



County of El Dorado

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To: Parks and Recreation Commission

From: Jennifer Franich, Deputy Chief Administrative Officer

Subject: River Management Plan 5-Year Review Updates

The River Management Plan (RMP) was developed to manage use of the South Fork of the American River that flows within the boundaries of the County of El Dorado and adjacent land. As stated in Chapter IV, the RMP is designed to serve as an active, evolving tool that implements the county's river management goals. The RMP specifies that the annual reports be compiled every 5th year, along with County staff recommendations.

The five-year periodic review is intended to provide opportunities for ongoing refinement of the RMP in response to results of annual operations review to ensure public safety, environmental protection, and the most efficient use of County resources. It also provides an opportunity to review the adopted and implemented management actions and impact mitigation measures to ensure that they remain meaningful and responsive to current guidance provided by the Board, the public, advisory committees, and other county departments.

In 2018, a comprehensive update to the RMP was adopted and began implementation in 2019. This 5-year review is the first since the comprehensive update. On March 15, 2024, a meeting of the Outfitter companies was assembled to provide input to staff on issues during the preceding seasons and potential solutions. Subjects for discussion, shown below with feedback on each from the group, are now presented for the consideration of the Coloma Lotus Advisory Committee for additional consideration and feedback.

Following these efforts, staff will return to the Parks and Recreation Commission, and then proceed to the Planning Commission and the Board of Supervisors with recommended changes.

River Management Plan 5-year Review Suggestions and Updates

1. Guide Education and Requirements

- **Page 27:** 1.8 Guide Educational Programs

The plan currently states:

1.8.2: *"A day-long, pre-season guide orientation workshop will be held each year."*

1.8.2.1: *"This workshop will be coordinated by the County Parks and Trails Division with participation from representatives of the CA State Parks and the BLM."*

- **Initial Staff Recommendation:** Revise the guide orientation workshop requirement from the RMP. Focus on training outfitters and establishing all requirements and resources for guides before or early in the season, but training for individual guides is to be handled internally by the individual outfitters.

- **Outfitters Comments:**

- Can this requirement be dissolved?
- Make voluntary and not mandatory?
- Like the helicopter training that happened several years ago with Cal Fire; want this training again.

- **Page 38:** 6.2.7.1 Guide Requirements

6.2.7.2 The plan currently states:

"All guides will be required to review and sign a statement agreeing to comply with County River Safety and Etiquette standards. These will be made available upon request from the County."

- **Initial Staff Recommendation:**

- Revise this program for added efficiency and ease of administration. This could include an online training module for completion for each guide, to be submitted by the outfitter as a condition of permit renewal the following year.

- **Outfitters Comments:**

- Doesn't seem to be a problem—don't need an online training.
- We know the rules - hold each company responsible for training their guides and for the actions of their guides.
- Outfitters certify their own staff.
- Some guides only work one day or a few days in a season; focus on training trip leaders.

2. Flex Days

- **Page 32:** 6.2.1.3.5 Flex Days

Outfitters with a weekend day allocation of less than 30 user days may “flex” their allocation. The intent of the flex is to allow the smaller outfitters to run somewhat larger and more profitable trips during the peak summer season. These outfitters must stay within their season-long weekend day allocation, defined as 30 (the number of weekend days between Memorial Day and Labor Day) times their base allocation.

- **Initial Staff Recommendation:** Clarify whether multiple permit holders should be allowed to use flex days for their permits with 30 or less user days. Permits with 30 or less user days remain flex permits regardless of number of permits held by an outfitter.
- **Outfitters Comments:**
 - If County reduces permit use, then would like a reduction / refund of property tax paid.
 - Leave flex permits to allow permit holders to have separately.
 - Value in having flex permit; adds to company’s carrying capacity.
 - Keep flex days as-is.
 - Intent to help small outfitters, but is benefitting larger outfitters.
 - Leave this alone; permits have no value.

