It was the California Watershed Posse and the California Regional Water Quality Board that ultimately resolved a situation that should never have existed. The attempt by Reclamation to now take credit for this resolution would be downright amusing if it were not for the fact that it exemplifies Reclamation's less than honest approach to this whole issue.

The silliest slide of the bunch is the one showing a closed business on Knoxville Road. Reclamation states "The local economy receives little benefit from the current long-term private uses (observe the lack of restaurants, stores, and service stations under the current conditions)..." But Reclamation itself states that there are more than 1.3 million visitors per year to the lake, and in the same breath says that there are "only" 1,300 trailers which don't contribute more than a few thousand visitors per year. If 1.3 million visitors can't support local businesses outside the resorts, how could 1,200 trailers hurt them?

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. Many examples exist from the leases of cabins by the U.S. Forest Service in Colorado to more substantial grazing and mining leases - including the privately-owned concessions at Lake Berryessa. The reason the long-term sites are important in this context is that they provide at least 30% - 40% of the revenue to fund the short-term recreation opportunities at the lake.

Under Reclamation's own guidelines - "Private use of public lands and lakeshore should not continue into the future" - the concessions themselves (private companies which are guaranteed a profit by the government) should be eliminated since they are the most egregious example of public use of private land that can be imagined!

Some people believe that all recreational opportunities should be provided gratis by the government (all the taxpayers) as a public service. Any fair-minded person knows this idea is a fantasy. Concessions operate in all our national parks; state parks are not free. What is necessary is a balanced plan to provide varied recreational opportunities at reasonable cost to citizens.

There is no scientific evidence that long-term sites have polluted the waters of Lake Berryessa. There is no economic evidence that long-term sites can be easily replaced by other revenue sources. There is no numerical evidence that large numbers of Californians are being denied access to the lake because of the long-term sites. The problem is in the mind of the obsessed bureaucratic beholder, not the eye of the informed rational observer.

A reasonable number of long-term sites conforming to applicable health and safety codes and providing a baseline revenue during rainy seasons or droughts must be part of any common-sense future plan for the lake. The Bureau of Reclamation had a plan that was 80% complete in 1993! Where is their plan today? Spinning Power Point slides showing non-existent sewage violations and amateur Photoshop depictions of tents on a hill are not a plan.



The Facts Fight Back: What You Need to Know About the Battle for Berryessa

Lake Berryessa Now

The contracts between the Bureau of Reclamation and the concessionaires of the seven resorts expire in 2008/2009. On October 31, 2003 the Bureau of Reclamation released its Draft Environmental Impact Study (DEIS) with four proposed alternative plans for the future of the lake. Alternative A proposes no substantial change and is the least environmentally damaging. Alternatives B (“Preferred” by Reclamation), C, and D each propose that all concessions be shut down for two years, long-term sites be destroyed, all resorts facilities and infrastructure be demolished, and only a few new facilities be phased-in over time. Alternatives B, C, and D are the most environmentally destructive. Reclamation claims it provided a reasonable range of alternatives. The Lake Berryessa Visitor Services Planning Task Force (LBVSPT) strongly disagrees.

The public comment period for the DEIS ended on April 22, 2004. The LBVSPT presented a detailed alternative plan - Alternative A+. Alternative A+ is a common sense fiscally-responsible alternative, simply described as “Preserve the Best, Improve the Rest.” A petition from 12,658 lake stakeholders supporting Alternative A+ was submitted. Reclamation is required under the National Environmental Protection Act (NEPA) to analyze all of the comments and propose a final plan which should be released sometime in 2005.

Bureau Of Reclamation Propaganda Blitz

In early 2001 Reclamation embarked on a media campaign designed to negatively influence public opinion towards the resorts and the long-term sites. They took reporters and politicians on tours of the lake highlighting only the worst situations. The fact that Reclamation was responsible for causing the situations they were condemning seems to have been lost on the media.

In 2003 Reclamation published a propaganda brochure and slide show which was extremely dishonest in its negative portrayal of the situation at the lake. They blamed the mobile homes at the lake as the cause of water pollution, of blocking public access to the lake, of local businesses failures, and of health, safety, and environmental damage. They want the mobile home owners to destroy their property and get out - at their own cost with no fair compensation! They also want the resort owners to demolish all facilities and get out – again at their own cost with no fair compensation as is required by Public Law 96-375!

This is a government theft of private property of breathtaking proportions!

The Facts

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. Data is available from the Solano County Water Agency and others which proves this. Sewer systems are all adequate and do not pose an imminent health threat to water quality.
2. All development at Lake Berryessa was planned and approved by both Napa County and the Bureau of Reclamation. 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. There is no imminent danger to health and safety due to fire standards or structure setbacks.
3. There is open access now for all Americans. No one is being blocked from using the lake. The lake provides an integrated diversity of recreation for people of all economic and social backgrounds - more than a million people a year now.
4. Long-term sites provide 30-40% 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. Local businessmen are vehemently opposed to the loss of long-term sites. They believe it will have serious repercussions for them and, along with the closure of the lake for two years, could result in business failures.

5. This is a government private property grab that must be stopped! The private property rights issues involved here are fundamental. 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 US Forest Service states that “Recreation residences are a valid use of National Forest System lands, and an important component of the overall National Forest recreation program.” The Forest Service Recreation Residence program gives private citizens the opportunity to own a single-family cabin - 15,570 exist now. Why does the Bureau of Reclamation want to destroy 1,300 vacation homes at Berryessa in direct contradiction to a government policy?

What You Can Do

Lake Berryessa should be an important recreational resource for all Americans. Unfortunately, the poor management of the lake by the Bureau of Reclamation during the last 25 years and its media propaganda blitz during the last 4 years has left many people with a very negative impression of the lake.

Lake Berryessa is 26 miles long, 3 miles wide with 165 miles of shoreline - plenty of room for all forms of recreation. Battling over 3.75% of the shoreline occupied by long-term sites does not make sense. Destroying millions of dollars of perfectly good private property, living accommodations, and resort facilities makes even less sense.

All the stakeholders in developing a successful Lake Berryessa plan have one common goal - to make Lake Berryessa a rewarding vacation experience for visitors while protecting our precious environment. All other issues can be addressed and resolved in a reasonable way without closing the lake to the public for two years and demolishing everything that exists in order to replace it with less. If you support the common-sense, fiscally responsible plan for Lake Berryessa, LBVSPT A+, please write letters to that effect.



Local Chamber of Commerce Businesses Fight Back

The Lake Berryessa Chamber of Commerce commends the Bureau of Reclamation for re-examining the economic viability of their proposed plan. We all want Lake Berryessa to be accessible to the public, provide the infrastructure necessary to service a broad range of needs, and to the maximum extent possible, be economically self-sufficient. The Lake Berryessa Chamber of Commerce unites businesses, local leaders and concerned citizens of the Lake Berryessa area with the mutual goal of achieving a better and more prosperous community.

Our objective is to work cooperatively with all members of the Lake Berryessa community to significantly improve economic conditions in the region as well as improve recreational opportunities for the public. However, Reclamation's plans appear to be inconsistent with those desired results.

Not only is the Socio-economic Environment section of the Draft Environmental Impact Statement (DEIS) superficial in its analysis of the economic effects of the Reclamation's plans on the local and regional economy, our members are not aware of any needs assessments, meetings, or discussions with them prior to the DEIS release.

The Lake Berryessa Chamber of Commerce believes that the Summers and Summers Economic Analysis calls into serious question the financial viability of Reclamation's plan. If the Bureau of Reclamation should carry out the proposed closure of the Lake and complete demolition of the existing infrastructure, the consequences for all of the local, as well as regional, businesses would be devastating. You do not have to destroy the lake to renew it! Please do not implement DEIS Alternatives B,C, or D.

Several groups have proposed economically-viable plans that would increase access for short-term visitors, upgrade or remove mobile homes that do not meet reasonable health and safety standards, and provide an enhanced recreational experience for all lake users. The most detailed of these has been prepared by an historically-unprecedented coalition of all seven concessionaires. These are business owners who have the most detailed knowledge of the practical economics of running a resort. They agree with the Summers and Summers analysis. They also agree that there is no need to remove all the long-term sites which provide a legitimate recreational opportunity for citizens as well as a stable revenue base to allow them to enhance recreational facilities for short-term visitors. Please take these plans seriously.

This is a time of opportunity for Reclamation, the resorts, local businesses, residents, and Napa County to work together to bring new life to our area. And this all fits the spirit of the National Environmental Protection Act (NEPA) which aims to "encourage productive and enjoyable harmony between man and his environment...to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans." Please see the attached Department of the Interior news release. The Lake Berryessa Chamber of Commerce supports the application of these principles to the Lake Berryessa planning process which has too often in the past been more adversarial than cooperative.

Peter Kilkus, Executive Director
Lake Berryessa Chamber of Commerce



Residents Fight Back: More Than 900 Unleash Scorn on Reclamation Plan

More than 900 people with a stake in Lake Berryessa's future packed the Winters High School gym to the rafters Saturday afternoon to denounce the Bureau of Reclamation's effort to eliminate long-time family recreation. The Bureau of Reclamation's plan for Lake Berryessa continues to grow in unpopularity. They have little or no support at any of the meetings they attend.

This was dramatically proven at the Winters Town Hall meeting on Nov. 19, 2005 where about 900 people, many not trailer owners, and the Winters City Council were highly critical of Reclamation's plan. The Oakland Tribune titled their article "Residents unleash scorn on Lake Berryessa revamp". An article in the Winters Express titled "Hundreds protest lake plan" reports the Winters meeting in extensive detail - none of it favorable to the BOR or their three or four environmental mouthpieces who attended. Follow this up with the Solano County Board of Supervisors meeting on Nov. 22 which the Vacaville Reporter headline characterized as "Supes hit at plan for Berryessa" and Reclamation officials must be feeling the heat.

Kirk Rodgers, BOR Regional Director, who will sign the final Record of Decision, was in the Winters audience. Does the fact that his plan is being repudiated by most members of the local community make a difference to him or will he just try to ram this unpopular plan through as quickly as possible? Berryessa residents and businesses, not just mobile home owners, were well-represented in Winters.



The Lake Berryessa Chamber's 56 business members are nearly unanimous in opposing Reclamation's plan for Lake Berryessa. I travel a 100 mile paper route every two weeks through Fairfield, Napa, Yountville, St. Helena, Calistoga, Angwin, Pope Valley and all around Lake Berryessa. The hundreds of people I've talked to - local residents and businesses - once again not just mobile home owners - are also nearly unanimous in opposing the BOR plan.

When people finally understand what the government is trying to do, they are incredulous and wonder what is wrong with the BOR. The City of Winters agrees. This is absolutely not a "trailers-only" issue! How can the government force a plan like this down the throats of an unwilling local community when excellent lower-cost alternatives exist?

Conspicuous by his absence in Winters was Congressman Mike Thompson. Lake Berryessa and Winters are in his district, but his constituents cannot depend on him for the most minimal of support. Also conspicuously missing was Lake Berryessa Napa County Supervisor Diane Dillon. However, Napa Supervisor Harold Moskowitz was there to defend Lake Berryessa and oppose the BOR plan with a rousing statement about the true economics of owning a resort and a rebuttal to allegations about the cost of the lake to Napa County.

But where is Congressman Thompson? After ignoring hundreds and hundreds of letters, emails, and phone calls, he finally popped up in a Napa Register last week in response to a single over-the-top letter from a disgruntled trailer owner. He piously wants us to believe he really cares about an open process, but immediately starts talking partisan

politics. This is another example of Mr. Thompson's policy of "pretend that I care and hope to God no one notices I'm not really listening". And after the "revolt of the constituents" at Winters, he is reported to have immediately sent in his aide to buy off the City Council, implying he'd get any changes they want into the BOR plan.

Not only has this process not been open or transparent, it has been invisible! This is not a partisan issue. It is about bad planning and bad faith on the part of the government. It's about not listening to real people. Republicans and Democrats alike should, And Do, oppose the BOR.

It is not an environmental issue either. Although some supporters of the BOR plan continue to lie about it, there are no sewage or health and safety problems at the lake. Mike Finnegan of the BOR confirmed this in Winters last week when he stated that there were no problems at the resorts as far as the BOR is concerned.

I have a kayak and a jet ski, a mountain bike and a boat, hiking shoes and an ATV. My family and I use them all regularly. Supporters of a reasonable plan for the lake are trying to be inclusive without destroying the best parts of what exists. There is room for everyone. "Preserve the Best, Improve the Rest."

The first choice in the government's list of ways to remake the lake is to scrape the place clear of all facilities (launch ramps, restaurants, existing campsites - not just the mobile homes now dotting the lake's shores) and open the place up to more campers, canoers, hikers, RVs and the so-called "short-term user." Those at the lake now deride the plan as a fantasy effort to remake the lake into something it never has been - namely, a wilderness recreation area. What will happen, they fear, is that the Bureau of Reclamation will destroy a community that has called the lake home for 50 years. (2017 Editorial Note: This is exactly what happened!)

The government plan, released in final form late last month, remains essentially unchanged from earlier drafts. It suggests the Bureau "permanently remove" all of the mobile homes and trailers. Lakeshore areas at the seven resorts serving the lake would be restored to "a more natural setting" with improved public access. Those paying rents to the resort concessioner to use their mobile homes would be gone, along with their revenue which helps support short term users. Their spots would become campsites, picnic areas, RV sites, rental cabins - an economic model that did not work well when the original resorts were created.

Winters, perhaps the closest town to the lake, has labeled the plan "the economic equivalent of a military base closure to our community," and various business owners spoke Saturday of the devastation such a dramatic overhaul might trigger. Indeed, Saturday's discussion - technically a Winters City Council meeting - came three weeks after Rep. Richard Pombo, R-Tracy and chairman of the powerful House Resources Committee, asked Interior Secretary Gale Norton to hold a town meeting. "We've been contacted by hundreds of constituents," said Kiel Weaver, a Pombo aide who flew in from Washington, D.C. The bureau hasn't made a final decision, and other options - including staying with the status quo - remain on the table. "Take my word for it, or someone you trust," said Mike Finnegan, the bureau's regional manager. "Not you," came a catcall from the crowd.

Editor's Note (May & August, 2001): Regarding Reclamation's statements about being objective in their planning process.

Task Force 7 requests meeting with Reclamation for permittees. Reclamation ungraciously agrees "even though permittees are only one special interest group." Reclamation is clear that all long-term sites are to be removed in any new plan.

TF7 representatives meet with Reclamation again in August to discuss the Visitor Services Plan. TF7 representatives meet with Bruce Wadlington and Cecil Leslie to discuss VSP. Reclamation again made it clear that mobile homes must be removed as part of any plan. Reclamation states permittees have no rights and have paid "\$10,000 for a trailer and \$50,000 for a view."

Previous Reclamation Resource Manager, Eric Natti, had told a permittee that he hated the trailers and if it were up to him he'd get rid of every trailer on the lake. He implied that the Reclamation was going to bring in someone who

would help get rid of all the trailers. Natti, according to other sources, had undue influence over Congressman Thompson's negative views of the lake situation.

Regarding Congressman Thompson's statements that he was neutral and only wanted to see that the correct process was followed, the following is an excerpt from the Berryessa For All lawsuit:

Berryessa For All v. Bureau of Reclamation C 07-0259-SI, Filed 02/29/2008 Page 23 of 25

BOR defined away any option that would allow long-term sites, because BOR intended all along to eliminate the long-term sites, and simply sought post-hoc justifications to do so. This intention is manifest in the briefing to Congressman Thompson. In a document titled "Special Notes to Congressman Thompson" an unnamed BOR official writes:

"In an earlier meeting you asked two things which I was not able to answer thoroughly at the time. I now have the answers to those questions and discovering them has led to a high degree of personal commitment in the direction we should proceed. The questions you asked are: (Question 1 skipped.)

2. You (Reclamation) and I (Thompson) need more support to eliminate trailers than just that they are ugly, it is an inappropriate use of government land, and it keeps the general public from being able to fully use the area.

ANSWER - We have begun identifying a large number of environmental and health and safety codes. These factors will end up having much more leverage than just the desire to improve the area and get away from long term exclusive use. Many of these factors are already coming into play."



The City of Winters Fights Back

On October 19, 2004, the City Council of Lake Berryessa's sister city, Winters, unanimously passed a resolution criticizing the Bureau of Reclamation's proposed plans for Lake Berryessa. It was so accurately prescient in its concerns, especially Sections 4 and 5. Ironically, our stated efforts to "Preserve the Best, Improve the Rest." of Lake Berryessa received no support from Napa County, any Napa city, nor our own Congressman. And Reclamation clearly ignored the concerns of the City of Winters.

RESOLUTION NO. 2004-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS CALIFORNIA IN REGARDS TO THE LAKE BERRYESSA RE-USE PLAN UNDER CONSIDERATION BY THE BUREAU OF RECLAMATION.

BE IT RESOLVED by the City Council of the City of Winters as follows:

WHEREAS, the Bureau of Reclamation are currently pursuing a Re-Use Plan for Lake Berryessa which serves as a main attraction and economic center for the City of Winters; and

WHEREAS, the City relies on the activity in an around the Lake to provide jobs and tax revenues to help subsidize the local economy and City operations; and

WHEREAS, the critical link between Winters and Lake Berryessa has been in existence since the original construction of the Monticello Dam; and

WHEREAS, under the re-use proposals, significant changes may occur which will significantly change the use of the Lake and the positive fiscal impacts to the City of Winters; and

WHEREAS, the City Council now wishes to express our concerns on the most important concerns and impacts to the Winters Community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters that the City declares as follows:

- **Section 1.** Closure of the southerly concession areas (Markley/Pleasure Cove's) (partially or fully), even for renovation for an extended period could pose a serious economic impact to lake serving businesses. The City receives a significant amount of our sales tax from boaters passing to and from Markley Cove.
- **Section 2.** The projected re-use of the areas, including reduction of day boaters and motorized craft from the Cove's would provide for a considerable loss of local business to the Winters community. As described, the use of Berryessa would change to a greater houseboat and non-motorized use versus the current mix.
- **Section 3** The proposed uses for these areas would change from a mostly year-round to seasonal, thus reducing revenues to Winters for prolonged periods.
- **Section 4.** Risk of single operator of an area the size of Lake Berryessa with the described multitude of uses. The selection of a single operator is inherently a significant risk because of the potential for failure.
- **Section 5.** The lack of a phased approach by canceling all existing contracts within a two year period could create a catastrophic situation in the event that plans are not available for a transition

of control and Lake management for users.

- **Section 6.** Effects on citizens of Winters who extensively utilize Lake Berryessa.
- **Section 7** Under the current plan, it appears unlikely that the local operators could be as competitive as larger corporate operators in gaining the re-bid concession contracts. There is considerable uncertainty and probability that local operators could be required to remove existing facilities while a new operator installs new. This transition of deconstruction and construction could take many years.
- **Section 8.** The City currently benefits in our traffic from the boat storage capabilities at Markley Cove. The current plan does not adequately define how this area might be re-used. If less storage is allowed, the City could experience a higher volume of boat transport traffic than currently experienced.
- **Section 9** Local employment- A number of Winters residents are currently employed by the local operators. The uncertainty of re-use and local employment is a concern.
- **Section 10** As proposed, the re-use plan appears to begin the exclusion of many of the current users of the Lake, for a more exclusive and restricted access for non-motorized users.
- **Section 11** the current interpretation of Public Law 93-975 by the Bureau's seems inherently unfair to the current concessionaires. As adopted, PL 93-975 specifically provided for fair compensation to the concessionaires for improvements made at the facility, in the event that another lease was issued. It appears that under the current plans, these concessionaires would receive no compensation for facilities or improvements, which seems unjust.
- **Section 12** It is the request of the City Council of the City of Winters that the Bureau of Reclamation reconsider the use of Option B as the preferred alternative which includes a combination of multiple concessionaires and a phased implementation/transition of use.
- **Section 13** It is recommended that the Bureau consider other options put forth by citizens such as "A+" which recommends that the Bureau undertake a vigorous clean-up program of existing residences and leases to bring into compliance existing rules, ordinances and laws.
- **Section 14** The City Council believes that Reclamation's DEIS Alternative "B" has not addressed the broad range of concerns of local communities like Winters. The Council therefore requests that the Bureau of Reclamation open a formal public comment period for the economic analysis of the plan as well as reopen the comment period on the DEIS itself because of the lack of economic data to support the DEIS as proposed.

PASSED AND ADOPTED this 19th day of October, 2004 by the following vote:

AYES: Anderson, Fridae, Stone, Mayor Martinez; **NOES:** None; **ABSENT:** Chapman



The Perversion of Public Law 96-375: Demolition Hardball by the Bureau of Reclamation

In a bizarre move, the Bureau of Reclamation on May 19, 2008 demanded that four major Lake Berryessa resorts essentially shut down immediately! The impact of this move will have serious negative impacts on visitors, resort employees, and the local business community.

BOR Letter: "Based upon evaluation of the successful proposal and subsequent confirmation with the successful offeror, the Pensus Group LLC, Reclamation has determined that all permanent facilities in your Resort concession area must be removed by the end of the concession contract." See the full letter below.

This essentially ends the summer season at the lake before it even begins because all the contracts are set to expire this summer 2009: Rancho Monticello Resort, June 15; Spanish Flat Resort, July 13; Berryessa Marina Resort, August 13; Putah Creek Resort, August 13.

The apparent reason for this action, after several weeks of negotiation with the Pensus Group, is money - many millions of dollars worth of it. The entry cost for a new company taking over the present resorts seems to be too high to make a profit if the present facilities have any value. But the present facilities clearly have value since even Reclamation's own appraisers documented a value of more than \$11 million for Rancho Monticello, for example. See the appraisal document below.

Paying for the present facilities would require an incoming company (Pensus Group, in this case) to pay \$11 million to the outgoing company (Rancho Monticello, in this case). Add in the Bureau of Reclamation's own appraised value of the 4 other resorts in the Pensus package and you're talking really big money - even before a new company invests in any new facilities. Concurrently, the present resort owners have an appeal before a federal judge asking that their own separate appraisals (significantly higher, by about \$40 million, than the BOR appraisals) be recognized as valid.

So what's the easy way to solve this financial dilemma? Declare that the present facilities have no value and require the present owners to remove them at their own cost. And base your authority on Public Law 96-375. It seems that problems with the contract negotiations caused Reclamation to try this hardball approach, although there was no hint of it in Reclamation's glowing announcement of the selection of the new concession companies.

Released On: April 02, 2008 - Reclamation Announces the Selection of Three Proposals for New Concession Contracts at Lake Berryessa: Mr. Finnegan added, "Reclamation intends for recreation at Lake Berryessa to continue essentially uninterrupted, other than occasional temporary closures in various locations for developmental activities." Reclamation anticipates that the new contracts will be signed within the next few months."

This conflict over PL 96-375 legal interpretations began several years ago. From the original Draft Environmental Impact Statement released by Reclamation in 2003: "Also of critical importance to existing concessionaires is PL 96-375, which establishes the requirements and stipulations for compensation due outgoing concessionaires for their property located at Lake Berryessa. The law states that concessionaires will be paid only for those facilities that Reclamation requires for use into the next contract term. Those that are not so identified would be demolished or removed at the owners' expense."

PL 96-375 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. 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 explicitly say that the concessionaire must remove all unwanted facilities and improvements, including roads, launch ramps, sewers, motels and restaurants simply deemed to have no value by the decree of Reclamation. This is Reclamation's interpretation supported by an Attorney General legal opinion.

Congressional Intent for Public Law 96-375 - Below is a discussion in Congress about PL 96-375 in 1980. Although it is clear that the intent of the law was to protect the concessionaires' property values (underlined

statements) as well as to allow the government to keep facilities it wanted, there is a single comment (see starred sentence below) that implied that the Secretary of the Interior could specify facilities it wanted to be removed. However, there is no such statement in the law nor is there is any discussion of criteria for requiring the removal of facilities.

In a July, 2007 legal protest letter to Reclamation, the resort owners complained about Reclamation’s interpretation of the law:

“Reclamation's requirement that the current concessionaires remove improvements "not required to remain," and to remove all tenant (private) personal property prior to the end of the current contract, also is unduly prejudicial to the Resort Owners. As an initial matter, it should be noted that neither the statute nor the current concession contracts require the removal of permanent improvements prior to the end of the contract term. Moreover, the current concession contracts do not contain any clauses which require the early termination of business. Finally, we note that, although PL 96-375 specifically provides the Secretary with the power to require that selected permanent improvements not be removed, it makes no such grant of power regarding the removal of permanent improvements. Reclamation, therefore, does not have the authority to require the Resort Owners to remove the property or to do so at their own cost.

Reclamation's failure to properly interpret PL 96-375 presents other problems as well. The agency reads the statute to allow a successful bidder to choose which of the Resort Owners' permanent improvements the bidder is willing to purchase. It is nonetheless clear that, in order to comply with the provisions and intent of PL 96-375, any succeeding concessionaire must be required to purchase all of the permanent improvements, regardless if the new concessionaire plans to use the improvements in the future. To interpret the statute otherwise would place Reclamation's actions in this case, i.e., forcing the Resort Owners to surrender the improvements that congress clearly has designated as their personal property, squarely at odds with the Fifth Amendment's Just Compensation Clause.”

In all fairness, you should read the core documents yourself to make your own judgment. I’ve copied them below.

To: Berryessa Marina Resort, Contract expiration date: August 13, 2008
Putah Creek Resort, Contract expiration date: August 13, 2008
Rancho Monticello Resort, Contract expiration date: June 15, 2008
Spanish Flat Resort, Contract expiration date: July 13, 2008
Steele Park Resort, Contract expiration date: May 26, 2009

Dear RESORT OWNER NAME:

The purpose of this letter is to notify you of the determination by the Bureau of Reclamation regarding disposition of permanent facilities owned by RESORT OWNER COMPANY NAME located at RESORT NAME, Lake Berryessa, Napa County, California. The determination is authorized by P.L. 96.375 Section 5(b).

Part 3, Section L, of the Lake Berryessa Prospectus issued on June 7, 2007 required all offerors to identify which existing permanent facilities would be required to not be removed and instead pay fair value for those facilities to the existing concession contractor with the approval of Reclamation. Based upon evaluation of the successful proposal and subsequent confirmation with the successful offeror, The Pensus Group LLC, Reclamation has determined that all permanent facilities in the Resort concession area belonging to RESORT OWNER COMPANY NAME must be removed by the end of the concession contract.

Reclamation recognizes that there may not be adequate time to remove all of your permanent facilities prior to the end of your contract; therefore we require that you submit a detailed plan for orderly removal of all permanent

facilities. Your plan should include details such as: method of removal, permits required, timeline for completion, and any other relevant information assuring full removal of all facilities. Please submit your plan by June 15.

Reclamation will provide assistance necessary to assure plan review and environmental clearances are processed as quickly as possible.

If you have any questions, please do not hesitate to contact Pete Lucero, Recreation Division Chief at 707-966-2111, ext. 106.

“Sincerely”,

Michael R. Finnegan, Area Manager

Public Law 96-375

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 History

PL96-375 WATER RESOURCE DEVELOPMENTS, feasibility investigations.
Oct. 3, 1980. 96-2. 4 p. CIS/MF/e Item 575. 94 STAT. 1505.

Chronological Record of the Legislative History.

December 18, 1979 – House Report 96-710
February 5, 1980 – Considered and passed House.
August 5 (legislative day, June 12), 1980 – Senate Report
Sept. 17, considered and passed Senate, amended, in lieu of S. 3017.
Sept. 24, House concurred in Senate amendment.

Congressional Record – House - February 5, 1980

Authorizing Investigation of Certain Water Power Resource Developments
(Page 1864)

...
The Clerk read as follows:

H.R. 5278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

...

(Page 1865)

Sec. 5 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 Rancho Monticello, South Shore and Markley Cove Resorts at Lake Berryessa, California. Such agreements shall be for a term ending not later than May 26, 1989, and may be renewed at the option of the concessionaires for no more than two consecutive terms of ten years each. 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.

...

In addition to the aforementioned feasibility studies, H.R. 5278 also authorizes the Secretary of the Interior to enter into new negotiated concession agreements with the present recreational concessionaires at Lake Berryessa, Calif., which is part of the Water and Power Resources Service Solano project.

...

(Page 1866)

MR. CLAUSEN. ...The legislation also authorizes the Secretary of the Interior to enter into new negotiated concession agreements with present concessionaires at Lake Berryessa, notwithstanding any other provision of law.

Lake Berryessa is a water supply and recreation facility, as a result of water development that is located in my congressional district. The provision was added to the legislation by way of an amendment that I offered in the full Interior Committee, and it had the concurrence not only of the committee as a whole but also the chairman and the ranking member of the Water and Power Resources Subcommittee.

New statutory authority is necessary due to the unique history of the project and the unusual circumstances which have developed there.

When Lake Berryessa was first built in the late 1950's the Bureau of Reclamation, now called the Water and Power Resources Service, did not believe there was any recreation potential at the lake, and refrained from development of recreational facilities.

Despite the position of the Bureau, thousands of people began using the lake for recreational purposes. As use increased, the county of Napa assumed responsibility for recreational management of the lake under the cognizance of the bureau.

In order to develop facilities, the county leased concessions to individuals over 20- and 30- year periods with renewal provisions in the leases. The concessionaires developed launching ramps, picnic grounds, and limited day-use facilities. In order to realize any return on their investments in these facilities, they began charging fees, and opened a number of resorts, which included mobile-home trailers. The lake proceeded to develop along this pattern under agreement with Napa County, and under the acquiescence of the Bureau.

In 1972, concern was raised that the facilities were in disrepair and that the public was not being allowed proper access. Over the next several years a great deal of public debate took place over who should manage the lake, the types of facilities that should be allowed, and what steps could be taken to enhance public access and enjoyment of the lake.

During this same period, I appointed a Lake Berryessa task force whose purpose was to study the situation and come up with suggestions on what types of improvements needed to be made at the lake. The task force made its recommendations which resulted in the Reclamation Development Act of 1974, which gave the Bureau authority to resume recreational management, and authorized expenditure of funds to develop new public day-use facilities.

In 1974, the county of Napa reversed its policy and informed the Bureau of Reclamation that it no longer would manage the recreational facility.

With enactment of the 1974 act, it became incumbent upon the Bureau to address the question of the rights of the present concessionaires. For a number of reasons, this period was stormy, with the future of the concessions left somewhat unclear. It is in the public interest that we resolve this uncertainty, and allow orderly development and improvements to go forward at Lake Berryessa.

As the author of the Lake Berryessa provision, I would like to clarify the terms under which the new concession agreements will be negotiated.

In the bill, H.R. 5278, we have provided that -

Such agreements shall be for a term ending not later than May 26, 1989, and may be renewed at the option of the concessionaires for no more than two consecutive terms of ten years each. 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.

If the Secretary of the Interior finds that the operations of the concessionaires are not in accordance with the use and management plans mentioned, it is our intent that the Secretary shall declare those concessionaires agreements terminated and those concessionaires will have no further right to extension of the concession agreements.

Further, it is our intent that 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 by the concessionaires shall remain the property of said concessionaires; **however, at the option of the Secretary of the Interior, the United States may require that the permanent facilities not be removed** from the concession areas, and instead pay fair value for the permanent facilities or , if the new concessionaire assumes operation of the concession, require that new concessionaire to pay fair value for the permanent facilities.

MR. LUJAN. Mr. Speaker, will the gentleman yield for a question?

MR. CLAUSEN. I will be happy to yield to the gentleman from New Mexico.

MR. LUJAN. I thank the gentleman for yielding. I want to make certain that the language which we have provided in this bill would fully protect those people who have made sizable investments at this lake. They have been whipsawed among three agencies over the years, each of whom has had different regulations, and I commend the gentleman for his concern and for his timely action to provide congressional direction as to how the situation should be handled.

Let me ask the gentleman this question: What will happen if the Secretary finds that the operations of the concessionaires are not in strict accordance with the use and management plans mentioned in the bill?

MR. CLAUSEN. In the event, the Secretary may declare the agreements terminated, and those concessionaires would have no further right to extension of the agreements.

MR. LUJAN. If the gentleman will yield further, yes, but it is my understanding that concessionaires have made sizable investments in permanent facilities at the lake. What happens to those facilities? Does the Government just make a windfall profit in the form of confiscated property simply by declaring the agreements terminated? Would these people just have to walk away and leave their investments?

MR. CLAUSEN. The answer to that is no. As we have discussed previously in the committee, the eventuality has been foreseen, and we have no intent of such a thing happening. It is our intent that all permanent facilities placed by the concessionaires in these seven resorts at Lake Berryessa be considered the property of the respective current concessionaires, along with any permanent additions or modification to those facilities. That is only right and fair, and the committee has no intention of stripping them of those rights. However, the committee is saying that the Secretary has the right to require those facilities to stay where they are and not to be removed from the premises if and when the concessionaire leaves.

***The Secretary has the option to require the facilities to be removed or to require that they remain.** We simply intend that if the United States wants the facilities to stay when the concessionaire leaves, the Secretary will pay the concessionaire fair value for the permanent facilities; or, if the Secretary permits a new concessionaire to assume operation of the concession, he will require the new concessionaire to pay fair value for the permanent facilities.

MR. LUJAN. That was my understanding at the time we adopted this portion of the bill as an amendment, and I simply wanted to be certain that the intent of the language in the bill, which referred to “new negotiated concession agreements,” is fully understood as to the protections we are providing against confiscation of private property by the Government. The gentleman have covered that question fully, and I appreciate it.

If I may ask one further question: At the time we adopted this provision, whether was some question as to whether the Park Service or the Water and Power Resources Service would have any reservations about any legal problems that may currently exist, or whether they would have any problems with these arrangements. So I would ask the chairman of our subcommittee, my friend from Texas (Mr. Kazen), if these agencies were contacted and if they expressed any opposition or reservation?

MR. KAZEN. Mr. Speaker, will the gentleman yield?

MR. CLAUSEN. I will be happy to yield to the gentleman from Texas.

MR. KAZEN. I thank the gentleman for yielding.

The agencies were contacted and they said that they had no problem with the new concessionaire arrangements as contained in the bill. I commend the gentleman from California and the gentleman from New Mexico for their clarifying remarks.

MR. LUJAN. I thank the gentleman.

MR. CLAUSEN. I thank the gentleman for assisting to make this legislative history because it is a unique set of circumstances and we are attempting to confine this particular legislation to that unique problem at Lake Berryessa and not have national application, which was the concern of some of the people down in the Department as well.



Reclamation Defends Unjust Requirement to Demolish ALL Existing Facilities At Lake Berryessa

Q 1: Please elaborate on the concept of a clean site for the purpose of developing proposals.

R 1: Clean-up and removal from previous concession operations is underway at some level at all six concession areas. These efforts include (1) removal of trailers, mobile homes, vehicles and boats plus associated pads, decking, pier blocks, etc., (2) clean-up and removal of trash and debris left from previous operations, (3) removal of buildings, structures and other facilities associated with current or former contractors, and (4) environmental remediation of Underground Storage Tanks (USTs) at specific locations.

Offerors must formulate their proposals based upon construction and/or installation of all new permanent facilities. An exception is Markley Cove where Offerors can purchase existing permanent facilities, so long as the condition of those facilities subsequently meets all applicable Reclamation requirements. Clean-up and removal of the remaining facilities will likely continue beyond the estimated award date for new contracts. Reclamation will confer with successful Offerors to integrate the disposition of any remaining facilities with the Offerors' plan and schedule for project improvement (reference Exhibit H).

Q 2. Will Reclamation allow Offerors to use existing facilities at least on a temporary basis until new facilities are constructed and will a proposal be considered less than superior if the proposal contains the existing facilities?

R 2: No. Offerors must formulate their proposals based upon construction and/or installation of all new permanent facilities or be considered non-responsive. Offerors shall not incorporate any currently existing facilities into the proposal in order to avoid being considered non-responsive...

Q 51: Since Pensus Group were the ones that said they didn't want any existing facilities at the concession areas, and they did not sign a contract, if a new contractor wants to purchase the facilities, will the Secretary of the Interior allow this?

R 51: No. Offerors must formulate their proposals based upon construction and/or installation of all new permanent facilities or be considered non-responsive.

Q54: The link you gave me to public law 96-375 contains the provision that seems to me to acknowledge that permanent facilities placed by concessionaires remain the property of the concessionaire and that the Secretary of the Interior may require that they not be removed and instead pay fair value for them, or require a new concessionaire to pay fair value for them. I don't see where the Secretary of the Interior can require that the concessionaire remove its improvements and not be paid fair value for them, as you indicated at our meeting on June 29, 2009. Can you please explain and clarify this apparent discrepancy to me - and to others by posting my question on your web site. Everyone needs to be clear on this crucial point.

R54: The Federal Court of Claims addressed this issue in the case *Frazier v. United States*, 79 Fed. Cl. 148 (2007), and the United States prevailed. Regarding Public Law 96-375, the court noted that "it is illogical to presume that Congress would insist that the Bureau retain all permanent facilities at a concession, preventing unwanted or dilapidated facilities from being removed by the concessionaire." *Id.* at 162. The court also held that it was "unassailable from a textual analysis of the statute" that "(1) permanent facilities, if removable, can be transported off federal lands and retained by plaintiffs, if the Bureau has not commanded that they remain and (2) plaintiffs may abandon their property rights in permanent facilities which the Bureau has not selected to remain at the concession, if these are not removable or not worth removing." *Id.* at 161. Finally, the court agreed that Reclamation was "also correct in stating that payment under Public Law 96-375 is only required when the Bureau exercises its option to require permanent facilities to remain at a concession site." *Id.* The Court of Appeals for the Federal Circuit later considered an appeal from the unsuccessful plaintiffs' and affirmed the prior decision without any changes.



The Pensus Years: The Lake Berryessa News View

Pensus: The Short Story That Was Actually A Fantasy

The Bureau of Reclamation has selected Pensus Group LLC as the best proposal for six concession areas located at Lake Berryessa. Pensus Group submitted a single offer to operate multiple locations, including the Steele Park, Spanish Flat, Lake Berryessa Marina, Rancho Monticello, Markley Cove, and Putah Creek concession areas.

Per Mike Finnegan, Reclamation Area Manager:

The Pensus Group's proposal will ensure that each of the individual concession areas can be effectively developed and operated. The proposal includes new facilities and enhanced recreational opportunities at Lake Berryessa for the visiting public, which should contribute significantly to the local economy.

Pensus will also pay for its share of improvements to the water and sanitation district at Berryessa Highlands, the Napa Berryessa Resort Improvement District (NBRID).

In a statement to the Lake Berryessa News last week, David Ffinch, president of the Pensus Group, expressed his enthusiasm for the future of Lake Berryessa. He hopes to have the contract signed with Reclamation by the end of March.

He said that Pensus, in anticipation of the completion of the contract, is moving forward with preparatory work for opening some facilities such as boat ramps, boat slips, and marina services as soon as possible. Pensus has scheduled a meeting with the California State Water Resources Control Board in anticipation of meeting the various water and sewer system requirements at the resorts.

Steele Park Resort will be an important element in the Pensus strategy incorporating upscale facilities with a restaurant, hotel, corporate meeting center, and a full-service marina. If other Pensus resort marinas are any indication, Lake Berryessa resorts will likely become exceptional destinations.

Pensus operates several first-class marinas including Pleasant Harbor Marina, which is a full-service marina, located on Lake Pleasant, 35 miles northwest of downtown Phoenix. Pensus' Roosevelt Lake Marina is situated on the largest lake in Central Arizona, consisting of 112 miles of shoreline, peaceful coves and 22,000 acres of surface water. Antelope Point Marina is a new, architecturally significant marina on the southwest shores of Lake Powell within the boundaries of the Navajo Nation and the Glen Canyon National Recreation Area.

The success of the new Lake Berryessa resorts will depend on attracting visitors from all over the Bay Area as well as on establishing partnerships with the Napa Valley resorts and wineries. Pensus said they plan to work closely with local businesses, residents, and environmental groups as they move forward.

The immediate stumbling blocks to redevelopment of the resorts are the significant amount of clean-up still required as well as any potential legal actions by the previous resort owners.

This concern was confirmed recently in the Napa Register: "Rancho Monticello operator Bob White said Thursday he plans to sue the bureau for the alleged unconstitutional taking of his property. When Pensus or another new concessionaire signs on to take over the resort, White said he will also sue that company for illegal conversion of his property."



Pensus Signs Berryessa Contract – Begins Facilities Development – Announces Resort Openings

In a move long-awaited by Lake Berryessa region businesses and residents, the Bureau of Reclamation signed a contract with Pensus Lake Berryessa Properties, LLC (Pensus LBP), on April 28, 2010, for management of six concession areas at Lake Berryessa. The contract term is 30 years with a mutual option to extend the contract for an additional 10 years.

Pensus, part of Arizona-based marina operator and commercial developer Pensus Group, will operate the Markley Cove, Putah Creek, Lake Berryessa Marina, Spanish Flat, Steele Park, and Rancho Monticello resorts.

For the next three years, however, Markley Cove will continue to be run by its current long-term owners, John and Linda Frazier. Reclamation already has a separate contract with Forever Resorts to manage Pleasure Cove Marina.

Pete Lucero, public affairs officer for the Bureau of Reclamation, said that Reclamation expects limited boat launching, camping, and service facilities to be open this summer.

Berryessa Highlands residents and Napa County officials have been concerned about whether Pensus, as operator of Steele Park Resort, will pay into an assessment to upgrade water and sewer facilities serving the Highlands. Lucero said the contract calls for Pensus to pay any required assessments to the county or the state.

Lucero told the Lake Berryessa News that the signed contract and its attachments are being transmitted to Pensus. Once Pensus has the contract in hand, Reclamation will make it available to the public.

In a prepared statement, Pensus CEO David Maule-Ffinch said, “Pensus Group would like to thank Reclamation for the effort and commitment necessary to bring this complex transaction to fruition. The signing of this contract will now allow work to start on the improvement and expansion of services at Lake Berryessa. We anticipate a very successful public-private partnership in the best interests of the visiting public.”

Mr. Ffinch told the Lake Berryessa News that he was enthusiastic about the future potential of Lake Berryessa, but that, with it now being the first week of May, “we are going to have a tough challenge for 2010”. A Pensus team will begin work at the lake during the week of May 3.

The Pensus Lake Berryessa web site now includes the resorts slated for opening this season, projected opening dates, and proposed services for those resorts. They hope to open Putah Creek Resort by Memorial Day weekend. The Spanish Flat Resort opening is still to be determined, and the Steele Park opening is dependent on the state of the resort clean-up.

Although the actual timing is unclear because of the operational start-up complexity and the need to carefully comply with environmental laws, Ffinch said that they expect to provide tent camping and RV sites at Putah Creek and Spanish Flat this year. Possibly later in the season they may be able to provide tent camping sites and RV sites at Steele Park based on the state of the clean-up of that resort.

They will be using the mobile home sites on a temporary basis to provide more attractive and spacious camping accommodations, and possibly more sites, than have been available in the past.

Pensus LBP also intends to provide “Self Launch & Retrieval and Self Park on site (subject to space availability)” at all three resorts, as well as a boat launch-and-retrieval service (you call, they launch, you play, you go, they retrieve and store) for those who don’t wish to test their trailering skills. Fuel will be dispensed at Putah Creek and possibly later at Steele Park. Steele Park will also have dry storage of boats in a fenced and secured area

Due to the very limited time available, operations for the 2010 season will be minimal. There will be no water or sewer services for the RV and campsites. Until water and sewer facilities are fully developed, porta-potties or mobile trailer restroom units will be used. Likewise, food service and retail products will be sold from portable trailer units. There will be no restaurant-style food service in 2010.

Pensus LBP understands that the demand for boat slips is very strong. Although they are taking reservations and expect to start signing people up very soon, they won't be able to start installing slips until later this year.

Assuming that they can get all the permitting in place, Mr. Finch hopes to install initial lodging units and provide better retail services next year. He urged people to go to the Pensus Lake Berryessa website to make reservations, for more detail, and for regular updates.

For the thousands of folks waiting to get back out on Lake Berryessa, this is extremely encouraging news.

12 MILES EAST OF NAPA VALLEY, THE NEW LAKE BERRYESSA AWAITS YOUR ARRIVAL...

Pensus Resorts is excited to introduce you to Berryessa Shores, an unparalleled network of marinas, spacious and comfortable lodging units, and RV and camping sites that line the shores of beautiful Lake Berryessa.

Around the bend of six different coves, Berryessa Shores will provide you with breathtaking views whether you're overlooking the lake from one of our lodges, savoring the taste of Napa Valley wines in our restaurants, enjoying life on the water in one of our marinas, or warming up by the fire at one of our campsites.



CAMPGROUND RATES:
\$21 per night per site for 4 people
Includes parking for 2 vehicles

RV RATES:
\$36.75 (Lakeside Sites) per night for up to 4 persons
Includes parking for 1 RV and 1 car

Group RV/Camping Rates:
(Available only at Manzanita Canyon and Blue Oaks)
\$6.30 per person (minimum of 50 people)
Day Use Rates: (Available at Chaparral Cove, Lupine Shores and Foothill Pines)
\$3 per person (with or without vehicle)

BOAT LAUNCH:
Self Launch/Retrieval Fee \$21 per tow unit + trailer (includes up to 6 people)
Launch Service \$21
Retrieval Service \$21
Annual Boat Launch Pass \$238.25 (valid from March 1, 2011 - March 1, 2012)

DRY BOAT AND RV STORAGE RATES:
(LUPINE SHORES):
Available Now: \$4.20 per foot for fenced, unpaved storage
Coming Soon: \$5.25 per foot when yard is paved, lighted and security cameras installed
\$6.83 per foot when covered
**Includes unlimited self launch fee

*Prices inclusive of tax and surcharge. For a complete list of pricing details, rules and regulations please refer to our website lakeberryessashores.com


PENSUS RESORTS

Info & reservations: 707.966.9088
lakeberryessashores.com

BERRYESSA SHORES

AN UNPRECEDENTED WAY TO VACATION IN WINE COUNTRY AND ENJOY 29,000 SURFACE ACRES OF FRESH WATER PARADISE.



WELCOME TO BERRYESSA SHORES

In April of 2010, The Pensus Group signed an agreement with the Bureau of Reclamation for the development and operation of six resorts on Lake Berryessa, collectively to be known as Berryessa Shores.

We are open to and welcome the public to join us for the 2011 season! The names of the individual concessions sites have been changed. The new Lake Berryessa is a clean, safe, beautiful way to enjoy your lakeside experience, and changing the names helps us to celebrate this renewal.

A WHOLE NEW WAY TO EXPERIENCE LAKE BERRYESSA..

THE NEW RESORTS WILL BE KNOWN AS FOLLOWS:

- CHAPARRAL COVE (FORMERLY PUTAH CREEK)
- MANZANITA CANYON (RANCHO MONTICHELLO)
- BLUE OAKS (BERRYESSA MARINA)
- FOOTHILL PINES (SPANISH FLAT)
- LUPINE SHORES (STEELE PARK)
- MAHOGANY BAY (MARKLEY COVE)*

*The Bureau of Reclamation has given us possession of five of the six concession sites, and we will take possession of the sixth, Mahogany Bay, in 2013.

COME VISIT US TODAY...

We are now accepting RV and Camping reservations for the 2011 season as well as dry boat and RV storage.

If you would like to make a reservation or request more information, please visit our website lakeberryessashores.com or call 707.966.9088 (reservations and information)

Pensus Lake Berryessa Properties LLC
2929 N. 44th St. Suite 228
Phoenix, AZ 85018
Phone (602) 912-1664
www.pensusresorts.com




Springtime at Lake Berryessa: Pensus in Bloom?

Now that the Bureau of Reclamation has approved the new plans for the Pensus Lake Berryessa resorts, anticipation of summer fun at the lake is growing. Although 2012 will be the year for major improvements, 2011 will see many upgrades to amenities at Lupine Shores, Chaparral Cove, and Foothill Pines (Memorial Day opening) resorts. Markley Cove Resort, Pleasure Cove Marina, and all public recreation facilities are open for business as usual.

In the longer term, David Ffinch, President of Pensus, stated that, “Pensus plans to provide a safe, high quality and varied recreation experience to satisfy the desires of all who choose to enjoy the extraordinary beauty of Lake Berryessa” A joint Pensus - Bureau of Reclamation press release stated last month that five concession areas managed by Pensus will be open this summer. There will be a single telephone number for reservations and information: 707-966-9088.

Chaparral Cove (formerly Putah Creek) and Lupine Shores (formerly Steele Park) recreation areas are currently open for day use, boat launching, and RV and tent camping. Beginning Memorial Day weekend, Foothill Pines (formerly Spanish Flat) will be open for day use and RV and tent camping. The resorts will have new concrete picnic tables and BBQ/fire rings. Chaparral Cove, Lupine Shores, and Foothill Pines are expected to be served this summer by restroom trailers with running water (no showers) and an RV pump out service.

For this season Pensus will have a retail trailer unit at Lupine Shores and Chaparral Cove. It will sell convenience items, ice and some packaged food and beverages. Blue Oaks (formerly Berryessa Marina) and Manzanita Canyon (formerly Rancho Monticello) will be open for group camping on a reservation basis. These sites will not have the upgraded picnic tables and fire rings and will be served by porta-potties. Daily Launch Fee is \$21 which includes six people in your boat. Additional people would pay the \$3 per person Day Use Fee. Annual Launch Passes are now available for \$225 and are valid from March 1, 2011 – March 1, 2012. The pass is attached to the boat. Pass is good for entry of one watercraft trailer and up to six people. Additional people will be subject to the day use fee. The annual launch pass will be honored at all Pensus resorts.

For the 2011 season that will include Lupine Shores and Chaparral Cove. When the remaining launch ramps are built the passes will be honored at those resorts as well. Dry Boat Storage will be available at Chaparral Cove and Lupine Shores beginning in March and potentially at Manzanita Canyon beginning Memorial Day weekend. Dry Boat Storage Rate: \$4.20 per linear foot. This includes unlimited self-launch fee. Launch and retrieval service is available for \$40 or \$20 each way. RV Storage Rates are the same as the Boat Storage Rates. One free weekend of camping per month will be included in the RV storage price. (Not applicable for holiday weekends)

The hours of operation for day use at Chaparral Cove, Foothill Pines and Lupine Shores will be 8 AM to 8 PM. RV and camper walk-ins and launchers who have not purchased the annual pass will need to check in between these hours as well. RV and campers who have made online reservations in advance will be able to access the sites at any time, as will those who purchase the annual pass. Pensus is also finalizing signage for the concession entry locations as well as investigating billboards and radio advertising and preparing brochures.

Although wet slips are now shown in the Lupine Shores plan, Pensus cannot install wet slips until the environmental process is completed. They expect to obtain price approvals for wet slips within a few months. All things going well they will start construction of slips in late 2011 for 2012 season occupancy.



They're Off Like a Herd of Turtles! Bureaucracy at Berryessa

Although the image of a turtle stampede is amusing, no one at Lake Berryessa is laughing about how long it is taking to redevelop the demolished Lake Berryessa resorts. Local businesses and property owners who have been severely hurt by the Bureau of Reclamation's destruction of five resorts had hoped that the redevelopment of those resorts would be fast-tracked by government agencies so the desperately-needed recovery could begin. Unfortunately, this does not appear to be the case.

Pensus re-opened two resorts last year (Lupin Shore and Chaparral Cove) with minimal services. So far this year the most visible sign of progress has been the removal of non-native vegetation at Chaparral Cove and Lupin Shores (the entrance driveway oleanders are gone!).

Pensus has announced the re-opening of Foothill Pines (the former Spanish Flat) on Memorial Day, although there may be no boat launching until the demolished launch ramp is replaced. Apparently it is taking time to get the required permits to rebuild the launch ramp.

Each of the three Pensus resorts will have tent and RV camping with brand new concrete picnic tables and BBQ/fire rings along with improved restroom trailers. Per their web site they are also taking reservations for Surface Dry Storage at Lupin Shores and Chaparral Cove. Unlimited launch and retrieval will be included in the boat storage price and one free weekend of camping per month will be included in the RV storage price.

Although Pensus provided a new development plan to Reclamation in November, 2010, it has yet to be approved. The new Pensus plan includes wet slips at Lupine Shores, but they are awaiting Reclamation's approval of their pricing structure to move forward with actual dock installation.

When questioned about the status of Pensus plans, Reclamation responded on January 21, "Thanks for your questions and inquiry, the Central California Area Office is preparing this information as we speak in anticipation of a press release to be issued in the very near future. Please stand by as we develop this information."

A follow up query on February 2 received this response, "You will not be seeing the press release in time for your deadline...we will get it out when we have the best information available to share."

Despite justifiable frustration with the slow pace of planning and permitting, David Ffinch, president of the Pensus Group, has been consistently gracious in his characterization of the Bureau of Reclamation, describing them as intelligent, dedicated people who want to do the right thing for Lake Berryessa.

Will Napa County Become More Involved?

Discussions among Reclamation, Napa County, and Pensus have been ongoing since last October. A County representative described these discussions.

"The County did help to facilitate communication between the BOR, Pensus, and the Central Valley Regional Water Quality Control Board (Regional Board) staff during the fall of 2010 to discuss water and sewer permitting for all 6 resorts. At that time, the Regional Board staff outlined the process for the 6 resorts; timing of applications, information that will be required, and the necessary justification. In addition, the Regional Board staff discussed with Pensus compliance with cleanup activities at some of the resorts and the CDO at NBRID. With regard to other permits – such as for gasoline service and building - County staff is working with the BOR to outline a process for review by various County departments but that has not yet been formalized.

At this time, County agencies are not involved because we have no authority. In the future, it is anticipated that departments such as Conservation Planning and Development (including building), Environmental Management, and Public Works will be involved. Law enforcement and first responders are very interested in further discussions with the BOR and Pensus as resort activity increases.

The County is willing to assist with building permit reviews, inspections, and code enforcement if an agreement can be reached with the BOR regarding these activities. Even without an agreement, the County has responsibility for the review/issuance of permits by the County's Department of Environmental Management (e.g. restaurants, hazardous materials, camp grounds).

Although the Pensus development plans are occurring on federal land, the County anticipates that there will be increased demand for County services in these areas. The purpose of our negotiations is to insure the health and safety of County residents and visitors to the Lake, and recognize the unfunded responsibilities we incur by providing services. The status is that negotiations are continuing.”

How Much Is Enough?

Although the National Environmental Protection Act (NEPA) has been raised as an issue in the Lake Berryessa redevelopment process, it is not clear why this should be an impediment since Pensus is simply replacing the old facilities with new environmentally-friendly construction. Any delay because of NEPA is even more puzzling since the demolition of the old resorts was accomplished with a minimum of environmental oversight. Reclamation used what is know as a Categorical Exclusion (CE).

Per Department of the Interior guidelines, “CE applies to actions that do not individually or cumulatively have a significant effect on the human environment. Each CE is approved by CEQ and excludes categories of Federal actions from further NEPA documentation because the action has been shown to have no significant effect on the environment. A CEC is a written checklist which is used to document whether or not a proposed action meets the criteria for being categorically excluded from further NEPA documentation. As a general rule, preparation of a CEC should be a fairly rapid process, taking, at most, a few hours or a few days and involving a little research, a few coordination telephone calls, and/or short face-to-face discussions to get information, as needed, to fill out the checklist. Some internal and external scoping of issues and documentation may also be required.”

During the Task Force 7 at Lake Berryessa campaign to save the lake and in the Berryessa For All court case against Reclamation, it was argued that Reclamation had not followed NEPA in its determination to demolish all facilities at Lake Berryessa resorts. Reclamation responded that they had evaluated the situation and produced Categorical Exclusion Checklist #743. They also stated that they had reviewed the environmental impacts of demolition of each site and that environmental impacts were minimal and mitigated by using Best Management Practices. The federal judge agreed that Reclamation had done the necessary analysis to support the demolition.

Bureau of Reclamation representative, Pete Lucero stated at the time, “Reclamation has determined that the action of trailer removal at Lake Berryessa is subject to Categorical Exclusion (CEC #743) because, with very few exceptions, trailer removal involves minimal disturbance, is designed to correct unsatisfactory environmental and safety conditions, is wholly within an existing facility, and is located on pre-disturbed land.”

A federal judge agreed stating. “The Court earlier held that NEPA does not require a site-specific analysis of removal and demolition...holding “terseness of the agency’s discussion of construction impacts” complied with NEPA so long as agency considered environmental impacts on a general level. The Court reiterates that holding and finds that the FEIS adequately discussed and considered the environmental impacts from the removal of trailers and associated infrastructure.”

It appears irrational to have done the massive demolition and destruction at Lake Berryessa under CEC #743 and then require any more stringent requirements for redevelopment. Environmental review should be minimal, especially since the Bid Prospectus and the final contract already require best management practices and an environmental management program during rebuilding. All construction permits should be fast-tracked to allow the rapid re-opening of the resorts and the economic recovery of the Lake Berryessa community.

Did You Hear the One About...

...how many bureaucrats it takes to screw in a light bulb? No, not that one – the one about how many BOR officials it takes to dig a one-foot diameter hole only four feet deep? Witnesses at Chaparral Cove last month say it was four – and it took six hours! The hole was for a PG&E pole. They would dig six inches down, then sift the dirt for Native American artifacts.

As silly as this may seem to some, there is often a good reason (and some legal requirements) to exercise care when excavating in areas that may potentially contain Native American cultural artifacts. But from a scientific point of view, the areas inside the resort boundaries, and even areas outside them, are not of significant cultural value. This excessive bureaucratic oversight is not justified based on previous archeological studies done above the 440 foot lake level.

Any delays in redevelopment such as requiring hours to dig a hole are just nonsensical academic exercises for the Reclamation participants. Especially considering Reclamation approved the "grind it to the ground" approach originally.



Lake Berryessa: When Do Past Memories Actually Become “HISTORY”?

A fascinating document surfaced recently with the simple title: **Investigative Report: Pensus, Inc. (12/12/12)** The 17-page report was prepared by the Office of the Inspector General, U.S. Department of the Interior, at the request of Congressman Mike Thompson and released on March 3, 2011 (although sources kept telling me that it had not yet been made public). The actual report synopsis is reproduced below.

Synopsis

Congressman Mike Thompson, 1st District of California, requested an investigation of the Bureau of Reclamation’s (USBR) concession contract award to Pensus, Inc. (Pensus) at Lake Berryessa in Napa County, CA. In his letter to the Acting Inspector General, the Congressman noted several concerns received from his constituents about the integrity of the USBR contract process. The Congressman questioned if Pensus received information that gave it a distinct advantage over other bidders and if Pensus modified its proposal after bids had been received and opened.

The complainants, John and Linda Frazier, bid on the USBR Lake Berryessa concession contracts. The Fraziers provided a document stating several concerns. We investigated only those issues not previously litigated during a 2007 U.S. Court of Federal Claims case.

We focused on whether USBR complied with the law and public policy in entering into a concession contract with Pensus, devised a false motive to re-bid the contract, or engaged in collusion with Pensus during the contract solicitation and award process.

We found no evidence that USBR violated the law or public policy in regard to the contract solicitation and award to Pensus for the Lake Berryessa concession contracts.

We did find, however, that the Office of the Solicitor determined that as a result of incorporating inapplicable provisions from National Park Service statutes into its concession contract guidance manual, USBR unintentionally promised to pay the concessionaire with funds that it would not have the statutory authority to pay.

There’s much more about this report to come later in this story, but it reminded me that we are in the last stages of a “historical” process that began about ten years ago. On November 7, 2000 the Bureau of Reclamation published a Notice of Intent (NOI) in the Federal Register initiating their plan to destroy a family-based recreational culture at Lake Berryessa.

