

Exhibit A

County Code Ordinance 5.48

Streams and Rivers Commercial Boating

Chapter 5.48
STREAMS AND RIVERS COMMERCIAL BOATING

5.48.010 Title.

This chapter shall be referred to as the Streams and Rivers Commercial Boating Ordinance. (Ord. 4594, 1-15-2002)

5.48.020 Purpose.

The Board of Supervisors recognizes that recreational use of the county's streams and rivers includes the use of streams and rivers by rafts, kayaks, and other floating devices. The board has further found it necessary to manage whitewater recreation, through the County's River Management Plan, to protect the riparian environment and the safety, health, and welfare of river users and riparian landowners. Consistent with the policies and purposes of the 2001 El Dorado County River Management Plan, as it may be amended from time to time, this chapter regulates commercial boating on County rivers and streams. (Ord. 4594, 1-15-2002)

5.48.030 Definitions.

- A. "Boat rental" means the lease, rental, loan, or bailment for consideration of any floating device for use on any stream or river named in section 5.48.040.
- B. "Commercial outfitter" means any operation that meets any of the criteria specified in Subelement 6.1 of the 2001 El Dorado County River Management Plan, as it may be amended from time to time.
- C. "Commercial river use" means any operation of a boat rental or commercial outfitter.
- D. "Commercial river use permit" means a discretionary permit issued pursuant to this chapter that entitles the permittee to engage in commercial river use.
- E. "County parks" means the airports, parks and grounds division of the department of general services.
- F. "Floating device" means any raft, kayak, canoe, inner tube, kickboard, water wheel, or similar object, or any "vessel" as defined by section 21 of the California Harbors and Navigations Code, as it may be amended from time to time. "Floating device" expressly excludes U.S. Coast Guard approved personal flotation devices, types 1 through 5. (Ord. 4594, 1-15-2002)

5.48.040 Permit Required.

No person or entity shall engage in commercial river use on the reaches of the South Fork of the American River between Chili Bar and Salmon Falls, except as authorized by a valid commercial river use permit in good standing. (Ord. 4594, 1-15-2002)

5.48.050 Permit Issuance Procedure.

Commercial river use permits shall be issued by the planning commission. The procedure for permits is as follows:

- A. The applicant shall submit an application for a commercial river use permit, accompanied by a river use plan, and appropriate fee, to county parks on or before an annual deadline set by county parks.
- B. Within sixty days of the deadline for receipt of the application and river use plan, county parks shall review them for compliance with the standards of this chapter and of the River Management Plan and submit a written report of its conclusions and recommendations to the . planning commission. If county parks concludes that an applicant's river use plan is not complete or does not meet the standards of section 5.48.070, it shall recommend that the application be denied.
- C. Upon receipt of the report from county parks, the matter shall be placed on the agenda of the next available meeting of the planning commission. The planning commission shall approve the permit upon a finding that the application and plan meet all standards of this chapter and of the River Management Plan; it shall deny the permit upon a finding that the application and plan do not meet one or more standards, identified in the finding, of this chapter or of the River Management Plan.
- D. Following the decision of the planning commission, either the applicant or any other person who is adversely affected by the decision may file an appeal to the board of supervisors in accordance with Chapter 2.09 of this code. The appeal must be filed within ten (10) days after the action of the planning commission on a form furnished by the clerk to the boar of supervisors. The appeal must be accompanied by a fee of twenty-five dollars (\$25) for every permit or application included in the appeal.
- E. The board of supervisors shall review each appealed decision de novo, and shall sustain or reverse the decision, or remand it to the planning commission for further consideration. The action of the board of supervisors shall be final and shall be rendered within seven days of the conclusion of its hearing. (Ord. 4594, 1-15-2002)

5.48.060 Permit Term; Annual Review; Fees.

- A. Commercial river use permits shall be issued for a three-year term, with mandatory annual review by county parks. The permit term shall run from the earlier of April 1 or the date of issuance.

B. Notwithstanding subdivision A., the following permits shall have one-year terms:

1. A permit issued for a commercial river use that has been operating for less than one year.
2. A permit issued to an operator who does not currently hold a permit.