3. Group or “Pod” Size

- **Page 35:** 6.2.1.3.5 Flex Days
6.2.2.1

The plan currently states:

*“With the exception of Element 6.2.2.6 (12 kayaks or canoes), the number of boats in each group on the South Fork will be limited to 7 and will not exceed 56 people (passengers, guests, guides) per group. **If more than one group is traveling together, each group must have a five minute period between launches from Chili Bar to below Hospital Bar rapid and when launching trips from other put in’s and lunch stops in between. On the river each group will then stay out of sight of each other (lead boat cannot see last boat from other group).”***

- **Initial Staff Recommendation:** This element is based on safety through rapids. The recommendation is to keep the boat count at 7 boats per pod. Clarify language to ensure that all understand that there can be no increase to pod sizes and all pods must have 5-minute separations.
- **Outfitters Comments:**
 - One company = one group with multiple pods.

- Company doesn't matter. Just group size, same thing as pod. Group = pod. Use the word "group" and not "pod".
- More of an issue during drought years.
- Outfitters follow rules, but groups still bunch up.
- Several issues – 1) Boats running atop each other/people in rapids, 2) one company's groups bunching up, and 3) different companies putting in groups that end up merging and turn into a super group.
- Can be "traffic jam" like problems when many groups on the river and held back by the slower moving groups.
- Would like language for passing etiquette added.
- These are the three conditions that should be considered for spacing between groups – 1) 5 minutes between (consensus this was a good measure for creating space between groups), 2) another company puts in between one company's groups, and 3) visual separation from first and last boat.
- The language "...will not exceed 56 people..." seems different. Thought it was 56 guests and the guides are counted separately.

4. Permit Process

- **Page 33:** 6.2.1.4

The plan currently states:

6.2.1.4.1

"For any proposed transfer of a River Use Permit, a written application must be submitted to the Planning Commission for its review and approval prior to a transfer being completed. Said application letter is to be submitted through the County Parks and Trails Division. The following guidelines are to be used to facilitate the application for transfer."

- **Initial Staff Recommendation:** Revise this section to simplify administration of the permit process, including removing the requirement for Planning Commission approval.
 - **Outfitters Comments:**
 - Makes sense; remove requirements for Planning Commission approval.
- **Page 31:** 6.2.1 (3 year to 1 year permit)

The plan currently states:

6.2.1.1

"The term for a River Use Permit issued to an existing, permitted outfitter shall be three years with an annual review of said permit. The provisional term for a permit issued to an outfitter who has been operating for less than one year on the South Fork shall be one year. Transfer of a River Use Permit from an existing outfitter to an outfitter who is not currently operating on the South

Fork shall cause the term of the transferred permit to change, if necessary, so it expires as of the next March 31st. Permits shall be issued by April 1st of each year.”

- **Initial Staff Recommendation:** Revise requirements. Currently, the review of permits follows the same process as a permit renewal, so in practice the permits are essentially 1-year permits.
- **Outfitters Comments:**
 - All in agreement; eliminate 3-year review.

5. Violations

- **Page 40:** 6.2.10 (Appendix C, Violations)

The plan currently states:

6.2.10:

“Violations, Penalties, and Appeals Outfitter violations are classified as Class I or Class II violations which result in varying degrees of penalty severity as prescribed below.”

***Permit Capacity Exceedance Additional Penalty – Element 6.2.10.1.1, Item 7**
Additional Penalty (per person): \$50*

Class 1 Violation Penalty Schedule – Element 6.2.10.3.1:

First violation in any one category: \$100

Second violation in any one category: \$250

Third violation in any one category: \$500

- **Initial Staff Recommendation:** Revise structure for fines/penalties to increase voluntary compliance.
- **Outfitters Comments:**
 - Not in favor of increasing fines.
 - Add a zero to the end of the fee amount to increase each category.
 - Increasing fees could negatively impact outfitters like Chico State and other school programs that bring students out to the river.
 - Need two categories of fines that are different – 1) administrative (e.g. boat name missing) and 2) behavior problems get the violation and fine.
 - Would like to receive a call on the first violation to have the opportunity to immediately correct and avoid another violation.
 - More than 3 violations – given a 10-day suspension or removal of permit.
 - Update to 1) written warning, 2) \$1,000 fine, 3) \$2,500 fine.