OK, you got me – I exaggerate (slightly). The NOI actually stated:

“The Bureau of Reclamation is initiating a formal Visitor Services Planning effort for the Lake Berryessa Recreation Area. The purpose of the Visitor Services Plan is to determine the type and level of commercial facilities and services that are necessary and appropriate for future long term operations...The time frame for completion of this plan is 18 to 24 months...The draft EIS is expected to be completed by November 2001. The final EIS is scheduled to be released in March 2002.”

The Draft EIS (DEIS) was actually released on October 31, 2003, 2 years late, and therein lies the beginning of the tragic tale that led to the present situation at Lake Berryessa.

In early 2001 Task Force 7 at Lake Berryessa was formed and requested that Reclamation meet with resort mobile home owners. BOR ungraciously agreed but made it crystal-clear that they intend that all long-term sites be removed in any new plan.

But is this tragic tale (of which I can document every sad step) actually “History” yet? And would the Markley Pensus IG Investigative Report be considered part of that “History” or just a current event on the path to the glorious new Lake Berryessa envisioned by the victors in this decade-long process?

In a BBC History Magazine poll readers were asked when they thought history began – in other words, how much time has to pass before a certain event becomes history. The response that received the most votes: a second before the present. The second largest response was that events become part of history only after a decade has passed. This is a practical people-based view of history.

Academic historians define history as presenting facts without expressing any opinion or analysis of the events whereas memories are comprised of emotions that can have a great influence on the perception of an actual event. Critical historians live by the old saying of "there are two sides to every story and then there is the truth." Historians live where the truth is hidden in the 12 different stories told by the 12 different people all witnessing the same event from a different viewpoint. That's why they believe that it takes approximately fifty years before a balanced view of what actually happened and why emerges. The people involved have to die off and stop defending turf before a more objective viewpoint can develop. A good example of this are the two recent examples of revisionist history just released by Donald Rumsfeld and Dick Cheney.

I'm more interested in the narrative approach to defining history. It is organized chronologically; focused on a single coherent story; primarily descriptive but also analytical; primarily concerned with people but also the abstract circumstances in which they find themselves; and deals with the particular and specific first and the collective and statistical second. To me a big part of the fascination with any history is trying to discover what was going on inside people's heads in the past, and what it was like to live in the past.

Carol Fitzpatrick's Town of Monticello History Exhibit at the Spanish Flat Center is this type of narrative history, for example. So is “Roots of the Present: Napa Valley 1900 to 1950” by Lin Weber, available at the Napa County Library. It reads like a novel, but is an academically solid description of Napa County “History”.

So how does this new Inspector General's Investigative Report fit into Lake Berryessa history?

The report itself is not a thorough legal investigation as much as it is a narrative of recollections and comments of the participants in the process. The “bad guy” in all of it turns out to be a single unnamed individual attorney in the DOI's Office of the Solicitor (SOL).

The first bid process was complete. The Pleasure Cove contract had already been negotiated and signed. The Pensus contract had been negotiated and in review. The Markley Cove contract negotiations were planned but had not yet started because the expiration date of the present Markley contract was later in time than the others. Unfortunately, the Markley Cove concession owner had assumed that receiving the bid award was equivalent to a contract guarantee and made significant investments in purchasing equipment in anticipation of a new 40-year contract.

During review of Pensus' contract, SOL identified legal flaws that would supposedly put Reclamation at risk of violating the Antideficiency Act which prohibits the government from purchasing, or implying that they may purchase, assets for which funds have not yet been officially approved by Congress. Reclamation had inadvertently used a clause from a National Park Service contract template that included this type of language. Since no one could predict the financial situation at the end of a 40-year contract, nor would anyone expect Congress to actually make an appropriation in 2010 for a 2050 expenditure, the contracts would previously just state something like “depending on funds being appropriated by Congress”.

Apparently this was not acceptable to the SOL. Nor was it acceptable to simply remove the offending language by “red-lining” it and getting on with business. The Attorney-Advisor said that would be unfair to the losing bidders and that the only fair alternative was to re-do the whole bid process. As a result, SOL advised USBR to rescind the June 2007 prospectus and all associated agreements on February 26, 2009, and requested that the prospectus be revised and rebid.

Aside from the shocking use of the word “fair” by the SOL to justify undoing years of effort, that “fairness” had actually not been applied during the original bid process. There were six original bidders. The owners of Rancho Monticello and four partners had applied to run five of the seven resorts under the name Lago Resorts LLC. One of the partners, California Parks Co., a company that runs the concessions at Angel Island State Park and Lake Camanche among others across California, would manage the resorts.

Lago Resorts bid to operate Rancho Monticello, Putah Creek, Berryessa Marina, Spanish Flat and Markley Cove. The plan, explained Bob White, included spending \$90 million to remodel, upgrade and build new facilities at the resorts while keeping the resorts open.

The other applicants were: Recreation Del Sol Enterprises LLC , St. Helena, CA (Peter White – a previous owner/partner at Rancho Monticello); Pensus Group LLC with experience operating marinas in Arizona but not ground-based resorts; FX10 LLC (Linda Frazier bidding on her own Resort, Markley Cove); Steele Park Resort Inc. (Sean Buckley), and Pleasure Cove Marina LLC, a subsidiary of Forever Resorts Inc, which has extensive resort management experience nationally and internationally, but only bid to operate Pleasure Cove Marina.

The fact that Forever Resorts only bid on Pleasure Cove, which had been given to them by Reclamation after it confiscated the resort from Steve Petty in 2005, was a disappointment to Reclamation. Clearly, Reclamation wanted a single company to take over the Lake Berryessa resorts - as documented in the bid prospectus. They were hopeful that Forever Resorts would be that “white knight”.

Reclamation had attempted to lay the groundwork to justify giving Forever Resorts any of the other existing resorts by stating in 2005: "Due to the approaching expiration of the other six concession contracts at Lake Berryessa it is possible that any of the other concessionaires could have their contract terminated in advance because of financial and performance problems. In the event this occurs and Reclamation determines it necessary to establish an interim concessionaire, in a similar manner as this contract, the Pleasure Cove concessionaire could be assigned that responsibility through an amendment to this contract."

But apparently Forever Resorts’ experience at Lake Berryessa did not incline them to get in any deeper financially by bidding on more resorts.

The Lago Resorts bid was outstanding. I read it. In the interest of full disclosure, I wrote the ISO 14000 Environmental Management System for Rancho Monticello which was used in the Lago Resorts bid. I also wrote the Environmental Management Plan for the Steele Park bid and participated in writing the Environmental Management Plan for the Markley Cove bid.

But a funny thing happened to the Lago bid on the way to the evaluation. It was rejected as non-responsive and tossed out. Arguably an outstanding bid backed by substantial investment resources and managed by people with decades of experience. It was never evaluated!

Per the Whites, “The bid was declared non-responsive due to one sentence that did not make the U.S. government the first lien holder on personal property loans, i.e., cars, equipment, etc. We did request consideration and revisions, but were flatly rejected. That “first lien” clause has since been removed from all the current contracts.”

The terms of 2009 Bid Prospectus, and the fact that the Bureau of Reclamation had already forced the closure of Rancho Monticello and Spanish Flat, made it impossible for Lago Resorts to bid again. What’s more puzzling about the Lago Resorts rejection is that Reclamation allowed bidders to modify (clarify) their bids per a statement in both the 2007 and 2009 bids. “An Offeror may not amend or supplement a proposal after the submission date unless requested by Reclamation to do so and unless Reclamation provides all Offerors that submit proposals a similar opportunity to amend or supplement their proposals.”

This opportunity was presented to Pensus when they apparently violated a Franchise Fee requirement in the second bid process. In the first prospectus, a bidder was allowed to bid a 0 percent franchise fee. The second prospectus clearly stated that each bid proposal must include a minimum 1 percent franchise fee. But the report implies that

Pensus did not propose a franchise fee in the second bid – perhaps inadvertently – which would have made their bid “non-responsive” – the same justification that Reclamation used to deny the original Lago Resorts bid. However, in this case Pensus was allowed to modify/clarify their bid. Clarification requests regarding the 1% franchise fee were also sent to the other bidders.

So “fairness” appears to have a hazy definition in government circles. From a pragmatic point of view, there was no one left among the original bidders to whom to be “fair”. Lago had been eliminated. Steele Park and Spanish Flat had given up.

The Inspector General’s report shows that most of the local Reclamation officials did not really want to redo the bidding process. But there are pretzel-twisting rationalizations of why a winning bid award does not mean a contract. There are long sections of self-justification and hand-wringing, which makes for interesting reading, but then Reclamation did the totally unnecessary anyway - and forced a re-bid.

One interesting revelation is the mindset of BOR Area Manager Michael R. Finnegan. Finnegan did not participate in the June 2007 bid review or selection process. Finnegan believed that the review panel misinterpreted the evaluation criteria and selected the Fraziers as having the best proposal for the Markley Cove concession only because it misinterpreted the Record of Decision and failed to seek clarification.

Finnegan explained that the review panel had misinterpreted the “continuity of operations” provision in the Record of Decision to mean that there must be zero impact on the continuity of business operations at the Markley Cove concession during the new concession contractor’s transition phase. Finnegan emphasized that if not for the panel’s misinterpretation, Pensus would have been selected as having the best proposal for the Markley Cove concession.

A basic unanswered question which will probably remain unanswered is why - when the new prospectus was the same as the old prospectus - did Markley Cove lose the bid the second time? SOL did not investigate that nor will the primary documents probably ever be released - even under a Freedom of Information (FOIA) request. The Lake Berryessa Chamber of Commerce tried the FOIA process previously and was rebuffed. Not surprisingly, the federal government has an extensive list of justifications to withhold rather than release information.

In the report the SOL Attorney-Advisor said he was heavily involved in the review and approval of the second prospectus. He said the second prospectus had two significant changes from the first: it did not include the clause promising to pay the concessionaire at the expiration of the contract, thus removing the Antideficiency Act issue; and it incorporated a franchise fee, since the first prospectus did not include one. He stated that not including a franchise fee results in the Government not receiving any money for the concession, which would technically prevent it from being a concession. The second prospectus included the franchise fee with the hope that bidders would bid higher than 1 percent.

The Attorney-Advisor related that because he was not too involved in the first bidding review process and had limited involvement answering general legal questions during the second, he did not know why the Fraziers were selected as having one of the best proposals during the first process and not during the second. He explained that changes to the second prospectus as well as modifications to the framework of the scoring system – the franchise fee was given more weight in the second process – may have contributed.

None of the principals in the report were willing to comment publicly to the Lake Berryessa News since apparently some discussions are ongoing. It appears that much pain and suffering have been caused by a government agency out of touch with its impacts on the lives of real people and local communities. The report is another example of something that just didn’t have to happen this way. It’s past history with overtones of current events. What will “future history” bring?



Goodbye 2011: Another Year of Process Without Progress! Will 2012 Be Any Better?

Although I'd like to put on my happy face for 2012, unfortunately 2011 has not been kind to the Lake Berryessa community. It felt like an instant replay of the preceding several years. The most visible change was the appearance of tacky plywood signs in front of some of the Pensus resorts. More professional blue and white signs finally replaced those and are now at the entrances of all the Pensus resorts. But a new sign does not a recreation destination make.

Bureau of Reclamation Process Stumbles

It has now been more than eleven years since the Bureau of Reclamation initiated the process that destroyed a recreational culture at Lake Berryessa with the collateral effect of severely damaging the local business and residential community. The first nail in the coffin was hammered in by Reclamation with a Notice of Intent in the Federal Register on November 7, 2000 (Volume 65, Number 216).

After many years of determined democratic citizen opposition that failed in the face of monolithic bureaucracy, the real tragicomedy of errors began in April 2007 when Reclamation initiated its abortive first Concession Prospectus to bidders.

On April 2, 2008, Mike Finnegan, Reclamation Area Manager stated, "Reclamation intends for recreation at Lake Berryessa to continue essentially uninterrupted, other than occasional temporary closures in various locations for developmental activities."

Several substantial proposals were submitted and the Bid for five of the resorts was awarded to the Pensus Group. Unfortunately, a silly legal opinion by a functionary within the Department of the Interior bureaucracy led to the original decision process being rescinded and the contracts rebid.

Although no one, including the local Reclamation management, wanted it to happen, the whole selection process was rebooted by Department of Interior senior management with a slightly modified Prospectus which was re-issued in May 2009.

What was ridiculous about this decision, ostensibly made to be "fair" to the original bidders, was that most of the original bidders were either in bankruptcy or had dissolved their bidding partnerships by then. With more than a year of effort wasted, Reclamation received few viable bids the second time around.

In January 2010, the Pensus Group won the second round, picking up Markley Cove Resort which had actually won its own bid the first time. This gave Pensus control of six of the seven resorts at the lake. In April of 2010, the Pensus Group signed an agreement with the Bureau of Reclamation. Then the real "fun" began.

Pensus Group Planning Process Stymied

Almost a year ago, I wrote an article titled, "They're Off Like a Herd of Turtles". Recent history shows that I was actually being unrealistically optimistic.

Local businesses and property owners who had been severely hurt by the Bureau of Reclamation's destruction of five resorts had hoped that the redevelopment of those resorts would be fast-tracked by government agencies so the desperately-needed recovery could begin. Again we were all being unrealistically optimistic.

Rather, Pensus has been faced with a series of planning stumbling blocks, the most egregious of which is Reclamation's requirement that Pensus complete a detailed "Environmental Assessment", or EA, before beginning resort construction - something Reclamation was not required to do before its resort destruction.

Pensus is simply replacing the old facilities with new environmentally-friendly construction. And as part of the bid process, Pensus has already provided a detailed ISO14000 Environmental Management Plan plan for each of its resorts.

Per NEPA regulations, an EA is a concise document, which should not contain long descriptions or detailed data. Rather, it should contain a brief discussion of the need for the proposal, alternatives to the proposal, the environmental impacts of the proposed action and alternatives...

But when Reclamation requires Pensus to dig a grid of holes to look for non-existent Native American artifacts before putting in a new PG&E power pole in previously bulldozed dirt, something is amiss. Can you say unconscionable!

Pensus has not yet submitted its EA and has no public comment about its 2012 recreation season plans. I'm not sure that "no news is good news" in this case.



A Lake Berryessa Midsummer Night's Dream (With Apologies to William Shakespeare)

I had a memory the other day of tubing and jet skiing on Lake Berryessa with friends and family. For a break we'd drift in to the Big Island Lagoon at 5 mph to float quietly with the other folks on patio boats, houseboats, or even some in kayaks. It was a quiet, safe place to float or even to put your deck chair on a sand bar and kick back in six inches of water while kids splashed around you. Later it was time for prime rib or pizza at the Steele Park Boathouse Restaurant savoring one of the most beautiful views on the lake.

But then I had a nightmare that a Dark Force swept down on Lake Berryessa and destroyed our homes and resorts, tearing up launch ramps, demolishing restaurants, eliminating access to the lake for years – even denying entry to the Big Island Lagoon to everyone except some phantom kayakers who never showed up.

But then, this being mid-summer, I had a comforting Midsummer Night's Dream. I saw myself sitting at a beautiful floating marina restaurant and bar, sipping a margarita, with my trusty low-emissions, quiet, environmentally-friendly jet ski at my side. Happy families were once again drifting slowly into the Big Island Lagoon for a rest stop. New resorts were providing launching and pleasant new facilities to visitors from all over the Bay Area. Just before I woke up I was once again looking out at that fantastic Steele Park view, but now it was from a brand new restaurant at Lupine Shores.

A Shakespearean tragedy is defined as a dramatic work in which the main character is brought to ruin or suffers extreme sorrow, often involving a heroic struggle, especially as a consequence of an admirable but flawed character or inability to cope with unfavorable circumstances.

This describes a decade of struggle between the Bureau of Reclamation on one side and previous resort owners in cooperation with Task Force 7 at Lake Berryessa, mobile home owners, local businesses and residents on the other. Reclamation won that struggle and the tragic results were obvious.

A Shakespearean comedy is defined as a dramatic work that is light and often humorous or satirical in tone with a happy or cheerful ending in which the central motif is the triumph over adverse circumstances, resulting in a successful conclusion.

This hopefully describes the present process of rebuilding Lake Berryessa to a superior state of recreational elegance by the Pensus Group. But that won't happen without strong management and the support of all parties involved. Unfortunately, there will always be some obstacles to overcome, even in a comedy with a happy ending.

David Ffinch, president of the Pensus Group, graciously agreed to answer some questions for the Lake Berryessa News regarding the present status of his company's progress at Lake Berryessa. "It's like planning, designing, and building a small town stretched over miles of shoreline. There's not much to see in the beginning, but once we push the button, progress will be rapid.

The public appears to be generally pleased with the level and quality of temporary services in 2011. As for 2012, any improvements will require approval from the various jurisdictions meaning planning, water quality, environmental, etc. We are working on infrastructure design and design of various vertical improvements. Our hope is that we can make some fairly definite statements in the last quarter of 2011 as to the scope of 2012 installations."

"Pensus has received very few complaints about reservations. We fielded more than 2,000 calls in the two weeks before the July 4th weekend and were completely booked by June 28th. Many people refused to book and pay in advance and were warned that they were unlikely to get a site without doing so. These same people became annoyed when we could not accommodate them during the last few days. Reclamation received 15 to 20 calls, by their account, from individuals complaining about lack of response. This is a very small percentage (less than 1%) and we are reasonably satisfied by this performance.

By August 1 a new website reservations system will be operational. Our software specialists have been training the on-site staff and will be available for support. With this system up and running we will hopefully do a better job and there will be less frustration.”

Another important issue for visitors is security. “We have a ‘zero tolerance’ policy regarding any individual who is overly disruptive, aggressive, abusive, threatening or violent. Such individuals, when identified, will be escorted from the premises and refused access to the Concessions in the future. We will, under no circumstances, risk personal injury to our clientele, employees or police authorities by allowing clearly violent and aggressive individuals repeated access.

Pensus has received very few complaints regarding noise or disturbance at the Concessions. We did have one very aggressive and abusive individual, over the July 4th weekend. Only two calls were made by Pensus to the Sheriff requesting support. Pensus works closely with the Napa County Sheriffs and is most appreciative of their support, which has been exemplary. John Robertson, Undersheriff, and I have communicated personally and we will stay in close contact. As I understand it on-land incidents have been minimal in comparison to the past and we will work to keep it that way and improve further.”

Mr. Ffinch’s comments were supported by the low number of Sheriffs calls over the July 4th weekend. According to a member of the Pope Valley Volunteer Fire Department, which takes care of most of the west side of the lake (along with the Cal-Fire units from Spanish Flat), this was the first time in memory that they didn’t have a single call during the weekend of the 4th. “It was wonderful to spend the weekend with my family.”

Although the National Environmental Protection Act (NEPA) has been raised as an issue in the Lake Berryessa redevelopment process, it is not clear why this should be an impediment since Pensus is simply replacing the old facilities with new environmentally-friendly construction. Any delay because of NEPA is even more puzzling since the demolition of the old resorts was accomplished with a minimum of environmental oversight.

The Bureau of Reclamation used what is known as a Categorical Exclusion (CE) and stated publicly that they had evaluated the situation and produced Categorical Exclusion Checklist #743. They also stated that they had reviewed the environmental impacts of demolition of each site and that environmental impacts were minimal and mitigated by using Best Management Practices.

NEPA itself states that the EA is a concise document, it should not contain long descriptions or detailed data which the agency may have gathered. Rather, it should contain a brief discussion of the need for the proposal, alternatives to the proposal, the environmental impacts of the proposed action and alternatives, and a list of agencies and persons consulted. Agencies should make the Finding of No Significant Impact (FONSI) and EA available for 30 days of public comment before taking action.

Unfortunately, the slow progress in this area is frustrating to many of the people involved, especially local business and residents, much less Pensus itself. The formal response from Reclamation to a question from the Lake Berryessa News does nothing to allay those concerns. This process should be fast-tracked by everyone involved, not allowed to linger into the spring of 2012. It is not an academic bureaucratic exercise – it affects real people.

Bureau of Reclamation response: “Pensus is in the process of formulating the Draft Environmental Assessment for development of recreation facilities and services within its six concession areas around Lake Berryessa as required by the National Environmental Policy Act, or NEPA. NEPA is a federal law that requires that potential impacts from federal actions and actions on federal land be examined prior to the initiation of that action. This environmental assessment for the planned development at Lake Berryessa is considered “programmatic” because it will focus on the impacts of the overall development plan proposed by Pensus. Reclamation expects the Draft Environmental Assessment to be completed fall/winter 2011, at which point the public will be invited to submit comments. These comments are an important part of the NEPA process, and will be considered in the Final

Environmental Assessment. Reclamation anticipates that the Environmental Assessment will be finalized in spring 2012.”

The other major stumbling block for Pensus at Lupine Shores is the NBRID process. Mr. Ffinch was emphatic in his response to this issue that Pensus fully supports becoming part of the Berryessa Highlands water and sewer system whether run as it has been, a Resort Improvement District, or as an independent Community Services District. One wrinkle in this approach was pointed out by a County legal representative. Apparently according to law, a Resort Improvement District would provide both water and sewer services. However, if the NBRID became a Community Services District, Pensus would be required to hook up to sewer services, but would not be required to hook up to water service from the District. Mr. Ffinch made it clear that Pensus was committed to join the proposed CSD for both water and sewer service.

“Pensus has committed to Napa County that it will hook up to NBRID and to participate proportionately in any costs subject to a maximum cost limitation of \$4M and timing. We are working closely with and support the Berryessa Highlands residents.

There is nothing that Pensus can do at this point except wait for NBRID / Napa County to provide the Regional Water Authority with the assurances they have demanded from NBRID that will allow removal of the moratorium against Lupine Shores connecting to NBRID.”

At an April meeting a plan was developed to potentially remove the State’s Cease and Desist Order (CDO) against the NBRID by showing that effluent volumes, which everyone knows is primarily impacted during winter by rainwater intrusion in old Berryessa Highlands sewer pipes, would be below the 50,000 gallon limit if the pipes were repaired. This would allow the CDO to be lifted and also allow a longer-time frame to make the major upgrades to the main sewer treatment plant.

The April meeting group identified several milestones and a funding mechanism. The Consulting Engineers would monitor the system through the remaining wet weather in 2011. Camera and video analysis would determine infiltration water origin and provide the results by summer. The CDO process requires a November 2011 report to the state. During summer of 2011, the identified areas of serious infiltration would be repaired. During the winter of 2012 the Consulting Engineer monitors and reports effluent flow volume which is hopefully less than the 50,000 gallon limit. Unfortunately, it appears that this plan has not been completed as of July 2011. Whether it is a lack of money or technical issues is not clear. The Lake Berryessa News is awaiting a response from the County.

On a lighter note: Although Pensus published a brochure and funded electronic billboards around the Bay Area, they had not installed entrance signs at their resorts until recently. The original signs were spray painted on plywood sheets. The latest signs are small and can’t be read from passing vehicles. It didn’t do much for their professional reputation among locals as well as visitors.

The Lake Berryessa News Facebook page chimed in with photos and a bit of satire: “Five weeks after Pensus said they'd have signs up within two weeks, a new sign finally appeared at Lupine Shores next to their old spray-painted plywood sign. It seems they've transitioned from their old sign company, Ghettowerks, to Tiny Town Signs, Inc. From sublime humor to breathtaking silliness. Hopefully real signs will be installed soon.” David Ffinch took the hit with reasonably good grace, acknowledging some internal problems but stating, “We finally have the permanent signs in hand as of Monday last. They will be installed within the next two weeks.”

Everything can’t work perfectly, but we are all hoping for a happy (speedy) ending to this Lake Berryessa Midsummer Night’s Dream.



Applehood and Mother Pie! What's Right, What's Wrong, and Why

In a letter of opposition to the creation of the unnecessary Berryessa Snow Mountain National Conservation Area I used the term "applehood and mother pie" statement. We are all used to hearing "motherhood and apple pie statements" which tend to be "feel good" platitudes about a worthy concept with which few people would disagree.

But I've noticed that many of these statements are being slickly twisted by wordmeisters to convey something they were never meant to mean. Words can be strung together like beads on a necklace to achieve a desired affect. Sometimes comments almost seem to make sense until you scratch through that mother pie crust and find out for yourself what they really say.

Examples of this are common in politics (right and left) and from the more radical exclusionist groups. If you hit all the right hot button words, even without any specified plans or supporting analysis, people are happy to do what you want and stop thinking for themselves (thinking is hard, I know).

In dealing with the Bureau of Reclamation for fifteen years I've gotten used to the frustration of hearing "applehood and mother pie" statements from them rather than facts and evidence. The present sad state of affairs at Lake Berryessa, unfortunately, shows how effective they were at deploying those tactics – and still are.

Local residents, businesses, and Lake Berryessa recreationists are extremely disappointed in both the Bureau of Reclamation and Pensus for the lack of progress in redeveloping the resorts. Right now Summer 2012 appears to be a repeat of Summer 2011 with minimal facilities available at the Pensus Berryessa Shores Resorts.

The major responsibility for this lack of progress must be attributed to the Bureau of Reclamation. After they got what they wanted through their disastrous Visitor Services Planning process – a single company to run most of the Lake Berryessa resorts – they seem to be doing everything in their power to slow the process down and drive Pensus out. Is it simply their passive aggressive response to some Pensus plans they no longer agree with after having approved them – slow them down to make them change? Anyone who has had to deal with Reclamation knows they are neither a recreation nor customer-service oriented organization.

But Pensus bears its share of responsibility for the lack of progress. They seem to have seriously underestimated the complexity of translating their paper plans into on-the-ground results. It appeared that their company policy was to go it alone despite the offers of advice and assistance from local people with years of operational experience at the lake. Their liaison and information-sharing with local residents was minimal – sometimes because they were in negotiations with Reclamation. Pensus always publicly stated that they wanted to be a partner with Reclamation and establish a good working relationship. But although they've lost a lot of local support, they can at least be assured that almost everyone wants them to succeed.

Which is why the actions of the Bureau of Reclamation and of our local politicians still seem suspect to many. Despite a letter from the Lake Berryessa Chamber of Commerce and one from the Lake Berryessa News requesting that Congressman Thompson take some action to encourage the Bureau of Reclamation to expedite their decision-making process to help Pensus make progress, Reclamation instead wrote a letter of non-compliance on February 27 to Pensus further slowing things down! Pensus responded with a longer letter describing their solutions to Reclamation's perceived problems. Now Reclamation wants to take time to analyze and respond to each of the Pensus responses. When will this Reclamation Hall of Mirrors fiasco end?

The Lake Berryessa News obtained a recent letter from the Pensus attorneys to the Bureau of Reclamation dated April 27 which included a previous letter on April 6 laying out some of the ongoing issues and requesting action. The letter is included below and makes for very interesting reading. You be the judge.

Unfortunately, it seems that there's no one in charge at the BOR. With the recent resignation of the Park Manager and two other key managers all decisions are being bumped up the chain of command – but still no one seems to know what to do.

The appearance of the orange fencing and danger signs is a case in point. The Bureau of Reclamation cordoned off large areas of Lupine Shores and Chaparral Cove with orange fencing and danger signs.

The fences are far from the shoreline and eliminate dozens of previously approved campsites. Apparently a drunk-as-the-proverbial-skunk crazy woman had slid down an embankment at Chaparral Cove and injured herself.

Per Reclamation: "Until Pensus develops a plan for more permanent barriers, we are obligated to provide a temporary safety barrier. We have determined that it is more cost effective to barricade off the general area temporarily than to do specific site analysis and design barrier protection at each site. Pensus is developing plans for more site-specific protection, and Reclamation's fencing will be removed when this is in place."

"Cost-effective" meant "cost-free" to Reclamation (except for the cost of fencing and signs - many signs). Reclamation made Pensus design the barriers and do a GPS site analysis along the actual edge of the shoreline. Pensus wants its campsites back. No response yet from Reclamation to the Pensus application because, apparently, no one there knows what is required and is afraid to make a decision.

"Applehood and Mother Pie" - tonight's WØRD!

In an attempt to find out why this danger fencing was done, by what policy, and what the guidelines were for deciding what was dangerous, I had the following exchange with the BOR Public Information Officer. You may notice that Reclamation has the ability to be snide and unresponsive (IMHO) at the same time. Good capability for a bureaucrat.

April 19, 2012
Good morning Pete & Peggi,

I learned that access to several areas of the Lake Berryessa shoreline at Lupine Shores and Chaparral Cove have been restricted by fencing and danger signs. See attached photos. These areas have been used by the public for decades. They were also used for the last several years as camp sites approved by Reclamation.

Why did Reclamation cordon them off? What criteria or policy guidelines were used to do so? Will Reclamation start eliminating access to other parts of the Lake Berryessa shoreline such as the Smittle Creek trail and parts of Oak Shores?

Peter Kilkus

So Peter, Obviously as one reads the signs that you took pictures of, there is a safety hazard and we are obligated to protect the public from injury...the fencing and danger signs are intend to do just that. If there is a safety hazard that needs to be corrected or for which we need to provide a warning, that decision and determination will be made when it is discovered. There are no plans to eliminate access to any parts of the shoreline.

Pete Lucero

I understand the concept, but what safety hazard are you talking about? I walked that whole section and didn't see anything that was a particular hazard that would require blocking that large a section. If there is a concern about the steepness of parts of the bank, why not just put a low small fence with a small sign along the edges considered too steep? What height of shoreline edge is considered unsafe?

Peter Kilkus

Until Pensus develops a plan for more permanent barriers, we are obligated to provide a temporary safety barrier. We have determined that it is more cost effective to barricade off the general area temporarily than to do specific site analysis and design barrier protection at each site. Pensus is developing plans for more site-specific protection, and Reclamation's fencing will be removed when this is in place.

Pete Lucero

April 27, 2012

To: Michael Finnegan, Area Manager
Bureau of Reclamation

Subject: Request for Authorization of Marina Construction at Chaparral Cove, Lupine Shores and Mahogany Bay Concession Areas. Lake Berryessa, Solano Project, California

Dear Mr. Finnegan:

This is in response to a letter to Lake Berryessa Properties, LLC (Pensus) from Peggi S. Brooks, Chief, Recreation Resources Division, dated April 23, 2012 in which she points out certain perceived deficiencies in the Project Statements for marina improvements at Chaparral Cove, Lupine Shores and Mahogany Bay, which were filed with the U.S. Bureau of Reclamation (USBR) on April 3, 2012. In her letter, Ms. Brooks asserts, among other things, that:

1. Pensus must coordinate with and obtain the approval of the USBR prior to submitting an application for a Section 404 Permit to the U.S. Army Corps of Engineers (USACE);
2. The submitted Project Statements do not describe the full panoply of facilities associated with marinas at Chaparral Cove, Lupine Shores and Mahogany Bay, and the drawings and site plans for the marinas are "conceptual in nature," and not sufficiently detailed;
3. The drawings included with the Section 404 Permit include extended no-wake zones outside of Concession boundaries, which have not been approved by Reclamation; and
4. Compliance with the National Environmental Improvement Act (NEPA) requires that Pensus submit detailed site specific project descriptions supported by corresponding site plans and drawings, in light of the fact that Pensus's draft Environmental Assessment (EA) (submitted March 29, 2012) is still under review.

Pensus appreciates your feedback on these matters, as well as your acknowledgement that the installation of wet slips is a top priority for Pensus in 2012. On this latter point, we could not agree more fervently. In order to move forward as expeditiously as possible, Pensus will provide USBR with revised Project Statements containing the information requested, including specific marina engineering and schematic designs, as well as revised site plans and drawings.

As a point of clarification, however, it is incorrect to assert that Concession Contract Number 10-LC-20-0184 requires Section 404 permits to be "coordinated, reviewed and approved" by USBR prior to submission to USACE. In fact, section 3(D)(5) of the Concession Contract contains no such requirement; it specifically provides that "[t]he Concession Contractor shall... provide to the Contracting Officer any written materials prepared or received by the Concession Contractor in advance of or subsequent to any such communications" with other regulatory agencies.

With regard to no-wake zones, Pensus has requested the establishment of no wake zones by USBR (most recently in an April 6, 2012 letter to you) and has prepared an Environmental Assessment (EA) (submitted on March 29, 2012) to support these requests. To date, however, USBR has taken no action to address these proposals. It seems odd that despite the fact that Pensus has petitioned USBR on several occasions to make a determination on the appropriate boundaries of the no wake-zones, it has yet to receive any answer. As you know, this determination is vital to the safety and design layout of the marinas and is therefore necessary to be able to provide USBR with the

type and kind of more exact design specifications USBR requests. We believe that the Area Manager is an "authorized official" under the 43 CFR § 423.60, and has authority to designate no wake zones at Lake Berryessa. Therefore, we request that your office expeditiously respond to Pensus's requested designation of no wake-zones concerning its concession sites and proposed marina operations. For your convenience, we are attaching a copy of my April 6, 2012 letter to USBR. To date, only the question of toilet design raised in that letter has been addressed by USBR.

43 CFR § 423.60 provides that an authorized official may "[e]stablish special use areas within Reclamation facilities, lands, or waterbodies for application of reasonable schedules of visiting hours: public use limits: and other conditions, restrictions, allowances, or prohibitions on particular uses or activities where that action is found to be necessary for:

- 1) The protection of public health and safety;
- 2) The protection and preservation of cultural and natural resources;
- 3) The protection of environmental and scenic values, scientific research, the security of Reclamation facilities, the avoidance of conflict among visitor use activities; or
- 4) other reasons in the public interest.

Finally, with regard to NEPA compliance as addressed in Ms. Brooks' letter, USBR has in its possession a comprehensive Draft EA that fully assesses the environmental consequences of Pensus' s planned marina improvements. Timely approval of this document (as described in USBR's NEPA Handbook) is both prudent and necessary not only for the marina Project Statements, but for further development of the Lake Berryessa concession areas. Pensus thus requests that USBR initiate public comments on the Draft EA as soon as next week and make every reasonable and prudent effort to adopt the Draft EA as quickly as possible. The public is clamoring for action and USBR and Pensus should respond affirmatively. Of course, as Ms. Brooks letter points out, USBR demands approval before Pensus may proceed with concession improvements. Clearly, however, sometimes the USBR demands approval of Pensus actions beyond the requirements of the Concession Contract. Going forward, we should work together to reduce the backlog in decisions and analyses to serve the public.

Fulfilling the promise of recreational services at Lake Berryessa is in our mutual best interests. It is our hope that USBR will start to act on the many pending matters already before it in order to turn our shared vision of Lake Berryessa into a reality.

If you have any questions, please contact me directly.

Sincerely, Steven Richardson Counsel to Pensus Lake Berryessa Properties, LLC

April 6, 2012

Mr. Michael R. Finnegan, Area Manager, U.S. Bureau of Reclamation

In Re: U.S. Bureau of Reclamation Contract No. 10-LC-20-0184

Dear Mr. Finnegan:

On March 29, 2012, Pensus Lake Berryessa Properties LLC (Pensus) provided a final response to the U.S. Bureau of Reclamation's (USBR) February 27, 2012 letter entitled "Notification of Noncompliance with Concession Contract Number I 0-LC-20-0184, Lake Berryessa, Solano Project, California and Opportunity to Cure" (Noncompliance Letter). The response cured or provided pathways to cure all alleged deficiencies in the Concession Contract's administration. Assuming that USBR agrees that those issues are resolved or on a pathway to full resolution, Pensus respectfully asks Reclamation to address specific open issues to continue moving the project

forward prior to resuming any direct talks on global Concession Contract matters. To that end, this letter seeks additional specific details on USBR's expectations for decision-making on critical path matters that must be completed to fully implement the Pensus CFIP and IMP schedules for 2012, 2013 and beyond.

As next steps Pensus's March 29 letter outlined six specific discussion topics for USBR's consideration and action: (1) No Wake Zones; (2) Willi's Ski School; (3) houseboat allocations; (4) the results of Pensus' initial marketing of marina services; (5) unisex toilets and showers; and (6) the change of circumstances at the Manzanita Canyon concession area. Specifically, Pensus asks for USBR's commitment to mapping out the steps and decisions required to obtain timely approval on these and all other issues pending before it, so that we may mutually set and keep a schedule consistent with the goals of the Concession Contract. An illustration of these issues is provided below.

1. No Wake Zones

California law requires that a 200-foot "no wake" zone be established around boat docks, launch ramps, and other facilities that hold boats or provide passenger transport to boats. Additionally, boats operated by machinery are required to maintain speeds of less than 5 miles per hour in this zone to assure no wake effect. As part of its CFIP submission, Pensus provided USBR with drawings depicting proposed no wake zones to support marina operations at Mahogany Ray, Lupine Shores and Chaparral Cove, which comply with, and in some cases exceed, state law requirements. The mitigating impacts of these no wake zones on potential shoreline erosion and visitor safety were discussed in the Pensus Draft Environmental Assessment provided to USBR on March 29, 2012. It is essential that the areas depicted be established as no wake zones to protect against damage to the marina structures and watercraft occupants and to assure proper protection against personal injury. These no wake zones are also consistent with the direction provided in the 2006 Record of Decision for the Visitor Services Plan: Future Recreation Use and Operations of Lake Berryessa (VSP ROD).

USBR has authority to approve these proposed no wake zones. In an effort to move forward, please provide Pensus with information concerning how it may obtain final approval of these no wake zones, as well as any timelines involved.

2. Willi's Ski School

Waterskiing historically has been a popular recreational pursuit on Lake Berryessa. USBR agreed that waterskiing should continue in its comprehensive recreation plans for Lake Berryessa. In fact, Alternative B, the Preferred Alternative recommended by USBR in the 2005 Final Environmental Impact Statement for the Visitor Services Plan/Future Recreation Use and Operations of Lake Berryessa (VSP EIS), acknowledged water skiing as an appropriate use of the lake's water resources. The VSP ROD adopted this alternative with minor modifications irrelevant to waterskiing. In light of the VSP EIS and VSP ROD's recommendations and authorizations, Pensus seeks the opportunity to develop the Willi Ellemeier Championship Water Ski Training Facilities (Willi's Ski School) at the Foothill Pines concession area. Development of the ski school is a unique opportunity for Pensus and USBR. As you know, Willi Ellermeier is a world-famous ski instructor and has been providing services at Lake Berryessa for over 30 years.

The March 29 response highlighted specific examples of inefficiencies in Reclamation's administration of the Concession Contract, including a 6 month delay for Pensus to obtain USBR permission to move a single utility pole six feet.

The Pensus GANT Chart provided as Attachment B to the March 29 response provided for a list of necessary development activities to occur in April and May 2012 to permit the ski school to become operational during the 2012 summer season. These activities include submission to USBR for a ski school as an approved service, USBR approval of service and USBR rate approval, Pensus submission of design criteria to USBR, USBR approval of design and installation, Pensus installation of training facilities improvements, and commencement of ski school operations. As evidenced by this list, Pensus and USBR must adopt a coordinated plan and approach for timely decisions to make this recreational opportunity a reality.

To develop the ski school, Pensus seeks specific guidance and timely action from USBR. First, Pensus seeks clarification on whether USBR will require the ski school proposal to be reduced to a Project Statement. Second,

because the Concession Contract does not provide for sub-concessions for the provision of visitor services, Pensus needs to work with USBR to add Willi as an employee. Third, Pensus seeks clarification on whether USBR will require Pensus to file an employment agreement that requires USBR's approval, and whether this proposal may be contained in a Project Statement. With these questions answered in a timely manner, the project can move forward without delay. Pensus is confident that working with USBR, this important visitor service can be implemented in a timely fashion.

3. House Boat Allocations

House boating is an important recreational resource at Lake Berryessa. In February 2011, USBR completed a comprehensive Houseboat Capacity Analysis for Lake Berryessa, which concluded that Lake Berryessa has an overnight mooring capacity of 175 houseboats. Pensus is required to provide houseboat rentals at its six concession sites as part of the Concession Contract, and is authorized to provide up to 70 houseboats. In the CFIP, Pensus proposed to provide houseboat rentals as follows: Ten (10) at Lupine Shores, ten (10) at Chaparral Cove, and fifteen (15) at Mahogany Bay.

To date, USBR has not authorized Pensus to issue permits for the use of houseboats on Lake Berryessa. Pensus and USBR must adopt a coordinated plan and approach for timely decisions to make this recreational opportunity a reality. At your earliest convenience, please inform Pensus of the timing and the steps required for Pensus to obtain authorization from USBR to issue a reasonable number of houseboats permits.

4. Marketing of Marina Services

Pensus began its initial marketing of marina services on March 21, 2012. Community responses to the marketing plans have been positive and enthusiastic. Given the importance of recreation to the local economy, neighboring residents and visitors are excited by the plans proposed by Pensus. To date Pensus has received over 40 signed contracts for wet slips. The preparation of the area for construction of wet slips which has an existing concrete slab and asphalt surfacing, and assembly of equipment for construction is underway at Lupine Shores and construction of slips should start on or about April 21, 2012. Project statements with detailed plans and specifications for the marinas were sent by FedEx for delivery to your offices on Thursday, April 5, 2012. Pensus anticipates receiving approval for installation of marina slips from the U.S. Army Corps of Engineers by April 30, 2012 and would like to make installations immediately thereafter assuming that approval has also been received from USBR. Going forward, Pensus and USBR must adopt a coordinated plan and approach for timely decisions to make this recreational opportunity a reality.

As such, it is important that USBR and Pensus are on the same page concerning the full breadth of marina services that Pensus intends to provide under the Concession Contract. The Concession Contract codifies the proposals set forth in Pensus Group's initial Proposal to Operate: Water based Recreation Support and Associated Hospitality Services and Facilities within the Concession Areas at Lake Berryessa (Proposal). The Proposal outlined quite extensively marina services Pensus planned to offer. Specifically, in addition to physical facilities, Pensus proposed a village concept at the marinas with restaurants, convenience and gift stores, clothing boutiques, fuel docks and tour boat docks. The revised concept plans that were adopted by USBR in February 2011 now show the restaurant, convenience store and gift stores and clothing boutiques located on land with the exception of Mahogany Bay. From one or more of the marina complexes. Pensus will provide boat and watercraft rental operations ranging from water skis to 75-foot long houseboats, along with fuel docks.

Pensus will also provide a tour/shuttle boat service between resort areas. In addition, Pensus proposed a Marinas Concierge Services Department to provide a full range of services including launch and retrieval, boat mechanical, structural and aesthetic repair and maintenance, washes, details, galley stocking of requested food items, stocking of other necessary items, fueling, effluent tank pump out, piloting and 24 hours emergency response (accidents, breakdowns, fuel deficiency, inability to drive one's craft due to inebriation or other mishap) or any other reasonable need that is necessary to enhance the public's enjoyment of the lake and their chosen recreational activity. Assuming that USBR agrees with this scope of service, Pensus wants to develop an agreement on what USBR wants to review and approve, the form that Pensus submissions should take, and the expectations for timely approvals.

The Development Plan in the Concession Contract as well as the Operating Plan, Exhibit G, provide for the types of services outlined above. While USBR retains authority to approve specific services and rates charged to provide them to the public, it is unclear how much detail USBR seeks to review and the appropriate form of submission by Pensus to USBR for timely action. For example, Pensus has reached an agreement in principle with Marty Rodden (currently at Markley Cove) to serve as its boat rental manager at all concession sites where boat rental may be provided. Initially boat rental will be operated from Lupine Shores only but other locations may be added depending upon market demand. This type of service lies at the heart of a successful marina and will be an important step in assuring the public a level of continuity of service that will bring credit to both USBR and Pensus. That said, how much of that relationship does USBR want to review and approve? Marty will clearly be a Pensus employee, so will it suffice to submit the details of Marty's operations and services for approval or does USBR expect to see and approve greater details of that service? These details are important to resolve at the outset, because Pensus must obtain USBR's approval for all advertisements and public information created for the concession facilities and Pensus wants to continue its marketing campaign in synch with USBR.

5. Unisex Toilets and Showers

On January 25, 2012, Pensus provided USBR with designs for a unisex shower and toilet unit for Lake Berryessa to be installed at all concession sites where RV and Tent Camping is operated. The unisex facilities were proposed because of their environmentally smaller footprint and Pensus's experience with the use of shower and toilet facilities at marina locations.

USBR indicated some reluctance or dissatisfaction with the design, but has provided no formal feedback and no suggested alternatives. Pensus is preparing, and will submit within 7 days, new concept design drawings that have been revised and notated to address the concerns of Reclamation informally provided by Peggi Brooks on March 15, 2012. If, after review, USBR has no further objections to the revised concept design drawings, Pensus seeks clarification as to when USBR will approve the plans so that Pensus can proceed with preparation of engineering designs and detailed specifications in accordance with the GANT chart (cited above). In addition, Pensus seeks clarification on who at USBR has authority for final approval of the plans.

6. Manzanita Canyon Concession Area

As Reclamation is aware, a February 12, 2012 decision by the U.S. Court of Appeals for the Federal Circuit, *Laguna Hermosa Corp. v. U.S.*, clarified Pensus' and Reclamation's rights to use existing facilities at the Manzanita Canyon concession area. The court affirmed an earlier finding that the past operator of Manzanita Canyon abandoned improvements made under their lapsed contract, and is not entitled to compensation from USBR or Pensus. The CFIP submitted by Pensus on February 10, 2011 stated that all materials left at the Manzanita Canyon concession area would be removed by Pensus. However, the Laguna Hermosa decision changes earlier assumptions that all facilities had to be removed from the area before development.

Pensus's current plans for Manzanita Canyon, as set forth in the Draft 2013 IMP submitted as Attachment B to the March 29 response, waits until 2014 to construct improvements at Manzanita Canyon, limiting use of the area to primitive camping in 2012 and 2013. The result of this decision is that either USBR or Pensus can use the remaining facilities without payment to the former operator, and that facilities could be used on an interim basis to promote greater use of the concession area at an earlier date.

In light of the decision, Pensus seeks guidance from USBR on how to move forward with developing a new plan for Manzanita Canyon that incorporates existing facilities. With cooperation from USBR, there is real opportunity for Pensus to offer added services at Manzanita Canyon at an earlier date. The items discussed above are just a sample of the outstanding issues facing Pensus and USBR.



Catch-22: The Bureaucratic Double Bind Theory in Practice

The series of actual emails below is emblematic of the dysfunctional approach the Bureau of Reclamation is taking to any actions proposed for the redevelopment of Lake Berryessa. The resorts have existed for more than 50 years. No items of cultural or historical importance have ever been discovered within the resorts or at Oak Shores or other Bureau-maintained facilities.

Reclamation demolished more than 1,000 mobile homes and resorts facilities, and is still digging and scraping away at the remaining residue, without any substantive environmental or historical studies to support their actions. They simply filled out a short form called CEC 743, which was approved on October 11, 2007 concluding:

“Reclamation has determined that the proposed action is appropriate for Categorical Exclusion under the National Environmental Policy Act 011969 (42 United States Code [U.S.C.] 4321, et seq.) based on the following information: The removal of all existing trailers and associated appurtenances within existing and developed sites at Lake Berryessa resorts involves only minor construction activities on previously disturbed land and there will be no impacts to waters of the United States.”

Further, Reclamation has reviewed the proposed action and determined that there is no effect to Federally-listed species or critical habitat.

A consultation with the State Historic Preservation Office has concluded that there are no affects to cultural resources under Section 106 of the National Historic Preservation Act.”

Now the BOR wants detailed studies for any action taken by Pensus, even digging a hole for a power pole, moving fence posts originally hammered in by Reclamation to eliminate dozens of campsites from use, and just about anything else. They even deny approval of the same type of Categorical Exclusion they used themselves to undertake massive demolition and ground disturbance over hundreds of acres of shoreline.

No wonder the project manager below may want to call himself Captain Yossarian when dealing with the Bureau of Reclamation. For those of you who remember the book and movie, Catch-22, we truly find ourselves in a “Catch-22” situation at Lake Berryessa! One bureaucratic justification for Catch-22 actions from the book is:

“Catch-22 states that agents enforcing Catch-22 need not prove that Catch-22 actually contains whatever provision the accused violator is accused of violating.”

This directive seems to perfectly encapsulate the local Reclamation approach and conduct. The project referred to in the email chain is the simple digging of a couple of trenches. Read it to believe it.

From: Reclamation, May 25, 2012: Thank you for your email. Your revised project statements of May 18, 2012 have been received at both Lake Berryessa and CCAO offices (May 23rd, 2012). As of today they have been routed for review of administrative sufficiency, followed by technical and environmental review. I have requested a time estimate for completion by the review team and should be able to provide a response to your question by COB Weds. May 30th (considering staff availability due to the Holiday weekend).

From: Reclamation, May 29, 2012: I spoke with staff today as they work through their review of the revised project statements for your project. It appears there are still some questions regarding some details of the proposed project. My engineer will have his comments prepared by Thursday mid-morning. I propose a brief meeting to discuss the questions, followed by your providing a written response on the comment form we provided or other form best suited. Once all comments have been addressed, the NEPA evaluation will continue to the stage of cultural review by the Mid-Pacific Region and then State Historical Preservation Officer (SHPO). I am told we should expect a timeframe of 90 days or less for cultural review and concurrence by SHPO.

From Applicant's Project Manager, May 29, 2012: Thanks for the update. When we last spoke, when the subject of NEPA / SHPO came up, I pointed out that all of the testing would effectively be performed in areas previously disturbed during the preceding 50 years of use under the former concession contracts. I thought that our discussion at that time had reached at least a tentative consensus on the in situ conditions.

Our application includes a request that the USBR issue a Categorical Exclusion for this work, similar to numerous instances of minor work operations categorized previously by your office. I respectfully request that the nature of the work to be undertaken as well as the fact that the area has already be thoroughly disturbed be considered before launching into another lengthy period of review.

From Reclamation, May 30, 2012: I know that you and others at your company have stated that you believe the previous disturbance in the concession areas warrants relief from further review of cultural resources. I am not able to concur with this, nor have I in the past, because it is a matter of Federal and State law, and it is not my role to determine how the laws are to be implemented by Reclamation.

My role is to obtain complete project descriptions for concession development activities and pass them to the appropriate staff in Reclamation for compliance with NEPA/NHPA. Staff specialists review the project description and other documentation, determine what level of NEPA and NHPA analysis is required and initiate that process. If significant ground disturbance will occur from the project then it will normally require review by SHPO. The review time required by SHPO is not within Reclamation's control. Understanding this planning process and the timeframes required is key to successful project management, which is why we have provided you with flowcharts and NEPA process information.

I understand your wish to expedite this project and will do everything I can to assist in getting it approved. Having a completed cultural survey as you initially set out to do would have significantly streamlined this and other projects. In the absence of that survey, each project will have to be individually evaluated for NEPA/NHPA compliance.

From Applicant's Project Manager, May 30, 2012: I still have no official word on the status of the Project Statements themselves, but given the tone of this communication I am not expecting anything less than another rewrite. At this rate, even with a perfect Project Statement, we will be denied permission to undertake even the most basic of testing for another three – four months. If this is the best that can be done for something this simple, I can only guess how difficult a real building project will be to obtain approval.

Aka: Capt. Yossarian



Seasons, Cycles, and Radical Change: Chaos Theory - Lake Berryessa Style

Summer is here again. With the change of seasons it's time to unwrap the boat and refill the pool. Seems like I just winterized the boat and drained the pool yesterday - but it was a whole Winter ago, a whole cord of wood ago - the annual cycle of country living.

After six years of looking at the same walls and floor, I've started ripping out the rug and repainting my living room to add more color. Radical change for me, but it was time. How can anyone go six years without radically changing something?

Positive change may also be coming to the Berryessa Highlands now that the Napa Berryessa Resort Improvement District (NBRID) is moving forward with the required upgrades to its water and sewer system.

This change comes with a relatively high cost to NBRID ratepayers in the form of a bond issue. Residents are now in the process of voting for the proposal. Some are very frustrated and upset with the cost, but after many years of trying, and apparently getting it right this time, there is really not much choice for the future but to vote yes.

Other change has come very slowly this season/cycle at the lake. Much of this is due to the bureaucratic constipation of the Bureau of Reclamation. It is difficult to be even moderately objective when discussing a bureaucracy that has consciously done so much damage to the Lake Berryessa community.

The biggest mistake the BOR made was to choose Pensus. They really had only two motivations in the Visitor Services Plan. One was to get rid of all the mobile homes. The other was to remove all the previous concessioners and get one company to run the lake. If they had chosen the Lago Group's bid (the Whites and Spanish Flat owners) probably none of this would have happened. But they disqualified the White's bid on a technicality and didn't even review it. They refused to let the White's revise that one item to meet the bid requirement.

The biggest mistake Pensus made was to play hardball about the value of the existing facilities. They convinced the BOR to declare that all the facilities had no value and must be removed - even though the BOR's own appraisers put the value of all the facilities at the resorts at about \$12M. No one, including the judge in one legal case, thought that any new company would do that.

Pensus could have had working resorts for pennies on the dollar. But they believed it was better to start from scratch with new facilities in a 40-year contract than pay for old facilities that would have to be replaced anyway within a short time. Maybe a reasonable business decision, but a terrible strategic one, in my opinion. And very bad for our community.

It's probably immaterial if the concessioner is Pensus or if the Lago Group had won. The situation would likely be the same now with any concessioner trying to work with the Bureau of Reclamation.

Unfortunately Reclamation seems to be continually trying to re-write itself as a satirical sketch on Saturday Night Live, the Daily Show, or Colbert Report. Whether it's simply a slavish dedication to policy over people, an homage to Catch-22, a psychological attachment to the Double Bind Theory of Government, it's difficult for most people to understand their true motivation.

Crying "incompetence" seems too simple a reason for this chaos. If Reclamation disagrees with some of the Pensus plans, (they do have more real experience with the lake than does Pensus) why didn't they just say so?

Why approve the original Pensus plans and then, a year later, approve radically different Pensus plans? Many people familiar with the lake do not agree with several elements of the Pensus plans either. But why these delaying tactics? A growing number of folks believe it's a continuation of Reclamation's original plan to simply shut down the lake to return it to its "natural state".

According to a meeting participant, prior to her recent unlamented resignation as Park Manager, Lynn Pilgrim-Little said something to the effect, “Well, it’s taken us five years but we almost have the lake back to its natural state.”

Tell that to the people of the Town of Monticello. Only the removal of Monticello Dam and the restoration of the Berryessa Valley would bring this area back to its “natural state”.

Even if we give the Bureau of Reclamation the benefit of the doubt, and that they are trying their best, they have once again thrown the lake into severe chaos with their attempt to terminate their contract with Pensus.

Add to that the tragic death of David Ffinch, Pensus president, on June 2, and we have chaos compounded!

I had a reasonable working relationship with David Ffinch and believe he was an honorable man with his own vision for Lake Berryessa. In the end, although he always refused to publicly criticize Reclamation, he became convinced (as most of the Lake Berryessa community already was) that Reclamation was acting in bad faith.

In one of his final statements Ffinch said, “The stated reasons for termination are either unsubstantiated or blatantly false. For reasons unknown to Pensus, Reclamation has made it almost impossible to make any progress over the last two years which has resulted in substantial financial losses. Be assured that we do not intend to acquiesce and we will continue to move forward.”

Chaos is defined as complete disorder and confusion, behavior so unpredictable as to appear random. Chaos Theory is a scientific theory describing erratic behavior in certain nonlinear dynamical systems.

How Can a Real Business Cope with... bad faith: n. intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into an agreement without the intention or means to fulfill it, or violating basic standards of honesty in dealing with others.



Floundering About at Lake Berryessa (This is not a fishing story.)

Definition: “flounder about”

1. To make clumsy attempts to move or regain one's balance.
2. To move or act clumsily and in confusion.

Every now and then the perfect real-life example of an odd word or phrase pops up. In this case it's the ongoing actions of the Bureau of Reclamation at Lake Berryessa. During the last few months, after years of inept management of the Lake Berryessa resort redevelopment process, Reclamation attempted to shift responsibility for the chaos to Pensus. But the facts, both the public record and confidential documents, do not support their contention.

The Lake Berryessa News has regularly documented Reclamation's inexplicable, bordering on the bizarre, requirements placed on Pensus as they tried to restore the resorts to operation. Although Pensus may have been unrealistic in their redevelopment schedule and some of their actual plans, no reasonable person expected the BOR to act as they did. Their incompetent management finally even prodded Congressman Mike Thompspon to request their removal as the Lake Berryessa managing agency to be replaced by the Bureau of Land Management.

Rather than act to help expedite the re-opening of the resorts, as desperately needed by the local business, residential, and recreational communities, Reclamation seemed to do everything they could to impede progress. Then they issued a “Notification of Noncompliance with Concession Contract” and rejected the Pensus response to correct the supposed non-compliances. Reclamation quickly followed with an unexpected Notice of Proposed Termination of Contract. This all happened in a timeframe that implied that Reclamation had been planning these moves all along.

Now after months of legal tussles and a failed mediation process, all still remains unclear. The main perpetrator of the chaos, Area Manager Mike Finnegan, has retired. Coincidentally, within two weeks of his rather conciliatory presentation to the Lake Berryessa local community on October 25, Don Glaser has been replaced as Regional Director of Reclamation's Mid-Pacific Region without issuing his final decision regarding the Pensus contract termination. His staff (basically retiring Mike Finnegan) recommended termination. Glaser will move to Denver where he will “work on several high priority projects for Bureau of Reclamation Commissioner Michael L. Connor”. David Murillo has been named Mid-Pacific Regional Director in Sacramento replacing Glaser.

Despite Glaser's assurance to the public at the October 25th community meeting that his decision regarding the Pensus contract would be forthcoming within a week (by October 31), that decision has not yet been announced. His office claimed there might have been a misunderstanding and that the decision will not be announced until the end of November. Reclamation also confirmed that, as of November 8, Pensus has not yet been informed of any decision regarding its contract.

Can any public agency exemplify “flounder about” any better? In an almost satirical take on biology versus bureaucracy, the life cycle of a flounder may have met its human equivalent. “In its life cycle, an adult flounder has two eyes situated on one side of its head, while at hatching one eye is located on each side of its brain. One eye migrates to the other side of the body as a process of metamorphosis as it grows from larval to juvenile stage. As an adult, a flounder changes its habits and camouflages itself by lying on the bottom of the ocean floor as protection against predators.”

Predator or Prey? Pensus Responds

The Lake Berryessa News spoke with a Pensus representative regarding the present Pensus position. Because of confidentiality requirements no details of ongoing negotiations could be disclosed. Pensus intends to continue its efforts to remain at Lake Berryessa and stands behind its October 15 public statement which is reprinted here. Pensus believes it has the legal high ground and pointed out that even if the Reclamation decision is to terminate the contract, there is a formal appeal process which could be followed by further legal options.

“Dear Berryessa Stake Holders,

Pensus was unable to reach settlement of its dispute with the U.S. Bureau of Reclamation through an Alternative Dispute Resolution process. However, no final decision has yet been made by Reclamation with respect to Pensus’s contract. In the interim, the contract remains in force and Pensus will continue to offer visitor services at Lake Berryessa.

Although Pensus unfortunately could not reach an agreement with the Area Manager and his team, Pensus is committed to working with Reclamation’s Regional Office in Sacramento and the agency’s Headquarters in Washington, DC to reach a mutually-acceptable resolution to this dispute.

Pensus continues to firmly believe that termination of its contract is in no one’s interest - not Pensus’, not Reclamation’s, and certainly not the public’s. Pensus continues to firmly believe that Pensus, Reclamation, and the public share a common interest in the development and operation of robust public recreational opportunities at Lake Berryessa.

Recognizing that there remain matters to be resolved by the parties, Pensus has made a new offer directly to the Regional Director to perform the full scope of development of the six sites provided for under its contract. Pensus believes that termination is a disproportionate response to the events of the last few years, is not legally sound, and would needlessly delay the provision of recreation services at Lake Berryessa.

Pensus looks forward to the opportunity for a cooperative and constructive dialogue with Reclamation, and ultimately to continuing to serve the public at Lake Berryessa well into the future.

Unfortunately while Pensus strives to reach an agreement with Reclamation to continue to provide visitor services at Lake Berryessa our development efforts will remain on hold. Primitive tent camping, RV and launching will continue at Lupine Shores and Chaparral Cove.