C. In its annual review, county parks shall review any violations or complaints regarding the permittee and require the permittee to provide the following: a statement of any changes in its river use plan, current certificates of insurance, a newly executed letter agreeing to observe all standards enacted or enforced by the director of environmental health regarding food storage, handling, and preparation, solid waste, sewage and sewage disposal, and water supply.

D. Fees for the issuance and annual review of commercial river use permits shall be established by resolution of the board of supervisors. The issuance fee shall be an amount equal to the estimated cost of enforcing and administering the provisions of this chapter, including the processing of the application. The annual review fee shall not exceed the costs of conducting the annual review. (Ord. 4594, 1-15-2002)

5.48.070 River Use Plan Contents.

The river use plan required by section 5.48.050 shall include, but need not be limited to, the following information:

- A. Applicant's name, mailing address, and location of place of business.
- B. If the place of business is not located in El Dorado County, the name, address, telephone number, and other relevant contact information of a local agent within the county who will be available in the event of emergencies or other problems.
- C. Full description of all activities proposed to be conducted under the commercial river use permit being sought.
- D. Full descriptions, including location, of all planned ingress and egress from the water, as well as all rest stops, lunch stops, or other planned non-emergency stops on adjoining lands. All lands so specified must be property for which the private landowner has secured a special use permit that allows the planned use, or property owned by a state or federal agency.
- E. Full description, including location, of the parking facilities for the permittee's commercial vehicles, employees, clients, and guests. Parking facilities must provide parking allocated to the permittee's exclusive use that meets the standards of chapter 17.18 of this code. All lands specified for parking facilities must be property for which the private landowner has secured a special use permit that allows the planned use, or property owned by a state or federal agency.

- F. Written proof that the applicant has obtained the landowners' or managing public agencies' permission for the activities planned on all lands specified in response to subparagraphs D and E, if the applicant is not the landowner.
- G. Written confirmation that the permittee will provide shuttle transportation services to and from all points of ingress and egress. Vehicles used by permittee to transport clients, employees, or equipment shall meet at current California Vehicle Code requirements.
- H. Written confirmation of compliance with county Environmental Health Permit requirements and all food storage, handling and preparation, solid waste, sewage and sewage disposal, and water supply standards enacted or enforced by the director of environmental health. This requirement may be satisfied by a letter and Environmental Health Permit application, signed by the applicant, agreeing to observe all such standards.
- I. Full description of planned safety measures for river users that meet that standards of section 5.48.120.
- J. Written proof of bodily injury and liability insurance covering all activities of the permittee and the permittee's employees or agents relating to or incidental to river use pursuant to the permit sought. Liability insurance must meet scope and amount standards set by resolution of the board of supervisors, and must name the county, its officers and employees, and riparian landowners as additional insureds.
- K. Full description of a name or logo identification, to be utilized on all flotation devices, that meets the criteria of Subelement 6.2.5 of the River Management Plan, as it may be amended from time to time. (Ord. 4594, 1-15-2002)

5.48.080 Limitation on Allocations.

Notwithstanding section 5.48.050, no river use permit will be issued if its issuance would cause the total weekend or weekday commercial use allocation to exceed the allocations authorized by permits in effect on November 20, 2001, unless a permit is sought for the provision of a truly new and unique commercial river use, as determined by the planning commission or the board of supervisors on appeal. The purpose of this limitation is to protect the health, safety and welfare of river users and riparian landowners, as well as the riparian environment. (Ord. 4594, 1-15-2002)

5.48.090 No Vested Right.

The granting of a commercial river use permit does not vest any right or entitlement to an extension or renewal beyond the permit period. (Ord. 4594, 1-15-2002)

5.48.100 Revocation, Denial, or Non-Renewal of Permit.

- A. A commercial river use permit may be revoked by the county hearing officer, or the board of supervisors on appeal, and may be reapplied for in the following year, pursuant to the standards and procedures of the River Management Plan as it may be amended from time to time.
- B. If a commercial river use permit has been revoked and not issued on reapplication, denied, or no timely application for its renewal has been submitted, the weekday and weekend use allocations associated with that permit shall revert to the county. After first soliciting a recommendation from the river management advisory committee, the board of supervisors may dissolve those allocations or assign them to one or more existing commercial outfitters or new commercial outfitters who apply for all or a portion of the allocations. (Ord. 4594, 1-15-2002)

