

**PLEASURE COVE MARINA
FOREVER RESORTS OPERATOR**

1. Section 1 Contract
Did Pleasure Cove Resort open the \$750,000 Escrow Interest Bearing account on June 1, 2005? How did it get from a Performance Bond to and Escrow Account? Forever resorts requested Reclamation to use Mr. Maughans financial resources in lieu of a performance bond? If a performance bond was good enough for Mr. Petty and the other five bidders how did this process end up an Escrow Bearing Account in the June 1, 2005 contract?
2. Section 1 Contract. Did the BOR place a Non-Monetary Breach of contract upon Forever Resorts for failing to complete the “Unfinished Restroom” by the set date of July 1, 2005 contract provision Section 2 A. 1. f. “shall” be operational by July 1, 2005. Of course it still is not finished and thereby a first breach of the contract has occurred. Who has the building approved drawings, plans approval, permits and intra agency sign off in Napa County? Was a permit taken out for this project? Since it is close to the Lake when did CVSRWQB review said plans, if they exist?
3. Section 2 150 additional campsites were to be provided by the Concessionaire in High Hazard Fire Zones at Brooks Circle East. When was this matter placed before the Napa County Planning Commission and approved by the Napa Board of Supervisors? Where are the permits to allow this to happen? Where is the Planning Commission action and review, especially with the Napa County Fire Department and CVSWQB? What sanitary waste and trash disposal process was instituted? Does the BOR think they can conduct these operations without County approvals? Where are the maps and site review layout kept for this concept?
4. It is an apparent Non-monetary Breach of Contract by Forever Resorts was to submit an Operations Plan Exhibit C within 60 days of execution of contract. Did the Forever Resorts submit the plan and on what date was it submitted? What actions have the BOR taken if not submitted to default the contract. There is a sample Ops plan on the BOR Lake Berryessa web site. (Item Sample Pending Approval). Review of sample has little to do with a major houseboat operation. The plan was due on August 1, 2005.
5. When did the Forever Resorts submit the Section 2 D. Initial Rate Schedules for short and long term services to the BOR? It was due by July 1, 2005?
6. Section 2. D. When did the BOR complete the review of the Initial Rate settings and an analysis prior to coming to a decision on requested rates from Forever Resorts?
7. Where has the Pleasure Cove Marina concessionaire posted prominently the Rates for Services approved schedule. Obtain a letter of approval from Mr. Peter Lucero?

8. Several new employees and former Pleasure cove Resort employees were hired since the takeover by Forever Resorts. Submit proof that these new employees were Drug Screened and tested per the conditions of the contract?
9. What date in September has BOR scheduled the first quarterly evaluation?
10. Under Section 2 F. Utilities - Since the resort is using large amounts of water from the lake for domestic and industrial process, sewage treatment, what are the terms of the payment to BOR for water usage from the lake? Oscar add to this here as you have an idea of the discharge of waste into the lake?
11. Maintenance Plan B appears to be another default or breach of the contract that was due on August 1, 2005. It is not posted on the BOR website and says that it is pending?
12. What was the date of receipt of payment of the First Franchise Fee due on July 1, 2005, \$1000 from Forever Resorts?
13. What was the date of the \$3,000,000,000 insurance coverage policy indemnifying the BOR from that damage range? It was due on June 1, 2005 date of contract?
14. Who has the Certificate of Insurance required by the contract and proof? What BOR officer is in charge of this matter?
15. A significant matter is the requirement of Forever Resort to provide a Balance Sheet within the first 90 days on September 1? Who will monitor those details in BOR? Section 8 B?
16. What BOR official allowed the dock stringer to be removed from Pleasure Cove Marina and transported from the resort to Putah Creek Resort and returned to same area? When was the County of Napa advised of this action and planning permits allocated by Napa County?
17. What BOR official allowed the Forever Resorts to build a “jerry rigged” sewage transfer point to service houseboats and channel the waste from the scow barge, to a nearby public restroom? Where are the permits from CVSRWQB to allow this operation? Who allowed the Forever Resorts to post the “No Swimming” signs near this sewage transfer process? What permits were made with Napa County Health over this process?
18. When did the BOR and/or Forever Resorts apply for a State Water Quality Control Board permits to upsize the discharge flow due to the demand and change in operations or projected changes?
19. The concessionaire is to provide 90 slips within 90 days of signature of contract. (September 1, 2005) It is apparent that will be another breach of contract. When did the BOR have the approval to install these additional 90 slips from Napa

- Planning Commission? Reference to all documents in our control reveals that all marinas, docks and slips are approved by Napa County? How can a federal contract supersede in place laws and state code? Does the BOR feel they are exempt from following the law? Where is any proof that this discussion was had with Napa County for permits and conditioning of fees for installation? When was this matter reviewed by CVSRWQB at Sacramento office? Who established the standards for the news stringer slip docks? If utilities, electrical, lighting, covers, water, sewage, storage boxes are involved who reviewed the plans? Did someone in BOR think they had the authority to just do this?
20. When did the BOR give the commercial permits to Forever Resorts for the two houseboats recently brought on site around June 1 –5, 2005?
 21. When will the 10 slips for vessels over 40' in length be provided within 90 days of signature of contract Sept 1, 2005?
 22. What process was used in the seizure and forfeiture of docks and slips and supposedly given to Forever Resorts by BOR? Were any laws broken to seize the docks? Did the BOR declare any of the docks abandoned? What measures are being taken to prevent illegal seizures from owners who invested in dock stringers from having their docks taken in error?
 23. When did Forever Resorts obtain permits to sell marine fuel, State Board of Equalization permits, resale of alcohol, ABC permits for beer and wine? They must be aware that the laws of California are similar to their operation at Rio Vista Houseboat operations?
 24. How is the Forever Resorts removing sewage waste from private houseboats in the moored docks, from their two commercial houseboats? How are they removing waste from "Porta Potties" 13 each on the PCM resort? How is that waste being treated?
 25. Where are the plans and permits to operate the bar and lounge and restaurant?
 26. Where are the permits and approved plans to convert the mobile home spaces into RV vehicle spots? When did the BOR review the plans and when was the County Planning Commission approval granted? Does the BOR feel they have the authority to do the transition and use the same space? Will the RV spaces conform to DEIS page 54 specifications? Where are the submitted plans and fees and approvals held?
 27. How many commercial houseboat permits have BOR allocated to Forever Resorts so far? How many will they authorize?

28. When was the “Outback Area” environmentally cleared for hot spots, certified as a “clean zone”? Where are the toilets for that area? What is the Operations Plan say about that area?
29. How many employees are presently hired and working on the resort in worker capacity and management capacity and administration?
30. A major incentive in the contract was to allow the concessionaire the installation of **400 marina rental slips for various sized boats under 40 feet in length. For vessels greater than 40 feet in length, the Concessionaire is required to submit a request for allocation of private houseboats permits at Pleasure Cove Marina. There is a limit of 75 private houseboat permits lake-wide at Lake Berryessa.** This matter is under a legal review since the other six resorts are the holder of 33 permits at Markley Cove; private houseboat permits at Rancho Monticello and for Lake Berryessa Marina. Where does the BOR think these 400 plus slips would fit? That is now 400 plus slips, plus the initial 90 slips they were to provide in first 90 days? This also begs the question that this is a major change in operations of this resort and when did this matter go before a Napa Planning Commission, Board of Supervisors, any public hearings any plans, drawings, or environmental approvals and reviews by CVSWQB?