Sincerely, The Persistent Pensus Team”

The Devil is in the Details: Flounder-Style

Devilish Detail #1 – Markley Cove Resort

Pensus, per their contract, is scheduled to take over Markley Cove Resort on May 27, 2013. Although Reclamation (Finnegan) has pressured Pensus several times to allow a contract extension for the present Markley concessioner, Pensus has adamantly and publicly refused to agree.

Pensus has stated that the private houseboats at Markley are an important part of their financial strategy, and they had hoped to complete new docks at Lupine Shores to allow the houseboats to be temporarily berthed there while they renovated the renamed Mahogany Bay.

Reclamation’s proposed contract termination has caused serious uncertainty among the Markley houseboat owners, although they had previously been assured full support by Pensus.

It’s not clear who is playing legal hardball with the biggest bat, but Pensus still intends to take over Markley Cove on May 27, 2013.

SECTION 1 - TERM OF INTERIM CONCESSION CONTRACT (Markley Cove Resort)

A. TERM OF INTERIM CONCESSION CONTRACT

This Interim Concession Contract No. 09LC200026, herein and hereafter referred to as the "**Interim Concession Contract**" shall be effective on May 27, 2009, and shall be for the term ending May 26, 2011, with two one-year options, unless otherwise provided under B. herein. Each one-year option must be mutually agreed to by the Concession Contractor and Reclamation. This is an Interim Concession Contract permitted to provide continuation of identified public facilities and services following the completion of the previous concession contract. This Interim Concession Contract because of its interim nature may not be transferred or assigned to a third party.

E. CONTRACT EXTENSION

The term of this Interim Concession Contract may not be extended beyond that stated in Section I.A.

F. No RIGHT OF RENEWAL PREFERENCE

This Interim Concession Contract does not include a right of renewal.

G. CONTRACT SALE OR TRANSFER OF INTERESTS

The Concession Contractor shall not transfer, assign, sell, or otherwise convey or pledge any property or other interests under this Interim Concession Contract.

Devilish Detail #2 – Steele Park (Lupine Shores) Launch Ramp and Roads

A postcard appeared in Berryessa Highlands mailboxes last week stating that Reclamation is considering removal of the roads and launch ramp at Steele Park (Lupine Shores). The postcard had no sender identification, but the Lake Berryessa Chamber of Commerce confirmed they had not sent it. The concern, and a real one, is that public access at Lupine Shores might be eliminated for a long period of time if this happens. And if the Pensus contract were to be terminated, this would add another complication to the process.

The note requested that residents and supporters call and write to Don Glaser of the BOR to protest this possible action. The possibility of Reclamation demolishing the roads and launch ramp stems from a contract signed almost three years ago.

On February 5, 2010, Sean Buckley, owner of Steele Park Resort, and Michael Finnegan, Area Manager for Reclamation, signed a contract (Agreement Regarding Clean Up And Removal Of Facilities At Steele Park Resort) to allow Reclamation (and any new concessioner) to use the Steele Park launch ramp and roads for a period of only three years. In exchange, Reclamation agreed to pay for the remaining facilities demolition and clean-up of the resort. The concessioner had already demolished many of the facilities at his own cost. Most of the mobile home owners, such as I, had paid \$3,500 to have a contractor demolish our property.

As the opening lines in the song Time Warp from the Rocky Horror Picture Show predict: "It's astounding, time is fleeting, madness takes its toll." Here we are, a progress-free, madness-packed three years later when this particular toll comes due on February 5, 2013. Closure or demolition would have a serious effect on the local Berryessa Highlands community, which depends on Steele Park for lake access.

Floundering Forward – Conclusions?

None – just a series of unknowns. Step one is for the Bureau of Reclamation to finally make a reasonable, rational decision or two. What's your prediction?



SNAFU, FUBAR and BOHICA: Deciphering Berryessa's Ancient Rock Sculpture at Steele Park

Prior to the 2008 demolition of Steele Park Resort, some budding artist created a patriotically-colorful rock sculpture on the shore of a cove at the resort.



Although no one quite knew what the vivid letters meant, the sight was enjoyed by many as they spent their last summer at the lake before taking on the melancholy task of demolishing their mobile homes and leaving with only their memories.

One day a Bureau of Reclamation representative apparently took umbrage at the letters and threw all the rocks into the water. But then they magically reappeared on the shore the next day - perhaps rejected by the underwater elves.

Apparently sensing (they were actually confronted by concerned residents) that it was not environmentally-sound to randomly toss newly-painted rocks into the water, Reclamation sent a couple of workers with wheelbarrows to remove them instead. After manhandling two heavy loads of the vibrant blue R up the soft-silted hill, they gave up and returned on the Reclamation barge to eradicate the rest of the sculpture. The multi-hued rockpile was last seen sailing across Lake Berryessa to some unknown burial ground.

The Steele Park sculpture derives from a long line of historic military acronyms listed below. These descriptions are reproduced from publicly available information on the internet.

SNAFU, which stands for the sarcastic expression “situation normal - all f****d up”, is a well-known example of military acronym slang. It means that the situation is bad, but that this is a normal state of affairs. The acronym is believed to have originated in the United States Marine Corps during World War II.

SUSFU, “situation unchanged - still f****d up”, is closely related to SNAFU.

SNAFU and SUSFU were first recorded in American Notes and Queries in their September 1941 issue.

TARFU, “totally and royally fouled (sp) up” or “things are really f****d up”, was also used during World War II.

BOHICA, “bend over, here it comes again”, is an item of acronym slang which grew to regular use amongst the United States armed forces during the Vietnam War. It is used colloquially to indicate that an adverse situation is about to repeat itself, and that acquiescence is the wisest course of action.

An alternative etymology relates the expression to the days of sail and avoiding being struck by the boom, which would swing around the mast due to shifts in wind or the vessel's course. Although it originated in the United States military forces, and is still commonly used by United States Air Force fighter crew chiefs, its usage has spread to civilian environments, used to describe unavoidable, unpleasant situations that have inconvenienced one before and are about to yet again.



Feds Final Folly: The Destruction of Steele Park - Public Law 96-375's Unintended Consequence

As the Bureau of Reclamation's Katrina-like process at Lake Berryessa lurches on to an unknown resolution, local residents and previous lake recreation users are fed up with the Feds. This was made clear to Supervisor Diane Dillon at the latest Berryessa Highlands community meeting. Both Supervisor Dillon and Congressman Mike Thompson are clearly frustrated by their apparent helplessness to do anything about Reclamation's lack of progress in signing the new contract for the five major west shore resorts. The Steele Park Resort contract is especially important since it has a major impact on the water and sewer rates for Berryessa Highlands residents which appear to be headed to a minimum 82% increase by August, 2009.

Four of the resorts have been closed since the middle of last summer. Steele Park is shutting down soon and will be demolished during the next nine months. The Pensus Group was chosen last May to manage these five resorts, but Reclamation has been unable to finalize a contract with them since that time. In several public statements, Reclamation claimed that there would be a smooth transition and recreation services would be only minimally affected as the resorts were all upgraded and improved. Tragicomically, this has not happened, although the Reclamation refrain has remained, "We are making good progress and expect the contract to be signed soon." The first such statement was made in May, 2008 and last publicly-stated deadline expired last week with no action.

Why did this happen? Follow the money. The table gives the annual revenue of each of the five Pensus-designated resorts as well as its appraised value. These figures are from public documents that were part of the bid process. Under normal circumstances in the transition of a business ownership, the new owner would pay the previous owner fair-market value for its permanent facilities as well as for other property and equipment it might want to keep. This approach is actually codified in Public Law 96-375: "...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."

But this would mean that the entry cost for any new concessionaire would be \$32M. They would then have to make major capital improvements costing tens of millions more. And all this for resorts that had only produced a previous GROSS annual revenue stream of about \$12M. At least \$4M of that revenue had been rental payments from the long-term mobile home owners - essentially pure profit since the resorts provided almost no services to those tenants. Not only would any new owners be faced with a major capital investment program, but at the same time 37% of their pure profit was also eliminated. This is a tough financial nut to crack during a contract term set by Reclamation of only 30 years.

Reclamation's solution to this dilemma was to re-interpret Public Law 96-375 and, despite its own appraisal, declare the present facilities of no value to the incoming concessionaire, and require the present resort owners to remove or demolish everything, including restaurants, motels, launch ramps, roads - back to bare ground. In a May 19, 2008 letter Reclamation stated: "Based upon evaluation of the successful proposal and subsequent confirmation with the successful offeror, The Pensus Group LLC, Reclamation has determined that all permanent facilities in your Resort concession area must be removed by the end of the concession contract." Of course, since this was impossible to accomplish by the end of contracts, which expired for some resorts in only two months, Reclamation asked for a demolition plan. At least one submitted plan gave a time-frame for completion of many years.

The fallout from this debacle has been very damaging to the local Lake Berryessa community. The resorts provided hundreds of jobs. Steele Park Resort had a payroll of 50 people during its summer operations. When Steele Park essentially ceased most operations at the end of last year, Capell Valley Elementary School lost about 10 students, bringing its enrollment to less than 50 students. The Napa Valley Unified School District is preparing to close the local school and bus the children to the City of Napa every day. (See the Capell School article in this issue.)

But the closures also impacted many local and other Napa County businesses. Favorite restaurants have lost 40% of their business. Local service businesses have also lost 30%-40%, some up to 50%, of their revenue. Just one closed resort, Rancho Monticello, has eliminated approximately \$500,000 worth of purchases from local and regional suppliers annually. This doesn't include the loss to Reclamation of \$105,000 per year in franchise fees from the resort.

The real tragedy is that none of this ever had to happen. During the controversial government process that led up to the present situation, several common-sense plans were proposed, LBVSPT A+ and the Resort Operators Plan, which would have accomplished the goals of improving all the resorts without destroying them first. At least one of the bidders for the new concessions, the Lago Group, a consortium of present concession owners and local business people, would have kept these five resorts open. But their bid was apparently disqualified on a technicality.

Steele Park Resort was arguably the best resort on the lake. It has one of the best views from its older but well-kept restaurant. The mobile homes blended with the environment with their subdued “Steele Park grey” mandatory color. They were well-maintained with expensive interior upgrades - some selling for up to \$100,000 only 5 years ago. Their owners would have given them to the new concessionaire for free to be used as upscale short-term rentals under the new contract. Instead mobile home owners are paying \$3,000 to \$5,000 to demolish them and the demolition continues at a swift pace.

Steele Park does look as if a hurricane hit it. This hurricane wasn’t caused by nature but by the federal government itself. Once again real people’s lives and livelihood have been seriously damaged - with no end in site. As one local wag put it, paraphrasing a recently unknown public figure, “Heckuva job, BORnie!”



Steele Park Before & After

Resort	Annual Revenue	Appraised Value (by Reclamation)	Mobile Home Revenue	Mobiles Homes: % of Total Revenue
Berryessa Marina	\$1.61M	\$3.3M	\$0.76M	47%
Putah Creek	\$1.03M	\$4.15M	\$0.38M	37%
Rancho Monticello	\$3.32M	\$11.22M	\$2.1M	63%
Spanish Flat	\$2.09M	\$4.06M	\$0.78M	37%
Steele Park	\$2.62M	\$9.59M	\$0.66M	25%
Total	\$12.61M	\$32.32	\$4.68M	37%



A Modest Radical Proposal: Transfer Management of Lake Berryessa to Napa County

No Bids For Berryessa - Why Did It Happen?

Although lake water levels are low, outrage is high, and building, after the latest Bureau of Reclamation bid process fiasco. Reclamation announced that no successful bids were received in response to the latest Prospectus (the third failed bid process since 2006). Three California companies each bid on one area (Berryessa Point, Monticello Shores and Steele Canyon). All three bids were found to be "non-responsive."

According to Reclamation, if a bid was determined to be non-responsive to any one principal factor, it was determined to be non-responsive overall. The most important factor, and the one that probably led to a bid being declared non-responsive, was the financial issue.

Thousands of people who loved Lake Berryessa spent hundreds of thousands of dollars, donated thousands of hours of effort, sent thousands of letters to Reclamation, the Department of the Interior, and Congress. Some of us delivered more than 10,000 petition signatures to Washington supporting a common sense, fiscally responsible plan simply described as "Preserve the Best, Improve the Rest."

But no one in power listened, and we finally lost the "Battle for Berryessa" - resulting in the ghost lake we see now.

This major recreation destination, and its residential and business communities, have been severely damaged - resources important to the State of California and Napa County, both from a social and financial perspective.

If the government could pay millions to demolish the lake resorts why can't they pay millions to construct new basic infrastructure like launch ramps, power, water, sewer facilities?

Congressman Thompson's response to this crisis is printed below. His historical justification outlined in the first several paragraphs is contradicted by the facts, but follows the old saying, "History is always written by the winners."

The present situation at Lake Berryessa is reminiscent of the 1966 book title "Been Down So Long It Looks Like Up to Me". It's true of the lake levels that are so low that every foot of rise is welcomed with a cheer! It is true of the last ten years of federal government floundering where even a minor positive step seems like a beam of sunlight to the beleaguered residents of Eastern Napa County. But based on the latest results, there is little practical hope for progress.

Cong. Thompson's response is to propose a minor change - turn over management of the lake to the Bureau of Reclamation. But that is just trading one federal bureaucracy for another with no guarantee of any real progress. Cong. Thompson could, instead, introduce legislation transferring Lake Berryessa from the federal government to the jurisdiction of Napa County. There is sufficient precedent for this action. Other Bureau of Reclamation sites have been transferred to local jurisdictions in the past.

It illustrative to see how the present situation evolved.

In 1958 Lake Berryessa was not officially open to the public, barbed wire was, in fact, strung to impede public access. Despite that, on August 31, 1958 there were 800 boats on the lake, with no launch ramps, sanitary or user facilities.

Reclamation, the State of California, the National Park Service, nor any other government agency had anticipated recreational use at Lake Berryessa, and neither were any of them interested in the recreation development, or management, of the newly created lake.

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.

Since 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 US.

Napa County assumed management of the reservoir area on condition that County funds would not be spent for development, at least initially.

In 1958 Reclamation and Napa County entered into a Management Agreement whereby Napa County would administer and develop federally-owned lands at the lake.

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.

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 concessioners to provide most of the recreation services and facilities.

The concessioners entered into contracts in 1958 giving them the right to a reasonable profit and requiring concessioners 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 concessions was used by the County to fund the recreation management functions.

In line with this policy, the County planned to retain concessioners to provide not only the required public services but practically all recreation facilities as well. But the financial realities finally led to allowing long-term mobile home sites to be leased to private families. Without the year-around mobile home revenue, facilities for the general public would never have been developed.

Napa County may offer an effective management option. Lake Berryessa could become more significant in the Napa County tourist and recreation industry. Napa could have greater benefit directly from the concessions in funding the services that the County is required to provide.

The County could also conceivably sell some of the lakefront property for controlled sustainable development and benefit from the sales proceeds and additional property tax revenue.

There is also no reason that Napa County could not successfully manage "smart contracts" with major recreation companies to provide additional revenue. Lake Berryessa has missed this opportunity because of federal bureaucratic restrictions.

The County has the practical experience, the planning and environmental departments, and the law enforcement and safety services that clearly give Napa the advantage over the federal government in protecting the resources of this important part of the county.

California's third largest lake and the prime outdoor recreation destination in the Bay Area has been mostly shut down for eight years because the federal government can't figure out how to offer a realistic contract - A SMART CONTRACT! We Need To Tell Them To Do It Right. Invest In Infrastructure, Do It Fast, And Let Us Use Our Lake Again!

See the by Bette Maron after Thompson's for a more accurate resident's view.

March 11, 2016

Peter Kilkus
1515 Headlands Drive
Napa, CA 94558-9327

Dear Mr. Kilkus:

Thank you for contacting me regarding Lake Berryessa. I appreciate you taking the time to share your concerns with me on this important issue. I, too, have been disappointed with the management of Lake Berryessa by the Bureau of Reclamation (BOR).

Lake Berryessa has hosted concessionaires since the 1960s. For years, the Lake provided quality visitor services and recreation opportunities to hundreds of thousands of visitors annually.

But by the time the long-term contracts for the concession sites came to a close, many of these sites had fallen into disrepair. Concessionaires had begun issue exclusive use permits, allowing visitors to maintain trailers and mobile homes permanently. Trailer owners often added decks, docks, and driveways to their plots. Private ownership of lakefront sites precluded the development of campsites, day-use facilities, and assets that could have better served visitors. The area came to require frequent visits from law enforcement, costing County taxpayers about \$1 million annually.

In 2000, the Department of the Interior (DOI) conducted an audit of concession management by BOR, and found that at Lake Berryessa specifically, long-standing health and safety problems had gone overlooked, and agency resources had been degraded. DOI charged that these problems were the result of flaws in the development and enforcement of concession contracts. The audit called on BOR to address health, safety, and exclusionary issues associated with the nearly 1,300 long-term trailers and mobile homes located on Federal property around the lake.

BOR then initiated extensive public outreach as the put together a new Visitor Services Plan (VSP) that would provide for robust, widely-available recreational opportunities under new concessions. The agency conducted 12 public meetings and briefings attended by some 1,200 people to solicit feedback and create a plan that worked best for the community. In 2006, BOR finalized a decision to remove the trailers and develop new facilities that would better serve the short-term visitor. The Napa County Board of Supervisors voted 5-0 to support the new VSP.

Despite the extensive public feedback and broad support behind the VSP, BOR's well-intended plans to provide for improved recreation opportunities for short-term visitors have not materialized. After three requests for proposals (RFP), the agency has not secured new concession operators for the main body of the Lake since the VSP was issued in 2006. Industry representatives have indicated that BOR's excessively prescriptive proposals do not provide for an adequate return on investment.

Today, two of the five concession sites are closed and three have been reduced to primitive camping without running water under short-term interim contracts. Of the two concessions located in the remote regions of the Lake known as the Narrows, only one is under a long term contract. The other is under an interim contract, a disincentive for investment.

After more than a decade of uncertainty at Lake Berryessa, it's long past time for new management. Recreational access to the Lake has been restricted and the local economy has taken a hit. We cannot support an unchanged process and simply hope for different results. Those who use and depend upon the Lake deserve to have this situation fixed.

Simply put, BOR is not the agency to see us through this crisis. By the Federal government's own admission, recreation does not fall in BOR's wheelhouse. According to the Office of Management and Budget (OMB), the recreation and concessions "program is tangential to Reclamation's mission to provide water and power, therefore

receives minimal agency resources.” Nowhere is this more evident than California, where BOR has managed scarce water resources for a state of nearly 40 million through five years of severe drought.

That’s why I have again introduced legislation to transfer the management over Lake Berryessa from BOR to the Bureau of Land Management (BLM). BLM is better-suited to manage recreational activities at Lake Berryessa: the agency oversees 264 million acres of public lands across the United States, and has extensive experience managing outdoor activities on including camping, hiking, hunting, fishing, boating, and more.

During my time in Congress, I’ve collaborated with BLM on a range of issues that impacted local communities throughout Northern California. I worked with the State of California, private landowners, and BLM to revive the South Spit of Humboldt Bay, curtailing environmentally harmful and dangerous uses of the area to instead promote recreational opportunities for all under the management of BLM. I am confident that BLM management of Lake Berryessa would ensure better management and enhanced opportunities for visitors to the Lake.

I have worked closely with the administration, industry leaders, local stakeholders, as well as my Republican and Democratic colleagues on the House Committee on Natural Resources on this legislation, which has more than 175 bipartisan cosponsors.

The bill is drafted to ensure as little disruption of services as possible in the transition. Any existing long-term contracts would remain in place, and the bill prohibits the limitation of current recreation opportunities.

BLM would have the ability to adopt portions of the existing management plan, minimizing the time and resources required to develop a new plan by allowing the agency to continue practices that are working and modify those that aren’t. Outdated portions of the VSP will be replaced with provisions that better respond to the demands of today’s recreators, and the economic realities of developing and maintaining concession sites.

The bill also transfers the money used by BOR for the management of Lake Berryessa to BLM. To supplement this funding, the bill would allow for concessionaire fees collected at Lake Berryessa to be reinvested in the site.

H.R. 4521 has been referred to the House Committee on Natural Resources. I will continue to work with my colleagues to pass this bill and ensure a smooth transition to new management.

In the meantime, I am working with BOR officials to ensure that recreation opportunities will be available at the Lake for the upcoming season. While I was disappointed that the agency was unable to accept the proposed bids, I feel strongly that long-term contracts should only be awarded to qualified applicants. At my insistence, the three most recent bids were reviewed not just by BOR officials, but by industry representatives and County officials as well. It is clear that BOR isn’t receiving strong bids because the prospectus and RFP processes are fundamentally flawed.

In the time since the bids were denied, I have met with agency leaders in California and in Washington to understand why the bids were denied, and what applicants can do to address outstanding concerns. I will remain involved in the process as BOR determines the next course of action.

I have also worked with agency officials to encourage BOR to take responsibility for services provided by the County. I was pleased that BOR recently approved an agreement with the County of Napa to finance law enforcement services at the Lake that the County has provided for years without compensation.

Lake Berryessa has incredible potential to attract visitors to our region and bring the local economy back to life. Rehabilitation of the Lake is one of my top priorities, and I will continue working with federal officials and local stakeholders on a sustainable plan for the future until the job is finished.

Sincerely,
MIKE THOMPSON, Member of Congress

To the Editor

I, for one, believe in a strong federal government. Except it is now evident when decision are made a continent away in Washington, DC by bureaucrats with no realistic conceptions of local needs and conditions time and money is wasted to no avail.

The Bureau of Reclamations plans for Lake Berryessa had beautiful expectations of creating newly built, well managed facilities to entice more people to enjoy what Lake Berryessa offered when the resort concession contracts would expire and new bids would be sought. They held meetings for those of us who lived in the area to offer our ideas. And they assured us the transition to new concession holders would be easy and smooth.

That was 10 years ago.

Here is what the Steele Park Resort offered when I moved to the Berryessa Highlands. The marina near the boat launch ramps had a café for quick orders along with an adjacent grocery. Down by the docks there was a bait shop. When fishermen got back with their catch they had a place with running water to clean their fish. In fact, the camp sites had easy access to water; moreover, the campers had real rest rooms with included showers.

There were covered docks which could be rented so that boats could be kept in the water for the season, besides garages where other boats could be stored. Boats could also be rented for the day. And there even was a ski school. A restaurant and bar overlooked the main body of the lake. People who lived in the park as well as those in the nearby neighborhood would frequent both eateries. The atmosphere at the main restaurant would remind one of what they saw in that old sitcom "Cheers."

Among other amenities a popular ice cream parlor opened in the summers. This was a place both campers and those who lived in the neighborhood enjoyed.

That was 10 years ago, before everything was razed to the ground.

The BOR could've chosen to keep what was good and improve what needed improvement. However, the BOR didn't see the whole picture. Although extensive camping and day use access was already available, mobile home sites immediately adjacent to the lake could've been eliminated. There was plenty of remaining area a bit farther inland. It was these mobile home owners who did odd jobs around the resort, helping to keep it clean and free of rubbish left by campers. More significantly, it was the rent they paid for the land they occupied that made the whole enterprise viable. They still brought money into the park when campers didn't show during the winter off season. They also spent their money in the park.

Ten years on from that document published by the BOR here is what we now have:

Plenty of camp sites, but with no electrical hookups anywhere, and no convenient access to water. Instead of nice restrooms, they have portable outhouses. There isn't even any water to service the out of service fire hydrants, even though each camp site does have a fire pit. There are no amenities other than that fire pit and a picnic table by each site. There is a pre-existing launch ramp that had not been demolished as the BOR had done at the other resorts.

We have recently been informed that all the resorts needing new concessionaires did receive bids, but none of the bids met BOR demands. We have no idea if those lacks were critical or just cosmetic. Apparently, they aren't allowed to make that public.

A neighbor asked me what I thought the BOR should try to include in any new contracts they'd accept. Well... campers could use decent restrooms and convenient access to potable water. A snack bar would be nice, and an ice cream parlor wonderful. Perhaps they could allow boat docks to be installed for those who'd like to keep their boats ready to use conveniently.

It would be a start that could be built upon. It would allow more possible concessionaires to be in a position to be able to bid for the BOR contracts. The potential bidders could suggest their own ideas for improvements which the BOR could take in consideration when awarding the final contract.

The dream that the BOR originally had never was realistic. Ten years on from that smooth transition they promised, nothing has been achieved except the ruining of the lake economy – the loss of local businesses and jobs for local residents, and even the well-being of any potential business a little down the road, because no one comes to support them when nothing is being offered in the resort parks.

I urge whoever might have the power to make the decisions that affect the future of Lake Berryessa not to give credence to those that insist the federal government is incapable of credible action. You might even consider investing BOR funds to rebuild some of the infrastructure you insisted be demolished and which led to 10 years of economic collapse around the lake.

Yours truly, Bette Maron, Lake Berryessa



A Path Forward To Revitalize Lake Berryessa: Fire The Feds!

We need a revolutionary strategy to stop the death spiral at Lake Berryessa.

The fifteen year failure of the Bureau of Reclamation is not based on simple ineptness, often complex ineptness is involved. But the failure is actually based more on a fatally-flawed policy at the federal level which treats Lake Berryessa as just another "lake in the country" to be dealt with as any other federal rural holding - independent of context.

Lake Berryessa is not another "lake in the country". It is a major economic, social, and recreation resource in an urban-proximate setting whose value to Napa County and the State of California is being utterly wasted. Lake Berryessa clearly falls into the Rural Developed Setting category in the government's own Water and Land Recreation Opportunity Spectrum Users' Handbook (WALROS). (See Back Page.)

Old-school environmental thinking, especially at the Federal level, is pointless in this situation. After 50 years of progress, we know how to implement sustainable practices for wineries, sustainable design outcomes for lake resorts, and sustainable rural development for the good of local people.

The Federal Government needs to be fired! "You're Fired!" We need home-rule closer to the source. Napa County should take control of Lake Berryessa again. The State should do everything it can to support economic development here.

Why isn't the Napa County Board of Supervisors outraged by the economic and social damage done to the County by the Feds? Napa County should stop sitting on the sidelines - NOW!

Why have the big guns in the Napa Valley tourism and financial industries ignored the perfect location to expand their businesses and Napa's reputation as a premier recreation destination? Your expertise is needed - NOW!

Even Governor Brown wishes to see more rapid progress at Lake Berryessa. The Governor's Office of Business and Economic Development could be a resource for revitalizing an economically-depressed Lake Berryessa region.

Why does the City of Winters care more about being on the ragged southern edge of a phony national monument with no measurable economic benefit to Winters rather than once again being the gateway to a thriving Lake Berryessa which provided enormous economic benefit to the city?

The rationale for revolutionary change is simple:

1. The federal government has shown its inability to successfully implement its own policies for decades, resulting in the destruction of a once-thriving region.
2. Knowledgeable recreation and hospitality companies have pointed out the flaws in the federal government's contract policies, policies which would need to be changed before serious companies would be interested in the lake's investment potential.
3. The federal government (BOR or BLM) is unlikely to change its policy on those flawed contract terms - which is a recipe for future lack of action.
4. Napa County successfully ran the lake from 1958 to 1975. Many U.S. counties run major successful concessions - San Diego County, for example.
5. Napa County managing the resorts again is a home-rule issue which solves many problems the County has complained about for decades - cost of public services with no financial return - Sheriff patrol costs, for example. One supervisor infamously called the lake a "black hole in the County budget".

6. There are several precedents for the BOR turning over management of the land portion of their water projects to local jurisdictions, Elephant Butte, New Mexico, for example.

The parties who could help create a framework for this revitalization of Lake Berryessa are:

1. Napa County Board of Supervisors;
2. The State of California - through Bill Dodd, State Assembly/Senate member and previous County Supervisor for part of Lake Berryessa;
3. Visit Napa Valley, leader of the Napa tourism industry;
4. Congressman Thompson, needed to effect change at the congressional level;
5. Sally Jewell, Interior Secretary, who could be the top-down advocate for this change and who is familiar with Lake Berryessa from her work on the National Monument.

Simply put, the federal government owes the Lake Berryessa community and Napa County BIG TIME. Napa County owes the Lake Berryessa community BIG TIME for its lack of action over the decades. Napa County managing Lake Berryessa in partnership with Napa Valley tourism professionals is the best opportunity for a Renaissance Lake Berryessa. Let's start NOW!



Open Letter to the Federal Government: Get Out of Lake Berryessa!

OK. We know you tried. We know you think you tried very hard. And look where it got you - nowhere!

We know you didn't think anyone would want to use Lake Berryessa for recreation when it filled up in 1958. Why would they? The water would go up and down by 20 to 30 feet or more a year. How could anyone cope with that? The fact that it would be the biggest, cleanest lake in Northern California only hours (or less) from millions of Bay Area residents just didn't cross your mind. To be fair, rational, long-range planning may not have been a high priority for you in those "olden" days.

We understand how disappointed, even jilted, you felt when none of your other agencies like the National Park Service would step forward to take over from the Bureau of Reclamation. At least the NPS agreed to write a Public Use Plan for you. You tried to have the State of California or local government agencies assume the responsibility of managing public recreational facilities at the lake. The State expressed no interest and said that it had no funds available. But finally Napa County stepped up and agreed to manage Lake Berryessa.

Napa County decided that all development, construction, and management be left to concessionaires who had to finance the costs of these activities. The major development effort at all seven concessionaire areas was the addition of mobile homes. Napa County officials confirmed that the revenue from the long-term leases of the mobile-homes provided the steady year-round incomes which could not be realized from seasonal picnicking and camping facilities.

You even agreed with this concept in your 1993 Record of Decision: "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 nor conflict with other greater public needs. Long-term uses will be designed to blend more effectively with the natural environment."

We know how hurt you must have felt in the early 1970's when the resort development and your partnership with Napa County was criticized, especially when the county decided to give the lake back to you. But you recovered your composure and tried to do your best by building a new headquarters complex and the beautiful Oak Shores Day Use Area.

Managing the new public facilities while also overseeing the seven concessionaires was definitely a big job. And those persnickety concessionaires were a handful to deal with at times. No one can really blame you (too much) for becoming complacent. After all it was such a beautiful place to work and you didn't really have to work too hard if you didn't want to. If Napa County didn't really appear to care, why should you?

Unfortunately, your decision to not consistently apply your own Concessions Review Program Standards allowed serious problems to accumulate at some of the resorts. For example, allowing Pleasure Cove Marina, one of the worst offenders with its "Outback" area, to operate without oversight ("self-reporting") for so many years was probably not a good management choice. But your face-saving strategy of blaming everything that happened on the mobile home owners, who also wanted change and improvement, was despicable.

Since Lake Berryessa was such a small part of the Federal Government's responsibility, it is easy to understand why you lost real interest in it for decades. Your decision to turn it's Park Manager position into a revolving-door training facility may have made bureaucratic sense to you at some level, but it did nothing to help us improve the situation. Remember the manager guy who only cared about native plants and made Steele Park tear up more than fifty baby palm trees they had just planted along the entry road? Where is he now?

But we know your greatest shame must be the "recent" epic fifteen year failure to accomplish anything of value at Lake Berryessa. You tried everything. You shifted blame, modified policy, changed definitions, recruited fellow travellers, colluded with Congress, produced falsified reports - just to get rid of the mobile homes and replace those troublesome concessionaires.

More than ten years ago thousands of people who loved Lake Berryessa spent hundreds of thousands of dollars, donated thousands of hours of effort, sent thousands of letters to the Bureau of Reclamation, the Department of the Interior, and Congress. Some of us delivered more than 15,000 petition signatures to Reclamation Headquarters in Washington, D.C. supporting a common sense, fiscally responsible plan simply described as "Preserve the Best, Improve the Rest."

But no one in power listened, and we finally lost the "Battle for Berryessa" - resulting in the ghost lake we see now. California's third largest lake and the biggest recreation destination in the Bay Area has been mostly shut down for eight years because the Federal Government can't figure out how to do its job right.

The fifteen year failure of the Bureau of Reclamation is not based on simple ineptness, often complex ineptness is involved. But the failure is actually based more on a fatally-flawed policy at the federal level which treats Lake Berryessa as just another "lake in the country" to be dealt with as any other federal rural holding - independent of context.

Lake Berryessa is not another "lake in the country". It is a major economic, social, and recreation resource in an urban-proximate setting whose value to Napa County and the State of California is being utterly wasted. Napa County managing the resorts again is a home-rule issue which solves many problems the County has complained about for decades - cost of public services with no financial support from you - Sheriff patrol costs, for example.

So, Federal Government, aren't you tired of things always going wrong under your command out here? After more than fifty years as a premier family recreation destination, you have driven the lake to its knees. Since you simply want to implement flawed policy without any consequences to yourself, real people be damned, wouldn't it feel good to be relieved of the burden of Lake Berryessa?

Believe us, we feel your pain. But don't let the door hit you in the butt on the way out.

Sincerely,
The Lake Berryessa Community



Napa County and the Bureau of Reclamation: Working Together to Rebuild Lake Berryessa?

For those that are new to Lake Berryessa, at first glance it is hard to know anything is missing. There are two fully functional resorts with marinas, and three other resorts where you can take the family camping and boating. And of course, the lake itself is open and as beautiful as ever. But, when visitors get hungry, dirty, or tired, upon closer look one can see that the services for the public at Lake Berryessa are limited. Very limited.

Lake Berryessa is the 3rd biggest lake in California, and of the top 3 big lakes, it is the warmest and arguably the best for swimming and boating. There used to be 7 restaurants accessible by boat, 7 resorts with over 200 cabins or motel rooms, hundreds of campsites with water, power, not to mention gas docks, paved roads, green grass.

What happened? Many of you reading the Lake Berryessa News know the whole story. For those picking this paper up for the first time as you travel through beautiful Eastern Napa County, simply put, in 2005 the Bureau of Reclamation had a changed vision for the lake. They wanted to tear everything out and rebuild it to supposedly create more access and amenities for the public. Now, 10 years and 3 failed attempts later, the BOR is raising the white flag and admitting their solutions won't work.

"Managing Partnership Agreement" may be the solution outdoor recreation enthusiasts and resort operators have been waiting for."

The BOR hosted another Community Forum meeting on June 22nd with a brand new player at the table, and a brand new phrase repeated over and over. Napa County has joined the discussion, and a "Managing Partnership Agreement" (MPA) was the talk of the night. "In a lot of cases the better option is to partner with a local agency", stated BOR Deputy Regional Director Pablo Arroyave. "There's a lot of flexibility in the managing partner framework that we don't have at the BOR". Key contract terms including contract lengths, design plans, and financial models can be different when offered to resort operators through an MPA.

According to Molly Rattigan, Principal Management Analyst for Napa County, another substantial difference is the MPA allows Napa County to use brokerage firms to seek out resort operators and attract them to Lake Berryessa. The BOR is strictly limited to how it can interact with potential contract bidders.

"We got approval from the Napa County Board of Supervisors to enter into preliminary negotiations with the BOR", stated Rattigan. "We are going to start as soon as we can this summer. We are entering into this with the hope that this will work... we are cautiously optimistic and hopeful." Rattigan did bring up that "cost and liability is a concern," but there are several tax opportunities they are evaluating.

Arroyave started the meeting by saying that Commissioner of Reclamation Estevan Lopez met with Napa County in April, and the discussions have been going well since.

At the recent Board of Supervisors meeting, Napa County staff presented their preliminary findings after four months of investigating how to help the mostly closed Lake Berryessa Region. County staff met with BOR and toured 5 resorts in that time, and their conclusion is it could be possible and would be beneficial for Napa County to enter into a MPA with the BOR.

In such a situation, Napa County would only manage the concession contracts for the resort operators, while the BOR would still maintain a presence at the lake managing their existing day use facilities and the water operations. Solano County's water rights would be unaffected.

The Online Board Recap after the meeting stated, "Under this type of agreement, Napa County may be able to successfully seek and manage concessions more efficiently and successfully without many of the BOR policy constraints and could help attract suitable investors."

BOR Deputy Regional Director Pablo Arroyave attended the meeting, and said "Reclamation is very appreciative and excited about exploring this opportunity". According to the Napa County Report, "BOR has successful

Managing Partner Agreements with Santa Barbara County at Cachuma Lake, the East Bay Regional Parks District for Contra Loma Reservoir, and the State of Wyoming for Keyhole State Park, among many others.”

Residents from the Berryessa region spoke up at the Board of Supervisors meeting, and every one of them said “Go for it”, “Thank you”, and “Make it a good contract.” Environmentalists, businessmen, young and not so young, all emphasized how much they want Napa County to take charge and reopen this local destination.

The distant light at the end of the 10 year tunnel

“It is possible to have a draft agreement by this fall”, stated Arroyave. Napa County will be working with Napa’s Visitors Bureau, Visit Napa Valley, among other consulting and legal firms to find terms for the MPA they feel resort operators can work with.

The Napa County Regional Parks & Open Space District will also be working with the county on this process. “I’m committed to put a lot of energy into this,” said Brent Randol, Ward III Director. “This is a great resource for Napa County residents”.

Napa County staff will meet continue to meet with the BOR staff to gather more information. They will then report back to the Board at a future BOS Meeting. The BOR suggested that the next Community Forum Meeting be in October, giving them all time to see where this process gets them and to report back to the public when they hope to have some reportable results.



Will 2017 Be Lake Berryessa's Lucky Year?

Looking back on 2016 at Lake Berryessa one might think that nothing much happened. But a year is a long time, and 2016 did have some momentous events for the lake community. In 2015, after a year of economic analysis and community outreach, the Bureau of Reclamation released a detailed Bid Prospectus in another attempt to solicit recreation companies to reopen the closed recreation areas. Hopes were high, but Reclamation announced that no successful bids were received in response to the latest Prospectus (the third failed bid process since 2006).

In March the Lake Berryessa News headline read: A Modest Proposal: Radical Restructuring - Ownership and Management of Lake Berryessa Should Be Transferred to Napa County. For several months the case was made by the Lake Berryessa News and supported by the Lake Berryessa Chamber of Commerce and the majority of the Lake Berryessa community.

Both Napa County and Reclamation responded positively (although hesitantly) to this proposal. On April 5, 2016, the Board authorized staff to engage in discussions with Reclamation and the Department of the Interior (DOI) regarding the future of the concession areas of Lake Berryessa.

By May 15, 2016 the proposal was getting some traction and the Lake Berryessa News headline read: "A Path Forward To Revitalize Lake Berryessa: Fire The Feds!" I wrote at the time, "We need a revolutionary strategy to stop the death spiral at Lake Berryessa. The fifteen year failure of the Bureau of Reclamation is not based on simple ineptness, often complex ineptness is involved.

But the failure is actually based more on a fatally-flawed policy at the federal level which treats Lake Berryessa as just another "lake in the country" to be dealt with as any other federal rural holding - independent of context. Lake Berryessa is not another "lake in the country". It is a major economic, social, and recreation resource in an urban-proximate setting whose value to Napa County and the State of California is being utterly wasted."

The Lake Berryessa News, the Lake Berryessa Chamber of Commerce, and local residents then strongly promoted a new strategy - have Napa County take over management of the lake recreation areas under a Managing Partner Agreement with Reclamation. The headline on June 1 was even more aggressive: "Open Letter to the Federal Government: Get Out of Lake Berryessa!" The Bureau of Reclamation and Napa County were listening.

On June 7, 2016, the County entered into an agreement with Perkins Coie for specialized legal advisory services on federal statutory and regulatory law as it pertains to concessions management.

On June 21, 2016, the Board directed staff to enter into negotiations for a Managing Partner Agreement between the County and Reclamation. Under a Managing Partner Agreement, the responsibility to develop and manage public recreation areas would be transferred to Napa County.

At the December 6th Board of Supervisors meeting the supervisors accepted a recommendation to move forward with this strategy by providing direction to staff to sign a Memorandum of Understanding with Reclamation and a contract with Ragatz Sedgwick Realty for its knowledge and experience in developing hotels, resorts and other recreational opportunities worldwide.

Under this agreement, Ragatz Sedgwick Realty will assist the County in identifying interested concession partners by marketing the opportunity to the resort community and performing a feasibility analysis to determine the best use of each site. The County's intent is to market Lake Berryessa and seek interest in the opportunities that exist. The goal is to create a short list of interested parties that are viable and have interest and ideas that can fit within the Visitor Services Plan.

If Ragatz Sedgwick is successful in identifying interest, the County and Reclamation will move forward with negotiating a Managing Partner Agreement for recommendation to the Board of Supervisors and creating a formal Request for Proposal process to select a concessionaire.

The Ragatz Sedgwick team will be in Napa County during the week of January 9-13, 2017 to begin their research. They will meet with the Bureau of Reclamation as well as other interested parties such as the Lake Berryessa Chamber of Commerce, Visit Napa Valley members, and others.

Ragatz Sedgwick Realty is an international commercial brokerage firm focused exclusively on the resort real estate industry. Ragatz Associates, has offered consulting services to the resort real estate industry for 40 years. The firm has conducted over 2,500 assignments in 48 states and more than 70 countries. Clients include practically every significant development and financial institution in the industry on a global basis.

The goal is to move as quickly as possible in tandem with other discussions. Hopefully, within two to three months, they'll have an idea as to how great the interest is and how quickly the process can move forward. And maybe this actually will Lake Berryessa's lucky year!



Milestone Achieved! A Positive Report on the Potential Future Rebirth of Lake Berryessa!

More than a year since the Lake Berryessa News began the campaign to give Lake Berryessa management back to Napa County, a major milestone in that campaign has arrived. A 434-page Lake Berryessa marketing report done by Ragatz Realty was just presented to the County and to the Bureau of Reclamation. Reclamation will review and comment on the report by July 3. Ragatz will formally present this report at the Aug. 1 Board of Supervisors meeting.

But first a bit of historical background for context. Monticello Dam was finished in 1958 and Lake Berryessa filled. By the end of 1959, Napa County had awarded seven long-term (30 year) concession agreements to newly formed resorts to provide recreation services. Leased mobile home sites provide revenue needed to support short-term uses such as camping and launching.

But in 1975, after years of fruitless discussion and debate with Reclamation regarding the Lake Berryessa management agreement, Napa County turned lake recreation management back to Reclamation.

In 2000 the Bureau of Reclamation began a to develop a Visitor Services Plan to redevelop the lake. Their primary goal was to remove all mobile homes from the lake while replacing the existing resort owners with a single company to run all the resorts. Reclamation's search for concessionaires to redevelop and run the resorts still remains stalled after several false starts during the last 10 years.

Reclamation adopted a 2006 Record of Decision followed by a Bid Prospectus to renovate the resorts with new marinas, lodges, campgrounds, restaurants and other features. In 2009, the agency received \$4.4 million in American Recovery and Reinvestment Act money which was, unfortunately, only used to demolish the existing resort infrastructure rather than provide any improvements to facilities. Millions of dollars in functional facilities were simply demolished.

Two bid prospectus attempts finally resulted in a contract with Pensus in 2010 which ultimately failed. A third bid prospectus received no bids by the end of 2016.

In February, 2016, the Lake Berryessa News and Lake Berryessa Chamber of Commerce began a Renaissance Lake Berryessa campaign aimed at returning management of Lake Berryessa to Napa County. They actively campaigned for this goal during the following months.

In June, 2016 Napa County Supervisors directed staff to enter into negotiations for a Managing Partner Agreement between the County and Reclamation for the management of Lake Berryessa.

By January, 2017 discussions between Napa County and Reclamation had proceeded positively enough to result in the supervisors directing staff to sign a Memorandum of Understanding with Reclamation and also a contract with Ragatz Sedgwick Realty who would assist the County in identifying interested concession partners by marketing the opportunity to the resort community and performing a feasibility analysis to determine the best use of each site.

There are several benefits with county management of the resorts. The county has more flexibility than Reclamation. For example, instead of issuing a request for proposals and waiting for potential concessionaires to respond, the county can market the Berryessa opportunity to resort companies. About 300 companies worldwide do this type of resort development. Some may not want to work with the federal government.

A key piece of information could be known by the end of the June. The county wants to offer 55-year contracts to run resorts, but needs permission from the U.S. Bureau of Reclamation for this longer-than-usual time frame. The Bureau of Reclamation offered 30-year contracts when it sought new Lake Berryessa concessionaires. At the end of the contracts, the marinas, parking lots, water systems and other infrastructure installed by the companies would be owned by the federal government. This requirement and the short contract term were the "poison pills" that discouraged interest from large resort companies. In a modest change to policy, Reclamation just signed a contract with Markley Cove Resort for a 30 year contract, but with a possible 10 year extension for a total of 40 years.

In January, Richard Ragatz and his colleagues began touring the closed resorts, gathering information, and meeting with, among others, the Bureau of Reclamation, Visit Napa Valley staff, and members of the Board of Directors of the Lake Berryessa Chamber of Commerce. A survey of more than 3,000 people in the region found that 92 percent are interested in visiting Lake Berryessa, if it has the right facilities.

Supervisor Alfredo Pedroza, who has consistently approached this process with a positive outlook, sees the county making progress. “I think this is an exciting time for Lake Berryessa,” Pedroza said. Other supervisors have been supportive.

In an interesting bit of historical turnaround, John Tuteur, Napa County’s Assessor and Registrar of Voters, who was a Napa Supervisor in 1975, told the County supervisors at their June 20th meeting that one of his platforms when he successfully ran for the Board of Supervisors in 1972 was to end county management of Berryessa resorts. But 45 years later Tuteur said circumstances have changed. With the professional assistance of Visit Napa Valley, Napa County has a better grasp on the importance, management requirements, and effects of tourism.

“I think the county can do a superb job in helping to run the resorts,” Tuteur told the supervisors.



The Future of Lake Berryessa Looks Brighter, But The Sun Also Rises A Bit Slowly

It began almost 18 months ago with the Lake Berryessa News headline: A Modest Proposal: Radical Restructuring - Ownership and Management of Lake Berryessa Should Be Transferred to Napa County.

Both Napa County and Reclamation responded positively to this proposal. On April 5, 2016, the Napa Board of Supervisors authorized staff to engage in discussions with Reclamation and the Department of the Interior (DOI) regarding the future of the concession areas of Lake Berryessa.

On June 21, 2016, the Board directed staff to enter into negotiations for a Managing Partner Agreement between the County and Reclamation. Under a Managing Partner Agreement, the responsibility to develop and manage public recreation areas would be transferred to Napa County.

In December, 2016, supervisors moved forward by providing direction to staff to sign a Memorandum of Understanding with Reclamation and a contract with Ragatz Sedgwick Realty. If Ragatz Sedgwick were successful in identifying interest, the County and Reclamation would move forward with negotiating a Managing Partner Agreement and creating a formal Request for Proposal process to select concessionaire for five resorts (now referred to as Recreation Areas).

So here we are in August, 2017 - eighteen months after Reclamation announced that no successful bids were received in response to the latest 2015 Bid Prospectus (the third failed bid process since 2006), and almost ten years since the original resorts were demolished.

On August 1, 2017 Dick Ragatz and Grant Sedwick of Ragatz Sedgwick Realty presented their 434 page report, Lake Berryessa: An Untapped Resort Development Opportunity, to the Board of Supervisors.

The report is one of the most comprehensive ever compiled for the Lake Berryessa area. Its preparation involved: (1) meetings and conversations with dozens of appropriate individuals and entities in Napa County, throughout the primary market area and beyond; (2) conduct of a consumer survey with more than 3,200 responses; (3) surveys of lakes, marinas and campgrounds in northern California; and (4) review of numerous reports and documents prepared by Reclamation and others over the past years.

This document should be viewed as a "resource manual" for anyone interested in operating a concession area at Lake Berryessa. It also is meant to educate Napa County about the uniqueness and value of Lake Berryessa.

The report fairly presents the past controversies and decisions that led to the present situation at the lake. But now there is wide consensus that the revitalization of the lake as a recreation destination is important to all of Napa County.

This document represents Phase I of a two-phase assignment. Its primary purpose is to describe the attributes of Lake Berryessa. It provides critical background and educational information for Phase II. The purpose of Phase II is to attract appropriate entities who will develop and operate five available concession areas at the Lake.

The supervisors were uniformly positive in their responses to the report. "What an opportunity this is for us to envision what Lake Berryessa can be," said Supervisor Gregory.

The report includes many possibilities such as marinas, campsites, hiking trails, restaurants, motels, grocery stores, a conference center, a golf course, an amphitheater, even an indoor water park. Recreation and hospitality management companies will be expected to figure out what fits, what's possible, and what's profitable.

Among the critical remaining issues is how long the lease contracts can be that the county could offer to concessionaires. The Bureau of Reclamation in a recent, unsuccessful attempt to redevelop the five resorts offered 30-year stints, with infrastructure then reverting to the federal government. This was unacceptable to most potential bidders.

Ragatz recommended that concessionaires should ideally have 65 years to recoup investments. Napa County and Bureau of Reclamation officials have been discussing the issue. A county report said the Bureau is open to a 55-year lease with at least one 10-year extension.

The Board has already authorized Ragatz Realty to identify interested concessionaires through a Request for Information and Interest (RFII) process. An RFII is primarily used to gather information to help make a decision on what steps to take next. County staff was authorized to continue discussions with Reclamation to complete a

Managing Partner Agreement (MPA).

A report could go to the Board in late fall or winter. The process will include a public meeting with the Bureau of Reclamation and further public hearings with the Board of Supervisors during that time.

The supervisors were urged to speed up this process which has so much potential. How long does Lake Berryessa still have to wait for a beautiful new resort at Steele Canyon with attractive facilities and amenities?

The public had its say. Evan Kilkus came to the microphone wearing shorts and a flower-print shirt, a fashion choice he called the Lake Berryessa uniform. He sees Berryessa recreation as complementing wine country.

“We want to add the casualness, fun and excitement,” he said.

Bill Ryan of St. Helena said that bass fishing is popular and Lake Berryessa is a great bass lake. Lake Berryessa could attract anglers who already go to Clear Lake and the Sacramento-San Joaquin Delta, but they’ll need places to eat and sleep, he said.

“Let’s not let them off the hook,” he said.

Amber Payne takes friends boating on Lake Berryessa. They find something missing.

“The lack of amenities is shocking to them,” she said.

Former Napa County Supervisor Harold Moskowitz said he had a ranch in Berryessa Valley before the Bureau of Reclamation built Monticello Dam in the late 1950s, flooding the valley and creating the lake. His father had the first contract with the county to create Steele Park resort, now called Steele Canyon.

“I know Berryessa probably as best as anybody ... Anything I can do to help, I’ll be happy to do it,” Moskowitz told supervisors.

20/20 vision and 20/20 hindsight point to 2020!

Celebrate the past, Create the future!



Napa County Releases Lake Berryessa Request For Information & Interest

Another important milestone in the potential rebirth of Lake Berryessa has been achieved. Napa County has issued a Request for Information and Interest (RFII) to solicit potential concessionaires for five sites at the lake.

Proper development of the concession areas is fully supported by public officials of Napa County, who have pledged to facilitate the entitlement process.

The Napa County Executive Office is issuing this (RFII) in order to solicit potential concessionaires for five sites at Lake Berryessa. Appropriate respondents will subsequently be invited to respond to a Request for Proposal (RFP).

Emphasis in the past has been on boating and camping, but a much wider variety of activities seem appropriate for the future. The surrounding region is one of the most prosperous in the nation. Participation rates in all types of outdoor recreation activities are higher than average.

Despite these circumstances, the supply of high quality resort developments in lake-oriented destinations greatly lags demand. Lake Berryessa could represent one of the most untapped opportunities for quality lake-oriented resort development in California.

Land around Lake Berryessa is owned by the U.S. Bureau of Reclamation. Napa County may now enter into a Managing Partner Agreement (MPA) with Reclamation to once again assume control of the five areas. The distribution of this RFII is the initial step in potentially finding appropriate developers and operators for one or more of the five areas.

Napa County wishes to solicit input from resort developers and concessionaires that will be used to create the final framework for the MPA and subsequent RFP. Specifically, the purpose of this RFII is to:

1. Gauge developer and concessions management interest in the five recreation-resort areas at Lake Berryessa;
2. Identify potential opportunities within the proposed area(s);
3. Provide a baseline for development of an RFP.

Market Opportunities

Based on a recent consumer survey of more than 3,000 people familiar with Lake Berryessa, the unmet needs (and opportunities) include:

Lodging accommodations in hotels, motels, rental cabins, full-service RV parks, glamping, conference centers and timeshare resorts.

Boating facilities including launch ramps, boat slips, storage facilities, houseboat and other watercraft rentals.

Sports and recreation attractions like hiking, equestrian stables with riding trails, clubhouse, fitness and spa facilities, sporting clays, golf course and seaplane base.

Entertainment attractions that could include an outdoor concert amphitheater, wedding venues, special events like boat races, car rallies and fishing tournaments, wine tasting and Napa Valley shuttle and Lake Berryessa boat cruises.

Visitor services such as convenience and grocery stores, fuel outlets (for cars and boats) restaurants, bars and water taxis.

Development is fully supported by officials of Napa County who recognize a wider variety of land uses and facilities are required to maximize economic benefits and enjoyment by outdoor recreation enthusiasts.

In addition to boating and camping opportunities, there are numerous other attractions and activities at Lake Berryessa and its environs. Some include:

1. Close proximity to, and shared identity with, one of the most recognized tourist destinations in the country - Napa Valley. Napa County has a rapidly growing tourism industry, with 3.54 million visitors in 2016, up 20 percent from just four years ago. Downtown Napa is rapidly becoming a major tourist destination of its own, with large new supply of hotels, shops, restaurants and entertainment venues - and less than an 45 minutes travel to Lake Berryessa.

2. Napa Valley has more than 500 wineries, geothermal springs, boutique shops, fine restaurants, eight golf courses and spectacular scenery.
3. Attractions and activities at Lake Berryessa complement those in Napa Valley, e.g., boating, fishing, extensive nature and other types of trails, etc. These complementary uses are attractive both to residents of Napa County and others throughout the primary marketing area.
4. Many intriguing potential opportunities for recreational attractions and activities that do not exist elsewhere in Napa County and/or are significantly under-supplied in the primary marketing area. Examples include conference facilities, golf, wedding venues and outdoor musical performance venues.
5. Some of the best lake fishing in the entire state. Swimming in the many protected coves and inlets. Quiet areas for non-motor activities, such as kayaking and canoeing. Bird watching and wildlife viewing.
6. Extensive hiking, mountain biking and walking trails, with many more possible, and large nearby public land holdings, accessible for hiking, camping and a wide variety of other outdoor recreational activities.

Lake Berryessa Development Advantages

Napa County, like most prime resort destinations in California, is a challenging place to pursue new development. Land prices are extremely high; properly zoned sites are scarce; the re-zoning, General Plan amendment and environmental impact report processes are lengthy and expensive; and the threat of litigation from environmental groups and others is high. These “barriers to entry” often result in years and years of effort before proper entitlements are obtained, if ever.

Several important advantages exist, however, at Lake Berryessa that should greatly facilitate development of the concession areas. Proper regulations will still be imposed by Napa County and Reclamation, but less time-consuming than normal.

1. Reclamation has completed detailed, but preliminary, development plans for the five areas. Environmental impact statements have been completed for the plans to “the 60 percent design level.” To the extent that concessionaires’ development plans are substantially compatible with Reclamation’s preliminary development plans, the required environmental impact assessment may be accelerated.
2. No re-zoning or General Plan amendments are required.
3. Environmental compliance statements will be required, but a head start has already been made by Reclamation. This is especially true the more that proposed development aligns with Reclamation’s preliminary recommendations.
4. Proper development of the concession areas is fully supported by public officials of Napa County, who have pledged to facilitate the entitlement process.
5. It is recognized by Napa County and Reclamation that a wider collection of land uses and activities will be required in the future in order to maximize economic benefits to the County and enjoyment by today’s outdoor recreation enthusiasts. Creativity will be encouraged.
6. The actual term of each concession contract will be based on the business model. The business model will support justification of a term beyond the standard 25 years where applicable. The County has requested discussion of a 55 year term plus one 10 year extension for development that requires a significant infrastructure investment.
7. In recognition of the cost of building new infrastructure on leased land, Napa County may be willing to offer a variety of financial incentives for appropriate developments and operations.
8. Private land holdings surrounding Lake Berryessa are extensive. Some of this land could be available for related development.
9. Napa County will assume the role of Managing Partner Agency for all concession areas. This includes being the primary reviewer of applications and proposed development plans. The local government will be able to act more expeditiously than the more removed federal government.
10. Dedication of County staff support to facilitate development process.



"Holes In History" at Lake Berryessa: Simple Incompetence, Fervent Ignorance, Malicious Arrogance

I define a “hole in history” as a period of time during which accomplishments were planned to occur or results were expected to be achieved but, unexpectedly, both vanished from our historical timeline. A recent example of that phenomenon was the effect of the Atlas Fire on the potential Lake Berryessa revitalization process. Several events important to that process were to occur during October, 2017, but had to be delayed for three months.

The Atlas Fire tragedy ripped many huge holes in history for those whose houses burned to the ground and whose daily existence was upended. Those holes will only be filled after months, if not years, of rebuilding.

But this three month hole in history at Lake Berryessa is only the latest of many that have slowed progress in rebuilding the lake during the last twenty years. The original Bureau of Reclamation plans in 2000 called for a “seamless transition” from the supposedly polluting resorts populated by evil mobile home owners who denied access to the American people, to the new glorious days of internal-combustion-engine-free eco-resorts populated by pink unicorns and vacationing tooth fairies.

They say you can't kill time without harming eternity. But at Lake Beryessa time was beaten into a coma by a combination of simple incompetence, fervent ignorance, and malicious arrogance.

Time keeps on slippin', slippin', slippin'...Into the future...

So how much time did the holes in history at Lake Berryessa steal from us?

The first hole in history occurred when Reclamation released its first bid prospectus in 2007. The initial due date for bid proposals was September 6, 2007. The bid decision was delayed for 4 months due to a lawsuit by Markley Cove. Selection of successful bidders occurred in April, 2008. Contract negotiations began in June, 2008.

The government began excavation of the second major hole in history in March, 2009. Reclamation canceled negotiations with Markley Cove and Pensus because of a minor technicality in the bid document regarding future federal funding. This could have been easily resolved. A single government attorney seriously disrupts a decades long process. Reclamation required a complete rebid of the concession selection process.

The revised bid prospectus was released two months later in May, 2009. New bid proposals due were due in September, 2009; five separate proposals were received. In January, 2010 Pensus Group was selected as most responsive bid for all six concession areas.

This idiotic rebid process caused an incredible 19 month delay, April, 2008 to January, 2010 plus 4 months in 2007- 23 months, almost 2 years lost!

The third major hole in history began to form immediately after the Pensus contract was awarded in May, 2010. Relations between Pensus and Reclamation soon begin to deteriorate. No progress was made in redeveloping any of the resorts. Many of the problems appeared to observers to be caused by Reclamation's unrealistic policies and poor management. Pensus management appeared inept and arrogant despite the validity of many of their complaints.

From December, 2011 to December, 2012 relations between Pensus and Reclamation continued to deteriorate with long legal arguments exchanged. The Pensus contract was terminated in December, 2012. May, 2010 to December, 2012. And so another TWO YEARS and SEVEN MONTHS were lost!

At the end of 2012 the total holes in history count stood at FOUR YEARS and SIX MONTHS.

The fourth hole in history was another long one. From August, 2013 to January, 2014 Reclamation prepared various detailed plans for five concession areas, some of which had been done for the previous bid proposals. In July, 2015 Reclamation released its latest Concession Bid Prospectus. In February, 2016 Reclamation announced

that no acceptable bids were received - a major disaster for the Lake Berryessa community. August, 2013 to February, 2016 - another TWO YEARS and SEVEN MONTHS lost.