5.48.110 Permit Transfer, Consolidation, or Inactivation.

Commercial river use permits may not be transferred or consolidated in whole or part, or inactivated, except as provided in Subelement 6.2.1.4 of the River Management Plan, as it may be amended from time to time. (Ord. 4594, 1-15-2002)

5.48.120 Safety Equipment and Standards.

- A. Each floating device used to traverse a stream or river shall carry one U.S. Coast Guard approved personal flotation device per person using the floating device.
- B. The number of persons using a floating device shall not exceed the floating device's design capacity, except in an emergency or rescue situation.
- C. All commercial outfitters shall observe the safety, training, and equipment standards of Subelements 6.2.7 and 6.2.8 of the River Management Plan, as they may be amended from time to time. (Ord. 4594, 1-15-2002)

5.48.130 Littering and Trespass.

All persons, groups or business entities who use the streams and rivers of the county for recreational or commercial purposes shall be subject to state law regarding littering and trespass. (Ord. 4594, 1-15-2002)

5.48.140 Penalty for Violation.

- A. Violation by commercial river use permittees of certain standards and representations specified in section 5.48.070 shall be penalized as follows:

1. Violations of subdivisions A., B., D., E., F., G., or K. shall be punishable as specified in Subelement 6.2.10.3 of the River Management Plan, as it may be amended from time to time.
 2. Violations of subdivision H. shall be punishable by penalties imposed or enforced by the environmental health department.
 3. Violations of subdivisions C. or J. shall be punishable as specified in Subelement 6.2.10.4 of the River Management Plan, as it may be amended from time to time.
 4. Violation of subdivision I. shall be a misdemeanor punishable pursuant to subdivision B of this section.
- B. Except as otherwise specified in subdivision A., violations of any provision of this chapter shall be a misdemeanor and punishable by imprisonment in the county jail not to exceed six months, by a fine not to exceed five hundred dollars, or both. (Ord. 4594, 1-15-2002)

Exhibit B

Environmental Checklist Form and Discussion of Impacts



**EL DORADO COUNTY
 CHIEF ADMINISTRATIVE OFFICE
 330 FAIR LANE
 PLACERVILLE, CA 95667**

ENVIRONMENTAL CHECKLIST FORM AND DISCUSSION OF IMPACTS

Project Title:	Approval of Commercial River Use Permits	
Lead Agency:	El Dorado County , Chief Administrative Office, Parks Division 330 Fair Lane., Placerville, CA 95667	
Contact Person:	Noah R. Triplett, River Recreation Supervisor, Parks Division	Phone Number: (530) 621-6052
Project Applicant:	El Dorado County	
Project Location:	Project area is in western El Dorado County, within a twenty one-mile reach of the South Fork of the American River corridor between Chili Bar dam and Folsom Reservoir.	
Description of Project: The project is the El Dorado County Planning Commission’s approval of three-year Commercial River Use Permits for the South Fork of the American River. The approval of Commercial River Use Permits is an implementation measure or element of the updated El Dorado County River Management Plan (RMP) that was adopted on November 20, 2001. The River Management Plan focuses on the management of whitewater recreation activities along the South Fork of the American River.		
Commercial River Use Permits (Permits) allow permittees to conduct commercial whitewater rafting and kayaking activities on the South Fork of the American River. Approximately 33 commercial operators, all of whom currently hold Permits, have filed an application for a Permit in 2014. The total number of Permits has been frozen and has not increased since 1984. The amount of river use allowed by commercial operators has been limited by an allocation system that has not changed since 1988. Neither the number of Permits nor the amount of river use allowed by each permittee changed with the adoption of the RMP. Neither the number of Permits nor the amount of river use allowed by each permittee would be changed through the approval of Commercial River Use Permits. The El Dorado County Chief Administrative Office, Parks Division maintains the list of permittees eligible to file an application for a Permit in 2014.		
The County’s Commercial River Use Permit system is an element of the RMP, and is not a site-specific project. The RMP Element 6.2 and the County’s Stream and Rivers Commercial Boating Ordinance Chapter 5.48 authorize the issuance of Commercial River Use Permits by the Planning Commission. The Planning Commission’s decision to approve an application for a Permit is based upon the standards established in Ordinance Chapter 5.48.070.		

