

Private Houseboats - Yes; Private RVs & Trailers - No: Why?

Back in Lake Berryessa's "bad ole days" of the first decade of this century, the Bureau of Reclamation perpetrated a disastrous policy dubbed the "Visitor Services Plan". The mismanaged VSP resulted in the destruction of the resorts at the lake and the tragic loss of more than a decade of family recreation. This period is documented in detail in my previous book, *Policy and Politics Betray the People: The Lake Berryessa Saga: 1958 - 2020*.

The forced removal of the mobile homes at the resorts was based on the Bureau of Reclamation's modification of its "Exclusive Use" policy. In previous BOR plans such as the 1993 Record of Decision, the mobile homes were recognized as a legitimate use of public land. Reclamation changed its policy on long-term use in April 2002 by modifying Policy Manual LND 04-01 to condemn "exclusive use" and to define all long-term use as exclusive use. This definition of "exclusive use" at the time included privately-owned houseboats at docks on the water surface which were to be considered the same category as the privately-owned mobile homes located at sites on the land surface.

Reclamation Manual - 2002: LND 04-01 (4/29/02)

"Exclusive use is any use that excludes other appropriate public recreation use or users for extended periods of time. Exclusive use includes, but is not limited to, boat docks, cabins, trailers, manufactured or mobile homes, structures, roads, or other amenities that are determined by Reclamation to be exclusive use."

Organized public opposition built against the VSP, and activist groups like Task Force 7 at Lake Berryessa became stronger. Task Force 7 organized the private houseboat owners as well as the mobile homeowners to challenge the VSP. To eliminate some of this opposition, the BOR simply redefined private houseboats out of the exclusive use category by carrying forward a section of the 1993 Record of Decision into the new 2006 Record of Decision.

This section of the 2006 ROD is carried forward from the 1993 ROD

8. Water Craft Carrying Capacity: Action 32, "Private Houseboats/Overnight Occupancy Vessels (OOVs)": A maximum of 75 privately owned houseboats (noncommercial vessels) will be allowed at Lake Berryessa. (Note: The Commercial Houseboat section stated that a higher quota may be imposed if supported by sufficient studies. That statement is implied here also.)

But this policy contradicts the latest revision of the Reclamation Manual

Reclamation Manual - 2016: Supersede LND 04-01 (4/29/02)

K. Private Exclusive Recreational or Residential Uses: Any use that involves structures or other improvements used for recreational or residential purposes to the exclusion of public uses...

(1) Cabin sites and associated improvements, mobile homes, residences, outbuildings, and related structures; and associated landscaping, patios, decks, and porches;

(2) Boat houses, docks, moorings, piers, and launch ramps;

So private houseboat owners dodged an eviction. As a professional quality manager for many years, I know there is a simple rule for writing and auditing effective policies and procedures, "Say what you do; do what you say". But in this case, and in the example in the next chapter, the government process is more like, "Say what you do, maybe, if forced; do what you want anyway."