In March, 2016, the Lake Berryessa News began its Renaissance Lake Berryessa campaign to return management of Lake Berryessa to Napa County. In January, 2017 Napa County began serious efforts to evaluate the feasibility of taking over management of the lake. Napa County Supervisors direct staff to sign a Memorandum of Understanding with Reclamation and a contract with Ragatz Sedgwick Realty to assist the County in identifying interested concession partners in the resort.

In October, 2017 Another important milestone in the potential rebirth of Lake Berryessa was achieved. Napa County issued a Request for Information and Interest (RFII) to solicit potential concessionaires for five sites at the lake.

“Been Down So Long It Looks Like Up to Me”

If all goes well, the present schedule shows an optimistic date of July, 2018 for concessionaire selection and negotiations. You do the math. The first contract negotiations of the new era began in June, 2008. The optimistic schedule for successful future contract negotiations is July, 2018.

The total holes in history at Lake Berryessa add up to more than TEN YEARS of lost opportunities - a generation of children and families have missed some of the best experiences of their lives! Time to start fulfilling expectations, not digging new holes.

Life After the Holes

The County/BOR RFII process is moving forward with positive results. The Bureau of Reclamation had many staff members, some from as far away as their Denver office, here all day on Wednesday, Dec. 13, 2017 for a presentation and tour for prospective bidders. This was followed by an evening public Community Forum meeting hosted by the Bureau of Reclamation and the County of Napa.

The result of that day was very good news for Lake Berryessa. Reclamation said that it is dedicated to coming to a Managing Partner Agreement with the County that allows the County to manage the concessions. A Managing Partner Agreement would allow Napa County to manage concession contracts with terms that were previously not available through Reclamation, leading to the revitalization of the whole region.

The County is dedicating major financial and staff resources to make this happen. Both Lake Berryessa supervisors, Alfredo Pedroza and Diane Dillon, were present and spoke positively about the potential outcomes. Supervisor Pedroza said, “We’ve made great progress in working with the Bureau of Reclamation that will renew the vibrancy and allow sensible development at the lake.”



Revitalizing Lake Berryessa - Idling Towards Home

Last week I went out on a patio boat with friends. All went well until we were halfway to the dam from the Steele Canyon Recreation Area. Suddenly our boat engine revved up and lost thrust. The boat would only move forward at idle speed - about 2 miles per hour. Nothing we could do would solve the problem. So we turned around and idled for an hour back to the main lake.

We had a great time picnicking and swimming. Friends from the Highlands came over and tied their boat up to ours for a couple of hours of fun with their kids. But we finally had to start for home - at 2 mph! It took 2 hours to idle from Skiers Cove to the entrance of the Steele Canyon/Spanish Flat cove. Then the wind kicked up and we were down to less than 1 mph. One hour later we finally reached the Steele Canyon launch ramp. Probably the slowest recorded tour of the lake - but we got home and had some great fun doing it.

I was struck by the similarity between our boat trip the present process of revitalizing Lake Berryessa. The excitement of watching Napa County begin the process in early 2017. The ray of hope when the county received nine responses to its Request for Interest and Information. Then the doldrums of Napa County negotiating a Managing Partner Agreement with the Bureau of Reclamation followed by the engine failure somewhere in the process.

Both Napa County and Reclamation profess to be continuing the process with the positive intent to have Napa County take over management of all or some of the recreation areas. One hang-up seems to be the typical bureaucratic "off like a herd of turtles" syndrome. The other is the federal government approving 50 year terms for new concession contracts rather than the 30 year terms proposed by the Department of the Interior.

We've lost ten years of family recreation at Lake Berryessa as I documented in my January 2018 lead story "Holes In History" at Lake Berryessa: Simple Incompetence, Fervent Ignorance, Malicious Arrogance. Read it again if you want your blood to boil: www.lakeberryessanews.com/past-stories/holes-in-history-at-lake.html

So as we idle towards home in the process of revitalizing Lake Berryessa, it is instructive to compare the original optimistic schedule with present reality - another 4 months lost! At least on our boat trip we could see our destination getting closer.

Original Schedule

- November 20, 2017: RFII Submittals Due
- January, 2018: MPA Authorization
- February, 2018: RFP Release
- April, 2018: RFP Due
- Spring/Summer 2018: Concessionaire Selection and Negotiations

Modified Schedule (February, 2018)

- April, 2018: MPA Authorization
- May, 2018: RFP Release
- Modified Schedule (July, 2018)
- None



Beating A Dead Horse With A Stick OR Beating A Horse With A Dead Stick? Berryessa Betrayed AGAIN!

It's been a long time since the original promise by the Bureau of Reclamation of a "seamless transition" at Lake Berryessa followed by many years of total chaos leading to the destruction of a local community and economy you see here now.

After the Pensus fiasco of 2010, Reclamation officials appeared to finally understand the serious damage they had done to our community. They scrambled from August, 2013 to January, 2014 to prepare various detailed plans for five concession areas. In July, 2015 Reclamation released its latest Concession Bid Prospectus. In February, 2016 Reclamation announced that no acceptable bids were received - a major disaster for the Lake Berryessa community. There was a period after that last failed bid process that Reclamation felt enough "guilt" to agree to work towards a Managing Partner Agreement with Napa County to allow the County to take over management of the resorts and create its own bid package and subsequent concession contracts.

Original Schedule

- November 2017: RFII Submittals Due
- January, 2018: MPA Authorization
- February, 2018: RFP Release
- April, 2018: RFP Due
- Spring/Summer 2018: Concessionaire Selection and Negotiations

Modified Schedule (February, 2018)

- April, 2018: MPA Authorization
- May, 2018: RFP Release
- Modified Schedule (July, 2018)
- None

Modified Schedule (August, 2018)

- None

Napa County kept its word! It funded a detailed study showing that Lake Berryessa is a recreational gem that should provide significant financial incentive for resort companies to bid on running the lake resorts. At a December 13, 2017 meeting both Lake Berryessa supervisors, Alfredo Pedroza and Diane Dillon, spoke positively about the potential outcomes. Supervisor Pedroza said, "We've made great progress in working with the Bureau of Reclamation that will renew the vibrancy and allow sensible development at the lake."

In January 2018, Reclamation also said that it is dedicated to coming to a Managing Partner Agreement (MPA) with the County that allows the County to manage the concessions. An MPA would allow Napa County to manage concession contracts with terms that were previously not available through Reclamation, leading to the revitalization of the whole region.

But then something happened. As I reported in last month's issue of the Lake Berryessa News, "Both Napa County and Reclamation professed to be continuing the process with the positive intent to have Napa County take over management of all or some of the recreation areas. One hang-up seems to be the typical bureaucratic "off like a herd of turtles" syndrome. The other is the federal government approving 50 year terms for new concession contracts rather than the 30 year terms proposed by the Department of the Interior."

Napa County is well managed with a dedicated professional staff. They have done their due diligence and all indications are that various departments are prepared to move forward with the bid process and concession management plans.

But where is the Bureau of Reclamation? Well, it appears - NOWHERE. We've lost another month due to bureaucratic bungling on the part of the Bureau of Reclamation. Apparently no one in that bureaucracy is willing to stand up and make a decision about the 50 year contract term. This is a betrayal of magnificent proportions!

Is the Bureau of Reclamation a dead horse no longer functioning, or is the influence of Napa County just a dead stick when encountering bureaucratic inertia? Maybe it's time to go with an "old school" stick - a passionate letter-writing campaign. We need to let government officials know that we really, really care. It's time to speak up again, as we have in the past.



Napa County Frustrated by Bureau of Reclamation Stalling Tactics Talks on Resort Redevelopment

As reported in the Napa Register and the Lake Berryessa News, there has been no progress in the last few months regarding the completion of a Managing Partner Agreement (MPA) between Reclamation and Napa County for County management of the lake Recreation Areas (resorts).

Although the County is trying to put a positive spin on bad news, the latest Register article quotes County officials, and even Congressman Thompson, as remaining positive about the outcome. But note that the newly created deadline is "the end of the year". The original date for an MPA was January 2018 with the selection of new resort concessionaires to occur during this summer. The MPA date was then moved to April 2018 - now there is no proposed completion date.

"I think it's in the interest of all parties to reach some decision by the end of the year," said Deputy County Executive Officer Molly Rattigan. "I don't see this going beyond this year," Supervisor Pedroza said. "We've been at it for quite some time. I'm interested in having this end in a very positive outcome."

Rep. Mike Thompson, sent an Aug. 7 letter to Secretary of the Interior Ryan Zinke urging that the Bureau of Reclamation reach a deal with Napa County. He wrote that the Bureau appeared "unwilling or unable" to bring concessions to the lake's shore under Napa County management. "I'm sending this letter hoping that you'll be able to exercise leadership on this pressing issue," Thompson wrote.

Thompson released a statement on the latest progress: "Like people across our community, I am frustrated at the long delays in this process and have been doing everything I can to support the county and bring the Bureau of Reclamation to the table for a fair discussion," he said. "I recently spoke with the Bureau's commissioner and I'm glad to see that discussions regarding the details of a long-term agreement will continue."

In an email to the Lake Berryessa News after a request for his assistance, Thompson wrote, "I AGREE 1000% with you. I had a conversation last Thursday with BOR Commissioner. I will do all I can for Lake Berryessa and Napa County and will keep you informed."

When contacted by the Napa Valley Register, the Bureau of Reclamation released a statement by email.

"While the process has taken longer than anticipated, Reclamation continues to engage with county officials and is fully committed in this process," the statement said. "Details will be shared when available."

Although the County may be trying to impose a new "soft deadline" on Reclamation, which would result in an additional year lost at the lake, Reclamation is not known historically for its responsiveness to any type of outside interference by any form of authority - ethical, political, or rational.

The culpability of the Bureau of Reclamation in this ongoing disaster is clear. But rather than allowing new resorts to be created and help fund public operations at the lake - which was proposed by the Lake Berryessa Visitor Services Planning Task Force (LBVSPT) 15 years ago and rejected - Reclamation instead proposes creating user fees on all the previously free public recreation sites at the lake. (See Page 4.)

The proposed fee for day use at Oak Shores Day Use Park and Smittle Creek Park will be \$5 per vehicle (\$50 annual fee). Capell "Free" Boat Launch will become \$10 per launch (\$100 annual fee). At Oak Shores Day Use Park shade shelters will be \$25 per shade shelter.

With the possibility of new resorts actually funding public recreation so that the now free locations remain free in the future, this fee proposal is unfair and unconscionable.



Congressman Thompson Interior Department Officials Tour Lake, Discusses Managing Partner Agreement

Rep. Mike Thompson announced that he met with Department of Interior and Bureau of Reclamation officials on Monday, September 10, to tour Lake Berryessa and discuss the progress of negotiations on the Managing Partner Agreement (MPA) to operate recreation areas at the lake with Napa County. Thompson released the following statement at the conclusion of that tour.

“I just finished touring Lake Berryessa with top officials from the Department of Interior and the Bureau of Reclamation and was heartened by productive discussions with them about negotiations regarding the MPA and related lease agreements.

Finalizing this agreement is critical to the recreational and economic vitality of our region and I was glad to see the positive response from federal officials as they toured the lake and saw it first-hand. I look forward to an outcome that boosts our entire district, following upcoming meetings between the Bureau and the county.”

Department of the Interior (DOI) officials were Todd Williams, Deputy Secretary (DOI), and Austin Ewell, Deputy Assistant Secretary for Water & Science (DOI). Also touring the lake with Congressman Thompson were Drew Lessard, Area Manager, Bureau of Reclamation, Central California Office, and Margaret Bailey, Lake Berryessa Park Manager, Bureau of Reclamation.

Mr. Williams and Mr. Ewell had been asked by Interior Secretary Ryan Zinke to meet with Congressman Thompson on their trip out west to inspect Whiskeytown Lake after the CARR Fire in Shasta County. The meeting was a response to Congressman Thompson’s letter to Secretary Zinke.

According to Thompson’s staff, the meeting went well and Thompson was able to answer questions that Secretary Zinke and his team had about Napa County’s negotiations with the Bureau of Reclamation. Molly Rattigan, Deputy County Executive Officer, had briefed Congressman Thompson on the relevant County issues prior to the tour.

Although Williams and Ewell are not in the Bureau of Reclamation chain of command, hopefully they are high enough within the Department of the Interior structure to have some influence on Secretary Zinke to take action to support the Lake Berryessa Managing Partner Agreement and the critical requirement to allow the County to negotiate 50 year contracts with future concessionaires.

Now it's time to wait again.



Another Bureau of Reclamation Time Warp Moment - The “2020-something...” Schedule

After more than two years of painfully slow progress, the Board of Supervisors has yet to finalize a Managing Partner Agreement (MPA) with the Bureau of Reclamation. Reclamation has a 20-year history of delays and bureaucratic bungling that led to the present situation at the lake. The first phase of this debacle began with a Notice of Intent in the Federal Register on November 7, 2000.

That was 18 years ago, Rocky Horror fans! It's astounding; time is fleeting; madness takes its toll. But listen closely, not for very much longer, I've got to keep control. Let's do the time-warp again.

That was also when I first met newly-elected Supervisor Diane Dillon at a small meeting at Pleasure Cove Resort to discuss the future of Lake Berryessa. Time keeps on slippin', slippin', slippin' into the future.

In a previous story I calculated that the lake community had lost TEN years of progress. Now add another year to that for no progress in 2018. The new proposed plan starts slowly in 2019 with the first redeveloped resorts, Steele Canyon and Monticello Shores, to open in 2022.

These are the resorts that county research showed are generating the most interest from the private sector. Disappointingly, the schedule stretches past 2025. A “2020-something” schedule! Is that a real time? Almost fifteen years of family recreation lost!

To put it the perspective, the average life expectancy of a male is roughly 80 years. As someone who has been involved in this BOR nightmare for 20 years, 5 more years for me at my age is the statistical end.

I'm not a fan of 5 year and longer plans, nor those that show results in late “2020-something”. Someone who is 35 has about 50 years to get things done so it's easier to be positive while waiting for long-term results from another plan.

Don't ask me to wear a happy face t-shirt to BOR meetings. But I will continue to work positively for the revitalization of Lake Berryessa because I wish to support my community. And I do still hope to enjoy some of the benefits myself.

At a recent meeting the Board of Supervisors unanimously voiced their support for the County taking over management of the Lake Berryessa recreation areas, commonly referred to as “the resorts”. “This isn't about doing it for net revenues,” Supervisor Diane Dillon said. “This is about doing it for net benefits for the greater community.”

Supervisors seemed optimistic that an agreement will be reached, possibly by early next year. Ironically, only a year ago the schedule showed that a bid process leading to contract negotiations with new concessionaires should have been completed by summer 2018. Reclamation originally supported this time frame.

About five years ago Reclamation seemed to understand the serious damage they'd done to the local Lake Berryessa community. They promised to make it right, and for awhile followed through with some positive actions. But even then I was reminded of one of my favorite quotes from Polish poet Stanislaw Lec,

“Is it progress if a cannibal uses a fork?”

The Bureau of Reclamation is what I characterize as an “OK, but...” bureaucracy - one adept at feigning concern but always seeming to find a reason to move the goal posts farther out.

The latest example is from Drew Lessard of the Bureau of Reclamation who addressed the Board during public comments. He expressed optimism that the agency and county will come to agreement, “but...the last thing we want is to enter into a managing partner agreement and not have success”. Write your own favorite cliché here...“the pot calling the kettle black” comes to mind.

Apparently now Reclamation wants new information, a new economic analysis, and a proposed new schedule from Napa County - all of which was actually done more than a year ago. Is a “2030-something” schedule the next Reclamation “ok, but...” moment?

A recent letter to the Lake Berryessa News from Senator Diane Feinstein did indicate that she had been told by the “local Reclamation office”, wherever that is, “that the agency emphasizes that it still intends to work with the County to pursue an agreement and is seeking to do so by the end of 2018.” The letter is reproduced on the Lake

Berryessa News web site.

How long does it take before a flickering candle finally goes out? When does saying “OK, but...” actually mean “OK, butt,...”? When can the Lake Berryessa community finally stop being the butt of the long running bureaucratic joke that is the Bureau of Reclamation?

Download a PDF copy of the full plan at: www.lakeberryessanews.com/county-berryessa-plan.pdf

Latest Proposed Schedule for Lake Berryessa Resort Development

- > Award Concessions - Steele Canyon & Monticello Shores (Phase 1: 2019)
- > Initial Occupancy - Steele Canyon & Monticello Shores: 2022
- > Markley Cove & Pleasure Cove Join MPA (Phase 2: 2019-2021)
- > Award Concession - Spanish Flat (Phase 3: 2022 - 2024)
- > Initial Occupancy - Spanish Flat: 2025 - 2027
- > Award Concessions - Berryessa Point & Putah Creek (Phase 4: 2025-2027)
- > Initial Occupancy - Berryessa Point & Putah Creek: 2028 - 2030

Steele Canyon, now managed under temporary agreement with Suntex (Pleasure Cove Resort), will operate during 2019 under temporary agreement.

Reclamation will seek temporary concessionaire (3-5 years) for Spanish Flat; possibly others (Putah Creek?).

Spanish Flat is now managed under temporary agreement with the BOR by Spanish Flat Partners - a group of local residents who organized to support the west shore Spanish Flat business and residential communities

Putah Creek is now managed by Royal Elk Park Management under temporary agreement with Reclamation.



Lake Berryessa History Through Napa Register Editorials

Stop resort owners from polluting lake: February 27, 2001

Transforming Lake Berryessa's seven resorts into clean, well-managed facilities for campers and tourists will require political courage and lots of money. Both are in high demand and short supply. Over the years, poor enforcement by the Bureau of Reclamation, either due to a lack of courage or a lack of authority, has resulted in hundreds of permanent residents living in unhealthy and unsafe lakeside trailers. The trailers — at least 308 of which have been cited for health and safety violations — are unhealthy because they spill raw sewage into the ground or Lake Berryessa itself. They are unsafe because they pollute a source of drinking water.

In recent months, Reclamation has shown signs of potency. In December, it shut down 116 trailers in the Pleasure Cove Resort "outback" area, and earlier this month it gave Putah Creek Resort owners an ultimatum to either hire a licensed sewer system manager by Feb. 26 or be shut down. We checked. Nobody was hired yesterday. Both the Putah Creek resort owners and the Pleasure Cove tenants are threatening to sue if Reclamation finally gets tough. Their defense is a simple one: They have been allowed to violate regulations for so long, the practice can hardly be called illegal.

And yet it is illegal. Napa County sued Putah Creek owners in 1998 and won a court order for \$4,180 in fines and sewage system improvements. Regardless, Melpo Petsas, the resort owner, says she had no idea there was a sewage problem. "I'm not shutting down," she told Register reporter Nathan Crabbe. The attitude seems to be: It's too late to enforce the law." People ignore (regulations) and think they have the right to do so," Reclamation official Steve Rodgers told Crabbe.

Well, folks, the time has come to enforce the law, lawsuits or not. In the short term, this dispute will probably have to be resolved in court. In the long term, Rep. Mike Thompson has a plan that might work, starting in 2008 when the resorts' concession contracts with the federal government expire. Thompson's plan involves oversight by the Bureau of Land Management, which already manages more than 17,000 acres of recreational area north of the lake. The BLM has the enforcement power to bring resort owners and trailer tenants in line. And, with Thompson's help getting money from Congress, the resorts could finally get cleaned up and improved.

Basically, all sides in the dispute have seven years to get their sewage together. The resort owners can play by the rules now and possibly extend their concession contracts and maybe even keep Reclamation as their landlord .Or, they can file lawsuits and refuse to cooperate and get a tougher landlord in the BLM and maybe even lose their concession contracts. Either way, the sewage mess has to stop. The sooner the better.

You can help chart future of Lake Berryessa: July 22, 2003

The federal government is nearly finished with a plan that could change the way in which people will be allowed to use Lake Berryessa. Although it is publicly-owned, Lake Berryessa is also home to 1,250 privately-held mobilehomes that have been allowed to exist for decades.

It is also home to seven private resorts that have been allowed by the Bureau of Reclamation to operate through contracts with the federal government. Those contracts are set to expire in 2008-09.

Environmentalists say the contract expirations serve as a golden opportunity for the Bureau to return the lake to exclusive, long-term public use — for hiking and swimming, mainly. Getting rid of the trailers will significantly reduce the threat of sewage pollution, they say.

Resort owners say the new contracts could improve governmental management of the lake — and therefore the overall lake economy — by firming up relationships and duties between the federal government and the county,

which is stuck with enforcing criminal and environmental laws at the lake. The county is looking for new agreements that cover county costs associated with the lake.

Trailer owners say the prospect of new contracts means the government can get rid of the "30 percent" of the trailers that cause most of the environmental problems, and tax the remaining 70 percent to help pay for lakeside improvements.

The Bureau's plan will likely continue resort activity, provided that resort owners bid on new concession agreements. More importantly, the plan will likely include new development such as trails, marinas, campgrounds, campsites, houseboat operations, a water skiing center, RV parks, lodging, food and beverage outlets and retail and rental facilities.

The Bureau is expected to release a draft environmental impact statement this fall, followed by public hearings during a 60-day review period. But you don't have to wait to get more information about the lake's future, and you don't have to wait to make your views known. The Lake Berryessa Website at www.usbr.gov/mp/berryessa is a good place to start gathering information.

A good person to write to, if you feel like weighing in on the issue, is Resource Manager Jane LaBoa, Bureau of Reclamation, Central California Area Office, 7794 Folsom Dam Road, Folsom, CA, 95630-1799. Her fax is (916) 989-7208. Another good source is Stephen Rodgers, Lake Berryessa park manager, at 966-2111, ext. 106.

Berryessa: Put it back in public hands: February 23, 2006

In the coming weeks the federal Bureau of Reclamation is expected to issue its final record of decision regarding the future of the Lake Berryessa shore. While the battle over Berryessa has been hard-fought, the Bureau should go through with its "preferred alternative" and remove the seven trailer resorts from the lakeshore at the end of their leases. This will open up the lovely recreational lake to new, more modern and more accessible public uses, benefiting not just Napa County but millions of outdoors enthusiasts in Northern California.

While Lake Berryessa is in Napa County, it is not strictly ours. The lake and the land that surrounds it is owned by the federal government. Its water goes to Solano County homes and businesses. Plus, Berryessa is one of the largest recreational lakes within driving distance of the San Francisco Bay Area, and boaters for miles around head up winding roads to the lake to water ski, fish and drift among the coves.

For decades, the federal government has awarded concessions for privately-run trailer resorts at the lake. Users are allowed to place trailers at the resorts and live in them several months of the year, and many Berryessa lovers and their families have been visiting for decades.

Some of the resorts are run with efficiency. Some have a history of environmental problems, and at least one has faced financial turmoil that has prompted the Bureau of Reclamation to intervene in its affairs.

Those are serious problems, but they are not the primary reasons the resorts should go. The trailers, as many as 1,300, should be removed because they limit — rather than enhance — public use of this taxpayer resource.

Concessionaires and trailer owners have put up a furious fight to maintain the status quo. Among the claims they raise is that the Bureau's plans for the lake are not sustainable, that environmental extremists are seeking to rid the lake of personal watercraft and motorized craft, that the concessionaires or trailer owners have a continuing right to use the lake the way they do now.

These views represent a mixture of legitimate policy questions, misleading attacks on their foes and outright misstatements. It is true the Bureau's proposed economic model is not proven. But the economics of Berryessa are not healthy today.

It is not true that the Bureau plans to bar watercraft or motor boats from the lake, though local environmental groups would like to set aside some parts of the lake and the shore for "passive uses" — i.e. kayaking, canoeing and hiking.

Finally, and most importantly, as a property rights matter, the trailer owners and concessionaires are in the wrong. The lake and the lakeshore is owned by the federal government, which is to say all of us. For years, trailer owners have had the benefit of more or less private use of public land.

The political history of Lake Berryessa is riddled with missed opportunities. With the end of the concession contracts, the Bureau of Reclamation, Napa County and those who want to take advantage of Lake Berryessa's beauty have a chance for a fresh start at a gorgeous freshwater lake.

When the concession contracts come up in 2008 and 2009, it is time for the Bureau of Reclamation to return the lakeshore to its rightful owners: the public.

Berryessa's future brightens: June 15, 2006

Last week, the U.S. Bureau of Reclamation, which controls the shoreline of Lake Berryessa, ordered the removal of roughly 1,300 trailers from seven privately-run resorts along the lakeshore. The trailers will have to go sometime in 2008 and 2009, as the resort leases reach the end of their lengthy runs.

The Bureau of Reclamation will allow private resort operators to make use of the seven existing resorts, planning for "short-term, traditional, non-exclusive and diverse recreational opportunities at the lake."

Mentioned in the bureau's recent record of decision are tent camping areas, cabins, hotels, conferences centers and RV parks.

The bureau did not alter its existing policies on the number of motorized boats allowed at the lake, a win for boaters, water skiers and others who feared that the feds would strip them of a favorite site for their activities.

At the same time, the bureau laid out a plan for a public lakeshore trail that would wind around the entire lake, a boon to those who want the lake to offer more opportunities for passive recreation, such as hiking and camping.

Owners of mobile homes and other private property along the lake today are responsible for removing what's there, but the government offered limited assistance. The Bureau of Reclamation also says it will work to accommodate the approximately 20 people, mostly elderly, who live in the resorts year-round.

All in all, the decision is a balanced and fair one that accomplishes two goals. First, it serves as a blueprint for making this wonderful natural resource available to recreational uses of all sorts. Second, it firmly but fairly deals with those who have used the lake for a long time and come to see the current set up as integral to their lives and livelihoods.

In truth, Lake Berryessa belongs to us all, and the Bureau of Reclamation recognized this in deciding that the trailers must go when their contracts expire.

In a few short years, Lake Berryessa — which already attracts hundreds of thousands to its refreshing waters and lovely settings every year — will be an even better place.

Clock ticking at Lake Berryessa: April 12, 2009

The situation at Lake Berryessa is bad. Most of the private lakeside resorts will be closed for a second consecutive summer. The Bureau of Reclamation screwed up the contracts to give new operators a chance to upgrade the lakeside facilities. Some of the old resort operators have essentially abandoned their sites, leaving them trashed and hazardous to the public.

The county is worried about visitors descending on the lake on busy holiday weekends to find few working boat ramps, no boat fuel for sale and with no choice other than to improvise or abandon their holiday plans. Napa County's plans to upgrade the water and sewer systems for residents of Berryessa Highlands are on hold, blocked by the Bureau of Reclamation's failure to secure a deal for the Steele Park Marina. The new Steele Park owner is expected to pay a substantial sum towards the new water works.

Area residents are angry, county leaders are frustrated and the Bureau of Reclamation is trying to make the best of a bad situation by getting three private resorts up and running while sending the long-term contracts back out to bid for all seven private resorts.

Last week, the Register editorial board met with people representing three sides of the complicated situation at the lake: Napa County Supervisor Diane Dillon, Bureau of Reclamation official Mike Finnegan and Tracy Renee, a 23-year resident of Berryessa Highlands.

Over the next few days, we'll dig into the conversation to assess how the lake reached this low point, the obstacles to getting out of it swiftly and what is likely to happen in the long run. But the first focus must be on salvaging the summer for an area that sees more than a million visitors a year, including several thousand on Memorial Day Weekend alone.

Finnegan said his agency is hustling to ensure that three resorts — Steele Park, Markley Cove and Pleasure Cove — are open this summer, in addition to the more bare-bones, federally-run facilities. He said a deal at Markley Cove is very likely, and that the bureau will sit down with the current operators of Steele Park and Pleasure Cove later this month.

Meanwhile, Dillon is working with county agencies and the Bureau of Reclamation to address other concerns: the hazards at the abandoned resorts, the lack of a fueling station for boaters, and rising concerns about business and law enforcement activity during a period when the public may not know what to expect at the lake.

No matter what happens, the public areas at Eticuera, Smittle Creek, Oak Shores and Capell Cove will be open as usual. Finnegan also said he hopes that the bureau can approve 70 to 100 campsites at Oak Shores, normally a day-use area.

But the race is on to get things passably right at the lake before a whole summer goes by. We strongly encourage the county, the bureau, residents and committed visitors to the lake to set aside their disagreements, get engaged and make the lake a going concern for the summer of 2009.

Memorial Day is right around the corner.

The local's view of fiasco at the lake: April 15, 2009

The crisis at Lake Berryessa is about boat ramps and contracts and government agencies.

But there are human consequences to the troubles at the lake, which is on the verge of entering its second consecutive visitor year with inadequate services for the 1.5 million expected to come up to boat, relax and enjoy the scenery.

Tracy Renee, who joined a Register editorial board meeting last week along with Napa County Supervisor Diane Dillon and Bureau of Reclamation district official Mike Finnegan, has lived in Berryessa Highlands for 23 years. She raised her three children there, and said the lake is “like my heaven,” a respite before and after long days running a business in Vallejo. Here is what she told us about the situation from her perspective:

- One of the casualties at the lake is tiny Capell Valley Elementary School. As families that worked at some of the several closed resorts left, Capell lost students.

“My kids went to Capell School,” said Renee. “Capell, to me , is part of the community. It’s where kids meet each other. It’s where adults meet each other.”

The long-term prospects for Capell are uncertain for reasons greater than the lake fiasco. Both it and Wooden Valley Elementary may be closed by school district officials next year because they are not cost-efficient. But the loss of vibrancy at the lake struck another blow against Capell.

- The legal clashes, one between the Bureau of Reclamation and the owners of the trailers that were based at the resort for decades; the other between the bureau and former resort operators.

The bureau prevailed in both disputes, forcing the mobile home owners to remove their personal property — though hundreds have not complied — and denying compensation to resort operators for installation of roads retaining walls and other features they built while running their businesses.

“On the lawsuits,” Renee said, “I see both sides of that.”

Renee said that if she were a resort operator, she would have had a “heart attack” if presented with news that she’d receive no compensation for her investment in the property, even though all operators were clearly on long-term leases. “Now,” she said, “you walk away with nothing.”

As for the trailers, she said she understand why the mobile home owners would fight the eviction, but isn’t sympathetic about their refusal to accept the outcome. “Get out,” she said. “Quit whining.”

- Renee said the closure of at least four resorts this year could wreak havoc. “How many of those 1.5 million (annual visitors) have no idea the resorts are going to be closed?” she asked.

The county is asking the same thing, and Supervisor Dillon said she is working with the bureau, Napa County Sheriff’s Department, firefighters and others to come up with a plan to salvage the summer. While the effort is designed to curb the negative impact of visitors overwhelming the limited facilities, it will have a huge effect on lakeside business and the quality of life of residents.

Restoring trust at Berryessa: April 17, 2009

Last week’s Register editorial board meeting regarding Lake Berryessa was eye-opening in that so many factors have contributed to the current crisis, in which several lakeside resorts promise to be closed again this year while, if we are lucky, others will limp to life in time to salvage the summer recreational season.

Among the contributing factors:

- A long, grueling and contentious planning process;
- Disputes between the federal government and lake habitués regarding Public Law 96-375, which governs who is responsible for private property on some public lands, and the Anti-Deficiency Act, which bars the government

from promising to spend money (on compensating lakeside concessionaires for the value of improvements, for example) it doesn't have or can't account for;

- The obstinate opposition to the U.S. Bureau of Reclamation's positive and forward-looking plans for the lake;
- The U.S. Bureau of Reclamation's own failure to draft the new concession contracts correctly and communicate fully with the diverse crowd that cares about Berryessa.

Mike Finnegan, the Bureau of Reclamation official who joined Napa County Supervisor Diane Dillon and Berryessa Highlands resident Tracy Renee at the meeting, said, "We could have done a much better job" of communicating as the resort contract process dragged on. He said the bureau was "overly sensitive about not corrupting the negotiating process" with the prospective operators of the seven lakeside concessions.

Dillon, who said she works well with Finnegan, added that she believes the bureau "can use a lot more transparency."

At the moment, everyone seems to be talking. The bureau is meeting with likely short-term operators of three resorts. It is talking regularly with Dillon and the office of Rep. Mike Thompson, D- St. Helena.

With a new round of contract discussions, the bureau will be talking to a range of potential operators.

It is important for the short-term and long-term success at the lake that the bureau maintain the fullest level of communication. Like it or not, there are many who distrust the agency and it needs to work to earn their trust if it wants to see its Berryessa vision come to life.

Said Finnegan: "Working together in partnership with Napa County and (the Lake Berryessa) Chamber of Commerce, we want to move forward constructively and get it done."

Bureau hopes to return Berryessa to its heyday: April 10, 2011

The federal government wants you to know that Lake Berryessa is open for business. The mobile homes are gone. The shores are clean. The roads are safer. The resorts are ... returning soon.

The U.S. Bureau of Reclamation, which oversees the management of recreational services at the lake, first began the process of clearing its shores of some 1,500 mobile trailers in 2005, replacing them with campgrounds, day-use recreation sites and resorts.

The goal: A return to Lake Berryessa's brightest days, when hordes from the Bay Area and beyond escaped for fun and sun at Napa County's largest recreation spot. There's a lot of work ahead before that ambition is fully realized, but the pieces are now firmly in place.

The reclamation bureau signed a contract with the Pensus Group to operate six concession areas at the lake, five of which will be open for RV and tent camping as well as boat launching in 2011. The first of 500 planned wet slips will be operational by 2012, the agency said.

The Napa County Regional Parks and Open Space District received \$1.5 million from the California Coastal Conservancy to pay for the development of an outdoor education camp on Berryessa's northern shores. That camp is expected to be open by the fall of 2012.

The California Conservation Corps has been subcontracted to clean up the shoreline, picking up broken glass, removing old tires filled with cement, and pulling out protruding metal rods and pipes along the waterways.

A 114-mile trail is being developed to surround the lake for bikers, equestrian riders and pedestrians.

And resort-style sleeping accommodations will be open and running in 2012. If all goes well, longer-term development plans will bring even more amenities back to the lake over the 30-year span of the contract with Pensus.

But perhaps the thing in most desperate need of repair is Lake Berryessa's reputation. Public intoxication and public safety have long been a concern as lake visitors partied through their summer weekends. "People come up here and think all the rules are suspended," said Spanish Flat Country Store owner Marsha Ritz. "Truly. I get people driving into the parking lot and getting out of their cars with a beer in their hands, drunk off their rear ends. "It's like we have no rules up here. And we do."

Arrest evidence would suggest a calmer Lake Berryessa in recent years. According to the Napa County Sheriff's Department, which patrols the area, 65 major crime (rape, assault, burglary and larceny) felony arrests took place in 2009-2010, in comparison to 104 major crime arrests from 2007-2008. Only one felony arrest took place during one of the three summer holiday weekends in 2010, with 672 calls for service to the sheriff's office. That's down considerably since 2007, when there were 1,281 calls on those same three weekends, resulting in 19 arrests.

Some of that, surely, is the result of fewer partiers coming to the lake in recent years. According to the bureau, at its peak, 1.5 million people visited Lake Berryessa each year, but without the resorts that number has gone down "to nothing," Ritz said, especially in the winter.

The reclamation bureau is hoping with the renovations and new resort areas, when the crowds return, they will include many more families. That's how Ritz remembers the lake in its prime, when she would come up with friends and family in the 1960s. "Parents grew old here. Kids grew up here," she said. "It was really a family experience."

With more wet slips, trails, clean shores and new concession areas, the Bureau of Reclamation is hoping for a return to that experience.

Inching forward at Lake Berryessa: March 16, 2013

You can understand why the battered and bruised Lake Berryessa community might be skeptical.

The recent history of government management at Lake Berryessa is not unlike Lucy's track record of holding the football for Charlie Brown.

Convincing residents that this time will indeed be different won't be easy.

Perhaps that's why the Bureau of Reclamation isn't promising much. The immediate goal is to keep attendance at Napa County's top summer boating and camping destination stable. Federal officials in charge of recreation planning at Lake Berryessa said last week they want to maintain the numbers from last year while working with the community to build a plan to improve them in the future.

The lake's economy has suffered from declining attendance figures throughout the last decade.

Hope arrived when a new concessionaire was selected in 2010 to operate five of the seven resort sites on the lake. But the Pensus Group failed to meet its contractual obligations and the government terminated its contract with the beleaguered contractor in December 2012.

That did not leave a lot of time to rebuild for this summer.

Reclamation officials said last week that they are negotiating with the lake's two remaining resort operators at Markley Cove and Pleasure Cove to operate some additional sites on the west side of the lake.

If those negotiations do not bear fruit, the government said it will open a "quick" request-for-proposals process to bring in interim concessionaires for the next year or two.

The hope is to keep the Putah Creek, Oak Shores, Steele Park and Spanish Flat sites open and operating as they did last summer.

More importantly, Reclamation said its top priority is to foster better relations with the Lake Berryessa community with the help of a volunteer group made up of stakeholders and residents who will meet monthly to devise a longer-term plan for recreational services at the lake.

That panel met for the first time in February. It is expected to report its progress publicly on a monthly basis.

Ahead of any conclusions drawn from that group, Reclamation is moving slowly forward with lessons learned from the Pensus experience still front of mind.

It is why the department isn't going in search of a long-term concessionaire contract — or contracts — now. Deputy Area Manager Drew Lessard said that perhaps a more prudent solution may be to have multiple operators at the lake, so that all of the government's eggs aren't in one basket as they were with Pensus. Input from the stakeholder panel may also inform those decisions.

Lessard was also quick to allay concerns that federal "sequestration" cuts may be the next shoe to drop at Berryessa. Department hiring could be impacted, he said, but sequestration should not affect any of the immediate resort objectives, adding that the resurrection of vibrant economic and recreational activity is a priority for the department.

Residents at Berryessa have certainly heard that before.

For whatever its worth, it is a different group of people — Lessard and new Park Manager Jeff Laird — saying it this time around. At the very least, local Reclamation officials appear to be doing a better job communicating with residents through the newly formed committee and recent public forums.

And unlike the past, the feds are not promising the moon.

They are setting reasonable goals and engaging the public throughout the planning process — listening first, acting second.

After the turmoil of the last decade which has seen bitterness toward the government fester through torn-up trailer sites and failed resort contracts, a more conservative, steady approach is certainly in order.

Disclosure: Editorial board member Michael Haley represents the Napa County Regional Park and Open Space District on the new Lake Berryessa committee formed by the Bureau of Reclamation.



Lake Berryessa History Through Napa Register Articles

Reclamation considers revamping Berryessa shoreline: February 25, 2001

By Nathan Crabbe

Hundreds of mobile home tenants will likely be evicted from Lake Berryessa by 2008, no matter who wins the political battle for control of shoreline resorts. The U.S. Bureau of Reclamation in 2008 might have to cede management to a rival federal agency, the Bureau of Land Management, after poorly monitoring lakeside resorts for some 15 years. The BLM has police powers, while Reclamation does not. Reclamation created the reservoir by flooding the Berryessa Valley in the mid-1950s, but didn't take control of resorts until after more than 15 years of management by Napa County. Reclamation claims the county in that time let land and water in the area be degraded by mobile home parks. Reclamation officials acknowledge they have failed by allowing those parks to continue to dump sewage into the ground and lake.

Cleve Dufer, who oversees the resorts for Reclamation, said the agency must take a lion's share of the blame. The agency has inconsistently enforced its own contracts, Dufer said. Hoping to retain control, Dufer said, Reclamation over the next several weeks will conduct a media campaign to try to build support for correcting problems at current resorts. An independent study to be released later this year will make recommendations on the lake's future. Dufer said Reclamation is in a no-win situation in having to please resort managers, mobile home tenants and other government agencies. "On one hand, we're criticized for not being extreme enough. On the other hand, they say we're heavy handed," he said.

Steve Rodgers, also of Reclamation's Berryessa office, said he's worked for five other government agencies and has never seen anything like the situation. "It's the only place I've been where people ignore (regulations) and think they have the right to do so," Rodgers said. Dufer said Reclamation's enforcement agenda is largely influenced by the will of the local Congressional representative, currently U.S. Rep. Mike Thompson, D-St. Helena. Members of Thompson's office met with Dufer last week on the issue of Berryessa's future. Thompson first floated the idea of the BLM taking the reins from Reclamation when the resorts' 50-year contracts run out in 2008, said Rich Burns, field manager of BLM's Ukiah office. The office manages the 17,700-acre recreation area to the north of the lake.

The blueprint for the plan comes from Lake Havasu, a 45-mile-long Reclamation-created reservoir on the southern Colorado River in Arizona. The reservoir is also surrounded by a undeveloped recreation area and an adjacent resort. The resort includes the reconstructed London Bridge, moved from Great Britain in 1971, and the English Village, a multi-million dollar complex of shops, restaurants and lodging facilities. BLM manages both the resort and the undeveloped land. The deal works because BLM has the muscle Reclamation lacks, Burns said. It has law enforcement authority, he said, while Reclamation doesn't. Some current resort managers seem sure BLM will be eventually chosen to manage resorts.

Chuck Vaughn, manager of the Lake Berryessa Marina Resort, sees his resort in Berryessa's future regardless of what agency is in charge. "I think if you run a good, clean resort you're on sound footing," Vaughn said. Dufer said the area likely will undergo a dramatic transformation if Reclamation retains control. A shift to more open shoreline for camping and structures built for short-term use, such as lakeside cabins and hotels, is a possibility. Using the Havasu model, BLM also seems likely to make the resorts live up to their name, rather than be used mainly as lakeside trailer parks. Vaughn said a resort such as his could make much more money by using choice beach property for cabins and camping. Reclamation also envisions increased revenue.

Dufer said resorts currently pay 2-4 percent franchise fees. That currently brings in about \$10 million per year in revenue, Dufer said. Reclamation believes a revamped Berryessa would be a much greater attraction to Bay Area residents. Dufer said more prominent federally managed recreations areas, such as Yosemite National Park, charge private resort owners up to 15 percent fees. BLM said it would require a huge federal investment to correct sewage and other problems and transform the area. If BLM is picked for the task, he said, it would need a substantial Congressional allocation to make it work.

Dufer said Reclamation has no choice but to take more responsibility over the land surrounding reservoirs it created as it runs out of rivers to dam and its reason for existence. The only thing certain, no matter which agency manages Berryessa, is that major change is afoot. Dufer said a variety of health and safety regulations the current resorts have avoided following through grandfathering would be required in new contracts. He said regulations restricting structures built in the flood plain alone will wipe out more than 40 percent of the almost 1,500 mobile homes on the lake. New requirements for more loosely spaced mobile homes will eliminate even more trailers, he said. "The no change option is really not an option," Dufer said.

Trailer Clash: February 25, 2001

Napa Register Staff

The U. S. Bureau of Reclamation this month cited Putah Creek Resort for illegally pumping sewage into Lake Berryessa, allegedly fouling the water with a 100-yard trail of waste. This is not surprising news to Cleve Dufer, concession and resource specialist for Reclamation. Reclamation found similar violations three years ago, then earlier this month, then again last week, Dufer said. The resort, in fact, was sued by the county for sewage disposal violations in 1998 and was fined thousands of dollars and required to correct those problems. The politics of pollution moves in cycles at Lake Berryessa, according to Reclamation. The agency cites resorts for violations, resorts agree to change things, then the resorts repeat similar mistakes as the cycle continues on. This dance between Reclamation and the seven privately-run resorts around the lake has been repeated over the Bureau's 25 year history of managing recreation.

Another 15 years before that, the county ran the show and had the same type of problems. But for the first time since the area surrounding the lake was opened up to recreation in the late 1950s, change is in the air. As the resorts' 50-year contracts wind down to a 2008 end, Reclamation says it's getting serious about closing resorts if they fail to comply with their contracts. Resort managers complain Reclamation is changing the rules in a desperate attempt to hang on to power, as another federal government agency attempts to take over recreation management because of the its ineffectiveness.

Sewage biggest issue

Lake Berryessa covers more than 19,000 acres and has 165 miles of shoreline. More than one million visitors use the lake each year, in some public park land and seven privately run resorts. Those resorts include motels, camping areas and other publicly accessible land, but are dominated by 1,500 mobile homes that are essentially permanent structures. Yet of the those mobile homes, 438 are located in sites without permanent sewage systems. Recent Reclamation inspections have found violations at 308 of those sites. "They all have one thing in common: sewage," Dufer said. "That seems to be the main problem right now."

Areas lacking sewage systems are set up much like campgrounds, with nearby outhouses meant for waste disposal. The sites were initially intended for short-term use, he said, but many occupants have held lots for decades. Over time, those residents have added to their trailers with decks, walls and stairways. Work done without permission is the source of some of the infractions, Dufer said. Though those improvements have caused erosion and other environmental problems, he said, of greater concern is improper sewage disposal. Many trailers have attached makeshift sewage systems for their convenience, he said. Dufer said some mobile homes pipe sewage directly into the ground or lake, as is predominately the case in the Outback area of Pleasure Cove Resort.

Some tenants deny the allegations. Those areas are hardly the only ones with violations. Problems also exist in other mobile home parks because of older sewage systems that have barely been updated in 40 years, he said. Dufer acknowledges these sewage issues are not new. Violations were continually allowed to occur as Reclamation failed to enforce its own regulations, he admits.

Degraded natural resources

An audit released by the Interior Department Inspector General in May named Lake Berryessa as one of the worst managed of the over 300 Reclamation-run recreation areas. The audit said Reclamation failed to enforce contracts with resort managers and "as a result, long-standing health and safety deficiencies have not been corrected, and (federally owned) land and water resources have been degraded." The report criticized Reclamation for not terminating contracts and enforcing deadlines after resorts dumped sewage into the land and water. In addition to sewage issues, Berryessa resorts were singled out for allowing unauthorized improvements to be built. The audit also focused on trash sites where 50 gallons of paint, some 500 tires and other dangerous waste was improperly stored near the lake. The audit didn't examine the long-term environmental impact of the violations. Area resorts use treated Berryessa water and the reservoir also provides drinking water and irrigation for Solano County homes and farms.

Dan Little of the Regional Water Quality Board said the sewage issues haven't impacted drinking water. Sewage is diluted because of the large amount of water that runs into the lake on a regular basis, Little said. Dufer said the lake's vast watershed also has a variety of other contamination issues from nearby mines and other sources that are a much bigger concern than sewage. Sewage spills are a much greater short-term than long-term problem, said Napa County Environmental Management Director Trent Cave. Cave said the county over the years has been forced to close several beach areas because of bacteria in the water. Sewage hasn't caused more serious long-term problems, he said.

Dufer said the big wild card is clean-up issues on land where trailers lack sewage connections. After trailers are removed, he said, Reclamation will have a better idea of the contamination of the land below.

Adjusting to new mission

Dufer said a profound change in Reclamation's mission is partly to blame for continuing violations. The Bureau for years was an engineering agency, he said, dealing mostly with dam building and irrigation. While Reclamation built Monticello Dam to back up Putah Creek over a small farming town with the same name in the mid-1950s, it initially didn't manage recreation at Lake Berryessa. Napa County managed lake recreation from 1959 until the mid-70s. Then, resort managers signed 50-year contracts to run concessions at the lake, which don't expire until 2008. In 1971, a U. S. General Accounting Office audit — in part prompted by Ralph Nader's criticism of practices on Reclamation-owned land — revealed a variety of problems at the lake. Reclamation took control of recreation management in 1975 as a result. But its tenure apparently hasn't improved the situation.

Dufer said the root of problems is that the lake isn't open to a variety of users as originally envisioned. Lots aren't for sale at any of the resorts; the land is U. S. government property. People can't even get long-term leases on spaces for trailers, as only month-to-month deals are available. The lots cost from under \$200 to \$400 per month, Dufer said. The monthly leases were supposed to ensure a variety of occupants the chance to use recreation areas. Instead, some trailers have sat unmoved on lots since day one and others have been passed between generations of families and friends. The only year-round housing is supposed to be for employees. Other occupants are allowed to be in trailers three straight months and a total of six months.

Dufer said those rules likely also are also being violated, he said. The prevalence of long-term use has stressed the land and the resorts' antiquated infrastructure, he said.

Repeating mistakes

Reclamation was specifically criticized in the inspector general's audit for allowing Putah Creek resort to repeatedly dump sewage into the lake without consequently losing its contract. The northeast-most resort on the lake, Putah Creek after its most recent violations might finally face the prospect of closure. Resort Manager Melpo Petsas called the newest citations "ridiculous" and claimed she had no idea sewage was being pumped into the lake, if it was.

Reclamation's case is compelling. Dufer took dozens of photos which he said show a long, bubbly trail of waste in the cove below the resort's sewage ponds. Putah Creek employees used a pump and hose to siphon overflowing sewage into the lake, he alleges. The resort has a history of similar violations, including a 1998 lawsuit by the county that was supposed to force the resort to improve the sewage system. The suit focused on three sewage ponds at the lake intended to deal with the waste from the resort's almost 150 trailers. The ponds should be processing 7-10,000 gallons of waste water on a regular basis, Dufer said.

Instead, he said, it currently is processing 20-30,000 gallons. Part of the problem is residents don't pay utilities, he said, so they have no incentive to conserve. The other problem is that residents stay in trailers longer than intended and stress the system, he said. The 1998 lawsuit required the resort to pay \$4,180 in fines and make improvements to the system after county environmental management found waste ponds spilling over into the lake. As with the most recent violations, county staff reported repeatedly finding the same violations occurring after notifying the resort of problems in several instances.

Reclamation alleges it shut down the system when it found the resort was pumping sewage into the lake during inspections earlier this month, then days later found someone had set it up again. "It's incomprehensible that they'd even think of doing that," Dufer said. Doris Pierce, whose maintenance-man husband Gene is at the center of sewage-dumping allegations, takes issue with Reclamation's accusations. The couple has lived and worked at Putah Creek for some five years. "This is our primary residence. Why would we jeopardize our future living here for any reason?" Pierce said. Reclamation gave the resort until Monday to hire a licensed specialist to manage the sewage system, or it and the water system must be shut down. Petsas said there is no way she will be able to meet Reclamation's deadline. She said she hopes having another of her employees fill in the role until she finds a permanent replacement will satisfy reclamation. "I'm not shutting down," she said. She expects to be simultaneously sued by trailer owners and also battle Reclamation in the courts to maintain control of the resort. "Everybody sues everybody," Petsas said.

Selective enforcement

Putah Creek is not alone in being charged with sewage disposal violations by Reclamation. Of the seven resorts on the lake, Dufer said, only Steele Park Resort currently has no known sewage violations. Markley Cove Resort has only minor sewer pond problems, he said. Dufer said Pleasure Cove Resort is the next biggest problem. The resort is riddled with violations centered in its dry area, called the Outback. Reclamation claims about three-fourths of the 99 dry sites in Spanish Flat Resort are in violation, for sewage disposal issues and other more minor problems. Spanish Flat Co-manager Vince Renyer disputes the validity of many of the allegations. A Reclamation staffer who conducted the inspections wasn't properly trained to determine violations, Renyer said. "He was no expert whatsoever," he said.

County Environmental Management Director Cave agreed that Reclamation's inspectors are not trained and certified in determining sewage and other infractions. "A lot of these violations require a huge amount of judgment," he said. Lake Berryessa Marina Resort has the lowest number of dry sites of the remaining group, just 37 of its 170 mobile home spots, but Reclamation also alleges a majority are in violation. Berryessa Marina Manager Chuck Vaughn said he has tried to comply with Reclamation policies, but it hasn't previously enforced many minor regulations. Vaughn said he's been in the mobile home park management business for 18 years, but never knew leaving water hooked up to an unoccupied trailer was a violation until Reclamation recently cited him for it. Spanish Flat's Renyer also said the resorts weren't told for years that many things they now are being accused of are violations. "These alleged violations didn't just start occurring," he said. Cave said it's possible Reclamation is being overly aggressive. "I know if we go up there, we'd find violations. I just don't know if there's as many violations as they say," he said.

County backs off involvement

Cave said the county has been reluctant to get more involved in what he terms a "family feud" between Reclamation and resort managers. The county hasn't moved more to shut down trailers and close resorts because it has more of a "piggy back" role, Cave said. The county relies on Reclamation to monitor the resorts, he said, while

the Bureau has often counted on resort managers to police themselves. He said the county tried to do annual inspection in the 1970s but found it to be too large of an undertaking. "It's a big task," he said. The state doesn't require annual inspections, he said, just for the county to focus on particularly bad cases. The county might have another agency is the policing role, as the U. S. Bureau of Land Management eyes taking over resort management after contracts expire in 2008. Cave said no matter who runs the show, a fresh start with newly built infrastructure under current standards might be the only way to prevent violations from repeating. "It was never built right to begin with," he said. Nathan Crabbe can be reached at 256-2260 or ncrabbe@napanews.com.

Officials plan makeover for Lake Berryessa: August 12, 2003

By Gabe Friedman

Tucked in an office between pine trees and the Lake Berryessa shoreline, federal park officials are working hard to put together plans for a major makeover for the Lake Berryessa shoreline. They have their work cut out for them. Park managers say that decades of heavy use and uneven oversight have made the lake both a recreation destination and a festering environmental and safety problem. Now, competing interest groups representing local hikers, conservationists, fishermen and the owners of more than 1,300 mobile homes parked along the shoreline are weighing in on the future of the lake. Federal officials hope to finish drawing up plans for the area by next summer.

Officials are considering removing all of the mobile homes around the lake. They are also looking at opening up new hiking trails, building resort cabins and perhaps adding a new hotel. "Recreation desires have changed," said Cleve Dufer, who manages the concessions around Lake Berryessa. "We want to get this plan done, so there's several years to start making changes."

This fall, the Bureau of Reclamation will issue a draft environmental impact statement, to be followed by a public comment period. In addition, a bureau slide show will be presented to different groups around the county. When the dust settles, one of the most significant recreational attractions in Napa County may be a very different place.

The lake was created in 1957, as water began flooding 20,000 acres behind Monticello Dam in the rugged hills in the eastern part of the county. The Bureau of Reclamation built the dam, and in 1959 Napa County agreed to supervise development of the resorts on the federal land around the lake. More than 1,600 mobile homes soon settled on the shoreline, despite National Park Service plans that called for different uses.

By 1972, the same year the federal government said the mobile homes created an aura of private ownership of the area, the county no longer wanted to manage the resorts. Three years later, the Bureau of Reclamation took over management of the 1,700 acres leased by the mobile home resorts. Since then the agency has whittled the number of trailers and mobile homes down to 1,300. Two hundred trailers were closed for health violations. In one case, a mobile home was using illegal sewer connections and discharging sewage directly into the lake.

Serious concerns about the sewage disposal systems persist, said Stephen Rodgers, park manager. He notes that the resorts rely on old types of sewage ponds that do not meet current environmental standards, but have been grandfathered in. Those sewage ponds may be allowing unsafe water to reach the local water table. Lake Berryessa provides drinking water to Solano County as well as the resorts and several Napa County housing subdivisions, he said.

Rodgers also cited concerns about the fire hazards in the trailer parks, including a lack of fire hydrants and outmoded construction materials on some aging trailers. The Interior Department's Office of the Inspector General noted in a 2000 report that erosion along Lake Berryessa's shoreline left one mobile home extending over an embankment, and that reclamation officials had not always conducted complete health and safety inspections. Dufer said that managing the concessions was difficult for his agency because of economic constraints. Each year the federal government spends about \$3 million in upkeep around the park, for which the return is approximately \$300,000, according to Dufer.

Napa County officials, meanwhile, say they are calculating budgetary impacts of Berryessa, and it appears to be in the red. County Supervisor Diane Dillon, whose district includes Lake Berryessa, said that "most of Berryessa's costs are absorbed by the county without very much (return)." She noted the county gets some occupancy tax revenues from the resorts.

The Bureau of Reclamation's so-called Visitors Service Plan will examine all the options, from new marinas and campgrounds to the new hotel. Bureau of Reclamation park managers say they would like to finish the plan by next summer. Some of the policy issues and problems they will face are already clear. One recent study of facilities at Lake Berryessa estimates it would cost \$15 million to clean up the lake before making any necessary improvements for new recreation spots. Bureau of Reclamation policy does not allow long-term exclusive use of public property, such as privately owned mobile homes around Lake Berryessa. That bodes ill for the 1,300 mobiles around the lake. Existing mobile home resort leases expire in 2008 and 2009.

Already, several groups are working with the Bureau of Reclamation to make sure their concerns are addressed. Ray Krauss is a spokesman for a coalition of regional conservation groups known as the Blue Ridge Berryessa Natural Area Partnership (BRBNA). He said the group supports the development and preservation of recreation, ranching and natural habitats at Lake Berryessa and in lands that stretch north into Lake County.

Another group, composed primarily of local residents, is known as the Association of Napa Communities for Lake Berryessa. Their goal is to open up more of the wilderness so that local residents have more family oriented, affordable recreational opportunities at the lake. Carol Kunze, founder of the association, said that most locals do not use the lake because trailer parks at resorts block or occupy all the most beautiful land. She would like to see a trail system developed around the lake.

A third group of individuals, calling themselves Task Force 7, represents the interests of mobile home and trailer owners in resorts around Lake Berryessa. Oscar Braun, a director, said at least 1,000 mobile homes could remain on the shoreline without causing problems. Linda Frazier, co-owner of the Markley Cove mobile home resort, said that she would like to see the homes remain around the Lake.

Speaking for the BRBNA, which has not yet taken a position on what recreational alternatives it would support, Krauss notes that the future of the lake remains murky. "The Bureau of Reclamation is really trapped between a rock and a hard place," said Krauss. "They have the difficult task of balancing a lot of different interests and at the same time adhering to the national policy which is to open up public lands to as many people as possible."

Lake Berryessa public hearings begin: November 13, 2003

Napa Register staff

Lake Berryessa trailer owners won't appreciate the environmental impact report released last week by the federal agency that oversees the lake. The Bureau of Reclamation's EIR concludes that the best of several possible scenarios for a lake makeover would involve the removal of more than 1,300 private trailers near the shoreline when their leases expire in 2008 and 2009.

The preferred scenario would replace the trailers with new park amenities and natural areas. The impetus for the recommendation appears to be twofold: Improve the environment and at the same time enhance offerings at the lake to attract more people. That will have a dual financial effect: It will generate more commercial revenue for lakeside resorts and more public revenue for Napa County in the form of taxes.

Of course, more people means more traffic, more law enforcement and more oversight. Although new customers might raise enough local tax revenue to maintain roads and other infrastructure around the lake, they might also

create more demand for roads and infrastructure. The tricky part is to achieve a balance between supply and demand without putting resorts out of business or forcing local taxpayers to subsidize lake activities.

The plan will be attacked by San Anselmo City Councilmember Peter Kilkus, who owns a trailer at the lake and who says he has already collected 10,000 signatures from people around the state who support keeping private trailers in place. Kilkus argues that problems attributed to trailers — violations of health and safety codes, pollution of the lake, blocking hiking trails — have either been solved or can be easily solved.

Not necessarily. Without an economic boost to the region, the seven lake resorts will continue to deteriorate and produce their own set of health and safety problems. Key questions that should be raised in public hearings, scheduled to begin Nov. 22 in Vallejo, include:

- * Who should manage the new lake structure? Should it be managed by one private resort owner? By the Bureau?
- * How will Napa County benefit from the change? Reimbursement for law enforcement? Tax revenue?
- * How much access will the public have to recreational and natural areas in and around the lake? Who would pay for a hiking trail around the lake?

By attending the public hearings, you can help shape the lake for the next 20 or more years. The first public hearing on the Bureau of Reclamation's environmental impact report on the Lake Berryessa makeover plan will be held from 1 to 4 p.m. Saturday, Nov. 22, in the Exposition Hall at the Solano County Fairgrounds in Vallejo. The second will occur from 1 p.m. to 4 p.m. and from 7 p.m. to 10 p.m. on Jan. 21 at the same location.

Report says Berryessa better off without trailers: November 9, 2003

By Gabe Friedman

A new environmental impact report on Lake Berryessa concludes that the best thing for the lake would be the removal of all 1,300-plus trailers near the shoreline to make way for park amenities and to restore the natural environment.