Surrounding Land Uses: The project area lies entirely within El Dorado County. Land uses within the project area include commercial, low and medium density residential, natural resource, open space, rural residential, and tourist recreational. Public lands within the project area include Bureau of Land Management public lands, California State Park, and California State Historic Park lands. All land use by Commercial River Use Permit holders is on property that has previously obtained authorization for commercial use through the County's discretionary Special Use Permit process, or on State or Federal lands, for which permits are required.

Environmental Setting:

The approval of Commercial River Use Permits is an implementation measure of the El Dorado County River Management Plan. The El Dorado County Board of Supervisors certified a program Environmental Impact Report for the River Management Plan (EIR) on March 27, 2001 (State Clearinghouse Number 1998092013). The River Management Plan and the EIR designated the approval of Commercial River Use Permits as a subsequent activity of the program. The issuance of Commercial River Use Permits is pursuant to and consistent with the whitewater recreation programs authorized by the River Management Plan Element 6.2 (pg. 6-13), El Dorado County Ordinance Chapter 5.48, and EIR Section 1.5 (EIR Table 1-2, pg. 1-19). The River Management Plan Element 6.2 contains a detailed program of management for commercial river use.

Commercial River Use Permits are defined as discretionary permits in El Dorado County Ordinance Chapter 5.48.030 (D). The County has designated these Permits as discretionary for several reasons. First, this designation allows periodic environmental review by the Planning Commission to ensure that the RMP's mitigation measures remain effective. Second, the discretionary designation would allow the Planning Commission to condition the approval of individual permits.

CEQA Guidelines §15168(c) authorizes the County to determine whether an additional environmental document must be prepared for the approval of Commercial River Use Permits.

CEQA Guidelines §15063(b) (1) (C) authorizes the County to determine whether all potential effects from the approval of Commercial River Use Permits were adequately examined by the EIR.

The El Dorado County Planning Commission has the authority to adopt the findings and environmental document for this project.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.): Subsequent to approval of Commercial River Use Permits by El Dorado County, permittees must obtain permits for commercial use of any Bureau of Land Management or California Department of Parks and Recreation lands.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics		Agriculture Resources	X	Air Quality
Biological Resources		Cultural Resources		Geology/Soils
Hazards & Hazardous Materials		Hydrology/Water Quality		Land Use/Planning
Mineral Resources	X	Noise		Population/Housing
Public Services		Recreation		Transportation/Traffic
Utilities/Service Systems		Mandatory Findings of Fact		

DISCUSSION

CEQA Guidelines §15063(c)(7) allows the County to determine whether the program EIR for the River Management Plan can be used as the environmental document for the approval of Commercial River Use Permits. Pursuant to CEQA Guidelines §15168(c), the purpose of this Initial Study is to examine this subsequent activity in the light of the program EIR to determine whether an additional environmental document is required. This section describes several types of analysis the County must undertake before making its determination. The EIR is available for review at the El Dorado County General Services Department, 345 Fair Lane, Placerville, CA 95667 (refer to supporting information source list on pg. 19 for more information).

The approval of Commercial River Use Permits is consistent with CEQA Guidelines §15168(c) (5). The potential environmental effects of the approval of Permits were within the scope of the project analyzed in the EIR. The attached checklist and discussion of impacts section has been used to determine whether the environmental factors potentially affected by the approval of Commercial River Use Permits were covered in the program EIR. The EIR analyzed the effects of the approval of Permits specifically and comprehensively. The approval of Permits would not have any significant effects that were not previously analyzed in the EIR. Some potential effects analyzed in the EIR were specific to recommendations on facility development, however, and are not applicable to the approval of Commercial River Use Permits.

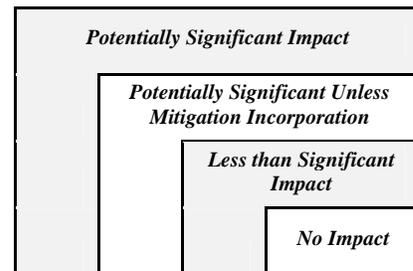
The program EIR specifically and comprehensively responds to the effects of the commercial river use through the mitigation measures discussed in the Environmental Checklist. The County has incorporated all applicable mitigation measures developed in the EIR into the approval of Commercial River Use Permits, as required by CEQA Guidelines §15168(c)(3). The incorporated mitigation measures are described in the discussion of effects that are “Less Than Significant With Mitigation Incorporated”.

