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NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Maiko Klieman for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Britt Ferguson, Assistant County Executive Officer, 253-4406
SUBJECT: Presentation by the Bureau of Reclamation regarding expected publication of the Final Environmental Impact Statement for the Lake Berryessa Visitor Services Plan

RECOMMENDATION

Informational presentation by the Bureau of Reclamation staff regarding expected publication of a Notice of Availability (NOA) in the Federal Register on November 4, 2005 of the Final Environmental Impact Statement (FEIS) for the Lake Berryessa Visitor Services Plan (VSP).

EXECUTIVE SUMMARY

Reclamation staff is expecting publication of a Notice of Availability (NOA) in the Federal Register on November 4, 2005. The NOA will alert the public that a Final Environmental Impact Statement (FEIS) for the Visitor Services Plan (VSP) is available for review. A final Record of Decision (ROD) on the FEIS and the VSP may be completed by Reclamation and published in the Federal Register in early December 2005.

The County's Chief Executive Office has provided oversight of the VSP and Environmental Impact Statement (EIS) process and has tasked various county departments with preparing comments on the County's behalf with assistance from the Counsel's Office. County staff, along with outside counsel and ad-hoc committee members conducted a review of the VSP and Draft EIS and its supporting documentation. This review provided a unified set of comments which addressed the document's content, analysis of alternatives and findings. These comments were presented and adopted by the Board on March 16, 2004. The County Executive Office continued to reiterate the Board's position with subsequent letters to Reclamation staff as additional comment opportunities/periods became available.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The mission of the Bureau of Reclamation ("Reclamation") is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. Reclamation is responsible for the management of all aspects of public recreation at Lake Berryessa. The guiding management document currently in effect at the Lake is the Reservoir Area Management Plan (RAMP), developed in 1992. Elements of that plan are tightly integrated with concession agreements that govern operation of seven resorts at the lake, and those agreements are scheduled to expire in 2008-09, thereby necessitating the current planning effort to develop a new Visitor Services Plan (VSP) for Lake Berryessa.

Since June of 2000, Reclamation has been working to develop a long-term Visitor Services Plan (VSP) for Lake Berryessa. Issues to be addressed in the VSP include day use needs, long-term and short-term recreational vehicle and trailer sites, marina development, consolidation or expansion of operations (perhaps resulting in fewer or more concessionaires), new services development and construction, retention or removal of existing facilities, food and beverage service needs, overnight lodging facilities and support for water sport and marine-based activities (swimming, water skiing, etc). A comprehensive VSP is needed to comply with Public Law 96-375, which specified how Reclamation will manage the existing concession contracts until expiration as well as the disposition of permanent facilities when the contracts have ended, and to correct long established recreational programs that conflict with current policy and visitor preferences, as recommended in the OIG Audit Report of 2000. As part of this planning process, Reclamation is complying with the National Environmental Policy Act (NEPA) by preparing an Environmental Impact Statement (EIS) in conjunction with the VSP. Reclamation has developed a range of action alternatives that can be compared to the "No Action" or "projection of current conditions" alternative. The VSP/DEIS describes four "Action Alternatives."

Reclamation solicited initial public comments in May of 2001 to guide the VSP planning process. On October 31, 2003, Reclamation released its Draft Environmental Impact Statement (DEIS) to support the VSP. Subsequent public workshops/open-houses were conducted in Vallejo on November 22, 2003 and in Napa on January 10, 2004. Public hearings for the VSP/DEIS were scheduled for January 21, 2004. Reclamation extended the VSP/DEIS public comment period twice, effectively through April 22, 2004. Reclamation reopened the comment period again from February 16, 2005, through April 4, 2005 to consider additional economic information as part of the EIS process.

The County's Chief Executive Office has provided oversight of the VSP/DEIS process and has tasked various county departments with preparing comments on the VSP/DEIS on the County's behalf with assistance from the Counsel's Office. During the Board's December 2, 2003 Special Meeting at Lake Berryessa, Reclamation presented the Supervisors with an overview of the VSP/DEIS. A discussion followed the presentation and public comments were received. At the conclusion of the meeting, the Board directed staff to continue its involvement with Reclamation and the NEPA process and proceed to prepare comments on the VSP/DEIS. On January 13, 2004 the Board appointed an ad-hoc committee to review the VSP/DEIS and assist with comment preparation.

County staff, along with outside counsel and ad-hoc committee members conducted a review of the VSP/DEIS and its supporting documentation. This review provided a unified set of draft comments, which address the document's content, analysis of alternatives and findings. These comments were presented and adopted by the Board on March 16, 2004. The County Executive Office continued to reiterate and further support the Board's initial comments

on the VSP/DEIS with subsequent letters to Reclamation staff as additional comment opportunities/periods became available.

Reclamation staff is expecting publication of a Notice of Availability (NOA) in the Federal Register on November 4, 2005, alerting the public that a Final Environmental Impact Statement (FEIS) for the VSP is available for review. A final Record of Decision (ROD) on the FEIS and the VSP may be completed by Reclamation and published in the Federal Register by early December 2005.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Maiko Klieman