A separate economic feasibility study by the U.S. Bureau of Reclamation concludes that removing the trailers under the preferred scenario leaves many uncertainties about who would use the lake in the future.

The Bureau's environmental report was released last week and offers four scenarios on how the lake would be affected if new resort facilities were built. "The main thing is that what you're building is in demand," said Cleve Dufer, the concessions manager at Lake Berryessa. "The bottom line is that it has to be financially feasible or we can't do it."

Currently, the seven resorts on federal land around Lake Berryessa, which lodge more than 1,300 trailers and mobile homes occupied on a seasonal basis, have 50-year leases that are set to expire in 2008 and 2009. The Bureau of Reclamation plans to redevelop the recreational areas around the lake to better suit the interests of the public. Dufer has said that the public's recreational preferences have changed over the years and that public access to Lake Berryessa could be improved.

But trailer owners are campaigning vigorously against the Bureau's proposal to remove the trailers because they say it will spoil the lake's role as a revenue generator. Napa County officials have said that the occupancy tax revenues generated by the trailers do not necessarily pay for the costs of maintaining roads and other infrastructure around the lake.

The fight against the plan to redevelop the recreation areas on the Lake Berryessa shoreline is only just heating up. A group of trailer owners, calling themselves Task Force 7, traveled to Washington, D.C., in September and

presented the Bureau with 10,000 signatures of people who support keeping trailers at the lake. Task Force 7 has also been meeting with congressmen around the state, telling them that they oppose the Bureau's "visitor service plan" to redevelop the recreation areas, according to Peter Kilkus, one of Task Force 7's assistant directors.

The trailers renting space around the lake present "an economic model that makes sense," said Kilkus, a trailer owner who resides in San Anselmo. "We're saying, 'Take a look at the situation, fix it where you need to,' which is to remove some trailers where you need a fire break," he said.

But Napa County officials say that even with the occupancy tax revenues that the trailers generate, there is no economic return for the county under the current situation. Another hit against the trailers is the Bureau's national policy that bans the type of "exclusive use" of public property that is enjoyed by the private trailer owners at Lake Berryessa, according to Dufer. Dufer also said that the trailers have not been kept up properly, and at various times have been in violation of health and safety codes.

The economic study of Lake Berryessa's current recreation areas notes that six of the seven resorts "are in generally poor condition and in violation of various safety codes," including "excessive congestion in long-term trailer" areas. The bureau's preferred option would clear the lakeshore of trailers. The lake's new recreation areas would then be developed and managed by one private owner as one resort. The contract to manage the lake would extend for 20 years.

Another scenario would also eliminate the trailers, but would shift some of the management of the recreation areas from a single private commercial vendor to the Bureau of Reclamation. It also expands the amount of area on the lake available exclusively to non-motorized watercraft.

Two of the Bureau's four Lake Berryessa scenarios would allow for trailers. One would allow the recreation areas to remain in their current state. Another would call for all the current trailers to be removed, but then allow some trailers, if adequately spaced apart, in areas away from the shoreline. Dufer said that these two alternatives are the least preferred scenarios because they conflict with policies already set by the Bureau. The other two scenarios do not conflict with any policies, he said.

Carol Kunze, chair of the local Sierra Club and founder of the Association of Napa Communities for Lake Berryessa, has argued that if the trailers are removed from the shoreline, a trail system around the lake could be developed. Kunze said current recreational opportunities around the lake are dominated by those individuals who can afford to purchase a trailer or know someone who owns one. She has criticized the Bureau for not leaving open enough space on the lake for activities such as hiking or kayaking.

In any case, the Bureau is soliciting public input for its plans for Lake Berryessa at two upcoming meetings in Vallejo. The first will take place on Nov. 22 in the Exposition Hall at the Solano County Fairgrounds from 1 p.m. to 4 p.m. The second will occur on Jan. 21 from 1 p.m. to 4 p.m. and 7 p.m. to 10 p.m. at the same location.

Battle over Berryessa: Lake's history full of federal-local tensions: December 11, 2003

By Jay Goetting

The rundown nature of dwellings and resorts at Lake Berryessa and lack of day-use facilities are hot button issues in 2003. But the fact is, those issues have generated controversy almost since the first water flowed through Devil's Gate following the completion of Monticello Dam in the late 1950s.

Napa County Supervisors recently toured portions of Lake Berryessa and held a special meeting at park headquarters to take input on proposals currently before the Bureau of Reclamation. Options being considered range from no change at all to the Bureau's preferred plan of phasing in more water related recreation and phasing out many of the mobile homes. Other versions call for federal takeover of two of the seven resorts, more hiking

trails and a tougher stance on regulation of trailer and mobile homes that do not conform to health and safety standards.

Though the current crop of supervisors was getting a first-hand look at the issues in recent weeks, federal takeover of the resorts and recreation concessions at Lake Berryessa was discussed as far back as 1970. Robert Pafford, the Bureau's regional director at the time, said such action could take place "anywhere from two to 50 years" in the future.

What eventually emerged was something of an uneasy partnership between federal and local authorities. Napa County officials remain concerned about the costs the county incurs as millions of users, mostly from visitors outside Napa County, take advantage of the lake each year. Others have questions about whether federal or local authorities should exercise ultimate control of the resorts around the lake.

The agricultural value of the Berryessa Valley around the town of Monticello was apparent at the turn of the 20th century. In 1907, several famous engineers were commissioned to study whether the waters of Putah and Cache Creeks could be dammed. They developed a complex plan of movement and storage of water that proved to be too costly for the sponsors of the study.

In 1916, the first plan to put the dam at Devil's Gate — backing up and covering the town of Monticello — was put forth. The Suisun Valley rancher that made the proposal said the benefit to vast amounts of farmland would far outweigh the relatively small amount of land to be lost. That idea remained dormant until 1940 when Solano County supervisors brought that rancher, William Pierce, on board to further investigate the plan. At the same time federal officials were working on what would become "The Solano Project."

Other jurisdictions were brought in for input. Yolo County actually opposed it, preferring a dam at Indian Valley. Napa and Vallejo interests proposed a Coyote Valley site in order to preserve the Berryessa lands. Controversy reigned, and the Solano Irrigation District was formed with a 50-year payback envisioned, following Bureau of Reclamation construction.

On Sept. 25, 1953, Gov. Earl Warren turned the first dirt for the project. "Every month 30,000 people are entering California, and not one of them brings a gallon of water," he told the assembled group, justifying the need for the massive water project.

Monticello was evacuated, the cemetery relocated and archaeological digs turned up numerous Indian villages. On Nov. 7, 1957, the Monticello Dam Putah South Canal and a diversion dam were completed. On May 15, 1959, the first water from Lake Berryessa was delivered into the Vaughan Canal near Dixon.

Napa County has been in charge of Berryessa recreation since 1962. Seven resorts now operate as private concessionaires, and some of their contracts date back to the late 1950s. The contracts expire in 2008-09 and are currently under review from the Bureau of Reclamation.

The controversy over the resorts and who controlled the area around the lake gathered steam when Ralph Nader's team of investigators included Lake Berryessa in a report critical of land use in California.

Former County Supervisor John Tuteur said the issue of Lake Berryessa was a hot topic in his first election campaign in 1972. "I got then-Sen. John Tunney, D-Calif., to tour the lake," Tuteur recalled. "The issue was, 'Let's give the lake back to the feds.'"

Tunney authored legislation that would have required federal takeover of the lake, as recommended by the National Park Service. Tunney insisted a federal takeover would not mean the elimination of the private operations.

The Bureau's Pafford blamed Tunney and environmentalists for the lack of progress in reaching an accord on the operations and development at the lake. For many resort operators, it came down to a question of whether the government or private enterprise could do a better job. Don McFarland helped build Spanish Flat and Steele Park Resorts at the lake and worked on the political issues during this era. "We just kind of took things and flew," he

said of leases between the resort concessionaires and the county. "The county was anxious to get something going in the early '70s."

But Napa County and the Bureau of Reclamation were increasingly at odds, and a three-member committee was formed, made up of a Bureau representative along with McFarland and then-County Planning Director Jim Hickey. The group made several trips to Washington, D.C., to help secure cooperation and, if possible, funding.

"We were to plan for the future," said McFarland, "and we were pretty darned dutiful." "Everybody thought this was the new Lake Tahoe," said Hickey, "but there were no schools, no shopping." McFarland, also a former county planning commissioner, said he designed overnight facilities to code and paid a great deal of attention to detail, but that was not the case with all the resort operations. Some developed in a haphazard manner with virtually no oversight. Hickey has long since retired, but recalled, "The concessionaires didn't do that great a job." McFarland said most of the operators knew there were signs that they'd have to cut back on trailers eventually.

Under a 1972 National Park Service plan, trailers would have been phased out in five years. Today, they remain as one of the major bones of contention. The county had no revenue source as a result of the agreements, and faced a subsequent drain on services. At one point in mid-1972, county supervisors threatened to halt all activities at the lake until a new agreement could be reached.

Tuteur's colleague on the board at the time, Ginny Simms, said they managed to convince the Bureau of Reclamation it needed to take more responsibility. She and another board member, Upvalley Supervisor Marshall Sears, traveled to Washington, D.C. in an attempt to shake loose more federal money, especially for law enforcement at the lake.

With the help of Don Clausen, the Republican Congressman representing Napa County and much of Northern California at the time, they received \$3 million. Since that time, the only significant federal expenditure other than for law enforcement was for a boat launching facility. McFarland believes there should have been more collaboration between federal and local authorities from the start. "The Bureau was loathe to make a commitment one way or the other," he said. "There just wasn't enough detailed planning."

Simms said because the Bureau rather than the Army Corps of Engineers built Monticello Dam, there had been no recreational component from the start. "They didn't take enough land to do proper recreation," she said. "That's why it developed the way it did with private enterprise."

The Bureau envisions a dip in use of the lake while any new plan is being implemented, with an eventual return to current levels.

County CEO Bill Chiat recently presented a list of concerns to supervisors including traffic — not only around the lake but on the approaches from Napa Valley and elsewhere — pressure on the justice system from cases that arise from recreational users and the lack of revenue coming to the county.

The Bureau of Recreation's Stephen Rodgers, park manager at Berryessa, said one of the Bureau's goals is to increase transient occupancy tax at the lake's facilities. Tim Wakefield of the Bureau said a goal is also to increase the number of Napa area visitors, since they are underwriting much of the expense being incurred there.

Meanwhile wrongly placed "Private Property" signs near the resorts continue to warn visitors to stay away. They are not supposed to be posted on federal lands where public access is a mandate. But the lands where they attempt to keep visitors away are among the worst in terms of clutter, illegal septic systems and duntrodden trailers.

Jim Hickey said the issues have remained the same over the years. "If it's going to be used for recreation, it's multi-regional," he said. "Management should come from the feds. It's their lake."

As the current planning process unfolds, McFarland hopes enough data is developed so the Bureau knows what people want and need at Berryessa. "They really ought to be dressing the place up," he said. Revenues and the costs

of providing services also need better balance. "The county hadn't ought to be in the (resort) business," said McFarland

Battle over Berryessa: Trailer owners offer own blueprint for future: December 11, 2003

By Gabe Friedman

A group of trailer owners at Lake Berryessa are firing back at federal regulators, drafting and promoting their own plan to re-develop the seven resorts on federal lands around the shoreline. The residents wrote the plan in response to the Bureau of Reclamation's four recently revealed plans for the area, three of which favor removing at least some of an estimated 1,300 trailers from the shoreline.

The Lake Berryessa Visitors Service Plan Taskforce, as the group calls itself, expects to publish a draft of the plan this week, director Peter Kilkus said. The group's plan allows the resorts to remain as they are, expands access to day hikers and overnight campers, and makes some improvements to the infrastructure. The plan clashes with the bureau's policy barring trailers from occupying public land. For this reason, the group is hoping to remove the bureau from the planning process.

"We want to create a plan that doesn't assume that the bureau will be in control," said Kilkus, who said his group is exploring various other options to push its agenda. The name of the plan, 'Alternative A-Plus' is a play on one of the bureau's four proposed plans released in a draft environmental impact statement in November. The bureau's 'Alternative A,' the least disruptive plan for the mobile home users, allows the trailer parks to stay. But the other bureau proposals call for removal of most or all of the trailers.

The Lake Berryessa Visitor Services Plan Taskforce's plan allows the trailers to remain, but Kilkus said that undeveloped federal lands could be cleared for new campsites, trails and other recreational amenities under his group's plan. Once the trailer owners' re-development plan is completed, it will be presented to the Napa County Board of Supervisors. The supervisors could re-zone Lake Berryessa as a recreation district and remove control of the process to re-develop the shoreline from the bureau, Kilkus said.

Kilkus acknowledges the idea may seem extreme. "Why don't they (supervisors) just take it over? I think a society knows how to run that type of thing," he said. "The other thing is why not make it a city? I'm talking out of radical ideas here."

A group of Napa County residents led by Carol Kunze, executive director of the Sierra Club, is opposed to "Alternative A-plus" because it doesn't provide for the creation of enough hiking trails and recreation around the lake. Kunze's group, the Association of Napa Communities for Lake Berryessa, supports opening a trail around the entire lake, removing trailers and barring motorized watercraft from some parts of the lake. The group plans to forward its own plan to the bureau.

Kilkus calls the rival group's ideas "ridiculous." "This is a boating lake. It's not a picnic lake," said Kilkus. "On a boat, there's miles of shoreline you can use. I think it's overstated that there's this demand."

His group has already traveled to Washington, D.C., to inform top-level officials at the Bureau of Reclamation that there is strong support for the trailer parks around the Berryessa shoreline. As evidence, he says he has more than 11,000 signatures, primarily from trailer owners. The taskforce also held meetings with members of Congress to try and persuade a lawmaker to help save the trailers. In 1989, Congress approved a measure giving the trailer park resorts the option of two 10-year extensions on leases, which will expire in 2008 and 2009. Kilkus said he hopes new lease extensions will be issued to the trailer park resorts.

The report will also be submitted to the bureau, which is accepting comments about how the lake should be developed. In the period since trailers were moved onto the shoreline, the bureau has adopted a policy prohibiting

long-term exclusive use of federal recreational land. Local bureau officials said there are many reasons why the trailers must be removed. The current resorts, dominated by trailer parks, have failing infrastructure, a shortage of opportunities for overnight and day hikers, poor access in case of emergency situations, fire hazard risks, sewer spill concerns, and a lack of access for the handicapped.

Kilkus said his plan addresses many of these concerns. Even under the bureau's 'Alternative A,' the trailers would still have to be removed and then replaced so that infrastructure at the resorts could be improved and brought up to code, according to Cleve Dufer, who manages the resorts for the bureau. The logical time to do this is when the leases expire in 2008 and 2009, he said.

"People say it's not to code. Well, codes change," said Kilkus. "It's a recreation vacation area. Sometimes you don't take as good care of it as you do your regular home." (PK - Typical Friedman misquote - example of the problems we faced with the Napa Register.)

Kilkus accuses the bureau of being "intellectually dishonest" with the public about plans to remove trailers from the Berryessa shoreline. The bureau failed to meet the spirit of the National Environmental Protection Act by limiting public involvement, he said.

Steve Rodgers, the bureau's park manager at Lake Berryessa, pointed out that all of his agency's public outreach is detailed in the draft environmental impact statement. It began in March 2001, with a public information session at the Solano County Fairgrounds that was attended by 500 people. Public involvement continued with a newsletter to trailer owners and also included a comment log posted on the Internet, he said.

"I just think that people don't understand that the bureau's plan is a radical plan to destroy everything and start from scratch," said Kilkus. "I'm not a conspiracy theorist ... (but) this whole process with the Bureau of Rec has been an obsession almost to remove the trailers."

Just as Kilkus questions the bureau's motives, his group has ruffled feathers at the bureau. On the Bureau of Reclamation Web site, the Lake Berryessa Visitors Services Plan Taskforce has been called "deceptive" for claiming it is a CRMP - a coordinated resource management and planning organization — the technical term for a group that represents the consensus of all stakeholders. The bureau says the taskforce is actually "a proposal created by a special interest group of long-term trailer permittees." "We are a CRMP," said Kilkus "No, we haven't met all the requirements of a CRMP, but legally we are a CRMP."

The bureau, however, continues to work with the group. They are also making efforts to reach Napa County residents by holding another public meeting at the Napa Expo Center on Jan. 10 from 10 a.m. to 2 p.m.

Crowd tells feds not to move Berryessa trailers: January 22, 2004

By Gabe Friedman

A public hearing on the plan to redevelop the Lake Berryessa's shoreline drew about 150 people to the Solano County Fairgrounds Wednesday afternoon, most voicing opposition to the Bureau of Reclamation's proposal to remove trailers from the shoreline. Currently in draft form, the Bureau's plan recommends removing the 1,300 trailers currently clustered along the lakeshore when resort leases expire at the end of the decade.

In protest, many trailer and mobile home owners urged the Bureau to support their own proposal, called "Alternative A+." A+ supporters dominated the 50-plus speakers at the afternoon hearing, though at least two people voiced support for the removal of mobile homes. Another three-hour session was scheduled to take place last night.

The Lake Berryessa Visitors Service Plan Task Force, one of the groups backing the mobile home owners, printed hand-held signs emblazoned "A+." Audience members raised the signs every few minutes to support their speakers. "What you're doing is unfair," mobile home owner Gail Henneberry told Bureau officials. "You sit at a desk and design our lives away without any remorse...because of you, I will lose my investment."

The Bureau's plan to redevelop the lake's shoreline and remove the trailers emerged from recent federal policy changes that prohibit long-term exclusive use of federal lands. Officials also say the resort facilities are in poor condition and that public recreation needs have changed since the resorts were developed in the early 1960s.

Napa County officials have also indicated that providing services such as infrastructure improvements and law enforcement is a burden on the county coffers.

However, mobile home owners told Bureau officials that they had formed many fond memories over the years at the lake. They said their childhood experiences around the lake had taught them to appreciate and take care of the area, while short-term users did not have the same experience.

Many speakers also questioned whether a shoreline without mobile homes would be economically feasible in the slow winter months, when camping would not be a popular draw. Other speakers criticized the Bureau's analysis of the impacts that would ensue if all 1,300 trailers were removed from the shoreline.

Stu Williams, a mobile homeowner from Alameda, warned that mobile home owners might go to court to block changes that could force them out. "Our court systems would be inundated with this process. What if they (mobile homeowners) say, 'I'm going to stay — you remove me.'"

Mark Randazzo, a mobile home owner from San Jose, said that he took vacation time to attend the hearing. Randazzo said that his main reason for attending was to try and express to Bureau officials that some type of compromise could be reached so that mobile homes could remain on the shoreline.

Bureau officials recorded all comments and will respond when the final version of the plan to redevelop the lake is released in early fall. The Bureau's Cleve Dufer said that for the most part, the meeting went as Bureau officials expected, and "those that have the vested interest are the ones that seem to be here."

Written comments will be accepted until March 22, 2004.

Residents debate Berryessa's future: January 11, 2004

By Carlos Villatoro

On a typical kayaking trip at Lake Berryessa, Napa resident John Kent takes his share of spills. Jet Skis and other personal water crafts often stand in Kent's way of enjoying this aquatic activity. "It's really wonderful, but not when a 10-inch wave is headed for you" Kent said about being in the water. "I'd feel better out in the (San Francisco) Bay." Now, Kent and other local residents may get a chance to change the way things are done at the lake.

The Bureau of Reclamation hosted an informational seminar Saturday at the Napa Valley Expo Center to show local residents how they can put in their two cents' worth about the way the shoreline will be redeveloped after contracts involving the lake's seven resorts and 1,300 mobile homes expire in 2008-09.

Four courses of action were outlined at the seminar.

Alternative A — the No Action Alternative — would do nothing to address the expiring contracts.

Alternative B is heavily favored by the bureau, said Jeffrey McCracken, public affairs director for the Bureau of Reclamation. It would permanently remove all private exclusive-use trailer sites and provide increased short-term use opportunities, including camp sites; RV sites; cabins and other overnight accommodations; food and beverage outlets; retail stores; expansions of water speed zones and development of an intricate trail system around the lake.

Alternative C is the same as B, but would reintroduce a minimal number of long-term exclusive sites and remove all existing trailers and infrastructure. Hefty health, safety and environmental standards would be applied by the bureau.

Alternative D is also similar to B, with the exception that the bureau would manage more of the services for the public and the number of traditional commercial services would be reduced.

Kent said that the lake is big enough for everyone to enjoy. He is confident that one of the bureau's alternatives would work, yet still has to review which one of the plans he likes, he said. Other people don't like any of the bureau's proposals.

A group made up of existing Berryessa mobile home owners, dubbing themselves the Lake Berryessa Visitor Service Planning Task Force, or Task Force 7, were at the seminar in full force, touting their own plan.

"The mobile homes can co-exist with the camping," said Ron Rusher, a Newark resident who owns a mobile home at the lake. "If they force the homes out, the mobile homes will be put in Dumpsters." His wife Diane Rusher agreed and added that the bureau can clean up the lake without having to kick them out of their home.

"You don't have to uproot 1,300 people to do this. It's ridiculous," she said. "If they were doing their job, the conditions wouldn't exist," Ron Rusher said. "The bureau has allowed the concessionaires to (let) the park go downhill."

The task force's proposal, in short, is much like the bureau's Alternative B plan, except that it lets all the mobile homes stay where they are.

McCracken said that the ultimate decision on what plan gets enacted will fall on a regional director at the bureau. All plans will be considered, he said.

Lake Berryessa trailer owners hire lobbyists: July 26, 2004

By Gabe Friedman

For months, Peter Kilkus has led a group of Lake Berryessa trailer owners arguing that it would be an economic mistake to remove the 1,300 trailers from Lake Berryessa's seven lakeside resorts, something the federal government may try to do in the coming years.

Now the trailer owners, in the forms of Kilkus' Task Force Seven, and a new group that represents owners of six of the seven resorts called the Citizens to Protect Lake Berryessa, have hired two lobbyists to fight for their cause in Washington.

Marc Kelley, an Oregon-based lobbyist who has registered with the federal government to lobby on issues including federal forestry laws and the California tiger salamander, and Santa Rosa-based Carolyn Wasem will represent the trailer owners as they try to convince the Bureau of Reclamation to reconsider tentative plans for the lake.

The Bureau is considering a range of scenarios for the lake when current resort leases come up in 2008 and 2009, from leaving the lake as it is to removing all trailers and building a hotel and overnight cabins. Nothing will be

finalized until after November, but the proposal to remove the trailers has produced a vigorous response from the current users.

The economic argument about the lake's future centers on the Dornbusch report, a study done for the Bureau in October that found clearing the trailers and offering other alternatives for lake users would be economically sound.

But Kelley said he believes the report miscalculated how many people would visit the lake if there weren't any trailers there. "We're going to take the Dornbusch report and have it peer reviewed" by a Ph.D. economist, said Kelley. "It looks to me like they made some fairly radical assumptions ... (about) what the demand will be."

Kelley said he wants to make sure that the Bureau's redevelopment plan is feasible for prospective developers, and that the federal government does end up subsidizing a company to redevelop the lake.

Kilkus said the message to the Bureau is, "Let's look at (Alternative) A+," Task Force Seven's proposal to allow trailer owners to continue renting space for their vacation homes at the federal resorts. "A step prior to that is to convince people that (the Bureau's) plan is so flawed, it doesn't make any economic sense," he said.

The Bureau stands by the report, though. Jeff McCracken, a spokesman for the Bureau, said taking the risk of having the government subsidize private developers is "not how we operate. If we sign a contract with a concessionaire, it would be up to them to invest money."

McCracken added that several major companies that operate recreation areas at dams around the western U.S. have contacted the Bureau without being solicited, expressing interest in the operating resorts at Lake Berryessa under a new redevelopment plan. "Legally ... there is nothing that requires us to have a cost-benefit analysis," said McCracken, "but we did it and it came out feasible."

Under the current setup at the lake, there are seven resorts on federal land that rent out space where privately-owned trailers can be parked. Private operators run the resorts, which have 50-year leases to the land. But with the exception of one resort, these leases expire in 2008 and 2009. With expiration nearing, the Bureau is studying ways to redevelop the lake that will draw new visitors.

The Bureau has made it clear that the purpose of the redevelopment is to open up access to the lake's shoreline and its surrounding area. Bureau officials say the nearly 1,300 private trailers clustered on the shoreline are inappropriate for public land.

When a decision is reached by the Bureau on how to redevelop Lake Berryessa, it will be put out to bid to interested parties. At that time, the seven current resort operators can also bid for a lease, but they will not be given preferential treatment, according to the Bureau.

Kelley said he also plans to challenge the Napa County Board of Supervisors' assertion that Lake Berryessa represents a \$1 million drain on county resources each year. "They're going to have to show us to the penny what they're spending it on," said Kelley.

But the answers may already be out there. Michael Stoltz, a principal management analyst for Napa County, said that in the current budget year, Lake Berryessa represents an \$836,000 hole in the local budget.

He said he would provide information to Kelley showing that the total revenues collected by the county from Lake Berryessa amount to \$390,000, including \$270,000 in grants from the state. But the lake costs the county \$1.26 million, primarily due to the cost of the sheriff's office services, and for fire protection and ambulance service.

Supervisor Mark Luce, chair of the board, said that making public the accounting information Kelley wants to see, "is not only possible ... it's already been done."

Kelley said he would be fighting the Bureau on an issue related to infrastructure at the site. Although, the resorts lease the land from the Bureau, the resort owners have built bathrooms and other structures on the sites, which are considered their property.

The Bureau argues that the resort owners are responsible for removing this property at the end of the leases. Many of the bathrooms and sewage systems are in poor condition and need too much work to be desirable, according to the Bureau.

Meanwhile, owners of the Rancho Monticello Resort are arguing that the Bureau must purchase all the infrastructure from them, or there will be a lawsuit. "We're not sure either side is totally correct," said Kelley. "But we're not sure it as black and white as its being made. I don't think it's outside the possibility that the government absolutely has to pay for it."

Mobile home park residents challenge feds over lake economy: December 12, 2004

By Gabe Friedman

A new report commissioned by residents and mobile home park owners at Lake Berryessa faults the federal Bureau of Reclamation for suggesting that the economy around the lake could function without long-term trailer sites.

Peter Kilkus, co-director of Task Force Seven, which represents trailer owners, and Web master for Citizens to Protect Lake Berryessa, which represents owners of the long-term trailer resorts and other lake-area businesses, said the study proves that "long term (trailer) sites are a very important part of any business model for Lake Berryessa going forward."

A team of Bureau of Reclamation economists is studying the \$15,000 report and responding to the groups that sponsored it, according to Jeff McCracken, a bureau spokesman.

The Lake Berryessa shoreline, which is federally-owned and includes seven blocks leased as private resorts, faces an uncertain future. At present, roughly 1,300 people rent space for trailers. According to the bureau's rules, the trailers cannot be used as residences and can be inhabited no more than 180 days a year.

The resorts all have non-renewable leases which expire in 2008 and 2009, so the Bureau is now studying how to redevelop the shoreline. Bureau officials say that the trailers have been a drain on resources by creating increased inspection and management needs; are tantamount to private use of public land; and that they raise health, safety and environmental concerns.

By next year, Kirk Rodgers, regional manager for the bureau, is expected begin a review of alternatives regarding shoreline redevelopment. He will then select one from among the several Bureau of Reclamation plans put forward. The Bureau has already announced its preference for a scenario that develops the shoreline with a hotel, cabins, RV sites, a marina and tent sites, but not long-term vacation trailers.

At least three other local groups have taken an interest in the Bureau's redevelopment plans. Carol Kunze, director of Berryessa Trails and Conservation, criticized the report sponsored by CPLB and TF7. "This economic report is a self-serving document," she said. "The entrenched status quo interests who oppose redevelopment paid for these economists to write a report supporting their point of view."

The trailer owners and lakeshore business interests selected Adam and Michael Summers to do the economic study. Adam Summers holds an masters in economics, and is currently a visiting policy analyst at the Reason Foundation, a libertarian think tank. Michael Summers, who holds a Ph.D. in management science, is a business professor at Pepperdine University. They did not respond to requests for an interview.

The 45-page report states that there is uncertainty about what recreational demand for the lake will be like without long term trailers on the shoreline. Trailers have been there since the lake was formed roughly 50 years ago. It concludes that the presence of 1,300 trailers on the shoreline "can only enhance the future economic health of the lake ... (and) is absolutely crucial."

The report did not examine the expenses taxpayers incur from the lake currently. Napa County government officials released a study earlier this year showing that local taxpayers incur at least \$700,000 in net cost annually to support services on and around the lake, including police and fire.

The new report also raises the issue of who will pay to remove the unwanted structures resort owners built on the shoreline. Bureau officials say that resort owners are legally responsible. Kelley has threatened to challenge the bureau in court and make it pay for the full cost of removing any unwanted structures when the resorts' leases expire. Many of the structures do not meet current codes, and the bureau has said some will likely need to be removed.

The report also includes a reference to an executive order made by President George W. Bush. The order calls for "cooperative conservation" regarding use of Bureau of Reclamation land. The report suggests this means that "greater consideration" must be given to the "interests of concessionaires (resort owners) and/or trailer owners." McCracken said that the Bureau would review and respond to the report. "We're trying to meet their needs," he said.

Berryessa trailer owners score a victory

By GABE FRIEDMAN, Napa Register, Feb 20, 2005

An aggressive lobbying effort by trailer owners at Lake Berryessa paid off this week with a victory in the battle over the future of the lake's shoreline.

On Wednesday, the Bureau of Reclamation announced it is reopening the public comment period on its draft Environmental Impact Statement for the Lake Berryessa Visitors Service Plan — a study of plans to redevelop the shoreline in 2008 and 2009. The move means a delay in the final decision on the lake, and indicates that people who oppose removing the trailers from the shoreline entirely are gaining an ear in Washington.

The comment period has been extended until Mar. 1.

"We're the ones who wanted this to happen," said Peter Kilkus, co-director of Task Force Seven, a group representing trailer owners at Lake Berryessa.

Kilkus said he will organize businesses in the Lake Berryessa area to submit comments in favor of keeping the trailers on the shoreline. "We're going to see how many comments we can get in," he said.

The final Environmental Impact Statement originally was due out this month and the original deadline to submit comments passed about 10 months ago. Before it can release the report, the Bureau had to write responses to the 2,400 people who submitted comments.

Currently, there are seven private resorts on the lake's shoreline that lease land from the Bureau. For the past 50 years the resorts have rented space out to people who park their trailers there under the condition that the trailers are not used as a primary residence. There are also camping grounds, marinas and restaurants at the resorts.

However, the private resorts' leases to the shoreline land expire in 2008 and 2009. One resort's lease will expire in 2006.

With those dates approaching, the Bureau is mulling how it wants to redevelop the shoreline. Options include removing the 1,300 vacation home trailers from the shoreline, building a hotel and adding overnight cabins and more camping and RV parking space.

When the comment period closed last April, after two extensions, the Bureau said that it had received more than 2,400 comments. It also said that the comments — which guide the Bureau in its decision on how to develop the shoreline — came mostly from people who wanted the vacation home trailers removed or else some type of change to the current setup.

Kilkus and Task Force Seven immediately challenged the Bureau's assessment of the letters.

Kilkus pledged to fight the Bureau to reopen the comment period, and the Bureau conceded this week.

"What's happened most recently is we've had a series of ongoing meetings with people representing the trailer owners," said Mike Finnegan, a Folsom-based area manager for the Bureau. "The bottom line is the dialogue had developed to an extent that we thought it was more appropriate to have it in the public dialogue rather than offline."

Last July, Kilkus hired two lobbyists to meet with Bureau officials in Washington D.C., Sacramento and elsewhere around the country.

In October, Kilkus' group commissioned Adam and Michael Summers, a father-and-son team with degrees in economics-related fields to analyze a 2003 Bureau financial study, known as the Dornbusch Report. The Summers' analysis challenged a 2003 Bureau study, which had found that a lakeshore without trailers would be profitable.

The Summers Report said the Bureau's study used a flawed economic analysis, and that trailers are a vital part of a resort's revenue stream.

The Dornbusch Report was an incomplete analysis, Adam Summers said, and it contradicted earlier Bureau reports. Also, removing trailers would require shutting down the lake for two years, which would sacrifice a lot of revenue for the government, Summers said.

About a month ago, the Bureau responded that it is the Summers Report that used a flawed economic analysis, according to Kilkus. The Bureau said it could not release its response to the public yet.

The lake, which costs taxpayers more than \$4 million annually, is highly subsidized. Napa County government officials estimate that it costs the county more than \$700,000 annually for support services such as fire, police and road maintenance.

The Bureau said it costs \$3.8 million to \$4 million to oversee Lake Berryessa, though the resorts only generated \$375,000 for the federal treasury in 2003.

Summers said he hadn't studied the Bureau's Berryessa budget, but he believes, based on observations in other places, that user fees at the lake could supply its budget. When the contracts expire in 2008 and 2009, there may be a way for the federal government to obtain "partial reimbursement" for their costs from the resort owners, he said.

Napa County may be able to get more appropriations from the federal government to pay for its costs, he said.

As of last week, Kilkus said Task Force Seven and its two lobbyists had been pushing Bureau officials to reopen the comment period so that the Summers Report could be included as a comment. Despite meeting with Bureau officials in various offices around the country, their efforts had not been fruitful, he said.

Task Force Seven had scheduled a meeting with Folsom Bureau officials for last week, but it was canceled, Kilkus said. The Folsom officials instead traveled to the main office of the Bureau of Reclamation in Washington, D.C. where they decided to re-open the comment period, according to Kilkus.

"From what I understand, it's highly unusual for them to reopen it, so there must have been something in (our report) that made them go 'hmm,' and re-open it," said Adam Summers.

Mike Finnegan, the Bureau's Area Manager in Folsom, said that it was a "corporate decision," adding that the Bureau wanted to err on the side of giving a comment period of sufficient length.

Said Finnegan, "Part of the value of re-opening the comment period is not only that we see the (Summers) Report, but that the general public have a chance to see what we're receiving."

In one letter obtained by the Register, Adam Summers wrote to Lynn Scarlett, a high-ranking Bureau official in Washington D.C. Summers used his connection as a visiting policy analyst at the Reason Foundation, a Los Angeles-based Libertarian think tank, to press his point about re-opening the comment period.

Summers wrote, "Adrian Moore and others at the Reason Foundation have reviewed our analysis and found it rather useful. (I understand you know Adrian from your days at the Reason Foundation ...).

"... Appealing to you may be (the trailer owners') last chance to have their voices heard, barring litigation," Summers wrote.

Scarlett, who previously served as president of the Reason Foundation, was nominated by President Bush for a promotion to the post of Deputy Secretary of the Interior on Feb. 8. She awaits U.S. Senate confirmation.

Scarlett was not available for comment, but Summers said she never responded to his letter, which he sent at Moore's suggestion. He stuck to his belief that his economic analysis led to the reopening of the comment period.

Future of Lake Berryessa (another version of THE BIG LIE): February 23, 2006

By Bonnie Durrance

Whatever comes to mind when you think of Lake Berryessa, whether it's a rowdy party place where you don't want to know that your kids go; or the scene of a 35-year-old unsolved murder, a spooky place where you're as likely to be attacked as not; or an idyllic local treasure, where you can hike for miles in the pristine hills in the midst of species diversity equaled nowhere this side of Hawaii; or whether it's simply the best fly fishing, the best speed boating, the best water skiing in California — whatever comes to mind when you think of Lake Berryessa, that image is about to change.

In March, the Bureau of Reclamation, which oversees the lake, will decide among four well publicized and long-discussed alternative plans to correct, as it says in its Final EIS, "forty years of management practice in which prime lakefront land is given over to private, exclusive use." Unless the alternative chosen is Alternative A, the no-action plan, an alternative will be chosen, Request for Proposals will be issued and a process of redevelopment will begin.

In any gathering of Lake Berryessa stakeholders, polarity is immediately apparent. On one side, will be the groups dedicated to conservating our natural landscape through education and recreation. They want to see more hiking trails, zones for kayaking, improved concessions, and a restored, trailer-free lake front.

They see the lake as a place where the 9 million Bay Area residents can come for nature-based recreation and for the solace that wilderness provides. Additionally, they see a potentially synergistic relationship between Lake Berryessa and the Napa Valley that could be economically beneficial to both.

Visitors who come to the Napa Valley for a premier wine experience might enjoy as a day's alternative, a boat ride on the lake or a hike on the trails of Lake Berryessa. Conversely, people who might come to the lake for a week to camp might enjoy a day at the wineries and restaurants in the Valley. Whether this kind of exchange is likely depends on the quality of experience the concessionaires at Lake Berryessa can provide and the kind of support they get from communities such as St Helena.

On the other side of the room will be the resort owners, who have been in the business of managing and serving the needs the visiting public for, in some cases, two generations. They will tell you that they have no objection to improving facilities, in fact they are eager to expand their businesses, and in some cases, already have made significant improvements, on their own initiative and at their own expense. They will tell you too, that they have no objection to hiking trails or kayaks, per se, and that some of them even own kayaks.

But they will definitely object to any limits or zoning placed on the lake, saying that those who know the lake, and its wind patterns, and when's the best time to fish, or ski, etc., know how to limit themselves. They take offense at derogatory comments about their resorts — after all, they will point out, the county itself is currently being sued for spilling sewage into the lake. They will assure you they want to be flexible, but they draw the line at completely abolishing the trailers.

Removing the trailers is not the only issue, but it is the pivotal issue. Clustered about the lakefront, in various stages of disrepair, the trailers are the essence of conflict. Originally permitted by the County back when nobody cared about Lake Berryessa, they represent eyesores to outsiders, treasured vacation sites for the permittees, steady income for the resorts, tax drain for the County and, installed upon government property, in many cases with decks and concrete foundations, they exist in a kind of limbo of permitted illegality. When their leases are up, the Bureau says, they have to go.

Supervisor Diane Dillon agrees. "It's not just about removing them, it's about a whole different economic model - a model that's dependent on other resources and other revenue."

The county wants them gone to make room for businesses, which would serve the short-term public, and supply sales and Transit and Occupancy Tax (TOT) and offset the net loss borne by the county as result of law enforcement and other safety and traffic costs. The hiking groups want them gone, so that the shoreline can be beautiful again and that trails and campsites can be more accessible. The Bureau of Reclamation, representing the Federal Government, and the people of the United States, wants them gone, so that the public has access to public lands.

"Compromise on every other issue is so simple," said Bureau of Reclamation Park Manager Pete Lucero, who, with a gentle voice and patient manner, is a firm but compassionate moderator. "How many boats on the lake? Where are we going to have no motor zones? All these things are tangible issues where we can sit down and say 'What do you want; What do I want; Let's pick some place in the middle' S But for the permittee, the guy who's got the trailer on the site — there is no compromise. Our position is: they've got to go, to make room for public use. Their position is: Let us stay and make room somewhere else."

That position was upheld back in the '70s, after a hard fought battle between those who wanted public access, and the concessionaires who had mounted a well-funded, well-organized lobbying campaign to maintain the status quo. Political pressure prevailed and a law was passed, P.L. 96-375, that allowed the trailers to remain until a final, unrenowable deadline, which is now approaching. To alter that deadline would require, literally, an act of Congress.

In its final Environmental Impact Statement, dated October, 2005, the Bureau describes Alternative A as the No Action Alternative. This would leave conditions — including the existence of the trailers — unchanged.

Alternative B, the Bureau's "preferred" alternative, would give a major lift to the face of Lake Berryessa. This alternative would remove all long-term, private trailers, and replace them with a restored lakefront, better access, and more and improved short term facilities such as cabins, campsites, RV sites, and picnic areas, plus "customary lodging," houseboat rentals, and food, retail and marina services.

To mitigate the shock of extraction, the removal of trailers would be done in phases, and could involve creating interim relocation sites for some trailers. Only some — 12 to 20 of 1,300 trailers — are used by retired, elderly people as full-time residences, and Reclamation will provide for them within any of the alternatives which require removal of the trailers.

Use of the lake will change, too. In addition to the new facilities, the Bureau will continue to maintain its existing day-use facility, will create a new shoreline trail system and will initiate a "no impact boat-in camping program." As part of encouraging diversity of use, the bureau will create certain low speed zones, no motorboat zones, based on the Water Recreation Opportunity Spectrum (WROS) which incorporates "adaptive management" altering zones or limits by monitoring and adapting as necessary.

Alternative C and D differ slightly with regard to trailers, the Bureau's responsibility, and other details. To view the complete document, visit www.usbr.gov/mp/mp150/envdocs/FEISBerryessaSolanoProj.pdf.

The Resort Owners Proposal (ROP) is a detailed plan, worked out among all the resort owners, as an alternative to the Bureau's preferred Alternative B. It features reduced numbers of trailers, and increased numbers of public facilities. The ROP "creates a new master plan for each resort, with major improvements and increased public use for all types of users S retains the water classifications to optimize recreationS identifies public lands for short term use in the resorts, and on other public lands." To study the proposal itself, visit the Web at: www.protectberryessa.org/Documents/ResortOwnerPlanFinal%20copy.doc.

Other than the fears that the Bureau will cave to the political pressure as it did in 1977, some express real concerns, if the bidding process begins, about the possible new concessionaires.

Sharyn Simmons, co-owner of the Cucina Italia and member of the newly forming Lake Berryessa Chamber of Commerce, said, "The thing that worries me the most is the rumors I've been hearing that a company called Forever Resorts was given Pleasure Cove on the premise that they'll be able to eventually take over all the resorts. It makes it easy for the government to do it that way, just because they'll have everything under one roof, butS" Her voice trails off into uncertainty. With the convenience could come loss of cultural diversity. And that would be a shame for the region and for her business. "It's a tremendous resource we have here," she said, "It's a beautiful lake. We're close to St. Helena and other things. It's just a tremendous resource that's being underused."

Elizabeth Porter, a Lake Berryessa resident and mother of Sarah, former student representative to the St. Helena Unified School Board, summed it up this way, "It's a very political struggle. When it's the corporations vs the environmentalists, it's the people who loseSthey end up becoming the pawns of either party, rather than looking at what is really best for the Berryessa area."

If for that reason alone, what happens at Lake Berryessa is significant to all of us. As resort owner Lucy White said in a recent communication, "What happens at Lake Berryessa will affect public use of public lands across America."

Berryessa trailers must go: June 6, 2006

By Julissa Mckinnon

In its long anticipated "record of decision" regarding the future of Lake Berryessa, the Bureau of Reclamation called for the removal of all privately owned trailers from all seven of the lakeside resorts. Depicted here are Trailers at the Pleasure Cove resort were ordered out by a federal judge in early May following a lengthy court battle.

After five years filled with public hearings and intense debate, the Bureau of Reclamation today released its long-term plan for the future use of Lake Berryessa. The federal agency's "record of decision" aims to reshape 12 miles of the lake's most prime shoreline by ousting hundreds of privately owned trailers that currently inhabit seven lakeside recreational resorts.

The new "Lake Berryessa Visitor Services Plan" sets new standards for lakeside vacation lodging, barring trailers but allowing for RV and tent-camping, cabins, motels and hotels, among other permanent structures.

BOR spokesman Jeff McCracken said the goal of the lake plan is to "open the reservoir to the broader general public for more short-term use." But while the government has established the parameters for future lake use, what Berryessa will look like in 10 years "will be up to private enterprise," McCracken said.

The federal agency will pick the future management of the seven lakeshore resorts through a public bidding process that starts as soon as the BOR can write up a request for business proposals, McCracken said. Meanwhile, trailer owners have some time to remove their vacation mobile homes since the BOR's current contracts with six of the resorts don't expire until 2008 and 2009.

Current resort managers view the federal agency's decision as a "win for users and the resorts," said concessionaire Bob White who runs Monticello Resort and also represents the Lake Berryessa Resort Owners Association.

After long fretting that the federal agency would dissolve the long-standing resorts, White saw the bureau's decision as a victory for resort managers, with the downside being "a little bitterness and no real mitigation for current mobile home owners."

Meanwhile trailer owners like Ted Krzywicki, a Castro Valley dentist, say they are disappointed but not at all surprised by the bureau's order to get out. Since the 1950s Krzywicki and three generations of his family have enjoyed boating, water skiing, tubing, fishing, not to mention the "quiet and country" of their lakeshore getaway.

Krzywicki owns a trailer in the Pleasure Cove resort, the lone resort whose contract officially expired in December 2005, but whose fate was being debated in federal court until May when a federal judge ordered all vacationers to remove their mobile homes. Krzywicki said he and his family started moving belongings out of their trailer Memorial Day weekend.

"I think it's a real stretch of the imagination to think they're not going to make everybody leave," Krzywicki said on the eve preceding the Board of Reclamation's decision. "I think they made their record of decision a long time ago."

Krzywicki remarked that the last time his family visited Pleasure Cove the "deserted" park was "kind of unsettling."

"It's a beautiful very, very special place. I felt really blessed and fortunate to have been able to have a place like that to go," he said.

Rancho Monticello, a resort with eye toward the future: June 12, 2006

By Jennifer Huffman

Family owned for more than 40 years, Bob White runs and operates Lake Berryessa's Rancho Monticello resort. But come June 2008, White might find himself evicted from his lakeside business.

While White plans to bid on the contract, there's a chance that when Rancho Monticello's lease expires in 2008, the business could be up for grabs. While White owns and runs the resort, the federal government owns the lake and the

land surrounding it. Rancho Monticello Resort acts as a concessionaire. The Bureau of Reclamation is the resort's landlord.

Over the past four decades, White's family has grown the complex from 99 to 710 camp, RV, cabin or mobile home sites, making it the largest on the lake, said White. With two-and-a-half miles of shoreline, Rancho Monticello also features a full service marina, launch ramp, picnic area, cafe, market and boat storage.

According to the Bureau tenants may not occupy sites more than 180 days a year, so the majority of visitors use their sites as second and vacation homes, said White. But that doesn't keep the crowds away. During a summer weekend, 1,500 to 2,000 people visit the resort, said White. On a holiday summer weekend, that number can top 4,000, he said. During the summer, 55 employees work at the resort, many living on the property.

The future of the lease has had an impact on the resort's residents. "It created a lot of uncertainty with the tenants that produced a vacancy rate that we never had before," said White. "Historically, each mobile home site would turn over on about a five-year cycle. And prices were good," said White. "Since this controversy, prices have plummeted. And with the uncertainty, some places haven't been able to sell. We've been faced with having places abandoned," he said.

The recent Bureau of Reclamation "record of decision" states privately owned trailers must be removed from resort property. "This will make the prices of the trailers zero," said White. "It's a challenge for us to keep sites rented," said White. He estimated business has declined 10 percent in the past two years. "It's quite a drop in income," said White. Between now and 2008, it could worsen. "Until the contracts are issued, business is going to continue to decline," said White. "We're caught in a limbo," he said.

While awaiting the recent Bureau decision, the resort diversified to develop other sources of income, said White. Before 2004, the resort only offered long-term stays. Today, visitors can stay overnight in cabins and mobile homes. Seasonal as well as annual contracts are now available at the resort. "We've developed a new market for ourselves," said White. "This program seems to be working," said White. "It's just starting to grow."

White is reluctant to start other improvements, lest he not win the bid in 2008. Other questions remained unanswered. "There's no mention of how long the transition will take," said White. "That's some of the things we hope the Bureau of Reclamation will clarify over the next few months." "The good thing is that we will be able to have long-term sites as well as short-term sites," said White. "Those who want to stay for a longer term will be allowed to. They just won't be able to own their own units. The resorts will own and maintain them," he said.

"The resort will have control and be able to maintain a higher standard." "Before, we had difficulties enforcing health and safety codes because we had no backing from the Bureau or Napa County. Now we have control of our own resort," he said.

White sees resident benefits as well. "The tenants won't have to do their own maintenance anymore. That will shift to the resort. The bad thing is tenants won't have any ownership in the units," he said. As the Bureau's decision is debated, another summer season begins and White welcomes visitors to the lake. "They are our bread and butter; our customers, our friends," said White. "The people make a really tight-knit community."

Trailers ousted from lake: June 7, 2006

By Julissa Mckinnon

After five years of public hearings and intense debate, the Bureau of Reclamation announced Tuesday, June 6, 2006 that 1,300 privately owned trailers at Lake Berryessa have to go.

The federal agency's record of decision aims to reshape 12 miles of the lake's most prime shoreline by ousting the trailers that have dominated seven lakeside recreational resorts for decades. The new "Lake Berryessa Visitor Services Plan" sets new standards for lakeside vacation lodging, barring trailers but allowing RV and tent-camping, cabins, motels and hotels, among other permanent structures.

Reciting the bureau's long-held position, spokesman Jeff McCracken said the lake plan's goal is to "open the reservoir to the broader general public for more short-term use." Areas closest to the water's edge will be reserved for day-use, and those higher up divided into zones for overnight and long-term use. Although the government has established parameters for future lake use, what Berryessa looks like in 10 years "will be up to private enterprise," McCracken said.

The federal agency is determining the future management of the seven lakeshore resorts through a public bidding process that will begin as soon a request for business proposals is completed, McCracken said. Meanwhile, trailer owners must remove their vacation mobile homes by 2008 and 2009, when contracts with six of the resorts expire.

While many trailer owners say they were anticipating the bureau's ouster, news of the decision was a heartbreaker for families who have long known Lake Berryessa as their summer getaway. "We didn't just buy a mobile home, we bought the dream of someplace to bring your children, grandchildren, and children after that," said Sidney Silberberg who works as a fishing guide at the lake when he's not helping out at his son's video store.

"It's a devastation to our family and our family relations. This is the place that family becomes family because everyone is under one roof and you make the ties of a lifetime more comfortably for that day, that weekend, or that three-day weekend," said Silberberg as he recalled jet-skiing and fishing with his wife, son, daughter-in-law, daughter and friends.

The bureau's decision translates not only into an emotional but also a significant financial loss for Silberberg. He said 10 years ago the \$25,000 trailer by the lake was the only summer home his family could afford. After pouring in about \$75,000 to re-carpet, re-roof and "re-everything" over the years, Silberberg said he wished he'd accepted a \$175,000 offer someone made him for the trailer four years ago. Now with the trailer's fate sealed, Silberberg doubted anyone would pay more than \$2,000 for it.

As trailer owners counted their woes Tuesday, other Berryessa stake-holders viewed the decision as a victory. Bob White — who runs Rancho Monticello Resort and also represents the Lake Berryessa Resort Owners Association — called the decree a "win for users and the resorts." After fretting the federal agency would dissolve the long-standing resorts and consolidate them under one operator, White saw the decision as a triumph for resort managers who now have a fighting chance to continue running the resorts. He also applauded the fact present-day trailer owners get first dibs on future long-term sites.

According to the record of decision, "recreation was not a purpose of the project as originally authorized; nonetheless public visitation began almost immediately" after the lake came into being with the completion of Monticello Dam in 1957. The Bureau of Reclamation, in conjunction with Napa County, awarded seven concession contracts in 1958 and 1959 to manage recreation at the lake for the next 30 years. Resort contracts have been renewed and slightly altered in subsequent years.

Carol Kunze, an environmental advocate who heads Berryessa Trails and Conservation and has pushed for more trails and "passive" uses of the lake, expressed satisfaction with the decision. "The most rewarding part is today — finally getting a decision that will allow the public to have access to the lake's entire shoreline," Kunze said. "The most difficult part was just the whole controversy. It seems like such a plain and simple issue: It's public land and the public should have access, but the status quo interests wanted to keep their sites."

Trailer owners weren't the only people dismayed by the bureau's break away from the status quo. Sharyn Simmons, owner of Cucina Italiana restaurant, moved from Napa to the Berryessa Highlands subdivision five years ago. She said during the two-plus years she's run her lakeside business, trailer owners have formed the majority of her returning customers.

"It's the weekend people, the one-shot wonders, who come up here on the weekends and trash the place because it's not their own," Simmons said. "Why in the world would you ask the people who have been the stewards up here, living here year-round, and visiting every month or two months, to leave? We're talking second and third generations by now." Simmons said she hopes the fight is not over. "My only hope is they keep it litigated for the next 10 years."

Year-round use of the trailers is a widespread practice, despite being prohibited under existing concession contracts. The record of decision acknowledges this and will try to accommodate full-time dwellers who experience hardship relocating. "Some retired, elderly individuals have occupied trailers continuously for several years. ... Reclamation will seek to identify and accommodate legitimate hardship cases expeditiously," the record of decision states.

Spreading the word about Berryessa's businesses

By Jennifer Huffman

Billing their community as the "Backroads of Napa," a group of Lake Berryessa businesspeople has banded together in a new effort to promote lake tourism and business. The Lake Berryessa Chamber of Commerce, recently resurrected, has produced the first printed marketing brochure on the area in years. The glossy, four-color brochure includes maps, graphics and photography, and was conceived, printed and distributed by the chamber.

"Our goal is to let people know what a great place this is," said chamber President Peter Kilkus. Last year's Bureau of Reclamation decision to seek removal of roughly 1,300 mobile homes from seven lakeside resorts leaves the area in a state of flux. But while some lake users are suing to stop the Bureau and others are preparing for change, the chamber's on the offensive.

"It was time to pull together and promote new businesses," said Kilkus. "It's our businesses' responsibility to make the best of the situation. You can't sit around complaining." With local advertisers funding the brochure production, the chamber printed 20,000 copies to be distributed at the Napa Valley Convention & Visitors Bureau, throughout Napa Valley, neighboring counties and as far as the San Francisco Airport.

The piece features a map with local merchants clearly marked, as well as highlights of a Lake Berryessa visit, including water sports, wildlife, wineries, lodging, dining and day-use facilities. A professionally-designed piece promoting the area seems so obvious, it raises the question of why it hadn't been produced before.

"Of course it's something you would expect to see," said Kilkus, who is also a local businessman. "It's a natural — if you have a sustainable, localized business. But we are 2,000 people over 200 square miles," he noted.

"It was just a matter of luck and new blood" to revive the chamber and gather resources to produce the piece. Berryessa residents and designers Susan Heyden and husband Gary Howes created the piece.

"We're just trying to put a positive, cohesive face on the area," said Heyden. "People have various points of view about the area, and we think it's a lovely place for family recreation and we would like the rest of Napa and visitors to know we're here and come visit us," said Heyden.

Berryessa restaurant Cucina Italiana is one paid advertiser. Owner Sharyn Simmons feels the area's been "left off the map for outsiders who may not have known about our fabulous community.

"We wanted to suggest entertainment and recreational ideas to those that think you can only 'do the lake' by boat — like our wineries, trails, and of course restaurants," said Simmons.

Vinni Bubak, with Intero Real Estate Services, also paid for an ad in the brochure. She'd like to see the handout in hotel display racks all over the Bay Area. "People are still looking for real estate in Lake Berryessa," noted Bubak, especially those impacted by resort leases and who still want to visit or live at the lake.

"I thought it would be a great tool to promote myself and my listings," which include first, second and vacation homes, she said. Joe Quist owns Wet Dawg Watersports at the lake. He said the brochure was overdue.

"I really am excited we have it," said Quist. "So many tourists only visit the Highway 29 corridor and they really miss out on this part of the county. "We wanted to incorporate what we're doing with their schedule of wine tasting and touring.

"We're only 35 minutes from Napa, but it seems like we might as well be 100 miles away, because people don't think about the lake. "Hopefully it reaches both visitors and people who live in the area. We just want to get people up here."

On the edge at Lake Berryessa: March 18, 2007

By Julissa Mckinnon

Many resort users begin packing while some vow to fight fed plans to remake lakeshore. The thought of having to demolish their Lake Berryessa vacation spot tears at the heartstrings of Al and Teresa Barns, although they are dealing with their potential loss in nearly opposite ways.

"I've been going there since I was 15 — I love the lake," Teresa Barns said, her hand on her heart and her voice matter-of-fact. "But I'm realistic. Give me my eviction notice, and let's get it over with." Al Barns took a long look at his wife before replying: "I don't want to believe that."

So began the couple's conversation as they dined on chicken marsala and Caesar salad at a recent fundraiser for Berryessa for All — a grassroots campaign rallying against the federal government's year-old decision to oust 1,300-plus mobile homes from Lake Berryessa's shores.

The Bureau of Reclamation issued its record of decision in June to remake 12 miles of prime Berryessa shoreline by removing privately owned mobile homes at seven lakeside recreational resorts. The new Lake Berryessa Visitor Services Plan sets new standards for lakeside vacation lodging, barring mobile homes but allowing RV and tent-camping, cabins, motels and hotels, among other permanent structures.

Environmentalists and others have applauded the bureau's decision, saying the trailers are problematic and limit public access. But at every step of its development, the visitor services plan has sparked hearty opposition. Throughout the five years of public hearings leading up to the record of decision, 1,500-plus supporters of the lakeside resorts joined Task Force 7 — a group that disbanded shortly after the bureau's June 2006 decree. Former Task Force 7 co-chair Pat Monaghan explained that the group basically accepted the record of decision as the death knell of the lakeside trailer community's mission to save the resorts. "We lost," Monaghan said.

Meanwhile, 300-plus supporters of the lakeside resorts are refusing to accept defeat, regardless of the cost. Berryessa for All organizers say they are aiming to raise about \$400,000 to fund a legal quest to overturn the Bureau of Reclamation's plan so they can preserve life at the lake as they've always known it. The group's most recent fundraiser — a February dinner and auction — sought a \$1,000 contribution per family.

Did feds listen? Organizers like Don Lombardi, a retired gas station and auto repair shop owner from Sunnyvale, emphasize the odds of winning a case in federal court are decidedly against them because they're going against the federal government. The group's San Carlos attorney, Frank Iwama, has centered Berryessa for All's appeal around the argument Reclamation's decision was made before it embarked on the required public hearing process.

Iwama pointed out that federal authorities counted an Internet petition with 12,000 signatures from Task Force 7 members as just one comment supporting long-term uses for the resorts. He questioned why bureau officials identified a preferred alternative — one that eliminated the mobile home resorts — before the public hearings began. “If you wanted Chicago to win in the Super Bowl and you wrote the rules — wouldn’t Chicago be the winner?” Lombardi asked.

Bureau officials have said the decision-making process was fair and followed all federal regulations, and that they even extended the comment period on their plans to allow all voices to be heard.

Berryessa for All has enlisted a legal database service designed to “find inconsistencies” in the 200-plus-page Visitors Services Plan, Iwama said.

Meanwhile, federal officials forge ahead with the plan to remove the lakeside mobile homes. Eviction notices have been issued to mobile home owners renting plots at the Lake Berryessa Marina Resort and the Putah Creek Resort. Reclamation spokesman Jeff McCracken said the bureau plans to start accepting new proposals for the lakeshore from developers in mid-spring.

Reclamation plans to begin awarding the future recreation contracts sometime next fall. All of the current mobile homes resort contracts expire by mid-2009, and mobile homes must be removed by the end of their respective resort’s contract, according to the visitor services plan.

Monday marks the due date for Reclamation to submit a response to the legal complaint Berryessa for All filed in U.S. District Court in San Francisco in mid-January.

As one group rises up to battle the bureau’s decision, another — Task Force 7 — is taking the final bureaucratic steps to lay its organization to rest. Monaghan said though she wishes Berryessa for All the best of luck, she won’t be joining their team. “Berryessa for All formed out of the ashes of what was Task Force 7,” Monaghan said. “In effect they had more ability to carry the fight forward — in their skills, their background and their desire. “Honestly we we’re tired. We were exhausted. We had been through many years and did not have the spirit to get revved up again,” she said.

Instead, Monaghan is savoring what may be her family’s final summer at the lake. Plans are in the works for her four grandchildren — ages 11 to 15 — to spend a good chunk of this summer at the Monaghan mobile home at Putah Creek Resort. “We’re just focusing on having a good time and for everybody to be able to say their goodbyes,” Monaghan said.

Monaghan said she’s delaying thinking about the looming task of disassembling and disposing of her family’s mobile home. “I’m not up to handling it,” Monaghan said. “I’ve talked to a lot of people and most of us are saying, ‘We’ll think about it later.’”

Bidding heats up on control of resorts: December 6, 2007

By Kerana Todorov

Mobile home owners at Pleasure Cove and other resorts at Lake Berryessa suffered a defeat in court in late November with a ruling against their bid to stay put until their case against the Bureau of Reclamation is decided. Six companies have submitted bids to run Lake Berryessa’s lakeshore resorts, the Bureau of Reclamation confirmed Wednesday.

The Bureau of Reclamation, which manages the reservoir and the shoreline, said three of the bidders have applied to become the concessionaires for five or more resorts. The decision could be announced early next year, said Pete Lucero, the bureau’s chief of reclamation resources at Lake Berryessa.

The bids were announced even as mobile homes from the existing resorts — which will see their contracts expire over the next two years — continued to be hauled to the dump, destroyed or transported elsewhere. The concessionaires would operate under new rules the Bureau of Reclamation issued last summer for the lake.

Among the six are current concessionaires, including the owners of Rancho Monticello, the biggest resort at the lake, visited by more than a million people every year. The owners of Rancho Monticello and four partners have applied to run five of the seven resorts under the name Lago Resorts LLC, owner Bob White said this week. One of the partners, California Parks Co., a company that runs the concession stands at Angel Island State Park, will manage the resorts, said White, whose family became involved at Monticello Resorts in the early 1960s.

Lago Resorts would operate Rancho Monticello, Putah Creek, Berryessa Marina, Spanish Flat and Markley Cove, according to the bid submitted to the Bureau of Reclamation. The plan, explained White, includes spending \$90 million to remodel, upgrade and build new facilities at the resorts while keeping the resorts open.

The plans, designed in part by Dangermond Group of Sacramento, show new campsites, RV sites, cafes, markets and boat slips. Under the proposal, White and his partners also propose to build up to 500 eco-cabins, cabins designed with a living roof planted with groundcover for better insulation. Altogether, Lago Resorts would operate 1,100 docks, two restaurants, 250 campsites, 350 RV sites, 740 cabins.

The other applicants are: Recreation Del Sol Enterprises LLC; Pensas Group LLC; FX10 LLC; Steele Park Resort Inc. and Pleasure Cove Marina LLC. Pleasure Cove Marina LLC., which only bid to operate Pleasure Cove Marina, is a subsidiary of Forever Resorts Inc., an Arizona-based company that operates houseboats at Pleasure Cove Marina as well as campgrounds, inns and other facilities at federal recreational parks in the Western United States.

In another development, Lake Berryessa’s mobile home owners and their allies have lost a bid in federal court to remain at the lake. Berryessa For All, a group of mobile home owners, trailers and their allies, filed suit last January, alleging the Bureau of Reclamation’s plans for the lakeshore violated federal environmental law.

In her order issued Nov. 27, United States District Judge Susan Illston, turned down Berryessa For All’s temporary injunction. At the same time, Illston decided that Berryessa For All’s case against the Bureau of Reclamation can move forward at this stage. In e-mails this week, lawyers on both sides said the case will be heard in the spring.

In another legal fight, the owners of four resorts who lost their claim in the U.S. Court of Federal Claims last month, are not giving up. The owners argued that the government’s bidding process for selecting new concessionaires is unfair because it favored larger companies that can bid on more than one property. One issue is the assessment value of the improvements done at the resorts over the years. White and attorney Gregory Jaeger said they are appealing the ruling with the Court of Appeals for the Federal Circuit.

Feds identify likely winners to run Berryessa resorts: April 2, 2008

By Bill Kisliuk

Federal authorities have named the concessionaires they hope to do business with at Lake Berryessa, taking a major step in a years-long effort to remake the lakeshore. The Bureau of Reclamation announced Wednesday that two resort owners submitted top bids to continue at their current locations, Markley Cove and Pleasure Cove. The best proposal on five other Berryessa resorts — Steele Park, Spanish Flat, Lake Berryessa Marina, Rancho Monticello and Putah Creek — was made by Arizona-based Pensus Group, according to the bureau.

“Today’s announcement is to let the public know we’ve identified the best proposals,” said Pete Lucero, chief of the bureau’s recreational resources division for the Central California office. “The contracts have not been awarded. The next thing is contract negotiations.”

Contract negotiations include working out details like maintenance and development issues. The bureau hopes to make a range of recreational options available at the lake, from a hotel to traditional tent-camping sites, as well as boat launches, restaurants, marinas and RV sites. Lucero said a half-dozen bidders put in requests to operate between one and all seven resorts. The bureau's decision to remove some 1,300 trailers and open up bids for lakeshore concessions when long-standing contracts expired has been controversial.

The bureau is defending two lawsuits, one from concessionaires claiming the bid process was unfair, and another from a group called Berryessa for All, which includes many owners of mobile homes situated by the lake. Both of those lawsuits have resulted in preliminary decisions favoring the bureau.

Pensus Group's apparently winning bid means that Bob White, the current operator of Rancho Monticello, finished as runner-up in his bid to operate his and five other resorts. "We're a bit disappointed," said White. "We felt all along the horse race was between us and the Pensus Group." White said Pensus is a "good company," but also said he stands at the ready if contract negotiations between the bureau and Pensus bog down.

"If the negotiations fail with Pensus, we feel we're second in line and will jump into negotiations." Pensus Group is based in Paradise Valley, Ariz. Owner David Maule-Ffinch is a London investment banker whose company runs a resort on Lake Powell and at two other lakes near Phoenix.

Pleasure Cove is run by Forever Resorts, operator of many national park concessions around the west. It is headquarters in Scottsdale, Ariz. The Markley Cove concession is operated by a company called FX10, which is based in Winters and owned by John and Linda Frazier.

The Fraziers, along with White, are among the concessionaires that filed suit against the Bureau of Reclamation. In a prepared statement, Michael Finnegan, the bureau's acting director for the mid-Pacific region, said, "The proposals will provide Lake Berryessa visitors with improved facilities, enhanced recreational opportunities, and a safe visitor experience at the lake.

"Reclamation intends for recreation at Lake Berryessa to continue essentially uninterrupted, other than occasional temporary closures in various locations for developmental activities." Lucero said the best-case scenario would be for the negotiations to wrap up by the time the current concessionaires' contracts expire.

At Rancho Monticello and Pleasure Cove, the contracts are up June 15. At Spanish Flat, it is July 15. At Putah Creek and Berryessa Cove, the contracts expire Aug. 13. At Markley Cove and Steele Park, the contracts expire in March of 2009, according to Lucero.

At Berryessa, resorts begin to close, owners angry, future uncertain: June 10, 2008

By Jennifer Huffman

Normally by this time of year, Rancho Monticello Resort at Lake Berryessa would be gearing up for months of family fun. Instead, owner Bob White is packing up and preparing to close shop. His contract to run the facility expires June 15.

White is one of four lake concessionaires given deadlines from the U.S. Bureau of Reclamation to end operations and move out over the next three months. Lake Berryessa, which hosts an estimated 1.5 million visitors each year for boating, water skiing, camping and more, is in for a very different kind of summer. "The whole lake is in limbo," said White.

The closures stem from a June 2006 decision by the Bureau ordering the removal of approximately 1,300 privately owned trailers from the seven lakeside resorts. All of the contracts to run the resorts, 50-year deals between the federal government and the concessionaires that expire over the next several months, were put up for bid.

In April, federal authorities awarded Arizona-based Pensus Group the contracts to operate five concessions at the lakeshore. But as of this week, Pensus hasn't signed any contracts, leaving many resort owners wondering when, or if, new facilities will open. "Not only are we in limbo, so is the public," said White.

Bureau of Reclamation officials are confident the deal with Pensus will be struck soon, and the lake will begin to take on new life with updated facilities and operations. "We're working very hard with Pensus to get a contract signed as soon as possible," said Pete Lucero, acting public affairs officer for the Bureau of Reclamation in the mid-Pacific region. But Lucero was not optimistic about completing one by June 15.

"The next (deadline) is July 13," he said. "We are hoping to hit that date to have a contract in place. We are trying to make this as smooth a transition as possible, but there are a lot of issues to deal with in a contract like this." Lucero said the Bureau sees a "bright future" for the lake, with a wider range of overnight amenities, access to the lakeshore and recreational opportunities.

Jeremy Crotts, vice president with the Pensus Group in Arizona, said, "We are currently in negotiations with the BOR on that project and as a result are unable to comment on anything. We're hoping to have a contract settled as soon as possible."

While the timing of the deal is uncertain, one thing is clear. Between the time when each resort closes and the new vendor takes over, "There will be no recreation within those concession areas," said Lucero. "If we don't have a contract in place there will be no one to operate the resorts."

Without new contracts, visitors are unable to make reservations beyond the end dates of the present contracts for four out of the seven area resorts: Putah Creek, Rancho Monticello, Spanish Flat and the Berryessa Marina.

"There may be some reduced level of overnight camping and RV sites because of the potential closure of the four westside resorts," said Lucero.

"However, Reclamation is working on a plan to provide some expanded amenities at their own managed facilities at Oak Shores and Camp Berryessa as well as working with the three existing contractors (with) contracts that don't expire this summer — Steele Park Resort, Markley Cove Resort and Pleasure Cove Resort — to provide additional overnight recreational opportunities," he said.

"We're really working to try and minimize the disruption by trying to provide additional services at other locations."

At Rancho Monticello, by this time of the year White would have normally booked 12,000 visitor days — or two-thirds of his summer season. But with his June 15 closure date, "We were only able to book a couple hundred," said White.

White's afraid the new Pensus concessions will take years to develop. In the meantime, his resort is empty, "And it looks like a war zone," he said. Forced to remove the longstanding trailers and other improvements, only concrete pads, posts, stairs and patios leading to nowhere remain. "There are a lot of unanswered questions" about the handover, said White.

He'd like to know who will pay for security for the property to prevent vandalism of his employee housing and other improvements after he moves out. Pensus was awarded the bid, he said, "but until they sign a contract with the Bureau they have no obligations."

Lucero responded, "We are working on a strategy to provide some level of security for the property. It could include patrols, working with the existing concessionaires to provide their own security, or providing a security service. We need to determine what will fit best."

White also expressed concern about his workers. "In the record of decision the Bureau promised preferences for current employees to be hired by the new (operators). But I have to remove all the employee housing," said White. "Which means the employees will go away." His biggest question is "When is (Pensus) going to sign?"

White is also concerned that Pensus may delay signing a contract due to a lawsuit filed in federal court on behalf of four current concessionaires. “We would like a smooth transition and are not getting one,” said White. Lucero said unsigned contracts have “nothing to do” with the current resort owners’ lawsuit in Washington, D.C., said Lucero.

Rich Delaney, partner at Spanish Flat Resort, must shut down operations by July 13 and remove all his permanent facilities. “That is a monumental job,” he said, referring to buildings, roads, parking lots and a sewer treatment plant. “We’re scrambling around trying to answer the request,” he said. Delaney was also wishing for a smoother handover. “I’ve never seen anything quite as unorganized,” he said. “I would like to find our employees a job but at this point we don’t even know there will be a new operator.”

Delaney, a partner in the resort since 1989, said normally by this time most summer reservations would have been booked, especially in the resort’s travel trailer park. “But we’ve had to tell everyone to remove their trailers. It’s pretty much a ghost town.” Heavy moving equipment has displaced the trailers, many now in Dumpsters or carted away.

“People were not prepared. Maybe they didn’t really think it would come to this,” said Delaney. “It’s a fiasco,” said Spanish Flat Resort partner Jim Kenney. “The deal with the new concession owner should have been resolved a year ago. These negotiations should have been done prior to the fact, not after the termination date of the lease,” he said.

A summer closure “screwed us,” he said. With a number of new cabins — now 23 total — and 24 fishing tournaments planned, “This year would have been our best year,” said Kenney. Instead, “We are down to 30 trailers, from 200 and a waiting list.” If he hadn’t faced closure, Kenney estimated \$2.2 million in gross revenue for the year.

Instead, the resort has cut off reservations as of July 13. After that, “We don’t know what’s going to go on.” “Where else have you got a lake where you can go fishing, boating and camping, that’s within 90 minutes of the Bay Area?” asked Kenney. “A lot of this is just an absolute waste.” Lucero said the bureau is working to handle all the concerns of the departing concessionaires, while also setting the stage for a revitalized lakeshore. Things will come into focus, he said, when the contract with the new operator is signed.

“Contractor-designees are coming in to make some major capital improvements and provide an expanded level of service and an unprecedented level of access to the general public,” said Lucero. “That development will take place over the course of the next few years with development beginning almost as soon as we have contracts signed.”

Big changes at Berryessa: July 27, 2008

Napa Register staff

Where is the biggest change coming in Napa County? Is it the city of Napa, where tasting rooms and inns and the Napa River Trail and flood control project are giving downtown a major makeover? Is it American Canyon, growing so quickly as a residential and commercial hub? How about the Napa County Airport, where a new building seems to break ground every week?

The answer may be none of the above. According to Peter Kilkus, the transformation of Lake Berryessa “is the most important thing that has happened in Napa County in years.” Kilkus is the head of the Lake Berryessa Chamber of Commerce. He recently led a troupe of Berryessa chamber members to the Register to set sights firmly forward at the lake. Alongside him was Sharyn Simmons, who with Stefano Gusberti is co-owner of Cucina Italiana at Spanish Flat; and Evan Kilkus, Peter’s son and an entrepreneur who runs his own entertainment business and works at a boat rental facility at Berryessa.

The Berryessa advocates are both excited about the future and worried about the present. As early as next month, the U.S. Bureau of Reclamation is expected to sign a contract with Arizona-based Pensus Group to take over several of the outdated resorts along the lake. While the 1,300 lakeshore mobile homes on their way out and new campgrounds, hotels, restaurants and boat launches on the way in, the opportunity exists to make the lake the destination many have longed for.

But right now, times are tough. The closure of two resorts has reduced traffic, and the Kilkuses and Simmons say news about the transformation has dramatically — and unnecessarily — slowed activity during the peak season. Evan Kilkus pointed out that that three resorts, Steele Park, Markley Cove and Pleasure Cove, will remain open for the entire high season. Putah Creek and Lake Berryessa Marina Resort are still allowing use of their boat launches, though camping is winding down. The publicly owned areas, including Smittle Creek and the Capell Valley boat launch, are unaffected by the sweeping changes coming to the resorts.

“There are still plenty of places open and things to do at the lake,” said Simmons. Looking further ahead, Peter Kilkus sees the makeover at the lake as having huge potential. He acknowledges that the last few months have been a very sad time at the lake, with longtime users and concessionaires forced to take their possessions and move out.

But the area, and Napa County as a whole, can benefit enormously from the transformation to come. He gave the Napa County Sheriff’s Department credit for bringing under control the rowdiness at the Pope Creek Bridge, and said continued enforcement there will help keep things in check. In an age when Napa County business interests are seeking visitors who will stay for more than a day, the time has come to keep Lake Berryessa in our thoughts.

Feds sign deal with Pleasure Cove Resort: December 24, 2008

By David Ryan

The Bureau of Reclamation announced Tuesday it had inked a 30-year contract with Pleasure Cove Marina, a deal the agency said may spur the completion of other deals with concessions around Lake Berryessa. The news comes well after the federal agency had decided to remove some 1,400 mobile homes and trailers from seven privately-run lakeside resorts, and several months after it had estimated key contracts would have already been struck to begin the upgrade of the Lake Berryessa shoreline.

Lynnette Wirth, a spokeswoman for the Bureau of Reclamation, said the bureau may have erred in trying to place a timeline on signing contracts with Pleasure Cove and the Pensus Group — the latter would control operations at Rancho Monticello, Spanish Flat, Lake Berryessa Marina, Putah Creek and Steele Park. “It’s really hard to estimate times for contracts,” Wirth said. “There’s so much involved, so many elements. I’d say we hadn’t examined the whole breadth of what we had to do.”

Finalizing the Pleasure Cove contract provided a learning experience, she said, because of the complexity of the deal. Wirth said the complexity was “the i’s to dot and the t’s to cross.” Pleasure Cove General Manager Terry Sparkman echoed that sentiment, and expressed optimism about the future of Pleasure Cove. “Everything went really smooth,” he said. “Mainly only legal terms had to be reworded. As far as the overall package goes, we’re satisfied with it.”

Sparkman said Pleasure Cove had agreed to upgrade many amenities. It will construct new docks and cabins, and expand the campground to cut down on crowding during busy summer months. “We’re excited,” he said.

Wirth said negotiations with Pensus Group were nearing an end. “The final negotiations are completed,” she said. “We expect to sign the Pensus contract within the next 30 to 60 days.”

According to a statement from the bureau, negotiations with FX10 will begin in January for the management of Markley Cove, with a final contract to be in place before May 26, 2009, when the current contract is set to end.

The bureau said all new contracts would come with agreements to upgrade facilities.

“The new contracts will result in significant new development at all seven concession areas including launch ramps, marinas, stores, restaurants, lodges, cabins, RV sites and camping sites,” according to a prepared statement. “These commercial facilities, together with seven government-operated recreations areas, will bring to Lake Berryessa the widest practical spectrum of recreation experiences for the public while preserving and protecting the area’s natural resources.” The bureau estimates that Lake Berryessa is visited by about 1.5 million people each year

Remake at the lake: January 1, 2009

By Bill Kisliuk

Carol Krauthamer and her son pass empty vacation homes left by owners who saw the end of an era coming. New concession contracts are due to be signed in 2009, seeming to promise to breathe new life into the lake next summer.

The old Lake Berryessa shoreline has been gone for awhile, but the new one hasn’t arrived. With any luck, 2009 will see a new dawn for the popular recreation spot in eastern Napa County — and even some good news for residents of the remote area.

In 2008, most of the seven privately-run resorts on the Berryessa shoreline were shuttered at the end of decades-long contracts. The Bureau of Reclamation, which oversees the shoreline, ordered the removal of about 1,400 trailers from the shoreline. This is expected to make way for better access to the lake and more modern facilities, from hotels and restaurants to cabins and campsites.

The Pensus Group, an Arizona-based developer of lakeside marinas and resorts, won the contract to be the new concessionaire for five of the seven Berryessa resorts, including Rancho Monticello, Spanish Flat, Lake Berryessa Marina, Putah Creek and Steele Park.

At first, bureau officials were hopeful that the deal with Pensus could be signed by the summer. But June and July passed with no deals. Some of the resorts that stayed open at the lake had busy years, but, overall, the number of visitors was down and many local businesses suffered. 2008 was something of a lost year at the lake.

Bureau officials have not stated what is delaying the negotiations, only indicating they are complex. However, the bureau and former concessionaires have disagreed about the value of old equipment and infrastructure and who is responsible for addressing it, and some of these matters may have spilled into the Pensus talks.

In December, bureau officials announced a new 30-year deal with one of the other resorts, Pleasure Cove. A bureau spokeswoman said the deal is a good harbinger for the Pensus deal, which she said would be signed within 60 days. If so, the new concessionaires will have ample time to gear up for the summer season at the lake.

Meanwhile, Pensus’ presence could start the ball rolling on upgrades to the water supply for locals at Berryessa Highlands, the residential area near Steele Park and Moskowite Corners. The Napa Berryessa Resort Improvement District, which includes property owners in the area, voted in 2007 to pay nearly \$14 million for improvements to the drinking water supply and sewage treatment in the area.

The operator of Steele Park Resort would be on the hook for about \$4 million of that total. But with the Pensus deal incomplete, NBRID officials have not issued the bonds that would start the improvements. The NBRID has until 2012 to meet standards enforced by the San Francisco Bay Regional Water Quality Control Board. Until it does, a moratorium bars construction of any new residences in Berryessa Highlands.

Salvaging summer at the lake: March 23, 2009

By Kerana Todorov

Three resorts may open in '09 despite contract rebid disaster at Berryessa. A week after seeing chances unravel for Lake Berryessa to have a normal summer with all seven privately-run lakeside resorts open to the public, federal officials are working to make sure at least three of the resorts will be in operation this year.

At Markley Cove, resort operator Linda Frazier said she and her husband John will keep the operation open to the public this summer. The Fraziers' current agreement with the U.S. Bureau of Reclamation, which controls the lakeshore, expires May 26. The bureau and the Fraziers are now working to nail down a tentative agreement to keep the operation for this year. "Markley Cove will be open" this summer, Linda Frazier said.

The Bureau of Reclamation wants to sign interim agreements with two other lakeside concessions, Steele Park and Pleasure Cove. "We're waiting for a statement of interest from Steele Park and Pleasure Cove," said Bureau of Reclamation spokesman Pete Lucero. Both facilities are open right now, though Steele Park is scheduled to close May 26.

The Pleasure Cove operator, Arizona-based Forever Resorts, signed a 30-year contract in December. A Pleasure Cove representative could not be reached for comment. Steele Park President Sean Buckley declined comment.

The Bureau of Reclamation last spring named the three likely concessionaires for the resorts after several 50-year leases expired. The bureau decided to remake the lakeshore, forcing the removal of some 1,400 mobile homes at seven resorts in an effort to bring a different mix of uses — including campgrounds, hotels and cabins — to the lake and to improve public access. Mobile home owners unsuccessfully sued to stop the removal of the mobile homes.

In addition to awarding the Fraziers the long-term right to run Markley Cove, and Forever Resorts the concession at Pleasure Cove, the bureau awarded Arizona-based marina operator Pensus Group the right to operate five sites — Steele Park, Rancho Monticello, Spanish Flat, Putah Creek and Lake Berryessa Marina.

Last week, the Bureau of Reclamation announced all the contracts would have to be rebid because the bureau mistakenly included a provision allowing concession operators to be compensated for the value of improvements — such as boat ramps — after the contracts expire. While the National Parks Service has the authority to make such guarantees, the Bureau of Reclamation does not, Lucero explained.

The Bureau of Reclamation will seek new bids within 120 days and have the contracts in place by 2010, Lucero said. The developments have raised concerns from Berryessa Highlands, at the edge of the lake, to Washington, D.C.

On March 3, Rep. Mike Thompson, D-St.Helena, wrote the chief of the bureau with concerns about the drawn-out contract process. Then, after the agency announced that it had made a mistake, Thompson met with interim Bureau of Reclamation Director John McDonald and others, getting assurances that the bureau will act quickly as to negotiate the new contracts. Thompson said he told the bureau to keep his office in the loop and make sure the public is aware of whatever moves the bureau is making. "I just want an open process," said Thompson, adding it would have been smart for the bureau to be more open. "The bureau and my office work for the same people."

The delay has been particularly frustrating to residents of Berryessa Highlands, who live in the Napa Berryessa Resort Improvement District. The district is counting on \$4 million from nearby Steele Park Resort to help pay for \$14 million worth of water and wastewater system upgrades to comply with state regulations. Voters in the district approved a property assessment in 2007, but Napa County officials said they can't begin to finance the work until the bureau has a long-term operator at Steele Park agreeing to pay its share.

In the meantime, district directors, the Napa County Board of Supervisors, are expected to hike the water and sewer rates to pay for the costs of running the water and sewer systems. They are also considering contracting with Cal Water, a private company, to run the district's utilities.

Napa County Supervisor Diane Dillon, whose district includes Berryessa Highlands, said she expressed her disappointment with officials when she met McDonald and others during her recent visit to the Nation's capital. "I conveyed to them it was an unacceptable process," she said last week.

The bureau's plans for the lake have been the subject of lawsuits, and more legal battles may be waged. Thompson said bureau officials told him last week that money has been appropriated to file legal proceedings against past concessionaires who have refused to leave their old resorts. Lucero on Friday said the Bureau would not comment on pending lawsuits.

Peter Kilkus, the head of the Lake Berryessa Chamber of Commerce, said he thinks the Bureau of Land Management should take over the management of the lake. The resorts, he and others have said repeatedly, cannot survive without the income from the 1,400 mobile home users who paid rent at the resorts before the old contracts expired. The bureau of Reclamation, he said, is "a totally incompetent organization."

Bob White, whose family ran Rancho Monticello for decades, last year lost a bid to run five resorts. "We think ours was an excellent bid," said White, who estimated his group spent \$400,000 on their proposal. He is not sure what he will do next, though he strongly doubts the resorts will reopen by 2010.

Others seemed more optimistic. Marc Pandone, who lives near Steele Park, said the lake has a lot to offer to the general public. While he was disappointed that the transition has been delayed, he remains hopeful. "There is a plan and the plan is very positive," Pandone said of the bureau's overall vision for the lake.

In the meantime, there is still a lot to do at the lake, he and others note, including fishing, swimming, hiking and picnicking. Public facilities include: A boat launch at Capell Creek; hand-launch ramps at Eticuera and Oak Shores; picnicking, fishing and swimming areas at Smittle Creek and Oak Shores; and educational displays at the Bureau of Reclamation's visitor center.

Season of uncertainty: April 19, 2009

By Kerana Todorov

Putah Creek Park at Lake Berryessa has many abandoned trailers still on the property, with most of them seemingly vandalized.

Linda Frazier stands outside the Markley Cove store with her general manager Tom Wayman. Frazier has owned the resort with her husband John for about 22 years. Frazier is hopeful that she will be able to continue operating the resort, which is one of the few that remains open. Markley Cove Resort on the eastern side of Lake Berryessa attracts many boaters and fishermen. The resort operators are installing in small cabins which will be rented, allowing for overnight stays, this summer.

Putah Creek Park at Lake Berryessa is one of the more dilapidated resorts with many abandoned trailers on the site. The future of the resorts at Lake Berryessa is up in the air, with three resorts open at this time. On Thursday, under bright blue skies, fishermen's boats headed in and out of Markley Cove Resort at Lake Berryessa. Motorcyclists and others stopped by the convenience store along Highway 128.

At nearby Pleasure Cove Marina, families settled in for a bass fishing tournament sponsored by the Northern California Angling & Camping Club for the Deaf. But a little more than a month before the summer season kicks off, uncertainty reigns at Lake Berryessa, which an estimated 1.5 million people visit every year.

At least four of the seven privately-run resorts will be closed this summer as the transition from old operators to new has hit several bumps. The U.S. Department of the Interior's Bureau of Reclamation, which runs the lakeshore, had hoped to start a new era at the lake this year with the removal of more than 1,000 mobile homes from the lakeshore and the refurbishing of the resorts.

But the bureau's deals with new resort operators fell apart last month, when the bureau acknowledged it had mistakenly included improper clauses in the contracts. It will have to go out to bid again on all seven resorts. Bureau officials acknowledge that they have a lot of work to do to get Berryessa in full swing by 2010.

Complicating matters more, two of the old resort operators — at Berryessa Marina and Putah Creek — are in bankruptcy, and the facilities are visibly deteriorating. But other resorts are ship-shape and ready for summer. With the summer fast approaching, some would-be visitors are checking in to see what's going on around the lake.

"It looks like this one is closed down," Marcos Franco of Sacramento said Thursday, as the Berryessa regular stopped his motorcycle near Spanish Flat Resort on Knoxville Road, one of four closed resorts. "I was surprised to see it closed."

Spanish Flat, Rancho Monticello Resort, Lake Berryessa Marina and Putah Creek Resort are not expected to open this year. The Bureau of Reclamation wants to open three other resorts — Markley Cove, Pleasure Cove and Steele Park — along with the more bare-bones, government-run beaches and sites.

On Friday, Bureau of Reclamation area manager Michael Finnegan said talks are scheduled next week for short-term deals with Markley Cove and Steele Park. Bureau officials and Pleasure Cove operators say the resort will be up and running this year.

The bureau's contract error has fueled criticism from Berryessa-area residents and business owners. They are concerned about the viability of the lake economy with the transition going so slowly and unpredictably. The contract snafu surprised Linda and John Frazier, who have run Markley Cove for two decades. The couple bid successfully last year to continue to operate the resort near Monticello Dam.

Frazier said she is moving forward with summer plans to remain. Staff have been hired, dozens of new boat slips have been built, the store has been re-stocked and she is waiting for the bureau to approve the overnight rates for her new cabins. "All we can do is continue to operate as though we're going to be open," Frazier said last week.

Napa County officials are making summer preparations, as well. They have set aside more than \$1 million to provide fire, police and ambulance service at the lake this year. Napa County Sheriff's Capt. John Robertson said patrols will work on land and on the lake, as in years past. The Pope Creek Bridge waterway will be closed on Memorial Day, the Fourth of July and Labor Day weekends to prevent accidents and incidents that often result in arrests.

To help deal with the expected demand, Finnegan said the bureau plans to open as many as 100 campsites at Oak Shores Park, a public area, this year. Robertson said sheriff's deputies will patrol the campgrounds once they're open. Finnegan on Friday said the Bureau has made "good progress" on the revised negotiations with concessionaires. A prospectus for the concessions could be released by May 11; then bidders will have 90 days to send in proposals. Contracts could be signed by December, Finnegan said.

The plan to have all resorts open in 2010 gained more steam Friday, when the Bureau of Reclamation announced it will receive \$4.4 million in federal stimulus funds to clean up debris at resorts such as Putah Creek, where owners of dozens of mobile homes abandoned their property.

Napa County Supervisor Diane Dillon said the \$4.4 million is a big boost for the lake, even if it doesn't particularly help this summer. "This is very good news for the long term," Dillon said.

Meanwhile, the bureau is gearing up to sue the former concessionaires to force them to remove the evidence of their presence there, whether trash or building structures, that they've since left behind. When the new contracts are signed, he said, the operators will need a clean slate in order to build the businesses the way they want to.

But Bob White, former concessionaire of Rancho Monticello Resort, said Saturday he will fight for what he brought to Rancho Monticello. He and his family are only protecting the investment they made, he said. "We're still there," he said. "We'll be happy to defend ourselves in court."

White, whose company unsuccessfully bid to run some of the resorts two years ago, said he will submit a new bid to run one or two resorts this year. He said he is open to operating Rancho Monticello this summer if he can reach acceptable terms with the bureau.

Bureau names top bidder for Berryessa resorts: January 14, 2010

By Kerana Todorov

Pensus Group won the bureau's nod for all six of the resorts where concession contracts are up for bid — Markley Cove, Putah Creek, Lake Berryessa Marina, Spanish Flat, Steele Canyon and Rancho Monticello. The bureau already has a separate deal in place with another firm for operation of the seventh resort along the lake, Pleasure Cove.

Most of the resorts were closed last summer in what was an economically disastrous year at the lake. The transition from the old resorts, in which more than 1,500 mobile homes occupied shoreline sites, to one where the trailers are gone and a wider range of amenities will be open to the public, has been bogged down in litigation and contracting errors.

This week, bureau officials were optimistic that the identification of a leading bidder will lead to preparation for more resorts and facilities to be open later this year. "Our objective is to provide enhanced recreational services this summer," Mike Finnegan, area manager for the Bureau of Reclamation, said, declining to be more specific.

Finnegan emphasized that the identification of the top bidder is not the same as the signing of the contract. He said the bureau's goal is to get the contract signed by the end of March so the winning bidder can get to work preparing facilities for summer. However, he said, "Nothing is final until we sign the contract."

Finnegan gave a general overview of Pensus' bid. The six resorts will offer a range of facilities, including hotel rooms, cabins, camping and RV sites. Several resorts will have marinas and all will feature boat launches, he said. The bureau also requires that the next operator of Steele Park Resort will pay into the financially-strapped water and sanitation district for residents of Berryessa Highlands, the Napa Berryessa Residential Improvement District.

David Maule-Ffinch, owner of the Pensus Group, could not be reached Thursday. Pensus was launched as a mall developer in Phoenix in 1983. It has since developed industrial, residential and retail sites, including resorts on Lake Roosevelt and Lake Powell in Arizona.

The bureau began the revamping of the Berryessa lakeshore almost four years ago, as deals up to 50 years old to run marinas and resorts on federal land began to expire. After public hearings, the agency decided to remove 1,500 trailers from the lakeshore and seek new long-term concession contracts.

The decision drew bitter protests from mobile home owners and resort operators, and led to lawsuits in state and federal courts, all of which were decided in favor of the Bureau of Reclamation. Subsequently, the bureau went through, and then withdrew, a bidding process for the resorts because it made a mistake in the bid language.

Most resorts were closed last year. The number of visitors to the lake dropped last summer, as did business in the region, creating tension between bureau officials and locals.

In 2009, the bureau relaunched the bidding process, and secured \$4.3 million in federal stimulus dollars to clean up abandoned property and detritus at the resorts. Finnegan said the bureau is removing abandoned trailers and more as the agency requires that all the old infrastructure at the resorts be hauled away. The new concessionaire is required to put in all its own equipment. “Buildings are coming down, concrete pads are being scraped up, picked up. Styrofoam docking — which has been breaking up all over the lake — is being dismantled and pulled up,” he said. “There is a lot to do.” The bureau has hired 25 area residents to work on clean-up crews, which have not yet reached all the resorts.

All in all, Finnegan said a new day is dawning at the lake. “After a very extensive process and unprecedented public input, we are on the verge of being able to restore access to the lake by the general public,” he said. “That has not been the case over the past 50 years.”

Peter Kilkus, a member of the Lake Berryessa Chamber of Commerce board, has been critical of the bureau. But in an e-mail Thursday, he said he was “very pleased that a decision has been made. “I believe the renewal of the Lake Berryessa resorts will be of great benefit to both the local community and to the large number of Lake Berryessa visitors who have been waiting for the chance to come back to the recreational jewel of Napa County,” he wrote.

Property owners at Berryessa Highlands, a subdivision of 300 homes, saw their water and sewer increase by 83 percent in recent years, in part because the Steele Park Resort no longer paid into the district. That promises to change when a concessionaire signs on to take over the resort. Stu Williams, a homeowner, said, “Hopefully, our water and sewer rates are going to go back down.”

In an e-mail, Carol Kunze, executive director for Berryessa Trails and Conservation, said, “We have been looking forward to this day for a long time. The two questions we have are — what facilities are they proposing and where, and how soon can they begin opening the resorts?”

One of the resorts — Rancho Monticello — remains in limbo. While the bureau has secured the legal right to clear out infrastructure and clean up abandoned property at most resorts, it remains in a dispute with the owners of Rancho Monticello. Finnegan said the federal Department of Justice is seeking to secure the right for the bureau to get into Rancho Monticello.

Rancho Monticello operator Bob White said Thursday he plans to sue the bureau for the alleged unconstitutional taking of his property. When Pensus or another new concessionaire signs on to take over the resort, White said he will also sue that company for illegal conversion of his property. He said he received a letter from the Justice department last week. “They offered us a choice,” he said. “We abandon the property or they declare us in trespass.” However, White said, “We are still the owner of the facilities and cannot be in trespass.”

White did not submit a bid to retain control of the resort. He said the bureau’s insistence that all old infrastructure be replaced made it impractical. “Why would I bid to destroy \$27 million worth of assets and then put it back in?” The rules, White said, “were clearly designed to keep us disqualified and keep us from winning a bid.”

Bureau officials have said the old boat ramps and structures at the lakeside resorts were unsafe and unusable. White also said the bureau had treated the operators of the Markley Cove resort unfairly. John and Linda Frazier won a two-year bid to run Markley Cove last year, with options for two more years if they and the bureau both agreed. The Fraziers could not be reached Thursday.

White said he believed the bureau re-set the bidding process in part to replace the Markley Cove concessionaires. “I think they planned this whole thing just so they could take the award away from Markley Cove and give it to Pensus,” White said. The bureau’s Finnegan said Pensus made the best bid on all six resorts, and that the bureau would honor the two-year Markley Cove contract with the Fraziers.

Deal signed for six Berryessa resorts: April 29, 2010

By Bill Kisliuk

The U.S. Bureau of Reclamation announced Thursday it had signed a 30-year contract with Pensus Lake Berryessa Properties to operate six resorts around Lake Berryessa. The move means the economy of the lake could pick up as services for visitors improve after a few rough years.

Federal authorities and a private contractor have agreed on a new 30-year deal for operation of six resorts at Lake Berryessa, with the likelihood that limited services for boaters and campers will be in place this summer.

On Thursday, the U.S. Bureau of Reclamation announced it had signed a 30-year contract with Pensus Lake Berryessa Properties, with a mutual option to extend the contract for an additional 10 years. Pensus, part of Arizona-based marina operator and commercial developer Pensus Group, will run the Markley Cove, Putah Creek, Lake Berryessa Marina, Spanish Flat, Steele Canyon and Rancho Monticello resorts.

For the next three years, Markley Cove will be run by current operator John C. Frazier III. The bureau already has a separate deal with Arizona-based Forever Resorts to run Pleasure Cove Marina. The announcement marks a milestone in a years-long effort to remake the lakeshore, which attracts an estimated 1.5 million people a year.

Federal officials decided several years ago, as previous long-term concessions to run Berryessa's resorts wound down, to remove more than 1,000 mobile homes from the seven resorts. Officials determined the mobile homes impeded broad public access to the lake and, in some cases, posed hazards and environmental problems.

The bureau's decision and related actions were challenged in court several times, with the bureau winning disputes with mobile home owners and former resort operators. The lawsuits delayed changes at the lake, as did abandonment of trailers and other property at the lake and a mistake the bureau made last year in putting together the bidding process for new resort operators.

The bureau withdrew the original bid request, sent the resort concessions up for bid again last year, notified the public that Pensus had won earlier this year and now has a signed contract in hand. Federal stimulus funds are helping to pay for removal of abandoned property.

Pensus officials did not return calls and e-mails seeking comment Thursday. But bureau officials said they expect to work with Pensus to open limited public services at some of the resorts for the summer of 2010.

Pete Lucero, public affairs officer for the Bureau of Reclamation, said the bureau expects limited boat launching, camping and service facilities to be open this summer. Lucero said it is uncertain which resorts will open, but that Pensus is likely to base its decisions on which ones have been restored and cleaned up most fully. Lucero said Spanish Flat and Putah Creek may fit that category.

The resort furthest from reopening, he said, is Rancho Monticello, where former concessionaire Bob White and the bureau have been locked in a legal dispute. In an e-mail, Lucero said, "At Rancho Monticello there is no pending litigation and we are continuing to conduct cleanup activities on-site as we are at Putah, Lake Berryessa Marina, Spanish Flat and Steele Park."

Lucero said it is unlikely that Pensus will be able to install boat slips or offer fuel for power boats this summer, but will provide "some boating support system" at the lake.

According to Lucero, the focus for now is to gear up to provide some services this summer, and that afterward the bureau and Pensus will outline detailed plans for the lake, which will include new boat launches, lodging and other

services. "Once they get on board and start preparing for 2010 recreational season, then we'll get together with Pensus start looking at long-term scheme." Lucero said.

In a prepared statement, Pensus CEO David Maule-Ffinch said, "Pensus Group would like to thank Reclamation for the effort and commitment necessary to bring this complex transaction to fruition. The signing of this contract will now allow work to start on the improvement and expansion of services at Lake Berryessa. We anticipate a very successful public-private partnership in the best interests of the visiting public."

Berryessa Highlands residents and county officials have been concerned about whether Pensus, as operator of the Steele Park resort, will pay into an assessment to upgrade water and sewer facilities in the highlands. Lucero said the contract calls for Pensus to pay any required assessments to the county or the state.

In addition to the seven privately-run resorts at Berryessa, the Bureau of Reclamation manages a government-run visitor and water education center at Berryessa, a boat launch ramp at Capell Cove, a hand-launch ramp at Eticuera Day Use Area, and picnicking, fishing, and swimming at the Oak Shores and Smittle Creek day-use areas. Limited camping will be available at Oak Shores this summer.

Feds terminate Pensus resort contract: December 7, 2012

By Peter Jensen

After months of speculation, the U.S. Bureau of Reclamation announced that it has decided to terminate the contract of the company in charge of five of the seven resorts at Lake Berryessa.

The federal agency announced the decision Friday afternoon, saying in a statement that Arizona-based Pensus Group will be ousted less than three years into its long-term contracts to redevelop the resorts, the backbone of the lake's recreation-based economy. Pensus was set to take over a sixth resort in 2013.

Following a mediation period between Pensus and the bureau over the summer, Don Glaser, the bureau's director for the mid-Pacific region, made the decision to terminate the company. He will explain his decision in a series of public meetings at the lake, in Napa, and in Winters next week.

The bureau moved to terminate the contract earlier this year, alleging Pensus failed to perform to its terms and redevelop the resorts. Pensus signed the contract in April 2010.

"My decision was the result of a careful, deliberate process," Glaser said in a news release issued Friday. "I understand the importance of this decision to local residents and businesses and to those who recreate at Lake Berryessa. Things have not gone as we expected or wanted them to, but we are moving forward with the goal of providing enjoyable recreation experiences for visitors to Lake Berryessa."

At the meeting, Reclamation hopes to get feedback on how to develop plans for the 2013 recreation season and over the long term, said Louis Moore, a Reclamation spokesman.

Moore said Pensus was notified Thursday of the decision. In a statement posted to its website Wednesday, Pensus wrote that it had not received any word from the bureau regarding the status of its contract, but stated that it wanted to continue to develop the resorts and perform on the contract.

Moore said Glaser will be leaving his Sacramento-based job soon to become an assistant to Reclamation Commissioner Michael Connor in Denver; he will be replaced by Deputy Commissioner David Murillo in January.

Moore said the process for finding a permanent replacement for former Area Manager Mike Finnegan, who retired earlier this year after overseeing recreation at Lake Berryessa for several years, continues. Deputy Area Manager Drew Lessard is holding that job on an interim basis, Moore said.

Latest Berryessa resort rejuvenation effort fails: February 19, 2016

By Barry Eberling

Reclamation announced Friday that the latest effort to recruit new resort operators at Lake Berryessa had failed. Three bids were deemed inadequate. Once again, the quest to find companies to rebuild and operate five of the seven Lake Berryessa resorts on federal land has come up short. The Bureau of Reclamation announced Friday that it received three bids from California companies. But the agency deemed each bid failed to comply with at least one of the bid requirements concerning price, quality and other topics.

Each of the three bids was for one resort only – Berryessa Point, Monticello Shores and Steele Canyon recreation areas. No one bid on Spanish Flat and Putah Canyon recreation areas. Stakes are high for the eastern Napa County reservoir with a 165-mile shoreline. The resorts attract people to the lake and boost the local economy. In recent years, two of the five resorts have operated at full strength with marinas, three have operated in stripped-down versions and two have been closed.

Lake Berryessa resident Craig Morton is uncertain when the Bureau of Reclamation’s vision of five redeveloped resorts will come true. “It’s getting harder and harder to tell,” he said on Friday. “I think they need to listen to the local people more, rather than their people back East.” He noted that several years ago, the Bureau of Reclamation removed some of the boat launch ramps and other infrastructure at the resorts in preparation for redevelopment. “They’ve got to put more money in the game,” Morton said. “That means replacing the ramps they destroyed.”

Lake Berryessa resident Peter Kilkus has observed the resort redevelopment drama over the years. He didn’t find the latest turn of events encouraging. “A total, utter disaster,” Kilkus said.

The Bureau of Reclamation could reissue its call for bids for all five resorts. Other options are to issue the prospectus for only certain resorts, change the required scope and duration for future contracts in the next prospectus or take another approach, an agency press release said.

The community will have a voice. The Bureau of Reclamation will hold a meeting on the Lake Berryessa resort situation at 5 p.m. March 2 at the Lake Berryessa Senior Center, 4380 Spanish Flat Loop Road. One thing the agency isn’t considering is revising its 2006 master plan to redevelop the lake resorts. To do so would cause further delays, the press release said.

The Bureau of Reclamation began publicly talking about Lake Berryessa resort renovations about 15 years ago. In 2006, Bureau officials adopted a plan with the stated goal of making the lake’s public land more accessible to short-term visitors.

Berryessa resorts at the time had about 1,300 trailers and mobile homes where people stayed for part of the year, as well as marinas and other uses. The Bureau of Reclamation’s plan called for removing the trailers and emphasizing cabins, camp sites, lodges and RV sites.

Most of the long-time resort concessionaire contracts expired in 2009. The Bureau that year began wiping clean several of the resort sites using \$4.4 million in American Recovery and Reinvestment Act stimulus money so the renovation effort could begin virtually from scratch.

In 2010, the Bureau of Reclamation chose Arizona-based Pensus to renovate and operate six resorts. But in 2012, it announced it had terminated the Pensus contract before the company had built the planned marinas, lodges cottages and restaurants.

That led to a new search for resort operators that was supposed to culminate with awarding contracts in either late 2015 or early 2016. The timetable will now be extended.

Annual visitation to Lake Berryessa has dropped amid the long transition. The Bureau of Reclamation estimated about 1.5 million people visited when all seven resorts were at full strength, compared to 408,000 in 2014. But there will still be places for visitors to go in 2016. The Bureau of Reclamation operates Oak Shores, Smittle Creek and Elicuera day use areas and Capell Cove boat launch.

Markley Cove and Pleasure Cove resorts will offer marinas, boat launching, boat rentals and other services. Putah Canyon and Spanish Flat recreation areas under interim contracts will offer camping and other uses. Morton noted the massive lake is still over half full, despite California's drought. Other California lakes such as New Melones east of Stockton have much lower water levels.

Earlier this month, Rep. Mike Thompson, D-St. Helena, reintroduced legislation in Congress to transfer management of Lake Berryessa recreation from the Bureau of Reclamation to the Bureau of Land Management. He called the Bureau of Land Management "the right agency" for the job. The Bureau of Reclamation press release said it will continue managing Lake Berryessa recreation

Bureau faces angry locals over Lake Berryessa failures: March 3, 2016

By Barry Eberling

U.S. Bureau of Reclamation officials are trying to explain how the wheels fell off the latest Lake Berryessa resort redevelopment effort and how they might yet achieve elusive, long-sought success. They faced a packed room Wednesday evening in the Lake Berryessa Senior Center at Spanish Flat. But convincing dozens of skeptical people to keep the faith proved difficult. "The Bureau of Reclamation has destroyed a community and should pay to help rebuild it," Berryessa resident Wesley Plunkett said. "Maybe you could get some (federal disaster) funds, because you made a disaster of it."

Bureau officials kept calm as they at times absorbed a verbal pummeling. They explained how they will continue searching for private concessionaires to redevelop and manage five of the lake's seven resorts, an effort that's been underway since 2008. For now, the lake's recreation scene remains in a long transition, with two resorts operating at full strength, three operating as stripped-down versions and two closed. The Bureau estimates annual visitation has dropped from 1.5 million to 408,000 during this process, though some lake residents say that latter figure is inflated.

"We want to make sure our next step is a good next step," agency Deputy Regional Director Pablo Arroyave told the crowd. "We understand the frustration." They got an earful of it. About seven years ago, the Bureau of Reclamation began leveling several of the resorts on federal land, removing the marinas and other features. But this start-from-scratch resort rebirth effort has stalled. The latest attempt ended with three companies each bidding to rebuild and run one resort, with two resorts receiving no bids. The Bureau deemed each bid as being "non-responsive" in at least one key area.

This marked the third time the agency sought bids since 2007. It selected three companies to run various resorts in 2008, but then aborted the effort over a contract language error. It awarded a contract to Pensus in 2010 to run six resorts, then canceled the contract in December 2012. "We've had three attempts," Berryessa resident Stu Williams said. "Each of them has been a failure. Because you did it enthusiastically, you want us to believe it's a success. I'm sorry, it's not a success." That last point ended up being something everyone could agree on.

“There is no success story here,” Arroyave said. “What you hear is nothing more than a commitment from the Bureau of Reclamation to come back to this table as many times as needed to get it right.” That didn’t comfort Berryessa resident Carol Kunze. “You’re sitting here saying, ‘We’re really committed.’ Your commitment has done nothing for years,” she said.

Emotions ran the gamut. “It’s amazing how quiet and depressed it is here,” Berryessa resident Evan Kilkus said at the beginning of the public comment session. “Everyone’s just tired.” The mood had grown livelier by the time Marcia Ritz, operator of the Spanish Flat Country Store & Deli, came to the microphone. Her business depends on tourists flocking to the lake. “First of all, you need to be angry,” an emotional Ritz exhorted the crowd. “This has got to stop. Everything has failed. You need to be angry and let them know it. Otherwise, they won’t do (anything.)”

Some people wanted the Bureau to turn Lake Berryessa recreation over to another agency, such as the National Park Service or Napa County. Napa County managed lake recreation in the 1960s as the resorts developed. Kunze pushed Bureau officials to explain why they deemed the three bids received this time around as non-responsive. But officials didn’t reveal the identity of the bidders and stuck to generalities. Drew Lessard, agency Central California Area office manager, said he can’t get into the specifics. That prompted a round of “Why not?” cries from the audience.

Wednesday’s session also focused on options being considered by the Bureau of Reclamation. Agency officials will talk to the three bidders about why their bids were non-responsive. Then the Bureau could rebid the resort contracts quickly using the same prospectus that details bid requirements. “That is obviously the shortest amount of time to get a prospectus back out on the street,” Lessard said. Or the Bureau could try something different, he said. For example, instead of seeking 30-year contracts calling for lots of improvements, it could seek 10-year contracts calling for fewer improvements.

California State Parks recently received no bids to operate a marina for 30 years at Folsom Lake, even though that is an opportunity to open right away with minimal improvements needed, Lessard said. The Bureau of Reclamation recently received no bids for a marina project at New Melones Lake in the Sierra Nevada foothills, he said. The Bureau asked for a lot of infrastructure requirements there and has rethought that approach. “These are things we need to consider as we move forward,” Lessard said.

The Bureau talked to people in the recreation industry about Lake Berryessa. Some didn’t like having seven resorts at the reservoir, he said. “Large investment and development may not be the latest trend,” Lessard said. “We’ve got to look at that and see if we need to make any changes.” The Bureau of Reclamation will ask local residents for advice, including Napa County. The Board of Supervisors wants Bureau officials to appear before it and explain what is going on.

“I think the public is really at a crossroads right now,” Board Chairman Alfredo Pedroza said at Tuesday’s Board of Supervisors meeting. Arroyave said Bureau officials spent part of Wednesday talking to Napa County officials. “Their input is extremely critical,” Arroyave said. “We think Napa County’s participation and our discussions with Napa County are going to be critical to us having the best chance of succeeding. We’re talking about what those options are.”

The Bureau of Reclamation will need a success story to convince the audience at the Berryessa Senior Center. Markley Cove Resort is one of two resorts still operating at full strength. But an interim concessionaire contract for that marina expires after this year, and Winters City Manager John Donlevy expressed concern that it, too, could be sucked into redevelopment limbo. “That would be the death of this lake,” he told Bureau officials. “It would.”

Talks continue between Napa, Bureau on Lake Berryessa resort redevelopment

BARRY EBERLING beberling@napanews.com Aug 24, 2018

What role Napa County might play in a long-awaited Lake Berryessa resort renaissance – if any – could finally be known by year's end. The U.S. Bureau of Reclamation launched the redevelopment effort on federal land a decade ago, only to see it stall. The agency tore down five of seven resorts, but had difficulty finding companies to build and operate new ones.

In June 2016, agency turned to the county as a possible resort manager that could work more freely with the private sector. Sealing a deal has taken longer than originally predicted. In February, county officials said they expected to bring a managing partner agreement to the Board of Supervisors in spring. But while that didn't happen, county officials say negotiations are not dead.

"I think it's in the interest of all parties to reach some decision by the end of the year," Deputy County Executive Officer Molly Rattigan said on Friday.

Supervisor Alfredo Pedroza agreed. "I don't see this going beyond this year," Pedroza said. "We've been at it for quite some time. I'm interested in having this end in a very positive outcome."

Meanwhile, the wait for an agreement is making some people uneasy. The Lake Berryessa News asked readers to send letters to a number of federal elected and appointed officials expressing concern that the Bureau is ignoring the needs of the Berryessa community.

"I would be a fool not to worry about it," said Peter Kilkus, editor of the paper and president of the Lake Berryessa Chamber of Commerce.

Rep. Mike Thompson, D-St. Helena, sent an Aug. 7 letter to Secretary of the Interior Ryan Zinke urging that the Bureau of Reclamation reach a deal with Napa County. He wrote that the Bureau appeared "unwilling or unable" to bring concessions to the lake's shore under Napa County management.

"I'm sending this letter hoping that you'll be able to exercise leadership on this pressing issue," Thompson wrote.

On Friday, Thompson released a statement on the latest progress: "Like people across our community, I am frustrated at the long delays in this process and have been doing everything I can to support the county and bring the Bureau of Reclamation to the table for a fair discussion," he said. "I recently spoke with the Bureau's commissioner and I'm glad to see that discussions regarding the details of a long-term agreement will continue."

When contacted by the Napa Valley Register, the Bureau of Reclamation released a statement by email.

"While the process has taken longer than anticipated, Reclamation continues to engage with county officials and is fully committed in this process," the statement said. "Details will be shared when available."

Lake Berryessa has seven resorts. Markley Cove Resort and Pleasure Cove Marina are operating at full strength, with marinas and other amenities. Three resorts are operating in stripped-down fashion under interim concessionaires, offering such things as camping, boat launching and RV camping. Two are closed.

A study released by the county in February by a real estate firm found nine potential bidders for resort redevelopment. They could bring hotels, restaurants, glamping, marinas and other amenities some or all of the resort sites. One request by the county is for the ability to offer potential resort redevelopers 55-year leases. The Bureau in its failed redevelopment attempts offered 30-year leases, with roads, water systems and other infrastructure then to revert to the federal government at the end of the lease.

Pedroza said the shorter leases don't make financial sense for resort developers. He was asked if the 55-year lease is a make-or-break issue for Napa County. "It's a make or break to have reasonable, sustainable development," Pedroza said.

Napa County moving closer to reviving Lake Berryessa resorts

BARRY EBERLING beberling@napanews.com, October 17, 2018

Napa County is looking at a phasing approach to finally get the long-stalled Lake Berryessa resort redevelopment effort rolling, with planning for Steele Canyon and Monticello Shores possibly beginning next year.

That's if the county decides to manage the undertaking for the U.S. Bureau of Reclamation. After more than two years of exploring the matter, the Board of Supervisors has yet to finalize an agreement with the federal agency.

Supervisors on Tuesday seemed optimistic that an agreement will be reached, possibly by early next year,

"I want to get that moving as quickly as possible," Board of Supervisors chairman Brad Wagenknecht said.

Five of the seven Lake Berryessa resorts on the federally owned shoreline are candidates to be redeveloped by bringing in private concessionaires. The goal is to see marinas, cabins, campsites, glamping sites, RV camping and other amenities there.

An economic report by consultant Grant Sedgwick explored how much money the rejuvenated resorts could bring to the county annually from the hotel tax, sales tax, payments en lieu of property taxes and concession fees. He estimated the county might make \$2.5 million in five years, \$4.4 million in 10 years and \$7.1 million in 15 years.

His analysis didn't look at how much the county would have to spend on increased law enforcement at the lake, managing the resorts and other expenses. But it gave supervisors reason to hope that the effort wouldn't be a money loser.

"This isn't about doing it for net revenues," Supervisor Diane Dillon said. "This is about doing it for net benefits for the greater community."

Napa County could plan requests for proposals for Steele Canyon and Monticello Shores resort redevelopment next year. These are the resorts that county research showed are generating the most interest from the private sector. Next year, Steele Canyon would continue to offer activities such as camping with an interim concessionaire. Monticello Shores is closed.

The next step would be to see if the two resorts — Markley Cove and Pleasure Cove — operating at full strength might pass from Bureau of Reclamation management to county management.

Spanish Flat resort is offering activities such as camping and boat launching with an interim concessionaire. The county's proposed plan is to keep this situation in place for another four to six years. Then the county would decide whether to oversee the redevelopment of Spanish Flat.

Finally, in 2025 or so, the county and Bureau would discuss the long-term future of Berryessa Marina and Putah Canyon resorts. Deputy County Executive Officer Molly Rattigan said the private sector has shown little interest in redeveloping these sites. The county doesn't yet know where these resorts might fit into the county's plans.

Berryessa Marina is closed and Putah Canyon is operating in stripped-down fashion.

The Bureau of Reclamation more than a decade ago launched an effort to redevelop five of the seven resorts run by private concessionaires on federal land. It cleared the sites and began looking for private companies to build and run new resorts with camping, marinas, hotels, restaurants, lodges and other attractions.

But the redevelopment effort stalled and the Bureau two years ago looked to Napa County for help. The idea is that the county is less burdened by various federal requirements and can be nimbler in its search for concessionaires.

A major sticking point is the length of the leases the county could offer. The federal government previously offered 30-year leases, at which point the roads, water systems and other infrastructure installed by developers would become federal property. County officials say 55-year leases would allow developers to recoup their investments.

Napa County needs to win permission from the national Bureau of Reclamation office for the 55-year terms. Rattigan said the Bureau first wants to see what the managing partner agreement between the county and Bureau will look like.

“We’re pretty much down the aisle,” Supervisor Alfredo Pedroza said. “I hope the Bureau will commit to that.”

He stressed that the 55-year leases are important.

“Without the term, a lot of this does not make economic sense,” Pedroza said.

Drew Lessard of the Bureau of Reclamation addressed the Board during public comments. He too expressed optimism that the agency and county will come to agreement.

“The last thing we want is to enter into a managing partner agreement and not have success,” Lessard said.

Dueling Napa Register Letters To The Editor

Return Lake Berryessa to the taxpayers: March 2, 2001

By Carol A. Kunze

I was very glad to see Nathan's Crabbe's Feb. 25 article on Lake Berryessa. Many of us who live at the lake are very frustrated over current conditions and lack of access. The lake is basically run like a private resort. The few public areas have little in the way of facilities and the seven concessions at the lake have a lock on the rest of the best shoreline. The resorts have fenced in the areas in which they are authorized to provide concession services so they can charge a fee to access the lake.

Geography and private property lines mean that much of the shoreline outside the concession areas cannot be accessed without entering and paying a fee to a resort. In fact, these entrance fees may not be legal. The Bureau of Reclamation office at the lake has asked the Bureau's lawyers for an opinion on whether the resorts can charge entrance fees, but months have now gone by and no opinion has been forthcoming. The frustration over lack of access to the lake can be extreme in the Berryessa Highlands, the residential area at the end of Steele Canyon Road at the southern end of the lake. Public access to the lake is entirely blocked by the resort which has the concession contract for this area.

Residents drive within a few yards of the lake every time we leave home. Yet we are fenced off. One can stand on Steele Canyon road and gaze at the land beyond the local resort's concession area — one just can't get there. Residents have to drive 20 miles to find free public access to a lake that is a stone's throw away. The Bureau of Reclamation is equally frustrated because of its lack of enforcement power, making it difficult to enforce the concession contracts, coupled with the inadequacy of the contract terms themselves.

Previous efforts by the Bureau to bring about improvements have suffered from public indifference. However, as Crabbe's article indicates — change is coming. The Bureau of Recreation is now engaged in a visitor services planning effort to plan the future of the lake. A private website has been created called "LB Outdoors" at <http://www.webcom.com/legaled/LBOutdoors/> to raise awareness of the issues and facilitate public participation in that planning effort. There are many of us who want to "take back the lake" from the private interests and return it to the public.

Don't Blame Resorts For Sewage Problems: March 5, 2001

By Palmer Taggart

I reside at Putah Creek Resort at Lake Berryessa, and I was surprised by the Register's recent coverage of the lake. I cannot speak for the other resorts, or even for Putah Creek for that matter, because I am no longer an employee of the resort. Let me just say that Putah Creek has become one of the best as far as preventing sewage spills. The resort has spent much time and effort to correct the deficiencies of the sewage system. The sewer system itself is in good shape. It's the holding ponds that were the problem.

Back in 1995 when we had all of the rain, one pond overflowed. I was told by a state official to do "whatever it takes," to prevent the sides of the pond from collapsing. The pond had been pumped down, using the sprayfield, to get it to the regular winter level. In two weeks, that pond had filled up. Now, after spending a tremendous amount of money to correct this problem, the Bureau found that a 5/8-inch garden hose that is used to prime the aeration pump at the ponds, had been left open.

Thankfully, the Bureau employee shut the valve off to this hose. This resulted in a violation of the State Water Quality Control Board waste discharge requirements. The hose was not put over the side of the pond intentionally. The hose was discharging onto the road circling the pond. As for the second event, the Bureau says it involved the

same hose. This time the valve was closed, but the Bureau said that because the hose contained waste water, this was another violation. The Bureau also is requiring the resort to have a certified sewage operator on hand, 24 hours a day, 7 days a week.

The State Water Quality Control Board does not require a certified operator for a system that only has evaporative ponds. Why the Bureau feels this is necessary is ludicrous. On Feb. 27, at 4:15 p.m. an employee of the Bureau shut off the drinking water supply to the residents, without any notification to the direct consumers. Even though the resort had hired a certified operator, who was here at the time of the shutoff, the water was to remain off because the operator would not be here permanently until the next day. It seems that the Bureau thought that five days notice was plenty of time to hire an operator.

The lake does have its problems. I can personally say that the Bureau does not work with the management of any resort. They are the "boss." I do not want any sewage in my drinking water supply. But accidents do happen. This resort has all of the main sewer lines cleaned on a regular basis to prevent stoppages and overflows. This resort has not had an overflow of any type that I am aware of since 1997. I work for a water district, and am currently an "operator in training" in wastewater. Hopefully, I will pass the test this April. To qualify for this license, you have to have been trained by another certified operator for two years. So I know what I am talking about.

What to do with Lake Berryessa? November 12, 2001

By Carol Kunze

Most Napa County residents don't visit Lake Berryessa very often, if at all. People complain there is nothing to do if you don't have a boat, and that the vacation trailer parks are unsightly and block access to the shoreline.

Many Napa residents travel to other counties to hike, camp, kayak and canoe. This is not surprising as there are few hiking trails at the lake, no public campgrounds, and the predominance of speed boats and jet skis make it an unfriendly place for those who canoe or kayak. Then there are the repeated pollution problems at the vacation trailer parks.

There is, however, hope for a different future. As many people are aware, the vacation trailer park contracts are all expiring. The Bureau of Reclamation, which administers the lake, is developing a Visitor Services Plan to decide what facilities future concessions will have and what recreational opportunities will be available (multi-use trails? Swimming areas? Cabins to rent? Safe areas to kayak? Nature trails? Public campgrounds?).

A new organization — The Association of Napa Communities for Lake Berryessa (NCLB) — is determined to give Napa County residents a voice in what happens to the Lake. To that end, the NCLB is using a survey to collect input on what recreation facilities should be available. The survey results will help the NCLB write comments to the Bureau on the VSP. The results will also be reported to the Bureau; any remarks in the Additional Comments section will be included in the report.

The survey can be filled out at the libraries in Napa (Media Room), Yountville, St. Helena, Calistoga, and the bookmobile in American Canyon, as well as at Marin Outdoors (Bel Aire Plaza) and Mako Marine (536 Soscol) in Napa. A copy of the survey can also be downloaded from <http://webcom.com/legaled/LBOutdoors/docs/survey.doc>. Completed surveys can be emailed, faxed, mailed, or left at any of the survey locations.

Help make Lake Berryessa a place for Napa County. Fill out the survey.

Don't attack Berryessa resorts: December 4, 2001

By Matt Batory

In response to a Nov. 12 letter, "What to do with Lake Berryessa?" written by Carol Kunze, facts were stated that misrepresent just exactly what is going on at Lake Berryessa. As with anything, there are always two sides to every story.

First of all, she states that people complain that there is nothing to do if you don't have a boat. Who are these people? Ever thought about renting a boat or jet ski? Most resorts offer one or both. Not everyone is into boating or jet skiing. How about just lying in the sun or picnicking or fishing? You don't need a boat to do any of those things.

Next, about vacation trailers being unsightly and blocking access to the lake. Yes, there are a few unsightly trailers in the resorts just like there are a few unsightly houses in a neighborhood, but all resorts are in the process of either eliminating them or cleaning them up and bringing them up to code.

How can she say access is blocked to the lake? Each trailer sits on a piece of land owned by the Bureau of Reclamation. No trailer owner owns the land. It is leased on a month to month basis through the resorts with a lease agreement with the Bureau which means the public has the right to any part of the lake and shoreline in the resorts. This includes the shoreline around the trailers.

Hiking trails? How about 165 miles of natural shoreline around the lake to walk on. No unsightly manmade trails which will have to be maintained. Just natural shoreline to be walked and explored like the beach.

No public campgrounds? Get real. There are seven resorts offering camping for tents or R.V.s, some offering cabins or yurts for rent.

Swimming areas? What about Oak Shores or any of the resorts which offer swimming areas and picnic facilities for a small fee. Remember, when Oak Shores first opened no fee was charged but because the public cannot clean up after themselves a fee had to be charged for maintenance and cleanup. Who is going to clean and maintain the trails?

Also, Oak Shores is easy access for kayaks which immediately puts you in an area known as the islands, which is all a 5 mph zone meaning a safe area for kayaks. More people own boats and jet skis than kayaks so there will naturally be a predominance of them on the lake just as with any lake offering boating. Remember, kayaks are slow and low to the water making them hard to see. Common sense would tell you to stay close to the shore where boats and jet skis have to stay a minimum of 500 feet away when traveling faster than 5 mph, meaning another safe area. Remember, the lake is a public lake open to all types of boats.

As a person who has been going to the lake for 41 years and also owns a trailer I have a special interest in what goes on with the future at the lake. To grossly misrepresent the true facts about what is going on at the lake is absurd.

Tell the public the whole story, not just one side. Remember the Bureau, which owns the lake, has publicly stated that it has been understaffed for many years, meaning it has not done its job. Attack them, not the resorts.

Mobile home owners want to make Berryessa a better place: December 12, 2001

By Peter Kilkus

I strongly support the commentary by Matt Batory in your Dec. 4 edition. I'd add "Don't Attack Berryessa Mobile Home Owners" to the title. The Bureau of Reclamation is in the process of creating a Visitors' Services Plan (VSP) for Lake Berryessa. The details are on its website at www.mp.usbr.gov/berryessa. This potentially positive process is guaranteed to generate controversy at the highest levels of federal, state and local government because of its goal to remove all long-term trailers from the lake.

We have formed Task Force 7 at Lake Berryessa (TF7) with representatives from all of the resorts on the lake. Our goal is to prevent the removal of mobile homes from Lake Berryessa through political action, community education and environmental stewardship.

We are very concerned that many trailer owners don't believe the threat is serious. We can assure them that it is. The original 50-year resort leases will end in 2008. All resort owners must bid for a new contract against anyone who wants to buy their resort. And the BOR has made it clear that they want an end to the decades-old tradition of family trailers on the lake. We believe that additional public access, amenities and trails can be achieved without the wholesale destruction of trailers.

Put it in perspective. There are fewer than 1,500 mobile homes clustered in only seven resorts along the many, many miles of the western shoreline, all of which is available to the public. In a spate of emotional overkill, the resorts have been misrepresented as major polluters of the lake. But per the Bureau of Reclamation itself, there is no longer a pollution problem important enough to even merit a section on its Web page. I quote: "Reclamation is pleased to announce that due to the compliance and diligence of the concessionaires (resort owners) and the affected permittees (trailer owners), 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."

Whatever incompetence, indifference and irresponsibility over the years on the part of the Bureau, the resort owners and the trailer owners themselves led to past problems, they are being solved. Maybe it took the wake-up call of more than 100 families losing their trailers to bulldozers at Pleasure Cove, but all resorts are improving their problem sites. Rancho Monticello has a Landscape and Architectural Committee that regularly meets with the resort owner. The Spanish Flat resort owners are taking pictures of substandard sites and requesting that trailer owners fix up their property.

As Lake Berryessa trailer owners, my neighbors and I on Task Force 7 love this lake and take its protection seriously. We recognize our good fortune in owning a mobile home at the lake, but we also recognize our responsibilities and support a reasonable increase in public access. But will the BOR's attempt to increase usage lead to a decrease in satisfaction for everyone, including residential homeowners around the lake? Per government estimates, more than 1.2 million people visit Lake Berryessa each year, and the BOR wants to increase that number! Is there a real public policy benefit in creating a situation that allows an "opportunity" for 1,000 unhappy campers versus 500 happy campers on a weekend? The 1,500 mobile home owners contribute 60 percent of the resort revenue compared to only 40 percent for the more than 1 million other visitors! I'd call that a cost-effective subsidy for all users.

The Visitors' Services Plan is scheduled for completion in 2003, with a "conditions assessment" of all resorts ongoing and the environmental impact statement in process. TF7 believes we need a rational, balanced plan, not one that causes the demolition of 1,500 trailers and the world's largest yard sale in 2008.

Give public access to Berryessa: February 20, 2002

By Carol A. Kunze

In response to Mr. Batory's Dec. 4. letter, "Don't attack Berryessa resorts," in which he claims that in my Nov. 12 letter facts were stated that misrepresent just exactly what is going on at Lake Berryessa:
Let's talk about exactly what is going on at Lake Berryessa.

Some 1,500 families from around the Bay Area have had exclusive use of two-thirds of the vacation sites at the lake for nearly 40 years. When the trailers' owners are at their residences elsewhere in the Bay Area, their vacation trailers sit unoccupied on federal recreational land, preventing anyone else from using the site.

These sites are handed down in families from generation to generation. For a member of the general public to have access to one of these sites, they must buy the trailer, at a premium of course, for the location. In ads in the local paper for the sale of these trailers, the advantage of the location is often the first item listed. From the issue of Sept. 12: "Pleasure Cove, Front Row # 60, Lake Front View," "Putah Creek Space #54, On The Water," "Rancho Monticello, #82 Road F, Lake View." Also in this issue is an ad for a trailer on one of these sites which is "On the Lake" and "Next to Pool & Tennis Crts." The asking price? \$139,000. For a trailer. Used.

This is in contrast to standard policy in other parks of a time limit on use of a site, such as two weeks or 30 days in a 12-month period, to ensure broad public access to our natural resources. The impact of this exclusive use? A 1972 GAO report said "access to and use of the lake by the general public has been severely restricted because of (1) extensive development by concessionaires of mobile home parks along the shoreline and (2) failure to provide public recreational facilities in accordance with the Public Use Plan."

More than 20 years after that conclusion was written a second report documented in 1995 that the Bureau of Reclamation (which administers the lake) had little success in reducing private, exclusive use of the recreation lands for long-term mobile home sites.

There are now two public parks for day use only at the lake and a public boat launch ramp. This does not justify barring the public from two-thirds of the overnight sites in the seven resorts at the lake. A proposal has been made for a shoreline trail encircling the entire lake. Apparently, a number of the trailer owners oppose it. Mr. Batory criticizes trails as "unsightly." It seems more likely that trailer owners oppose a shoreline trail because they don't want to lose private shoreline trailer sites.

The underlying policy question is whether people should be allowed exclusive use of a site in a public recreational area. The Bureau has answered that question: No. Bureau policy prohibits such exclusive use in order "to maximize public recreation opportunities." Existing exclusive use is to be phased out as contracts permit.

Well, contracts for the trailer parks are all expiring, but it looks like the trailer owners are gearing up to fight to retain their exclusive sites by bringing political pressure to bear on the Bureau. The Bureau has summarized comments filed by the public on these issues. On the organization's site we learn from one submission that the trailer owners are "organizing as we speak" and that if the Bureau decides the trailers must go "all hell will break loose."

They plan to flood the Bureau and congressmen with letters, faxes, e-mail and whatever else it takes. It's time for the lake to provide for a broader range of recreation than just power boats and jet skis. It's time for quiet public campgrounds in a natural setting operated on a nonprofit basis, instead of noisy, commercial campgrounds on the edge of a parking lot or road. It's time there were hiking trails to allow access to areas which are inaccessible due to dense vegetation or steep hills. It's time the Bureau's policy prohibiting exclusive use on public recreational land was implemented at Lake Berryessa.

Who will win? The special interest exclusive use group or the public? Stay tuned.

Berryessa doesn't need motor boats: February 7, 2002

By Carol Kunze

Measure K would create more storage for motor boats at Lake Berryessa. Let's not encourage more boats on the lake.

The Bureau of Reclamation, which administers the lake, is currently developing a Visitor Services Plan. Comments have been submitted to the Bureau asking for hiking trails, public campgrounds, safe zones for swimming, canoeing, kayaking, and other forms of non-boating recreation.

This is not the time to invest in the status quo of a power boat lake. It's time the Lake Berryessa Recreation Area balanced boating with the needs and interests of other recreational users.

Vote no on Measure K.

(Measure K: A general plan amendment and rezoning of 4.7 acres near Lake Berryessa now designated as watershed/open space to allow development of a boat storage business. Election required by Measure J of 1990. Measure K — Yes: 11,601 (50.8%), No: 11,252 (49.2%))

Trailer ownership at Lake Berryessa defended: March 1, 2002

By Peter Kilkus

From previous letters I know that Carol Kunze finds the truth too confining, but her latest Feb. 20 letter descends into fevered ramblings worthy of the old TV show "Dallas."

She describes decades-long conspiracies by generations of land barons to deny the use of public property to hordes of clamoring tourists. And when we evil trailer owners are not in our palatial estates, the long lines of cars filled with families with crying children who only wish to touch their piece of the promised land, are forced to wait outside the gates of our exclusive resorts like so many peasants.

Ms. Kunze would have us believe that there is some great body of people she designates as "The General Public" who are severely suffering because of the situation at Lake Berryessa. And as a highly organized group of one, she will speak out for them, even if she has to finesse the facts a bit.

Ms. Kunze does not live in Napa. She lives in the Berryessa Highlands above Steele Park and seems to consider the lake her own private resort. She resents not being able to get into Steele Park for free. The fact that she likes trails and dogs (I like them too) more than boats is her prerogative but does not justify misrepresenting what is happening at the lake.

The truth is somewhat more sedate. Most of the fewer than 1,500 trailers turn over ownership as regularly as any other real estate. I bought my mobile home at Steele Park four years ago after falling in love with Lake Berryessa as a camper. Of my 10 closest neighbors, nine have owned their places less than six years. Most of us use our places year around on weekends. There are time limits to our use: No more than 6 months of the year total and no more than 90 days continuous.

To be clear, the seven existing "resorts" are actually "public parks" because they are run by individuals or companies under contract to the government to provide public access and amenities to "The General Public" who wish to visit the lake. They are government concessions. Some members of "The General Public" would rather not pay the concession entrance fee so they use the other government-provided facilities that have significantly fewer amenities. But the definition of "public" is not "free". Very few government-managed "public" campgrounds are free (note our state and national parks), and it is unrealistic (as even the BOR concedes) to assume free access to any facility on Lake Berryessa in the future. As we have all seen, the clean-up costs and environmental problems caused by large numbers of day campers is significant.

The crux of the matter is that long-term trailer use is not inconsistent with increased recreational opportunities and new recreational facilities such as trails, campgrounds, and designated non-motorized water areas. Most trailer-owners support these goals. No trailer-owner I know opposes more shoreline trails even if they go right under our decks. We know this is public land and we want people to enjoy it. The proposal for a trail encircling the lake was made by Ms. Kunze herself and has few supporters because of its impracticality with respect to environmental concerns.

Those of us who spend a lot of time at the lake know that the resorts and campgrounds are not filled during most of the year, especially the winter. The trailer owners' monthly payments make up 60% of the resort revenue and help carry them through the winter. We see the "public" campgrounds with empty spaces even during summer weekends. And total recreational use has remained steady at approximately 1.5 million visitors per year since the late 1980's, per the BOR.

Because a public policy is written does not make it right. The BOR Reclamation Manual /Directives and Standards LND 04-01, Section 2-C states: Exclusive use is any use which excludes other appropriate public recreational use or users for extended periods of time. Exclusive use occurs when there is not:

1. An established process that frequently rotates users of specific sites, and
2. A process which accommodates changes in use, including a process for determining or accommodating other desired public uses and resources values.

By definition, "exclusive use" is not actually occurring at Lake Berryessa because large areas of each government concession "frequently rotate users of specific sites," and there are technically no "areas which exclude other appropriate public recreational use or users for extended periods of time." There are no areas of my park, for example, except the dirt under the trailers, which are "excluded from other appropriate public recreational use/users." And there is a process, the Visitors' Services Plan, "for determining or accommodating other desired public uses and resources values."

All areas of the shoreline and hills are open to boaters and hikers to picnic. There are often boaters stopping on the shore of the cove where I have my mobile home. Many people walk the extensive shoreline. In fact, there is a two mile trail that goes past my place which any member of "The General Public" can use. There are many proposals for increasing recreational use of Lake Berryessa without eliminating the trailers, and it is intellectually dishonest to blame the trailer-owners for limiting public access to Lake Berryessa.

A group of us have formed Task Force 7 at Lake Berryessa with members from all the public concessions. Our goal is to prevent the removal of mobile homes from Lake Berryessa through political action, community education, and environmental stewardship. We do not intend to be the rabble-rousers mischaracterized by Ms. Kunze, but a reasonable group of citizens exercising our constitutional rights to make sure rhetoric such as hers doesn't obscure key public policy issues.

Bring Berryessa back to nature: March 3, 2003

By Andrea Wolf

Peter Kilkus of San Anselmo wrote a commentary on Jan. 29 about the delay in the development of the Visitor Services Plan for Lake Berryessa. He and others are trying to "raise the awareness of the whole Lake Berryessa community, especially of a plan which would radically change the lake as we now know it."

I would love to see a radical change at the lake. Since the current mobile home parks are on public land, I would like to see these lands returned to the public. These exclusive vacation mobile home parks should be replaced with overnight facilities for the public.

As an avid outdoors person, I would welcome a more natural, state-park like atmosphere. How wonderful it would be to hike and bike around the lake and to camp in public campgrounds. I would love to see areas of the lake that are not overrun with jet skis and noisy "hot boats" so that various paddlecraft activities such as kayaking, canoeing, and even sailing could exist in quiet peaceful waters.

There are many of us who are interested in a quieter, family-friendly lake. I am hoping that the Bureau of Reclamation will be responsive to the needs of the public, and create a Visitor Services Plan that will make Lake Berryessa a nature lover's destination.

Return Berryessa to natural state: March 18, 2003

By Barbara B. Dujardin

"Bring Berryessa back to nature" — those words immediately caught my attention. I certainly could go along with that concept, I thought. After all, we live up here now — and have been for nearly 20 years.

Even more, my memory patterns soon started moving back to the 1960s when our family spent a great deal of our leisure time up here, boating on the lake — the children learning how to water ski with their father in waters safe and open — picnics in the coves. Our summer vacations were always spent at Wragg Canyon. There was the tent to put up, our camp site (always on a knoll) to organize. We of course always had to reserve our camp site choice ahead of time and only once did some one try to "jump our claim." Grandparents, cousins, aunts and uncles all joined us at various times. It was a family experience of the best kind.

Through the years, what we knew and loved has gradually disappeared, being replaced by an unrecognizable shadow of what used to be! We're told that progress and change are an inevitable part of our existence. We supposedly would stagnate without it. Perhaps we need to be a little more careful the direction we allow those "necessary" ingredients to go.

Let's work hard to return Lake Berryessa to its more natural state. We can easily go along with the "plan which will radically change the lake as we now know it," as expressed by Peter Kilkus of San Anselmo. No problem. We can simply return it to its more natural state, as suggested by Andrea Wolf in her March 3 letter. That's reverse progress and change at its best. Don't you agree?

Reintroduce Berryessa to California: March 27, 2003

By TOM AIKEN, Bureau of Reclamation

You recently published two letters regarding the Bureau of Reclamation's plans for Lake Berryessa's future: "Feds delay Berryessa visitor plan" by Peter Kilkus, Jan. 29; and "Bring Berryessa back to nature" by Andrea Wolf, March 3.

Lake Berryessa was created with the completion of Monticello Dam in 1957. In 1958, Napa County entered into an agreement with the Department of the Interior, Bureau of Reclamation, to manage recreation at the lake, and the National Park Service provided a plan to guide the creation of the lake's facilities and programs. The plan focused on public lake access and short-term recreation programs to be implemented by seven commercial concessionaires to whom 50-year contracts were issued. However, the concessions strayed from the plan and began developing large exclusive-use trailer villages which remain much the same today.

In 1975, Napa County returned the lake's management to Reclamation. An audit by the General Accounting Office cited a failure to provide outdoor recreational opportunities to the general public, but by that time the situation was beyond any simple corrective measures as more than 1,500 privately owned trailers had been established. Many of the trailers, which are vacation homes and not primary residences, are over 40 years old and occupy prime lakeshore sites, making those areas off-limits to short-term recreationists. Due to the poor condition of many of the trailers and the poor configuration of the trailer villages, there are numerous violations of health, safety, and environmental regulations and codes. Since 2000, nearly 300 of the most seriously deficient trailers have been condemned by Reclamation and removed by the owners or concessionaires. Some 1,250 trailers remain today.

In 2000, Reclamation began planning for the 2008/2009 expiration of the concession contracts. This effort, called the VSP (Visitor Services Plan), was begun far in advance of the contracts' expiration in order to provide sufficient time to complete environmental and economic studies, allow for input from the interested public and stakeholders, provide adequate time for affected concessionaires/trailer owners to make needed decisions, and allow for unavoidable delays in the process. Updated schedules are posted on Reclamation's Lake Berryessa web site as needed, and bulletins and update letters have been posted on the web site and mailed to some 2,000 individuals and groups on the Berryessa Mailing List.

As part of the VSP, Reclamation is developing alternatives for the lake. One of the alternatives features a range of new facilities and programs such as cabins, hotels/motels, RV parks, campgrounds, upgraded marinas, food and beverage operations, retail facilities, etc. Reclamation's desire is to reintroduce the lake and its more than 160 miles of beautiful shoreline to the thousands of Californians who live within a two to three hour drive of it. Continuation of a limited number of long-term trailers in a more acceptable configuration will also be addressed in one of the alternatives.

We anticipate releasing the Draft Environmental Impact Statement (DEIS), which includes the alternatives, during Summer 2003. The DEIS and alternatives will then be open for a three month public comment period, and Reclamation hopes that all interested individuals/groups will take the time to review the documents and provide comments. We expect to release the Final EIS to the public and have the Record of Decision signed in Spring 2004. Please be aware that in addition to trying to meet timetables, we are committed to ensuring a well thought out, quality process. The VSP will be completed far in advance of the 2008/2009 expiration of the concession contracts. Any schedule changes will be posted on the web site.

Beware federal Berryessa plan: April 3, 2003

By Pat Monaghan

In response to Barbara Dujardin's March 18 letter "Return Berryessa to natural state": Wouldn't it be great to turn back the clock? Let's start all over. We could have large camp sites, nice facilities, it would all be operated by the Bureau of Reclamation and reservations would be made by Ticketron. In order to keep the cost to the public reasonable, it would be subsidized by the American taxpayer.

Except for one thing. The B.O.R. has never, nor will it ever, operate campgrounds at Berryessa. They rely on concessionaires to provide camp sites, facilities, maintenance and security for the public. The rates charged to the public are regulated by the B.O.R. With the exception of the fishermen, the lake is relatively empty of visitors for seven to eight months of the year but services are still provided year round.

So how do these concessionaires manage financially? Simple — they have a number of long-term sites (gradually being decreased) that are charged for 12 months usage even though residence may not exceed six months per year. This system has worked quite well in the past and could easily be improved upon (but that's another letter).

But the B.O.R. has a more important goal. It must address the potential needs of the greater population to the south of us. Their Visitor Services Plan (VSP), which should be available this summer, will stress more facilities to be built to accommodate tourists. At the close of the current contracts (2008/2009) anyone may submit a bid on the new contracts.

Visualize, if you will: one concessionaire for the whole lake (a large corporation, for instance) building resort hotels, a convention center, guest cottages, all of which have been mentioned as possibilities in the new plan. Does this sound like a return to the "natural state?"

My point is this: Know what is in the "plan which will radically change the take as we now know it" before you embrace it. In closing, my memories of the take match the writer's — children, grandchildren, extended family and close friends who have spent their summers with us at the lake — 12 years camping plus 18 years in our mobile home — it has been the most enjoyable part of my life.

Ask for what you want at Berryessa: April 16, 2003

By Carol A. Kunze

In response to Pat Monaghan's April 3 letter titled, "Beware federal Berryessa plan," I suspect the case for change at Lake Berryessa, as the resort contracts finally expire, does not need to be made to Napa County residents. The only real question is — change to what?

Hopefully, not a convention center. The outreach we have done indicates there is little interest in hotels and motels, and that motorized boating facilities serve only a small portion of the population.

The most common theme outreach efforts have revealed is the desire to have a place to experience and enjoy nature in a relatively undeveloped area, with accommodations compatible with a nature-based recreation area. Based on this outreach, we visualize a future for the lake very different from what exists today, and from the future portrayed in Ms. Monaghan's letter. What we see is a lake that accommodates and balances different recreational interests, including boating, in an overall eco-tourist approach.

As has been noted, the draft alternatives for the lake will be out this summer. Let's not let fear of what we don't want prevent us from asking for what we do want.

Don't let feds destroy Berryessa homes: April 24, 2003

By Peter Kilkus

In a March 27 commentary in the Napa Valley Register, Tom Aiken of the Bureau of Reclamation formally unveiled the Bureau's "Disneyland Concept of Nature" as the basis for its long-delayed Visitor Services Plan. Because the federal government owns Lake Berryessa and a small ring of land around it, the bureau seems intent on unilaterally applying its flawed recreational policies and on ignoring the legitimate concerns of the rest of Napa County and its residents.

Anyone who thinks there is any "return to nature" element in this plan is deluding themselves. If there were no dam, the "nature" of this valley would be a bedroom community of thousands commuting daily to Napa, Fairfield, and Vallejo. The bureau's plan may give us some of those commute nightmares anyway.

First Mr. Aiken rewrites some history. The bureau never wanted to manage the lake and abdicated this responsibility to Napa County. The original resorts developed mobile home sections under full control of Napa County and its standards because the resorts were economic failures without a steady source of income to subsidize all the short-term recreational facilities they provided. When the bureau assumed management of the resorts, their concession contracts allowed the continuation of long-term sites. Even their Draft Environmental Impact Statement produced in the early 1990s acknowledged the economic value of long-term sites and the serious negative economic impact their destruction would produce.

Then Mr. Aiken rewrites some reality. No part of the shore of Lake Berryessa is "off-limits" to short-term recreationists. All the lakeshore is open to anyone at any time. Land access to some parts of the shoreline require entry to one of the resorts which provide a wide range of amenities, not just some dirt beaches with a couple of latrines and barbecue pits offered by the bureau. The bureau oversees these resorts and receives a franchise fee from

the concessionaires who manage them. Most state and federal parks charge a fee. The Lake Berryessa situation is no different. No one should believe that there will be "free" access to these supposed "off-limits" areas in the new plan.

Since 1975 the bureau has dramatically mismanaged the lake and its concessions. They now want to blame the mobile home owners with "40-year-old" houses for the situation. Remember, old is not bad or they'd be trying to eliminate all us senior citizens from the lake too. The bureau allowed the deterioration of some of the resort properties for decades. But only a minority of the units need upgrading. Most long-term users take significant pride in their homes at the lake. Homeowner groups at Putah Creek, Rancho Monticello, Spanish Flat, and Steele Park are working to have all owners upgrade their properties. Also, there is no evidence that the mobile homes pollute the lake in any significant way, which is another fiction you may have heard.

Sadly, the permittees are the scapegoats in this process. There is no compelling public policy reason to destroy 1,250 mobile homes while creating the world's largest yard sale as well as possibly the greatest negative environmental impact the lake has ever endured.

As I've learned over the many years I've loved Lake Berryessa, the majority of permittees consider themselves as environmental stewards of the lake. Short-term "recreationists" are not necessarily environmentalists. Check out campsites after a wild weekend. Go to the Putah Creek Bridge on a Saturday or Sunday!

Replacing long-term mobile homes with hundreds of new short-term cabins and hotel/motel rooms while aggressively advertising (reintroducing) Lake Berryessa to the greater Bay Area is not my idea of an environmentally-sound Visitor Services Plan.

A coordinated Resources Management Planning (CRMP) process for Lake Berryessa was initiated last year. You can comment on an alternative Visitor Services Plan now at www.LBVSPT.info. The Lake Berryessa Visitor Services Planning Task Force in December 2002 also invited the bureau to place their alternative plans on this site for early public comment. Unfortunately they refused to do so.

Don't forget the good at Berryessa: August 20, 2003

By Shelley Romriell

In response to your article about Lake Berryessa and the changes that may or may not happen, I wanted to let you and everyone else involved know that all the negative that is brought up about the trailers and the sewage isn't what you all make it out to be.

What about the good? What about the bond you create with neighbors, with the people who love the same thing you do, the lake. What about the people and the trailers that clean up every weekend and try to beautify the resorts and not destroy them. What about the families that have been going there for years and years. My grandfather watched the dam get built, my parents grew up every weekend at Berryessa, my brother and I grew up at Berryessa and now it's our kids turns.

The one trailer or the one person that didn't care enough about Berryessa cannot be classified with all the other people who give their heart and love to Berryessa. Why don't you ever mention that stuff?

Lake plan should keep mobile homes: August 21, 2003

By Peter Kilkus

Our organization would like to formally protest the Bureau of Reclamation's public presentation and recently released brochure regarding its Visitor Services Plan.

Your Aug. 12 article, "Officials plan makeover for Lake Berryessa," about this process perpetuates their incorrect stereotypes — especially the photographs you published. Having sat through their slide presentation twice and reviewed the brochure in detail I must say that they are crudely unprofessional in their attempt to blame every problem that ever occurred at Lake Berryessa on the existence of mobile home sites at the resorts.

First Reclamation shows multiple slides of sewage violations at uncontrolled dry sites that have not existed for more than two years (and could not exist under any circumstances in the future) to paint all mobile home and trailer owners as crass polluters. This is as offensive as it is untrue. Reclamation was entrusted with the responsibility to know of these violations. Even a process of resort self-inspection and reporting should never have been allowed without a strong auditing program in place. It was the California Watershed Posse and the California Regional Water Quality Board that ultimately resolved a situation that should never have existed. The attempt by Reclamation to now take credit for this resolution would be downright amusing if it were not for the fact that it exemplifies Reclamation's less than honest approach to this whole issue.

The silliest slide of the bunch is the one showing a closed business on Knoxville Road. Reclamation states, "The local economy receives little benefit from the current long-term private uses (observe the lack of restaurants, stores and service stations under the current conditions)." But Reclamation itself states that there are more than 1.3 million visitors per year to the lake, and in the same breath says that there are "only" 1,300 trailers that don't contribute more than a few thousand visitors per year. If 1.3 million visitors can't support local businesses outside the resorts, how could 1,200 trailers hurt them?

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. Many examples exist from the simplest 30-year leases of cabins by the U.S. Forest Service in Colorado to more substantial grazing and mining leases — including the privately owned concessions at Lake Berryessa. The reason the long-term sites are important in this context is that they provide 60 to 70 percent of the revenue to fund the short-term recreation opportunities at the lake.

Under Reclamation's own guidelines — "Private use of public lands and lakeshore should not continue into the future" — the concessions themselves (private companies that are guaranteed a profit by the government) should be eliminated since they are the most egregious example of public use of private land that can be imagined!

Some people believe that all recreational opportunities should be provided gratis by the government (all the taxpayers) as a public service. Any fair-minded person knows this idea is a fantasy. Concessions operate in all our national parks; state parks are not free. What is necessary is a balanced plan to provide varied recreational opportunities at reasonable cost to citizens.

There is no scientific evidence that long-term sites have polluted the waters of Lake Berryessa. There is no economic evidence that long-term sites can be easily replaced by other revenue sources. There is no numerical evidence that large numbers of Californians are being denied access to the lake because of the long-term sites.

The problem is in the mind of the obsessed bureaucratic beholder, not the eye of the informed rational observer. A reasonable number of long-term sites conforming to applicable health and safety codes and providing a baseline revenue during rainy seasons or droughts must be part of any common-sense future plan for the lake. The Bureau of Reclamation had a plan that was 80 percent complete in 1993! Where is their plan today?

Spinning Power Point slides showing non-existent sewage violations and amateur Photoshop depictions of tents on a hill are not a plan. To see a real plan that you can review and comment on now go to www.LBVSPT.info.

Trailer sewage is exaggerated (and already resolved): August 24, 2003

By Lynne Banez

My family has owned a mobile home on Lake Berryessa since I was 5 — over 25 years ago. I learned how to swim, ski and fish at Lake Berryessa. I have spent countless weekends taking the long drive up to the lake from San Jose and now, as an adult, from Sacramento. My two children and niece now enjoy the lake as much as I did as a child.

Besides having these happy memories, another important thing in my life happened at Lake Berryessa. Memorial Day weekend 2001, my father had a heart attack and passed away at our mobile home. Even though this event has been the most devastating thing in my life, I know my father would never want us to lose our place at the lake — he loved going there. By dying there, a part of him is always there.

We maintained our mobile home and kept our surroundings clean and up to code. The photos that are shown in your paper, with old trailers and old sewage problems, are not what the lake is about. Those problems have been taken care of — old trailers have been removed and sewage problems have been fixed. If the BOR had more involvement over the past 20 years in managing the parks, these issues and problems may never have happened.

Please support the owners of the mobile homes at Lake Berryessa. We take pride in our "second homes" in Napa County. Don't let a few bad apples spoil the bunch. I know a resolution can come out of all this nonsense. Allowing more access to everyone (i.e., more day use, camping, hotels, etc.) and allowing the long-term users to keep their places will keep Lake Berryessa a place for families to grow and continue to have great memories for a long time.

Lakeside trailers are eyesores: September 16, 2003

By Dick Chartrand

I read the five Lake Berryessa trailer owners' letters on Aug. 24, and the editor's response that the photos were taken the day before they appeared in the Register. Aside from the fact that most of them focused on the cleaned-up litter, I can understand why the viewpoint of these owners is colored by the prospect of losing the spaces for their mobile homes.

But there's something else: Due to familiarity, I doubt that they can see what an eyesore the shoreline has become. My wife and I moved to Napa three years ago and just two weeks ago decided to see Lake Berryessa for the first time. We had heard a lot about it, and yes, even that it had a lot of mobile homes around it. The published photos were no surprise to us. They merely confirmed what we had seen and reinforced the overall impression we had of the Lake that day.

Most "resorts" were an eyesore and not very attractive. I know, however, that if I owned a mobile home there and had been going there for years, I probably would get very used to the scene and say it didn't look very bad. That seems to be human nature. It sort of reminds me of how most Napa residents view some of their poorly maintained streets. We get so used to driving over them, that they don't seem so bad anymore.

Private access to Berryessa is wrong: September 16, 2003

By Genji Schmeder

John Muir knew that the best way to create a constituency to protect Yosemite was to take people there. Once they experienced it firsthand, they would share his love for the area and take action to ensure its protection by supporting National Park status.

The redevelopment of Lake Berryessa is probably the last chance in our lifetimes to turn this recreation area into a place that will instill respect for the environment and motivate users to protect and conserve the area. The Lake has wilderness quality areas to the east and west, and northward to the county border, as well as additional wilderness in Lake and Yolo counties. Our Congressman Mike Thompson, along with Sen. Barbara Boxer, are proposing several of these areas for wilderness designation.

The eastern portion of Napa County where Lake Berryessa is situated also has some of the greatest biodiversity in the United States. There are numerous examples of rare serpentine rock and the unique plants hardy enough to call that severe habitat home. There is a rare stand of genetically pure Sargent Cypress. There are deer, bears, coyote, mountain lions, bobcats, bald eagles, peregrine falcons, white pelicans and many other bird species in an area of the county with 45,000 acres of public land.

Sadly, few people in Napa County are aware of the richness of natural resources in the eastern part. The redevelopment of Lake Berryessa in a manner that would serve the public could change this. What would the Sierra Club like to see?

- Sustainable development blending with the natural surroundings.
- A recreation area that provides a more park-like experience.
- Cabins for rent by the night or week.
- Public campgrounds with space for each campsite, and tent sites separate from RV sites.
- Zoning in the lake to create quiet and safe areas for families and non-motorized recreation.
- Trails, lots of trails.
- An interpretive center that focuses on the area's biodiversity, with nature presentations and hikes.
- A single concessionaire instead of the current seven independent concessionaires.
- Management of all day-use areas by a public agency.
- A concerted effort to transform this lake to a family-friendly, safe recreational area with access to nature for short-term visitors from Napa and nearby counties.

Access to publicly owned natural resources connects us to the land. It is this personal connection that has created the constituency that is actively engaged in saving the earth from pollution and degradation. Reserving portions of recreational land for the exclusive use of a few is an abuse of public land. We all have an obligation to protect our public lands. We all have the right to enjoy them. The eastern part of our county could become a great recreational area for all of us.

Private trailers - Get off our land: September, 2003

By Ed and Teresa Cull

We live at Lake Berryessa. We have three young children and we very much enjoy boating and wake boarding. But we also like to swim and hike and we want our children to have opportunities to learn about nature, so we have been looking forward to the redevelopment of Lake Berryessa.

We don't feel the resorts have provided much benefit, except to those who can afford an exclusive trailer site. With their high prices and the small amount of land devoted to day use, they are more effective at keeping the public out than at providing the public with access.

When my friend comes to visit with her children and we want to go the lake to swim, we have to drive 35 minutes to get to public access. I only live five minutes from the lake. We used to get an annual pass to launch our boat, but the prices are too high now, so high it just isn't worth it. So we go fewer times and pay single launch fees that still seem way too high.

The trailer owners complain that day users trash the lake. We agree with Steve Rogers from the Bureau of Reclamation who told the San Francisco Chronicle (Aug. 21) that folks who like hiking and camping and appreciate wildlife are staying away in droves because facilities that would attract those users are not here. If there were a more park-like recreation area, people who appreciate parks and nature would come here.

For a time we felt sorry for those who are to lose their trailer sites because the leases are expiring. But the more we hear about how much they care about the lake, how much they enjoy their time here and how their children grew up spending weekends here, the more we wonder why it doesn't occur to them that others might enjoy it too? They aren't really fighting for the right to stay at the lake. Putting in campgrounds and cabins for the public doesn't mean they can't come anymore. It just means they will have to rent a cabin like everyone else. What they are fighting for is the right to have a site for their exclusive use.

Isn't there something wrong with having a lot of empty sites at a federal recreation area when the trailer owners are at home somewhere else in the Bay Area? Isn't there something wrong with having to buy a trailer for more than \$100,000 in order to get an overnight site at a public recreational area? Doesn't that land belong to all of us? We hear they have organized to lobby Congress to keep the public out of these sites even though the leases are up. We have seen their Web sites. We have read their petition saying they should stay. And we see they are engaging in a letter writing campaign to the Register.

We don't feel sympathy anymore. What we feel is, please get off our land.

What to look for in Berryessa plan: September 7, 2003

By Carol A. Kunze

There seems to be a certain amount of hysteria developing out at Lake Berryessa now that the release of alternatives for the Bureau of Reclamation's redevelopment plan (expected this fall) looms large. As readers have seen, fear about large hotel development is being spread by those interested in the status quo. Self-serving petitions are being circulated to lock local residents into opposing the removal of long-term sites before there has been a chance to see what BOR will be proposing in their place. Anonymous inserts are being distributed claiming BOR is "out of touch with reality" although we don't yet know what "reality" they are planning.

Let's try to set aside the fear factor and consider what Napa County should be looking for in a redevelopment plan. Currently, the lake gives us little and costs us a lot in terms of enforcement and emergency response. Some of what the county should be looking for:

1. First and foremost a recreation area that will serve the needs of more Napa County residents.
2. Short-term sites and any new concessions that will generate transient-occupancy tax for the county.
3. A plan that will generate some benefit to the local economy (half of the few retail buildings we have are shut).
4. A reduction in the need for law enforcement and emergency services (a complex issue, but capable of improvement).
5. An analysis of the number of visitors the redeveloped area is intended to attract compared to the capacity of the lake and the roads.
6. Compliance with applicable codes (current concession areas present, numerous fire, safety, health and other code violations).

What are the chances that BOR's alternatives will include some proposals that could provide some improvement or be responsive to these six issues? From what I've read, pretty good.

A perusal of their website and various public statements indicate that they would like the lake to provide diverse recreation opportunities. But exclusive sites (which don't generate TOT) violate government policy.

BOR believes there can be more benefit to the local economy and less need for enforcement, and compliance with applicable codes will be required, but that development will not occur beyond the current footprint.

What we should be fearing is lack of change.

Return Berryessa to the public: December 15, 2003

By Wendy Wallin

Two pieces in your Nov. 13 Opinion page cried out for comment. The rhetorical "When did California become a Mexican state?" was so compelling, I decided to weave my reaction to that into my comments about the "makeover" plan for Lake Berryessa.

In a continuously evolving territorial world, the conquerors, settlers or pursuers of Manifest Destiny ultimately declare themselves the "rightful owners," and from appropriation of territory (even when achieved illegally, inadvertently or ruthlessly), a misinformed sense of entitlement develops. One outcome of this in California is an attitude that our neighbors, who at some earlier date were entitled to inhabit the area, are no longer welcome. Here's the crossover to Lake Berryessa.

At first there was a town, Monticello. (Oops, well, not exactly first. Before that there were descendants of people who at some point might have migrated from Asia, etc.) At any rate, the town of Monticello, located at what is now the bottom of Lake Berryessa, was destroyed in order to create a source of water for agriculture. The people who had (not quite originally) settled in the Berryessa Valley were relocated, the town razed, the vegetation burned and the wildlife displaced to provide water for farms in Solano County. As it turns out, even farmland in Solano County is gradually being replaced by new settlers who populate new developments and are the new "rightful owners" of the land and the water.

The reservoir, designated for the public's recreational use but allowed by default to be populated by customers of private concessionaires who rent trailer space and boat launch rights, became largely inaccessible to the general public. Perhaps in the earlier stages of its development it was less congested, and the natural beauty of the shores was not significantly marred. At this stage of its existence, however, it is not a friendly lake for those interested in easy access and quiet enjoyment of the natural environment.

As a resident of the Berryessa area, I generally avoid the lake because it is noisy, there are very few trails and quiet beaches and the "resorts" are, for the most part, little more than eyesores pushed right up to the edge of the lake. Even when visiting a friend who owned a trailer at the Spanish Flat Resort, we found no reasonable access to the shoreline, and no view to speak of from the morass of trailers jammed into the area.

My friend finally gave up her trailer, since very few of her family or friends had any interest in joining her there at what was little more than a degraded trailer park stuck next to a lake, with no place close by for extended hikes, safe swimming or peaceful, non-motorized boating. Many others we have spoken with see the lake as little more than a place where people make noise, drink a lot and litter.

I would like to see that attitude toward the lake change. The only way I can imagine that happening is if there is a new ethic applied to managing the lake. That ethic seems to be the foundation of two alternatives proposed by the Bureau of Reclamation. Each alternative (B and D) returns access of this public land to its current rightful owners — the public. As it is, those who have "settled" on the public land bordering Lake Berryessa and have inadvertently taken it over (by using these trailers as exclusive "vacation homes"), are claiming that they have a right to the land.

Their right to this public land is no stronger, by virtue of their renting trailer space from the concessions, than is my right, the right of other Napa residents and the right of many others who have expressed a desire to see parity for non-motorized water recreation, effective preservation of landscape and wildlife and more opportunity to

experience the rich biodiversity of the region. I am encouraged by the Bureau's determination to take back the land for all of us, and by their commitment to restoring its unspoiled value. The land will never be returned to its "original" inhabitants. But I can at least hope that the sense of entitlement shared by many of the seasonal occupants won't prevent the reclamation and restoration of Berryessa's natural integrity.

Work together on Lake Berryessa: December 8, 2003

By John Bondelie

My wife and I have lived on the northwest shore for eight years. As homeowners we see a wider view to the needs at Lake Berryessa. Most of the writings about the lake are from people who love the lake and want to save their trailers. These people spend a lot of time up here and they are a source of year round revenue. But their hopes of keeping the lake as it was is no solution.

I have been in all of the resorts many times and the feds are right. The slate needs to be wiped clean and a new foundation established for the future of Lake Berryessa. This process will displace 1,300 sites and at present off-lake lots fall way short of 1,300. This fact brings us to the junction of needed county involvement.

It is time for all of us to work together and develop this ignored asset of Napa County. The feds will take care of the lake, but there is a lot of land up here and it would be nice if at the end of five years we could have a development of 1,300, not 2,000 home sites to offer to those who love the lake. They would sell fast.

Agreements could be made with the feds for more boat launches, in this way off-lake developments would have lake access. Our Napa Valley is building to accommodate more tourists. Lake Berryessa would add to that base and become a revenue generator. We know that Napa Valley is a world destination. We could make Napa County a world class destination.

A critical view of Kunze: January 5, 2004

By Rich Stephenson

I have noticed that the Register is giving a bit more space to the Sierra Club's Carol Kunze than is allowed to the "commoners." Kunze is despised by some, mainly because her published writing supports cooperation and working to improve the lake for all users. In reality, what comes out in her meetings and e-mails is what she intends to do to make it the way that she wants it to be with no concern for the impact that it will have on the surrounding communities that depend on the resorts for basic needs that otherwise would require a long drive to town, or the many people that depend on the resorts for employment and will most likely be forced to move should they be shut down.

She created an organization that she claims represents the Lake Berryessa communities but refuses membership to anyone who does not fully agree with her views. I would like to suggest that the Register do an in depth Internet search of Carol Kunze and also a search of keywords "Herb's Journal" (Herb chronicles their activities). This could be followed by interviews with Kunze and members of this community to inform the readers of what is really going on at the lake and to expose to all the attempt that Kunze and her environmental associates are making to turn this area into a private environmentalist retreat. I must admit that it amazes me that Kunze has gained so much power without the press looking into her background or talking to the people who are most affected.

Keep Berryessa mobile homes: January 16, 2004

By Carol Boykin

On Jan. 10, I attended the Bureau of Reclamation presentation in the Riesling Hall at Napa Expo fairgrounds. I am very disappointed in all of the alternatives displayed for the DEIS Visitor Services Plan for Lake Berryessa. In speaking with the Task Force 7 and hearing their ideas I strongly agree with them and back their ideas.

I wonder if the Bureau of Reclamation has ever taken the time to walk through a resort and see what actually happens there. A typical Saturday morning stroll by the trailers and campers will find families waking up and getting ready for a day of fun on the lake. There will be kids of all ages in sleeping bags outside on the decks of the trailers having an adventure in nature. They are cousins and brothers and sisters, nephews and nieces experiencing a family time that will remain with them forever. Grandma might be out there cooking breakfast. Dad and Mom getting them up and ready for a day on the lake.

Walk on to the camping section and you see tents and picnic tables covered with snacks and food for the day. One difference in the campground is the type of people. Suddenly there is rap music blasting, trash strewn on the ground and vulgar language shouted. Oh, certainly nearby you will also find the decent families in their Subaru station wagons huddled in their camp area trying to shut out the noise.

Instead of taking away the mobile homes that have housed generations of families, build more campgrounds for the tenters. Have some areas of the lake set aside for non-motorized boating and other activities with campgrounds near by for the people who want that type of entertainment. Granted the trailers in some of the resorts have not been kept up to the standards we would all like to see. Please don't penalize the many for the wrongs of a few.

Lake Berryessa has room for all. Whether it be the fisherman, the grandfather teaching his grandchildren how to water ski, the kayakers enjoying the peace and quiet or the jet skier experiencing their thrilling rides, please realize this world is made up of many unique people and Lake Berryessa can accommodate them all.

Berryessa plans fall short: February 17, 2004

By Wes Plunkett

I would like to share my views regarding the proposed U. S. Bureau of Reclamation Draft Environmental Impact Statement for recreation at Lake Berryessa. I grew up at the lake and currently own a boat and RV storage business there. My family owns the Spanish Flat Village Center and my parents founded Spanish Flat Resort and Spanish Flat Water District. They had a vision for the Spanish Flat area as a community, and in many ways they succeeded. I think it still can continue to grow.

While I agree that changes are needed at the lake, I don't believe that any of the alternatives proposed by the USBR is the answer. In fact, with the exception of alternative A (no action) they could diminish or even end recreational opportunities at the lake if attempted because they are unrealistic. The resorts would not be profitable under the conditions the USBR wants to create. It's unlikely they can get the funding they would need to carry out any of their plans, or new concessionaires to provide the capital to rebuild everything. In fact, the removal of the resort infrastructure and 1,300 mobile homes would create a legal, logistic and environmental nightmare.

The long-term sites are there because of economic necessity. The USBR says long-term sites restrict lake access to the public. It's a big lake, and there's lots of room for public access. Currently the USBR can't even afford to properly maintain the facilities they have. Perhaps if they charged a modest user fee it would help. I think if Napa County was more involved at the lake things could improve.

The USBR has waged a smear campaign against the resorts in particular and the lake in general in an attempt to generate support for their plans to rip out everything and start over. If they had spent all that time and money in a more positive way, the situation would be much better for everyone. They are required by the National

Environmental Protection Act (NEPA) to be unbiased and objective in their legal responsibilities. They have been neither.

Section 401 of the Intergovernmental Cooperation Act of 1968 states: "All viewpoints, National, Regional, State and local shall be fully considered and taken into account in planning Federal or Federally assisted development programs and projects."

The USBR should either comply with this act or hand over lake management to someone who will.

The effects on the local businesses outside the resorts would be disastrous if alternatives B, C or D are implemented. According to the USBR's Dornbusch Report, recreation at the lake would have to be shut down for at least two years while resort facilities are rebuilt with no guarantee of when they might reopen. None of these small businesses can survive without lake visitors and would be forced to close their doors. This would be of no benefit to the Lake Berryessa community or Napa County.

There is a common sense alternative that is not in the USBR's DEIS. It has been developed by the Lake Berryessa Visitor Services Planning Task Force and is known as alternative A+. It avoids the slash and burn mentality of the USBR's preferred plan (Alternative B) but retains the more workable aspects. The USBR should include this alternative in their DEIS.

If anyone is interested in this issue, the Task Force has a great Web site with loads of info and a petition at www.lbvstpt.info. Another site for an organization of mobile home owners, Task Force 7, with a petition is lbtaskforce.org. Better yet, write to jsierzputowski@mp.usbr.gov to comment directly to the USBR. Public input will be accepted until March 22, 2004.

One more thing. Carol Kunze, John Kent and other supporters of the USBR's preferred plan would have us believe that there are few opportunities for nature based recreation at the lake. The USBR already has several large no wake areas, a no boat bird sanctuary, miles of developed free day use area with hiking, swimming, fishing, kayaking, lots of public access to undeveloped areas and a 2,000-acre cooperative ecological reserve known as Quail Ridge.

Sure, if you venture outside a no wake zone in your kayak on a summer weekend you might get buzzed by a jet ski or swamped by a boat wake. But for seven to eight months of the year, the whole area is practically deserted. This is a time when you can fully enjoy the natural beauty of the lake as my family and I have since the lake was filled. So, it's already much more than a "powerboat lake."

Kunze's and Kent's Sierra Club-style rhetoric is long on emotional appeals and short on facts. Let's remember this is a man-made lake and by definition will never be "wilderness quality."

Open access to Berryessa: April 22, 2004

By Nancy Tamarisk

We have a once in a lifetime opportunity to tear down the "Residents Only" signs on our public land. The shoreline of Lake Berryessa is owned by us, the taxpaying citizens. However a few people have come to regard the shoreline as their private property. Specifically, resorts have leased out 1,400 vacation trailer sites, creating an interest group who object to opening up convenient lake access to the rest of us. They have forgotten that they are renters, not owners, of our public lands.

Many of the mobile homes are located in the lake flood plain, and roads are too narrow for emergency vehicles. A Bureau of Reclamation spokesman estimated that about 80 percent of the trailers need to be removed for flood plain management and emergency access: that's approximately 1,100 trailers. The trailer park group has developed its own "A+" trailer preservation plan. The group wants any trailer owners displaced to be offered either another trailer

site or a multiple-year lease at the planned rental cabins to be developed. That would leave approximately zero cabins left for anyone else to rent.

To generate support, trailer park supporters have fabricated out-and-out lies about the BOR proposals. For example: BOR plans to shut down the Lake for two years (not true). The environmentalists propose eliminating motor boats from the lake (not true). The Boy Scout camp will be shut down (not true — but exclusive contract with Boy Scouts will be ended, allowing other groups to use the facilities).

Lake Berryessa is a precious recreational and environmental resource. It should be managed to best serve all of us, not just a privileged few. The public comment period on the Lake Berryessa Visitors Service Plan ends today, April 22. To add your input to the debate:

Bureau of Reclamation 2800 Cottage Way, MP-140 Sacramento, CA 95825-1898 Attn: Janet Sierzputowski, Lake Berryessa VSP Fax: 916-978-5114 Email: jsierzputowski@mp.usbr.gov

The benefits of Berryessa: September 7, 2004

By Linda Luippold

One of the benefits of living in American Canyon is the close proximity to so many things. For many, commuting to larger cities for work or entertainment is a perk. For my family, being so close to Lake Berryessa is the big bonus.

My husband's family has had a trailer at Pleasure Cove Resort for more than 40 years. In 50 minutes, barring traffic, we can run away from daily life and enjoy the peace and beauty at the lake and have fun with family and friends.

Recently, Lake Berryessa has been the subject of news reports about water outages at certain resorts, the controversy over the Bureau of Reclamation's plans to change or limit use of the lake, and the many unfortunate drowning and boating accidents. My heart goes out to the families that have lost loved ones and to those who feel they may lose their rights. But, as with all things in life, there is the other side of the coin.

Lake Berryessa has so many benefits that you rarely read about or hear about on the news. The lake is a haven for wild animals. Packs of wild turkeys strut across the road. In July, the fawns lose their spots and gallivant playfully with the does. They come right up to the deck and eat the falling buds from our silk tree. The quails cross the roads in coveys too huge to count. Squirrels run up and down the trees while lizards dark as night practice their push-ups.

As the day fades and temperature cools, we often take the boat out and look for deer hidden on the banks. One evening we spotted 60 geese mingling on the shore while another dozen majestic Canadian honkers landed on the water then quickly took off as another boat approached. The kids like to check out the eagles making their enormous nests on top of the power poles or gracefully soaring over us on a hunting mission. Fishermen troll by and wave. On the lake, almost everybody waves. This doesn't feel like the terrible place I keep reading about. We pass a rope swing on the side of a cove and my husband smiles. Once a kid always a kid his landing wasn't bad.

On our way back to the resort we stop to help a stranded boat and tow a man and his two children back to safety. On the lake, boaters help other boaters out, it's kind of an unwritten rule people just abide by — unlike being in traffic when no one waves, let alone stops to help. Whether you are up for an action-packed day of water-skiing, wakeboarding or tubing behind the boat or wish to explore other activities, there is something for everyone here.

The mountainous roads provide great trails for bicyclists, runners and nature walkers exploring the beautiful landscape. You can beat the heat by swimming, floating on a raft or relaxing in the shade with a good book or better yet, taking an afternoon nap in a hammock. At the end of the day, the barbecues fill the campgrounds and trailers with heavenly aromas and the laughter, good times and music start to rock.

At night, we stargaze, sometimes out on the water when the moon is a crescent, then come back and make s'mores by the fire. Echoing up the canyon we hear stereos and guitars from the campground. For the less rugged, there is a full restaurant and bar. They even have a new arcade for kids having video game withdrawals. The campgrounds are close to the water and have a beautiful view.

The days my family spends at Lake Berryessa are so blessed. You can't replace a memory of teaching a child to water ski, doing a 360 on an inner tube, spotting an eagle's nest, finding a lizard or catching your very first fish. As a kid, or even an adult, these things are priceless, and definitely beat watching TV, playing video games or going to the mall.

Drop enviro-elitism at Lake Berryessa: March 13, 2005

By Peter Kilkus

Your reporter's use of some of the background comments I made about my love for Lake Berryessa (Feb. 20) and my desire to live within and contribute to that community was a bit narrow and obviously misunderstood by some folks. Yes, I enjoy riding my ATV in the beautiful — and legal — Napa County Knoxville Off Highway Vehicle area, as well as farther north at Stonyford. Yes, I enjoy riding my California and Lake Tahoe-legal jet ski on Lake Berryessa. But my Berryessa "lifestyle" also includes my hiking shoes, my mountain bike, my kayak and my little electric motor inflatable. Napa County and Lake Berryessa are perfect for all of them.

What your article did not include is that I am a life member of the Sierra Club as well as a member of other environmental and sustainability groups, was senior trainer and board member for the Environmental Forum of Marin, and have been a sustainability advocate for more than a decade beginning with my service on the San Anselmo Solid Waste and Recycling Advisory Committee. I was also on the San Anselmo Town Council for five years and mayor for one.

As councilmember I formed the Quality of Life Commission which is dedicated to fostering a sustainable San Anselmo. I have also worked on sustainability elements for the Marin County General Plan and the San Anselmo General Plan. Contributing to my local community — environmentally, economically and politically — is a fundamental part of my lifestyle.

Those pseudo-environmentalists who attempt to demonize other community members out of some misplaced sense of their own moral superiority are doing a disservice to Napa County and to the whole Lake Berryessa community. There are no sinister "special interest groups" plotting to do evil things.

We all want Lake Berryessa to be accessible to the public, provide the infrastructure necessary to service a broad range of needs, and to the maximum extent possible, be economically self-sufficient. Lake Berryessa should be a sustainable community, which means a considered balance of environment, economics and social equity (or planet, pocketbook and people, if you prefer). The future of Lake Berryessa should be based on real needs and real data, not some economically-misguided, enviro-elitist model.

Berryessa economics don't add up: March 27, 2005

By Marc Pandone

Those who are fighting redevelopment of Lake Berryessa are pleading economics. Apparently, they believe no concession company will think that a recreation lake in a beautiful area within two hours' drive of eight million California residents can support successful concession operations unless sustained by aging, deteriorating, unattractive trailer parks.

The assumption, of course, is that the current concessions are profitable. But are they? The government did an environmental assessment of the concessions and found so many code violations that \$12 million is needed for upgrades. Maybe the only way they have managed to be profitable is to forego repairs and compliance with current codes.

And if the county pays \$700,000 more in county services than it earns in revenue from this recreation lake, how is that an economic benefit for county residents?

Napa Valley tourists bring in millions of dollars. Only at Lake Berryessa is tourist economics turned on its head with visitors costing us money instead of generating revenue. This is because the 1,300 trailer sites at the lake are reserved for private use and not open to visitors. The federal plan for redevelopment would remedy this by opening up concession facilities to a wider range of tourists, thereby generating the income that makes a tourist industry worthwhile for the county, rather than perpetuating county expenditures for limited, exclusive use on public lands.

Here is what I think — few concession companies are going to be willing to invest at Lake Berryessa if the current unsightly trailers and mobile homes are part of the bargain. As it is, the private trailer site contracts are expiring. We have a wonderful opportunity for a reputable concession company with a proven history of economic and environmental compliance to develop new facilities that would not only make it a place Napa residents would want to use, but would also appeal to tourists coming from outside the area. The status quo interests think no concession companies will be interested. They are wrong.

If you perform any civic duty this year besides voting, let it be to tell the Bureau of Reclamation the public should have access to public land, and you want to see Lake Berryessa redeveloped to eliminate the negative impact on Napa County and to better serve our recreational needs.

Will there be a future for Lake Berryessa? March 30, 2005

By Robert and Alicia Freeman

When you consider all the negative impacts that will affect Lake Berryessa with the Bureau of Reclamation's plans, one has to wonder: what will happen to the environment and what will the taxpayer end up paying?

Environmentally, it is important to realize that with the demobilization and demolition of the seven resorts, the whole ecological system going to the lake, around the lake and the lake itself will be negatively impacted, if not irreversibly. In 2004 the Environmental Protection Agency noted its concerns in the Federal Register regarding the air and water quality from the Bureau's plans. By increasing day use and short-term stay above what is current, this will only increase traffic that adds to air pollution. Also, a significant contributor to poor air quality will be the big equipment operation during demolition of the infrastructure around the lake, not to mention the noise factor.

With all the demolition, it will require the removal of native and non-native vegetation and trees to meet setback standards and California Department of Forestry defensible space requirements. Trail blazing, brush removal and deforestation to create a 150-mile trail will cause wildlife all over the lake to leave because, nature needs to be balanced and this will create a huge imbalance. When retaining walls, decks and stairs are removed around the lake; the fish, fowl, and necessary microorganisms will be contaminated, not to mention all the run-off from the sewer, water pipe and aluminum siding removal. All this debris will then go to several landfill areas along with the lead paint residue and any asbestos or other chemicals not disposed of properly.

One must ask about the economic impacts of such a plan. During the closure of the lake, the annual loss to the providers that support the resorts with services will be enormous. These services include; propane, marine and golf cart fuel, fishing supplies, PG&E, electrical maintenance, computer and satellite services, food and beverage, ice and sundries that are provided to the stores, restaurants, visitors, and permittees. There are also the losses of revenue to businesses of the surrounding cities and counties that rely on the visitors and permittees that frequent the lake

throughout the year. These businesses provide gas, food, watersports equipment and maintenance of watercraft, restaurants, fruit stands and tourism.

These areas affected are Napa County, Winters, St. Helena, Solano County, the city of Napa, Fairfield, Vacaville, Vallejo, the Green Valley corridor and Calistoga, to name a few. This is not just about changing the landscape around the lake. This will have an enormous impact on the economy and many are speaking out (Winters has publicly made its position clear). There will be a loss in permit fees from the Monticello Ski Club and the Boy Scouts (page 153 of the draft environmental impact statement). Taxpayers will have to make up the loss of resort tax revenue that is paid to the county and federal government. Also, there will be no more franchise fees from the resorts' annual assessment on gross sales receipts (Dornbusch study).

In closing, I would like to point out that the resorts are the gateway to which millions of visitors a year enjoy Lake Berryessa. Under the current structure with mobile homes, they are an important component of the lake both economically and environmentally.

Still time to save the lake: March 10, 2005

By Carol Kunze

The status quo interests at Lake Berryessa have persuaded officials in the Department of the Interior to re-open the public comment period by claiming that private vacation sites are a "vital component of the lake's economic health" and threatening litigation if they don't get their way. There was no mention of the fact that Congress put a deadline on the concession arrangements at Lake Berryessa and that legally the contracts cannot be further extended.

They also didn't mention that Lake Berryessa costs the county money. Unlike the visitors to Napa Valley who contribute millions of dollars to the local economy, visitors to Lake Berryessa cost hundreds of thousands of dollars more in services, primarily from the Sheriff's department, than they bring in to the county in sales and transient occupancy tax. And recent reports indicate that what the government makes from the concessions comes to less than a tenth of its operating costs at the lake.

The claim that the concessions play a "vital" economic role is also pretty surprising given that at any one time, half of the few retail outlets at the lake are out of business. Right now two out of five convenience stores are closed and the local gas station has been out of business for years. Yet we have three residential areas with more than 500 homes and the lake averages more than a million tourists a year. The government's economic study describes the lake's contribution to Napa County's economy as "negligible." What's wrong with this picture?

With the leader of the status quo interests moving to the lake to indulge his interest in jet skis and ATVs, as has been reported in this journal, there is clearly a risk that Lake Berryessa could get worse. Increasing the presence of jet skis at the lake will simply ensure that those who want a place to enjoy nature with their families will never seek out Lake Berryessa. County enforcement and emergency services will rise.

With accommodations for the public and a diverse array of nature-based recreation opportunities more in tune with the beauty of the surrounding natural area, the lake could become a financial asset to the county as well as a recreation area for Napa Valley residents.

Napa residents need to speak up to prevent Lake Berryessa from becoming even more of a subsidized play area for private vacation sites and motorized interests.

Lake Berryessa misconceptions: March 11, 2005

By Lucy White

In an effort to dispel misconceptions, Lake Berryessa has 170 miles of shoreline, of which the seven resorts (contracted by the government — eight resorts were designated in the public use plan) have developed approximately 12 miles. More than 50 percent of that shoreline is short term/day use. The long-term vacation units are the backbone of financial support for those facilities. One hundred percent of short and long term sites are available for public use. There is approximately 20 percent annual turn-over of long term (consistent) users — units are always available. Private enterprise/concessions have developed all facilities at no cost to tax payers, while paying franchise fees to the managing entity (the Bureau of Reclamation). The resorts provide public access to vacationing/recreation visitors who demand and need various facilities and services, including: launching ramps, gas docks, boat rentals, docks, storage, stores, cafes, camping, overnight accommodations, RV sites and long term vacation sites.

The Bureau of Reclamation has direct management control of 155 miles of shoreline. To that shoreline, it provides public access to 5.4 miles. Other public access is limited and/or impossible to find. Ten areas were to be developed by the managing entity according to the public use plan. Only three areas have been partially developed. Reclamation does not provide any overnight facilities options for visitors — no camping, no RVs, no travel trailers, no boat-in camping, no overnight accommodations, no seasonal rentals (Reclamation refuses to even consider Oak Shores for any overflow camping from the resorts). The free launch ramp at Capell Cove was identified as geological instability/landslide in 1995, which continues to undermine the area, that will cost approximately \$1 million to repair.

The Bureau of Reclamation's Preferred Alternative dramatically decreases public accommodations, facilities, services and recreation opportunities. The Summers Economic Analysis demonstrates that the Bureau's financial feasibility study is fatally flawed, which triggered the reopening of the comment period for the draft Environmental Impact Study.

Our goal as a concessionaire is to continually improve Rancho Monticello Resort, maintaining a focus on current and future recreation needs, public demand and financial feasibility. We consider ourselves stewards of Lake Berryessa, valuing and protecting its resources. We urge water recreation users, environmentally concerned and economically responsible individuals to respond to the DEIS — to demand public access and recreational use at Lake Berryessa that is based on sound economic principles.

Public has plenty of lake access: March 30, 2005

By Nelson Powley

I take exception to the comments from Marc Pandone ("Berryessa economics don't add up") published in the March 27 issue of the Register. I personally have been a user of Spanish Flat Resort for the past 20 years and while there is always room for improvement, the resorts are not deteriorating: In fact they have all had some sort of face-lift over the past five years and many of the unkempt trailers are being weeded out.

As for myself, I replaced a 25-year-old trailer with a new Fleetwood trailer, which was delivered on site. Plus, I had my old deck replaced with a new redwood one.

I have no idea where Mr. Pandone got the information that code violations would require \$12 million to remedy, but I have heard that the Bureau of Reclamation's proposal would require many more millions and the closure of the lake for at least two years.

Additionally, I know of no prohibition of the public from taking advantage of all the resources provided at each of the seven resorts on the lake. Last time I checked, the public could rent a camp site, rent a fishing boat, rent a party boat, rent a ski boat, rent a cabin, rent a houseboat, buy a meal or buy groceries. In addition, all resorts have launch ramps that augment the only ramp operated by the Bureau at Capell Cove.

I also urge the public to write to the Bureau of Reclamation, but to voice a positive opinion of what Lake Berryessa can provide to both mobile home tenants and day users.

Flaws in lake plan and the fate of the pink and purple grub: May 1, 2005

By Rich Stephenson

Over the past several years the future of Lake Berryessa has been a topic often discussed in these pages. What has become painfully obvious to the year-round residents of the lake is that the Sierra Club as well as several private environmental clubs that were founded by the Sierra Club chair, Carol Kunze, have used less than honorable means to convince our elected officials that a change must be made and that the majority favors the vision put forth by Kunze.

The plan as presented by Kunze, endorsed by the Bureau of Reclamation and now apparently supported by Supervisor Diane Dillon and Rep. Mike Thompson, D-St. Helena, calls for the closure of the lake for a two-year period while the existing resorts are removed. The effect on the communities outside of the resorts will be disastrous and will result in greatly increased expenditures to Napa County. Some examples are listed below:

* Utilities, water and garbage rates will skyrocket once the resorts close and the full cost of these services is transferred to local residents; household and construction trash will end up dumped in various turnouts to be cleaned up by county workers.

* As many as 200 resort employees will be thrown out of work and be forced to either relocate or go on public assistance as there are few employment opportunities in this area that are not connected with the resorts.

* We all, Kunze included, use the resorts and the few remaining local stores to provide basic necessities that would otherwise require a long trip to town. Gasoline, bread, milk and the occasional meal out are just a few of the things that will be lost once the resorts close. While the restaurants and stores outside of the resorts may survive for a while, their survival depends on the tourist trade and without it they are doomed.

* Removal of the existing infrastructure will be the highest cost of all! The question is who will pay for the demolition and removal of the structures and underground utilities. I am in that line of work, I know what it costs to bring in the equipment, demolish the buildings while controlling the toxic materials such as asbestos and fiberglass and transporting them to an approved disposal site. The cost will be in the millions and I assure you that the Bureau of Reclamation will not be paying it, nor will the Sierra Club. Napa County will be paying that price from out of your pockets.

In reality we, the citizens of the valley, bear a large responsibility in this fiasco. For whatever reason we have allowed environmentalists and special interests to gain control of our lives. We continue to elect people who answer to special interests and ignore the majority of the voters. Wake up people, at the current rate our valley will soon be under the complete control of the environmentalists and you will need an environmental impact report and a permit to pull weeds in your yard because you might disturb the habitat of the rare and endangered Pink and Purple Spotted Grub.

Bureau working to improve Berryessa: May 10, 2005

By Wendy Wallin

A recent commentary and a letter about Lake Berryessa contain erroneous assumptions, and such hyperbole and misplaced vitriol as to warrant a rebuttal.

Rich Stephenson ("Flaws in lake plan and the fate of the pink and purple grub," May 1) objects to the plan for redevelopment at Lake Berryessa, and raises some issues regarding the transition that may indeed need to be addressed. Certainly there will be disruption caused by redevelopment, and care must be taken to minimize the economic and environmental impact during the process. But failing to remedy an existing problem and re-establish the area's natural and financial integrity, just because it is inconvenient to do so, is not a solution.

That said, Stephenson wrongly assumes that Carol Kunze was the author of the redevelopment plan. In fact, the Bureau of Reclamation, as he must know, presented four alternatives, three of which were designed to significantly improve conditions and access. Granted, Kunze's Berryessa Trails and Conservation organization has submitted a "Vision for Lake Berryessa" containing a worthwhile rationale and suggestions for increasing diversity of recreation. However, a plan to enhance recreation and accommodations at the lake was first proposed decades ago.

The Bureau, at long last, has seriously taken on the task of making improvements that will help restore the health of the lakeshore and return the lake to the level of recreational opportunity that was originally intended. And if improvements are supported by local politicians, thank goodness we have politicians who are also interested in fostering an unspoiled environment and improving public access, which would allow visitors to spend their vacation time and money at Lake Berryessa instead of just generating costs for the county. And just what "less than honorable" means were used to convince them of that?

I am always perplexed by assertions, such as that of Pat Turnpaw ("Don't let lake become a dump," May 3), that the changes are being made to please "special interest groups such as the Sierra Club." Certainly, as an environmental advocacy group, the Sierra Club supports preservation of the natural environment. Far too many people dismiss anyone who is concerned about the environment, education, animals, and wages for health or civil service jobs as "special interest groups." So be it.

If I'm guilty, at least I'm guilty of caring about that which benefits all living beings and the earth that sustains them. I'm wondering, though, if trailer owners, resort concessionaires, water skiers and personal water craft riders are exempt from the label of "special interest group." At any rate, it wasn't the Sierra Club that decided to make changes at the lake. Please get your facts straight about the Sierra Club. Those involved in the organization work hard to prevent the sort of trash and pollution dump that so many places in our beautiful land have become.

Incidentally, as a resident of the area, I do not use the resorts or local stores for basic necessities. For the most part, they don't carry what I consider basic necessities. And where, pray tell, is the gas station we all supposedly use? The only ones I see on my trips to Napa for work and provisions have been closed for years. Successful businesses, including ones that carry the provisions I need, are more likely to be drawn to the area if the setting encourages the kind of tourism that's common in Napa Valley, where visitors stay for several days.

Rather than boarded up stores and gas stations, thanks to the Bureau of Reclamation and those supporting its endeavor, there's an opportunity to create commercial viability, effective environmental stewardship and more varied recreation at the lake.

Get the facts on Lake Berryessa: May 27, 2005

By Donald F. Lombardi

The recent commentary by Wendy Wallin ("Bureau working to improve Berryessa," May 10) has a lot of wording, but produces little or no facts about Lake Berryessa or the Bureau of Reclamation. The best way to start with the true facts are with the draft environmental impact statement, produced by a company to satisfy the Bureau that hired and paid them for the end results.

The number one issue is to remove the so-called 1,300 trailers, or maybe that figure is less now. The resorts were built and paid for with private money, not taxpayer dollars. All improvements, roads, and public amenities were supplied by the resorts, not the Bureau.

Over the years the Bureau showed no interest in running the recreation side of Lake Berryessa, and responsibility bounced back and forth from Napa County to the Bureau. The Bureau has to assume the responsibility of a poor managing job over the years; it failed to be responsible and now points the blame at the resorts and trailer owners. Now they have come up with the phrase "exclusive use" to try to justify the removal of trailers. Yet they commit themselves in the draft environmental impact statement's preferred proposals to build kayak and canoe launch ramps and 150 miles of hiking trails, which by the way are "exclusive uses" with our tax dollars, not private money.

The resorts over the years have supplied public use areas, R.V. sites, camping areas, launch ramps, stores, marinas and many more amenities. The Bureau has supplied an asphalt parking area, a picnic table and garbage can over the years. These are the facts that no one can deny. Yet this has been overlooked.

Wallin states these ideas are the Bureau's and not those of the Sierra Club and other groups. Well, I guess we should start with the 150 miles of hiking trails. What will this do to the environment, animals and endangered species around Lake Berryessa? They worry about 12-to-15 miles of resorts and propose to disturb 150 miles of land at taxpayer expense to build and maintain. On top of this is the Berryessa Trails and Conservation group proposes a "Dog Owner Vision Of Lake Berryessa." The trail would be a good place to exercise your dog and have leash and no-leash areas.

I love dogs, but don't expect the American taxpayers to supply a trail so I can walk my dog. This is not about dog owners, but about family recreation at Lake Berryessa.

Next, let's look at the "exclusive use" kayak and canoe launch ramps, built with taxpayer dollars. How many people own kayaks or canoes? Then again, Carol Kunze owns a kayak. How many family members can you put in one safely? Kayak rental companies will not allow children or seniors to rent because of the liability factor. Is it any wonder that Kunze has positioned herself in the Napa Sierra Club, Berryessa Trails and Conservation and many other political positions so she can change the recreation in the Napa area, not for the majority but selfish few?

This is not about a dog-owner or a kayak-owner's recreation, but about families of all ages to enjoy Lake Berryessa. This is not a quiet zone and has never been, but will always be a family recreation lake. Pleasure and ski boats are made to accommodate young and old safely, and have always been a part of Lake Berryessa.

In regards to the gas station in the area that is closed, the Environmental Protection Agency and local regulations control its destiny. Requirements to remove and replace underground storage tanks with double-containment recovery systems and leak detector systems would cost hundreds of thousands of dollars. No major oil company is going to invest that kind of money for a seasonal location, nor will any major food chain do the same. They have to show a profit to their shareholders. When you live in the outside areas, you give up some convenience.

A Register article on May 11 quoted the Bureau's Pete Lucero as follows: "Our intentions are to turn Pleasure Cove Resort into a traditional short-term use area." Are we supposed to assume that the public comment period was a complete falsehood when the Record of Decision has not been made yet? Are we to believe that the Bureau has misled the public and has no intention of following required rules and procedures? If this is true, then there should be a congressional investigation into the handling of Lake Berryessa. The public needs to know the truth of what is going on and who is going to pay for all of the proposals. Do not let this happen without the complete answer before the damage is done. We need the true facts of where is the money to pay for this project, which Congress has not yet appropriated. We do not want a damaged Lake Berryessa because we were not given the proper information.

Nothing gloomy about Lake Berryessa makeover: May 31, 2005

By Carol Kunze

A recent letter attempts to cast the redevelopment of Lake Berryessa in a gloomy light, including unemployment, a doomsday scenario for the local economy, skyrocketing utility costs for local residents, and high costs to Napa County residents for clean-up. Most of this is nonsense.

The author writes as though the resorts will be closed and nothing will replace them. In fact, concession operators are already lining up to be the next concessionaire under the government's proposed redevelopment plans.

With a number of commercial locations that have been boarded up for years, the local economy has room to expand to serve visitors who will come and stay for a week or two, without devoting any more land to commercial development. And with more than a million visitors a year already, the area doesn't need to attract more visitors. It simply needs to provide facilities so visitors can stay for a longer period of time, generating both income and tax revenue. Redevelopment is likely to result in more jobs and a greater contribution to local utility costs.

The only real cause for concern is the transition to the new concession model. But even that short-term impact can be greatly minimized. Contrary to the claim by those who oppose redevelopment, the Bureau has no intention of closing down the lake for two years, or even for two days. What the Bureau intends is a "smooth transition to new concession operations, with minimal disruption to the public." And that transition can start as soon as the final decision is made on the redevelopment plans later this year. With both Pleasure Cove and Camp Berryessa available for new camp sites and other public-serving facilities, the transition will be well underway by the time the next four concession contracts expire in 2008.

It is true that clean-up will be costly. It isn't true that Napa County will pay for it. This is a matter for the current tenants, who are required to remove their property, and the federal government, which owns the land.

The government has received enormous public support for its redevelopment plans. Hundreds of individuals wrote to express approval of replacing private vacation sites with facilities for the public. Kayaking, hiking and equestrians organizations wrote in, eager to see the development of trails, cabins and campgrounds. Recreation and open space organizations are looking forward to what would virtually be a new recreation area to serve the region. Conservation organizations expressed support for the eco-tourism focus and use of sustainable design. Both Solano and Yolo counties joined Napa in supporting the government's plans to redevelop the lake, as after Napa County residents, their citizens stand to receive the most benefit from improved access and facilities.

The federal government expects to make a decision this fall.

Sierra Club, politicians ruining life at the lake: November 19, 2005

By Angelo Marzocco

Lake Berryessa mobile home and trailer owners are victims of the Sierra Club and Bureau of Reclamation conspiracy. For some time now, I have tried to figure out why such an unjust proposal was given to us by the Bureau of Reclamation regarding the removal of our mobile homes and trailers from Lake Berryessa. The reasons that were given to us by the Bureau of Reclamation reminded me of giving a baby a pacifier. The Sierra Club, about 750,000 members strong, is using its power to do it. Isn't it amazing what power can do?

We all have asked why Rep. Mike Thompson, D-St. Helena, and especially our senators, Barbara Boxer and Dianne Feinstein, haven't come to our rescue with all the letters that were sent to them. (I also received a pacifier in answer to my letters to them.) Well, think about it, my friends. The reason they did not help was because of good old politics, though they probably wouldn't admit it.

What it means is that if you have played ball with the Sierra Club and the time comes for election, what do you think 750,000 votes coming your way will do? This is utopia for the politicians and the Sierra Club. I also believe the power of the Sierra Club, the chair of the Napa Chapter, Carol Kunze, and the congressmen and senators mentioned, have somehow persuaded and put pressure on the top officials of the Bureau of Reclamation to make their decision. They won't admit it, either. Is it possible their jobs were threatened?

Are the Secretary of the Department of Interior, Gale Norton, Commissioner John Keys or regional director Kirk Rodgers members of the Sierra Club? They all seem to have the same missions and visions if you read about them. They are still venting about Al Gore not getting elected. You do know also that Thompson and Sens. Boxer and Feinstein are Democrats and still trying to get revenge for Al Gore not getting elected.

I would love to have a congressional investigation take place, but who can we ask? Surely not our senators. All you would get from them is another pacifier. If someone out there has an answer, please advise. Possibly Rep. Richard Pombo, R-Stockton, as he's a Republican.

I would like to conclude by saying that the Bureau of Reclamation has bowed down to the Sierra Club and our politicians that are with them. It is one thing to want a clean environment, to get rid of air pollution, toxic chemicals, industrial pollutants, etc., but it is another to destroy peoples' way of life and happiness by soliciting the public with your lies from the Sierra Club.

This is not only regarding our mobile homes and trailers, but also the businesses and employees in the surrounding area, like in Winters. Sierra Club members, I hope you are really proud of your accomplishments in conquering the world. I think I will go sit on my deck at Lake Berryessa now and have a drink, and light up a good old Italian stogie and blow some smoke your way.

Transparency at the lake by Cong. Thompson: November 23, 2005

The opinion column by Angelo Marzocco ("Sierra Club, politicians ruining life at the lake," Nov. 19) provided an interesting theory on what is happening at Lake Berryessa in regard to the trailers, resort owners, the Bureau of Reclamation and the proposed use plan.

First of all, I doubt anyone believes Mr. Marzocco's assertion that the trailer owners are being punished because Al Gore lost the presidential election six years ago. Nor is it reasonable to go along with his claim that lake operations are undergoing change because the Sierra Club has "750,000" voters with whom I am somehow trying to curry favor. Each congressional district is made up of only 650,000 people, of which many are either not old enough to vote or not registered to vote.

Lake Berryessa is owned by the people of the United States and managed by the Bureau of Reclamation. Under the Bureau's current management condition, it has leased areas to concessionaires who in turn have rented and leased spaces for trailers. The park leases are set to expire, prompting the Bureau to conduct extensive studies and community outreach to determine how the lake should be operated to best serve the general public and all taxpayers.

My role has been to ensure that the Bureau maintain an open, transparent process to ensure that everyone's opinion be considered in an honest and public manner. I have held numerous meetings with trailer owners, park owners, public officials, recreational advocates and federal administrators to be certain that everyone is working from the same facts and that the process is considerate to all parties. So far, this has been the case.

Some trailer and park owners have hired a lobbyist to try to influence the process in their favor, and they have every right to do so. However, Mr. Marzocco has no business suggesting that the process is some sinister political plot by Democrats who are punishing trailer owners because Al Gore lost an election six years ago in a county he won. The fact remains that this current administration, which controls the Bureau, is Republican, as is the lobbying firm hired by Mr. Marzocco's group.

So please get off the partisan kick and be honest in your explanation and participation in this open and transparent public process.

Leave the lake alone: November 25, 2005

By Lou Jones, Once-A-Week Lake Berryessa Boater

From title through its content, the front-page article of November 23rd, “Battle for the Berryessa Trailers Heating Up” by Julissa McKinnon is one of the best examples of distorted, one-sided journalism this reader has ever encountered.

To frame the article in the context that the entire, or even the majority, of the 950 participants at the November 19th meeting in the Winters High School gym were all “trailer owners” is blatantly inaccurate.

I should know; I was there. I am NOT a trailer owner. I am a “Short-term User” of the lake and have been for many years—the kind of user the Bureau of Reclamation has stated that they want to re-make the lake in deference to. I sat in the bleachers in a sea of mixed constituents: Boaters of all types, jet-skiers, water skiers, wakeboarders, kneeboarders, fishing enthusiasts, resort operators, campers, AND long-term residents united in their vocal, common-sense opposition to the government’s “Preferred Alternative B” which in reality is “Preferred” by no one except the BOR officials who drafted it.

This fight is NOT solely “about the trailers”. That flawed assertion was made several times in the article, as well as the statement that it is the “trailer owners” alone who have caught the attention of Representative Richard Pombo, R-Tracy.

This fight is about the BOR taking a sledgehammer to the lake and its surrounds; re-making it in the government’s image of something not broken that needs fixing; expelling the resort owners when no public mandate exists for them to do so; imposing a flawed system of “zones” over the entire lake body and implementing a set of “I dunno what will happen” restrictions that are shrugged off by BOR bureaucrats who grudgingly admit that even they have no clear idea of what the real plan is, or what the outcome in total might be.

Furthermore, the plan completely ignores the contributions and rights of the current property owners and resort operators at the lake. These people built these businesses and played by the government’s rules for 40 years. I, for one am pleased with the way Steele Park and many of the others are operated. The park has a motel and numerous cabins for rent—most of which go completely unoccupied in the off-season. Yet detractors of the “low-class trailer-ified” lake say facilities like these do not exist. Real users of the lake know better.

I am not anti-environment, I am anti-restriction. The California Department of Boating and Waterways already has plenty of laws on the books to allow for peaceful and harmonious coexistence of powered and non-powered vessels on bodies of water. We don’t need a bunch of leftists cramming more restricted areas and regulations down our throats.

Last time I was at the lake, the water was pure blue, the fish were still jumping and eagles still soaring, and the western grebes still happily floating. Don’t remake the lake. It ain’t broke. Don’t fix it.

Majority of residents and businesses oppose BOR plan: November 26, 2005

By Peter Kilkus

My name is Peter Kilkus and I'm the Executive Director of the Lake Berryessa Chamber of Commerce and also the editor of the Lake Berryessa News.

Our 56 business members are nearly unanimous in opposing Reclamation's plan for Lake Berryessa. I travel a 100 mile paper route every two weeks (thank goodness my Prius gets 47 mpg) through Fairfield, Napa, Yountville, St. Helena, Calistoga, Angwin, Pope Valley and all around Lake Berryessa. The hundreds of people I've talked to - local residents and businesses - not trailer owners - are also nearly unanimous in opposing the BOR plan. When people finally understand what the government is trying to do, they are incredulous and wonder what is wrong with the Bureau of Reclamation.

The City of Winters agrees. Berryessa residents and businesses, not just mobile home owners, were well-represented in Winters. The Solano County supervisors also criticized Reclamation's plan last week. This is absolutely not a "trailers-only" issue! How can the government force a plan like this down the throats of an unwilling local community when excellent lower-cost alternatives exist?

And where was Congressman Mike Thompson? After ignoring hundreds and hundreds of letters, emails, and phone calls, he finally pops up in a in response to a single over-the-top letter from a disgruntled trailer owner. He piously wants us to believe he really cares about an open process, but immediately starts talking partisan politics.

And after the "revolt of the constituents" at Winters, he is reported to have immediately sent in his aide to try to buy off the Winters City Council, implying he'd get any changes they want into the BOR plan. He disingenuously talks about "Republican lobbyists", yet personally knows they work for Democrats - as they are doing at Lake Berryessa. He appears to be consciously trying to make this a partisan issue. Not only has this process not been open or transparent, it has been invisible!

This is not a partisan issue. It is about bad planning and bad faith on the part of the government. It's about not listening to real people. Republicans and Democrats alike should, And Do, oppose the BOR. It is not an environmental issue either. Although some supporters of the BOR plan continue to lie about it, there are no sewage or health and safety problems at the lake. Mike Finnegan of the BOR confirmed this in Winters last week when he stated that there were no problems at the resorts as far as the BOR is concerned.

I have a kayak and a jet ski, a mountain bike and a boat, hiking shoes and an ATV. My family and I use them all regularly. Supporters of a reasonable plan for the lake are trying to be inclusive without destroying the best parts of what exists. There is room for everyone.

Don't let the Bureau wreck Berryessa; September 19, 2006

By Angelo Marzocco

Let me begin by asking a question. Was the Constitution of the United States written to include all the states and for all the people, or was it written only for the U.S. Bureau of Reclamation?

After reading an article on the Internet about President Bush paying tribute to the life and legacy of the great Martin Luther King, Jr., and the strength of character of Mrs. Rosa Parks in their fight for civil and legal rights, he had better investigate his own Bureau of Reclamation, in particular the mid-Pacific region that released its final record of decision to the trailer and mobile home owners at Lake Berryessa.

It is the most unjust, unequal and illegal decision made by the bureaucratic dictatorship of the Bureau of Reclamation. We are to remove our trailers and mobile homes at our own expense to another location (that is not available) or just destroy our units on-site and pay for the destruction and removal without a dime of compensation. In addition to no other locations being available, there is not legal access to 99 percent of the roads and highways to move a mobile home from Lake Berryessa.

Regarding compensation, what happened to the 3 percent of our monthly rent that was paid to the BOR? Three percent on an average of \$400 a month is \$12. This times 1,300 units equals \$15,600 a month, or \$187,200 a year. In 40 years, it equals \$7,488,000 and this is not counting the 3 percent of the total gross the BOR collected from the concessionaires.

Surely this money was not needed to fund their very small staff, facilities and administrative costs, judging by the tremendous early budget amounts that they get each year. It is also unbelievable that the concessionaires fighting the BOR have stopped, because they are going to be paid by the BOR for their investments. Equal rights? Isn't it amazing what money can do to your comrades and big businesses like Forever Resorts, which was given the OK to take over Pleasure Cove without competitive bids? Is this legal? Regarding the thorn in the BOR's side (the thorn being non-long-term use, stated in their own manual), they did allow executive long-term use from the beginning of recreation at the lake.

They authorized Napa County to take control of the lake and approved their plan to set up the concessions for short-term and long-term use. When they regained control of the lake from Napa County, they went ahead to enforce their non-long-term use by beginning their Draft Environmental Impact Statement (DEIS) for Lake Berryessa and to show their sovereignty. They deceived the public with the DEIS by evading permittees' questions, and with false propaganda. In a letter from the area manager, Mr. Finnegan, one of three that signed the final record of decision, to one of our permittees, who has the legal right to have his questions answered and the BOR must legally do so by following the rules of the Reservoir Area Management Plan (RAMP) Finnegan said that his requests made serious time demands on a small staff that has many other duties managing various reclamation areas and serving the public. Secondly, he said they have been working to respond to his requests, but it was not possible to accomplish that massive task in advance of the cut-off date for the DEIS comments. So because of their admitted lack of labor, and by illegally going against the RAMP, it's OK to go ahead and print the DEIS.

If this is equal and legal rights, we must be living in another country. The Dornbush study, for which the BOR spent more than \$100,000 of taxpayers' money, clearly was against the BOR's plans of future recreation. Also, the audit results from the Office of the Inspector General of the Department of Interior state that the Bureau's policy to phase out private, exclusive use of reclamation lands was not applicable to the state and local governmental agencies that managed the majority of the Bureau's recreation lands. In addition, the permittees were allowed to invest in dwellings and associated improvements because the Bureau did not establish definitive guidelines for determining when Bureau lands were needed for public use.

What kind of people are running our government who could get away with this outrageous decision? These are our legal rights undermined by incompetence and illegal actions by the BOR. Many more technical issues will be brought forward to the people and corrective authorities. People of the public, please join our fight with the Berryessa For All to undo the unjust and illegal decision of the BOR.

Give Berryessa folks consideration: January 27, 2007

By Doris Pierce

I'm writing in regards to the article on Jan. 17 concerning the lawsuit against the Bureau of Reclamation ("Berryessa trailer owners sue feds"). Napa County and the Napa Register need to consider the fact that all 1,300 permittees are not trailer owners. Some of us are, in fact, mobile home owners. I, and many others here, resent the fact that you write articles about us that are very untrue.

I, among others here, happen to be owners of very nice modular homes in the upper bracket of \$150,000 and above, and many are senior citizens, and I, for one, am tired of the government picking on us. My husband and I live here legally because we work in the resort. We are 75 and 77 years old and pay Napa County taxes and have permits for our mobile home. So before you side in with the government, maybe you should give us a little consideration for what we have in investments in our home. I look forward to the day we have our day in court and can get a little

better press release. I am a subscriber to the Napa Register and I am very upset over your lack of professional journalism practice. You should look into facts before making them public.

Resorts are backbone of lake: January 27, 2007

By Robert White

The "Our View" editorial "New phase in battle for lake" (Jan. 21) stated: "There is plenty of private land near the lake that may be useable for mobile home resorts." Also: "But Lake Berryessa belongs to the public, and the Bureau of Reclamation did the right thing in reclaiming the lakeshore to benefit one and all."

These are only two statements out of many that I found to be ridiculous opinions that had nothing to do with the facts. Where is this private land for mobile homes you mention? How does private ownership prevent the public from using the lake? The mobile homes you refer to as "trailers" are well maintained, not to mention the economic backbone of the lake. Do you really think a bunch of overnights are going to help the economy in the surrounding areas?

These "private" resorts are accessible to everyone. All of the resorts have campsites. There are also literally hundreds of mobile homes for sale.

I suggest you go to the lake this summer and take a stroll through the campgrounds. These are open to the public. Here is what you will see: loud music all night, fights, drunken teens and garbage piled everywhere. Sounds like heaven, doesn't it? I doubt you have ever visited the lake, but if you do, do me a favor and jump into it!

P.S Isn't the lake in America? I thought private ownership was one of the things that separate us from the rest of the world. I doubt you would have the same views if some government agency wanted to confiscate your private property.

Lake mobile home owners just want equal treatment: February 1, 2007

By Phil Constantino

I have read your editorial ("New phase in battle for lake," Jan. 21) as well as the Jan. 17 article regarding the lawsuit filed by Berryessa For All ("Berryessa trailer owners sue feds"). I was also quite surprised that you printed so many rebuttals against both articles on Jan. 27, bravo!

What does Berryessa For All really want? It may seem obvious to the biased. Berryessa For All, first and foremost, wants equality or an equal voice that will be counted. In your article, you state that the process for public review was extensive ... that it was, but it was biased. When the Bureau of Reclamation asked for public comment and input, it did not count all responses equally.

The bureau's count of support for their plan was supposedly in favor of ousting the mobile homes. Task Force 7 members collected more than 13,000 signatures from mobile home owners, campers, RV campers, boaters ... people from all walks of life in opposition the their plan. Yet, the bureau arbitrarily decided to count those thousands of signatures as one comment. Every comment received in support of the bureau's biased plan was, in fact, counted, significantly skewing the data.

A few of your readers have said to the mobile home people, "Move on." I have only one thing to tell those callous individuals. The Bureau of Reclamation permitted every one of those sites, collected fees and, for the past 25 years, mismanaged Lake Berryessa without any accountability. Two separate government audits called the bureau to

question regarding the mismanagement. The only way the bureau can save face is to wipe the slate clean (remove mobile homes and trailers) and start from scratch so that its mismanagement can be conveniently covered.

The real shame is that the bureau purveys water well but doesn't have a clue how to manage recreational venues. If one could look at the current lake situation with an unbiased eye, you would see that with such a large lake — more than 165 miles of shoreline — kayakers, trail walkers, birders, boaters, campers, RVers and mobile home owners could all share the lake together in harmony. Again, all we ask for is equality.

Sometimes, folks who demand equality have to do so with a loud voice. I remember not too long ago, the norm was to force people to have separate entrances and seating, and not allow them in certain schools. However, some very vocal folks protested and demanded equality and things were changed. Like I said, we want an equal chance by an unbiased person to hear our case — then, and only then, will we receive equality.

The right move at Berryessa: February 1, 2007

By Wendy Wallin

It's pretty darn simple.

A lot of nice people have been vacationing at the Berryessa resorts for many years. Their eviction is seen by many of them as unfair. They are sad, to say the least, about plans for change at Lake Berryessa. Many other people see the potential for more varied use throughout the year as a likely benefit to the county and its residents, including many of us Berryessa "locals."

The Bureau of Reclamation manages the lake with whatever funding they receive from taxpayers. Those taxpayers will now have reasonable access to the lake and more recreational opportunities available to them. There is no property rights issue. The U.S.A. is fortunate in that our government has made private ownership of land possible, even for those who are not wealthy.

And in the case of Lake Berryessa, the government has allowed, for many years, long-term leases on public land. Those who could afford to rent space and buy a trailer (or a \$150,000 modular vacation home) were indeed fortunate in having so many years of guaranteed family vacations on government land. The government is not confiscating anyone's property.

The government is going to return the land to the taxpayers who own it and who pay to have it managed. And in spite of spurious lawsuits, confounded facts and claims that someone must be getting their pockets lined if they take steps to improve a federal recreation area or if they publish an editorial supporting such steps, the plan for Lake Berryessa is, indeed, a step in the right direction.

Children ask "Why'd they take our lake?" June 28, 2007

By Elizabeth Parodi

Good Day. The fundamental elements of societal norms taught from the early stages of development are learning to play fair and to share. And, don't be a bully. Let's be clear from the start what this means:

- The concept of fairness involves treating everyone equally and impartially. This means that no matter what the rules are, as long as they are applied equally and impartially, the playing field is still level.
- To share is to partake of, use, experience, occupy or enjoy with others.
- To bully is to make one's way aggressively or by intimidation or threats of intimidation.

We are the parents of the children of Lake Berryessa Marina. We are honest hardworking people who, more likely than not, do not invest in the stock market or take long, luxurious vacations. But rather, we invest in our children. We invest in our children and their happiness, with a strong desire to perpetuate momentous times, within the safety and security of Lake Berryessa Marina.

We assist our children in learning to play, to share and to enjoy exploring their worlds. We are nurturing parents, involved in the growth and development of our children. They are taught these basic fundamentals, along with the respect for nature and all creatures, large or small. They hold in high regard others' privacy, possessions and family time. We instruct that they clean up after themselves and others, if necessary, to maintain a clean and safe Lake Berryessa Marina. They honor the dock rules, water safety rules and the time-to-be-quiet-because-neighbors-are-sleeping rules.

They easily comprehend the concept of sharing when neighbors spend time together sharing meals, stories and friendship. They understand that to follow the rule is to play fair. To play fair is to be rewarded. They recognize that their reward is to come back to their clean and safe lake, surrounded by family and friends, ready to share their next adventure.

A substantial number of our children are now young adults with children of their own. Many of our youth are great-grandchildren to the original "settlers" at Lake Berryessa Marina. Whatever the age, they are creating the memories of tomorrow. And they are playing fair and sharing.

We are invested not only financially, but of more importance, emotionally to Lake Berryessa. Our family began camping at Steele Park in 1967, only to finally settle in A-Cove at Lake Berryessa Marina in 1975. Our little trailer has borne witness to the birth of six grandchildren and three great-grandchildren to Ben and Barbara Parodi. Papa Ben always called it his "cabin in the sky."

It is now the year 2007, some 30-plus years later. Our little trailer, which has witnessed and validated each stage of our lives, is in jeopardy. Why? Because you are not playing fair. You are not sharing. Lake Berryessa can easily be shared, used, enjoyed and experienced by park tenants, day-users, bird watchers, dog walkers, hikers, boaters, campers, fishermen, kayakers and more.

As adults, we are aware that along with teaching and learning the rules comes understanding of reward versus consequence. Our children know that in keeping the rule comes reward. They also understand that an unhappy consequence is the result of not abiding by the rule.

My 3-year-old grandson innocently asks, "Why they take our lake, Grandma? We on time out?" Sadly, I can only respond that we did nothing wrong. We possess pride of ownership in our home away from home, and we honor and respect the lake and what it represents to our family. How do I explain that is it not a "time out" but rather a "take away?" We played fair. We shared. Unfortunately, the bullies did not — and do not.

When will the Bureau of Reclamation "play fair" and begin to honor the fundamental element of societal norm and "share" the notion of treating everyone equally and impartially?

Preparing for a new experience at the lake: July 6, 2007

By Carol Kunze

The prospectus for Lake Berryessa issued by the Bureau of Reclamation in early June provides the best idea yet of what the future holds. It allows a great deal of flexibility to propose the mix of facilities and services that will be offered at each concession area, placing a premium on creativity and urging bidders to create their own vision for the concessions. However, that flexibility is to be exercised within parameters that establish an overall atmosphere

and approach that is very refreshing and sets the stage for a recreation area that will serve the public well. The lake foreseen by the prospectus will provide a much richer experience for the visitor, fostering respect for the lake and surrounding natural resources.

While the types of facilities offered will be similar to today (with the exception that there will be no long-term trailer sites), the new cabins and campgrounds, restaurants and marinas will be more cohesive and visually integrated. This will serve a greater change for the public — a difference in ambiance. Emphasis is placed on creating a relaxing, uncluttered atmosphere with lodging facilities that are spaced to provide some privacy and that are harmonious with the surrounding landscape. Bidders are asked to describe how they will reduce noise and protect the natural quiet.

The new atmosphere is further supported by the emphasis on appreciation of the natural resources, and a conservation ethic. Prospective concessionaires are asked to describe their environmental management program, the steps they will take to practice water and energy conservation and how they intend to use their resource conservation activities as a learning experience for visitors.

The focus on resources and cultural history is echoed by requests to explain how employees will be trained to interpret and provide information on area resources, the encouragement to provide interpretive programs for visitors and the requirement that merchandise enhance the understanding both of Reclamation's operations and local natural resources, including local plants and wildlife.

Visitors today can lose sight of the fact that when the lake was developed, a new ecosystem was created with it. What's more, the surrounding landscape that provides a stunning backdrop to the lake remains relatively untouched — witness the recent designation of the hills west of the lake as the Cedar Roughs Wilderness. As we now know, Napa has extremely high biodiversity and five times the number of rare and endangered species as the California average. The prospectus creates the opportunity to make Lake Berryessa the focal point for education on why Napa's natural resources are special beyond their ability to produce fine wine grapes.

An equally important point is the focus on integration of government and commercial recreation operations around the lake to provide visitors with a wide spectrum of recreation experiences. This focus is critical to converting the lake from an area that relies on long-term tenants and day-users to a vacation destination where visitors rent a cabin or a campsite for a week in order to enjoy a diverse array of recreational activities, from swimming, paddling and taking a nature hike to motor boating and water skiing.

Throughout the prospectus, there is a focus on serving visitors well — training employees to recognize and then meet visitor expectations, providing a quality experience, a relaxing atmosphere and a chance to learn about the local natural areas while enjoying water and land-based recreation.

Other recreation lakes have successfully made the transition from a troubled to a thriving lake, and Berryessa can do the same. Concession operators have until Sept. 5 to submit their bids to become a concessionaire at the lake. Hopefully, by the end of the year, we'll know who the next concession operator(s) will be and what facilities will be offered in each resort.

Bureau of Reclamation decision is unjust, divisive: July 17, 2007

By Don Lombardi Sr.

On Friday, July 6, I, Don Lombardi, my wife Donna and my sister Dorothy Rosa decided to visit the Big Island area to go back and enjoy the safety, peace and tranquility of this area, which we have for many years. Upon entering the no-wake, 5-mile-per-hour zone, we observed a one-person kayak, a man fully dressed with long-sleeve shirt and a large brim hat for shade, enjoying paddling around. We proceeded around to find a nice area to put our 24-foot motorized patio boat at shore so we could enjoy a safe swim out of the traffic of the main body of

water of Lake Berryessa. While motoring around, we counted between 35 to 40 motorized boats in the Big Island area, the mixture consisting of three large houseboats, many patio pontoon boats, ski boats and pleasure boats. When we reached a comfortable area, we beached our boat, put on life jackets and entered the water to enjoy the safety of the Big Island. While we there, a ski boat pulled up next to us, dropped an anchor off the rear and let the boat touch the shore. The occupants of the boat were a man in his 30s and two small boys, one 3 years old and the other 5 years old.

There was a friendly hello exchange between us seniors, ages 64, 72 and 75 years old, the man and his young boys. The man proceeded to put his young boys on the shore where they played in the water with toy boats while he sat back in his boat relaxing and not worried for the safety of his children. During our discussion with him, he confirmed that he had been coming to this area for about seven years, and even after the boys were born, he felt this was a very safe place for his children to be at Lake Berryessa.

Now, as we seniors were floating around, we noticed deer lying in areas of shade from the heat of the day, Canada geese swimming around, and overhead osprey searching for a meal. Looking on the other shores we observed teenagers, young and old, playing and enjoying flotation mattress. The area was brimming with boats going by with friendly waves from the occupants, all obeying the rules of the waters and the rights of others.

The question that passed through our minds was, Here we are, senior citizens, little children, teenagers, adults and wildlife, all living and enjoying the peace and tranquility of the Big Island of Lake Berryessa. The reason we are here is because we have motorized boats to transport our family to the Big Island safely.

This Big Island area has been chosen by Bureau of Reclamation decision-makers to be a non-motorized zone. The seniors, children and adult citizens that depend on motorized boats to bring them to this tranquil area will no longer be welcome here, the very ones that were present today in this area.

The big question we ask of the Bureau of Reclamation planners and the three signers of the Record of Decision is, Why do you choose to segregate rather than to unite? Is it because you have no young children in your present family life, or no seniors as part of your life to consider what your plans will do and how they will affect others? I wonder if you have also not considered the handicapped.

If Abraham Lincoln could look down and see how the Record of Decision will segregate our people rather than to unite, he would have to be ashamed of the years of progress we have made and to show an agency has completely ignored his accomplishments. The Bureau of Reclamation is an agency hired by the citizens, taxpayers, to take care of the federal property of the United States of America, but was not given the power by the people to take away their constitutional rights. This is the United States of America and not the Segregated States of America. I ask that the Bureau of Reclamation undo this unjust plan to separate our people in the Record of Decision.

Bureau owes us all answers on Berryessa: November 13, 2008

By Donald F. Lombardi

The following people are responsible for the planning and destruction of Lake Berryessa recreation. The Bureau of Reclamation, an agency of the Department of the Interior, and Rep. Mike Thompson, D-St. Helena, working together for a solution to rid the lake of trailers and mobile homes. The plan was in place over many years to complete the removal of family recreation to be replaced with the unknown, which today is still unsettled. The victims of the Bureau of Reclamation and Thompson include the Napa Register, TV news media, the Napa County Board of supervisors, concessionaires, permittees, local business, Napa citizens, surrounding community cities and future winning-contract bidders.

Today, take a drive to Lake Berryessa and view what is presently the failed action taken by the Bureau of Reclamation. It's time to believe your eyes rather than Bureau of Reclamation lies. This is probably what the

people of Iraq saw after the bombing of their country. You cannot believe that this was a thriving recreation area with all kinds of amenities for the public, with local business enjoying the profits of the economy and a busy lake with everyone enjoying the pastime after work. Now all those are gone, resorts are closed, mobile homes are gone and local business is either closed or for lease.

What other words of wisdom will the Bureau of Reclamation tell the news media? That this will all change into Disneyland of the north? The facts are right in front of you and they have not convinced the new contractor to sign on the dotted line to take over five resorts. Something is drastically wrong and they are keeping it a secret. Why? This could be because we are in another drought here in California, fuel cost is at an all-time high, the economy is at an all-time low and people are losing their jobs. What business sense would it make to invest millions of dollars into recreation, the very last thing affordable on people's priority list? The timing to eliminate the resorts' dependable income could not have happened at the worst time in history. The problem is the Bureau of Reclamation had no backup plan, for its attitude is to plow ahead and then hide their heads in the sand.

They reward their people who were part of the destruction of Lake Berryessa with a memorial dedicated in their name. This is the same philosophy used in the financial market crisis to reward a CEO with a million-wage package after losing the company money. Is this the example we give our children: to reward people in life for failure?

The lucky bidding contract winner still refuses to sign an agreement with the Bureau of Reclamation after months of being awarded the winning contractor of five resorts. The Pensus Group is probably feeling the same way as the rest of the victims, for why would they refuse to sign the agreement with the Bureau of Reclamation after being chosen the lucky winner? They were lied to by a federal agency who has lost the trust of the people. Like a famous comedian said, when caught red-handed by his wife cheating on her, "Are you going to believe me or your own eyes?"

The people responsible for the destruction of Lake Berryessa recreation and the destroying of local business economy should be held accountable and prepare themselves to find a new career. They have destroyed millions of dollars of taxpayers' money and investments of good, hard-working people, which includes local business losing their life savings. All this, for what?

This is no different than greedy CEOs losing money for their companies and the stockholders. It is time for the Bureau of Reclamation and the ones responsible for this disaster to be held accountable to the taxpayers and people to show that this was a failed plan, which has destroyed the family recreation at Lake Berryessa. It is time for the news media to ask some serious questions and demand some answers now.

The news media owes it to report the truth to Napa citizens and to the thousands of recreational people who have supported the Lake Berryessa resorts and the local business economy. The Bureau of Reclamation needs to answer the people who pay its employees' wages, what, why and the example they follow of success elsewhere. We cannot reward failures anymore but need accountability from the top down.

Rep. Mike Thompson, what is your answer regarding the Lake Berryessa failure?

Lake fiasco proves government fails people: March 24, 2009

By Sherry Dahlquist

The recent debacle at Lake Berryessa is one of the many reasons why people do not trust the government to do what is best for the community at large. Without rehashing the entire series of events which led to the recent collapse of negotiations between Pensus Group and the Bureau of Reclamation, it is clear to anyone who has followed this that the Bureau of Reclamation has completely failed the taxpaying citizens and the Lake Berryessa community.

Their lack of organization and common sense will negatively affect us for months, if not years, to come. Needless to say, I am greatly disappointed in our leadership that has allowed this to happen. I will be the first to agree that changes needed to be made at the resorts. But to disregard the concerns of the citizens and promise a smooth transition, and then to have no plans in place to keep things moving forward just in case negotiations fell through, is unconscionable and irresponsible.

The financial effects that this mess has had, and will continue to have, on the small businesses trying to survive in an already dismal economy should prove that often our government does not operate in the best interest of the people.

Even though this particular event has no direct relation to universal health care, I can only imagine how a transition from private health care to government-run health care would compare. I am thankful for the many things that our government does well, such as fire, police, military, street and water, but it seems like we are turning to the government to solve problems, but they end up causing more problems without thinking through the consequences of the actions they take.

The mess at the lake: March 28, 2009

By Alfred Colon

It was sad to see the recent article by Register Staff Writer Kerana Todorov totally ignore the west side of Lake Berryessa, other than to mention that the Bureau of Reclamation public sites remain open. The west side of the lake, except for the small boat ramp at Capell Cove, will not have boat facilities. Boaters coming from the west will have to drive to Pleasure Cove or Markley Cove to use their launch facilities — all because the Bureau of Reclamation acted in haste.

In addition, the water and sewer rates for the families at Spanish Flat and Berryessa Pines will go up this May because of the loss of revenue from the resort that Bureau of Reclamation closed, which accounted for 25 percent of the water revenue. We warned the Bureau of Reclamation that this would happen.

So it's not all roses at the lake. It's a mess and Rep. Thompson's Johnny-come-lately's involvement is not enough. Supervisor Dillon was at the forefront, supporting Bureau of Reclamation in their immediate closure of the resorts. She made comments about how much prettier it would be with new concessionaires. Not! It's a real mess and the ones that suffer are those who use the lake, not our politicians that sit in their offices in St. Helena.

It's a sad state we are in. The Bureau of Reclamation could contractually open every ramp if it wanted to. The procurement regulations have provisions for emergency and temporary contracts.

The Bureau of Reclamation needs to get busy and issue short-term contracts now.

Flaws in Reclamation's plans for the lake: April 24, 2009

By Lucy White

The abandoned prospectus and awards have devastated the Lake Berryessa community. If the flaws are known in the prospectus, then a new prospectus should be released immediately.

Five resorts are closed to the public — indefinitely. Putah Creek Resort and Lake Berryessa Marina Resort are in bankruptcy, where most of the mobile homes and trailers, along with all facilities, were abandoned. The Bureau of Reclamation is attempting to clean up those two resorts, with little evidence to date, while providing security.

Rancho Monticello Resort, Spanish Flat Resort and Steele Park Resort are all cleaning up their resorts and providing their own security; nearly all of the mobile homes and trailers have been removed from those resorts.

With all five resorts closed, there are no facilities open to the public on the entire 22 miles of the west side, other than Reclamation's day parks and turnouts. Markley Cove Resort and Pleasure Cove Resort provide the only services, which are at the most southern end of the lake. Both resorts have stores but neither resort has a restaurant or café. With the other five resorts closed, there is absolutely no prepared food service on Lake Berryessa.

It appears that Pete Lucero of the Bureau of Reclamation has, independent from guiding documents, pushed for "hotel" accommodations at Lake Berryessa. He has stated, "Pensus, for example, plans to build hotels, day-use areas, restaurants and other improvements." Pensus, which was awarded five concessions is the example used by Pete Lucero, failed to sign a contract after nearly a year of negotiations.

Visitor Services Plan/Record of Decision 2006 updated earlier documents, eliminating exclusive use and specifically allowing such uses as lodges, cabins, park models, RV sites and camping.

The current base infrastructure at Rancho Monticello Resort creates a reasonable opportunity to adapt various business models, allowing for recreational uses according to the guiding documents and public demand. All uses — lodging, cabins, park models, RV sites, camping — as well as many day uses, require the same land development — level and accessible. The Visitor Services Plan/Record of Decision requires the new concessionaires to utilize existing corridors (roads, etc.) whenever possible. Roads, parking lots, sewer and water systems, launch ramps and fuel dispensing allow for a transition to new concessionaires with a reasonable business opportunity for bidders.

As an example, we bid on five resorts Putah Creek Resort, Rancho Monticello Resort, Lake Berryessa Marina Resort under Lago Resort LLC, which was to be formed if awarded the contract. The underlying concept of the plan was inspired by Carneros Inn and Calistoga Ranch, adapted to a more affordable outdoor/recreation environment, with cabin-type accommodations, along with RV and camp sites. Michele Kaufman Design, leading green designer, prepared the cabin plans for the proposal.

The plan for Rancho Monticello Resort included a new event center, restaurant, café, eco-friendly cabins/park models (80 per year up to 500 cabins), RV sites and camping. Final determinations would be based on public demand and would be adaptive throughout the contract. All uses would be short term.

Reclamation received six bids comprised of six bidders responsive to the prospectus: (1) Recreation Del Sol Enterprises, LLC bid on all seven resorts; (2) Pensus Group, LLC bid on six resorts, which included Markley Cove Resort and excluded Pleasure Cove Resort; (3) Lago Resorts, LLC bid on five resorts, all but Steele Park Resort and Pleasure Cove Resort; (4) Steele Park Resort, Inc. (current concessionaire) bid on their resort; (5) Forever Resorts/Pleasure Cove, LLC (current concessionaire) bid on Pleasure Cove Resort; (6) Markley Cove Resort/Frazier X10, LLC (current concessionaire) bid on their resort. Reclamation's representation that there were 21 responsive bids is misleading; the point system in the prospectus forced bidders to bid on multi-concessions to be competitive.

There needs to be a sensible resolution that incorporates fair business practices, is financially and environmentally responsible, and is in the public interest. With an interim contract, there could be a logical transition plan, bridging the current concessions with the new concessionaire(s).

What is this costing the government? The current concessions were developed and managed for 50 years, at no cost to the government, while creating jobs, commerce, paying franchise fees and providing access, facilities and services to the public. It should be the continued goal of the government to provide necessary and appropriate facilities and services to the public at reasonable rates, and to avoid interruption of services to the public.

It appears that the ultimate goal of the Bureau of Reclamation is to minimize, if not eliminate, public access to Lake Berryessa. What happens at Lake Berryessa will be carried out across America. The public deserves access to the public lands and waters.

A bait and switch at Lake Berryessa: May 27, 2009

By Hank Howard

The past three years since the Record of Decision was written for Lake Berryessa, we have witnessed a bait-and-switch process being carried out by the Bureau of Reclamation. In a carnival or fair, con men used the old shell game to extract thousands of dollars from wary and gullible people. These con men exist today.

So how is the game played at Lake Berryessa? Most of the 1,300 trailers, mobile homes and manufactured homes were destroyed and placed into landfills out of Napa County. The private property loss exceeds \$260 million and another \$6.2 million was spent by the owners to destroy the units.

Next, Pleasure Cove Marina and Markley Cove Resort purchased 38 used park model trailers from the closed Spanish Flat Resort and the defunct Berryessa Marina Resort. These are used trailers three to 10 years old that meet Bureau of Reclamation specifications. Part of the “Bureau of Reclamation Redevelopment Scheme” is to install these 38 used park models on the same spots where the ousted annual occupancy trailers were placed before at Pleasure Cove and Markley.

So what’s wrong with this scheme? Plenty. Basically this is a trailer for a used (Bureau of Reclamation legal) trailer, but they are concessionaire-owned and rentals. Pleasure Cove advertised rates on the Forever Resorts Web site for a 400-square-foot park model rental cabin rate is \$159 per night, with a two-day minimum required, plus a \$19.08 transient occupancy tax for Napa County coffers. A two-day layout of \$380, more or less. You may also have to pay a gate entry fee of \$32 for two people and \$4 for additional people. A family of four pays \$40 to visit Pleasure Cove.

Some of you will remember the Bureau of Reclamation stump speech about new business model and redevelopment, which included new hotels, new motels, new cabins and new docks, all designed for short-term users.

You be the judge! This “shell game” is going to turn Lake Berryessa into a place for the elite and well off to pay these fees. Pleasure Cove plans to install 23 park models. Markley Cove Resort plans to place 20 park models in the former spaces of ousted trailers. Rates are not set at Markley Cove as they do not have a 30-year contract yet.

If you bring your own boat, there is a launch fee of \$26.25 for Pleasure Cove. Or you can rent a houseboat or water craft for ‘big bucks.’”

A tremendous loss at the lake: July 31, 2009

By Sharyn Simmons

While I was reading the coverage on the extended delays the Bureau of Reclamation has enacted on all of us at Lake Berryessa, I couldn’t help but notice — other than the predictable mistruth spoken by Mike Finnegan, stating the resorts will be open in 2010 (not a chance) — where are the hard questions asked of the bureau management?

The Bureau of Reclamation started down this rocky road in 2000 and it is now 2009. Will it answer to the disruption and lost jobs, homes, businesses, futures, vacations and general mess it has made?

How about an apology to the families misplaced and the dollars lost? How about some realistic information rather than closed doors and secret meetings? This is 1984 in 2009.

Where is the Sierra Club defending the ecology and wasted resources when the Bureau of Reclamation rips out the infrastructure of these resorts (using our tax dollars) to what end? I do not see any oversight by Rep. Mike Thompson or Supervisor Diane Dillon.

In fact, I get sarcasm and disdain when I inquire of our representatives what can be done to curb the tide of destruction and concentrate on rebuilding and opening these facilities, rather than destroy any hope of returning this area to the people that pay for it. It is anti-American and a tremendous loss to all of us that call this community home.

Any suggestions?

Stop the insanity at Berryessa: September 24, 2009

By Sharyn Simmons

Dear fellow taxpayer,

In case you weren't aware, \$4 million of your hard-earned tax dollars are about to be spent in demolition.

That's right, not rebuilding and improving to reopen, but ripping out and destroying to end all access to Lake Berryessa for years to come. Why? Because someone in the Bureau of Reclamation had a bad idea.

Instead of upgrading existing water treatment plants, roads, buildings and launch ramps already in place and perfectly useable, the Bureau of Reclamation has decided to use these funds to take down to the ground all infrastructure, including launch ramps and roads. Why? Because they have earmarked \$4 million of stimulus funds as an excuse to shut down the resorts, possibly forever, on the shore of Lake Berryessa.

This will be the end of recreation and access to the lake until hell freezes over and investors come in with millions to rebuild (from the ground up) water systems, roads, ramps and buildings that are already there and completely useable. In fact, the combined appraisal for the north shore resorts was estimated at \$32 million of valuable assets. Does this make any sense to you?

Supervisor Diane Dillon has thrown the community of Lake Berryessa under the bus. While soliciting votes she promised to protect us from the ravages of bad planning and poor decisions by the Bureau of Reclamation, but here we are throwing our last dollars into our business and home while the machinery is locked and loaded to destroy any hope of rehabilitation at our existing resorts.

There is no excuse for stupidity. Just think how much better it would be to use those dollars (your dollars) to make use of improvements already in place, rather than to destroy useable assets. Oh yes, don't forget the impact to the environment. What do you think will happen to all the tons of destroyed property and the roads the trucks must travel to the landfill? Wake up! Put a stop to this insanity before it is too late. Please!