All potentially significant effects from the approval of Commercial River Use Permits were addressed by mitigation measures developed in the EIR for the River Management Plan, with the exception of three potentially significant impacts for which the Board of Supervisors adopted a Statement of Overriding Considerations. There is a significant unavoidable impact from noise due to increased use at existing facilities. There are unavoidable cumulative impacts from increased noise levels and traffic emissions associated with potential traffic increases. The EIR, however, included increased non-commercial river use in the analysis that concluded there are unavoidable impacts. The River Management Plan includes incremental mitigation measures that would prevent commercial river use from growing more than 10% above the current peak use levels. The mitigation measures also include potential actions to reduce commercial allocations to levels roughly equal to those at the updated plan’s adoption.

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
 - I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
 - I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
 - I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- X** The Chief Administrative Office, Parks Division makes the following findings pursuant to CEQA Guidelines §15162 and §15168 (c) (2):
1. The approval of Commercial River Use Permits is within the scope of the project described and analyzed in the EIR for the River Management Plan.
 2. Although the approval of Commercial River Use Permits could have a significant effect on the environment, all potentially significant impacts have been avoided or mitigated pursuant to the EIR for the River Management Plan or have been determined through the Statement of Overriding Considerations to be acceptable because of economic, public safety and social considerations.
 3. No new effects could occur from and no new mitigation measures would be required for the approval of Commercial River Use Permits.
 4. No further environmental document is required.



ENVIRONMENTAL IMPACTS

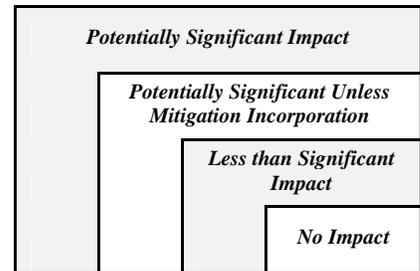
I. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?		X		
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X		
c. Substantially degrade the existing visual character quality of the site and its surroundings?		X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 11, Aesthetics (pg. 11-1 to 11-4), is incorporated by reference. The significance criteria for aesthetics are identified in Section 11.3.1 on page 11-3.

- a-c) The EIR analysis takes into account the existing visual setting, including existing visual impacts that may already occur from current levels of river use. One significance criterion considers whether an increase in the amount of whitewater-related activities would create view-shed impacts. The Final EIR document, in Section 3.2, incorporates Mitigation Measures 13-2 and 16-5 (pg. 3-3 to 3-4). The EIR analyzed current levels of river use and concluded that Mitigation Measures 13-2 and 16-5 are means for the County to reduce, respectively, potential safety and cumulative impacts that could result from increases in commercial river use. Mitigation Measure 16-5 is designed to prevent daily commercial total river use from exceeding the historic peak use levels by more than 10%. Mitigation Measure 13-2 is designed to maintain boat densities at existing levels. Incorporation of Mitigation Measure 13-2 and 16-5 would reduce commercial river use’s impacts on aesthetics to a less than significant level.
- d) The other potential aesthetic impacts identified in the EIR are related to the expansion of facilities in the project area. The approval of Commercial River use Permits does not include any expansion of facilities that would create a new source of substantial light or glare.

The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.



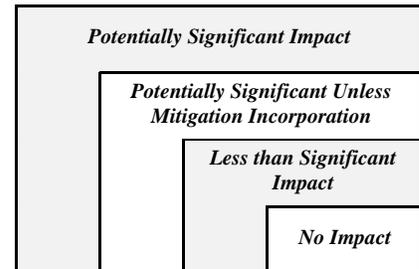
II. AGRICULTURE RESOURCES. <i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 4, Land Use (pg. 4-1 to 4-16), is incorporated by reference.

a-c) The analysis in Table 4-1 (pg. 4-8) states that the River Management Plan is generally compatible with the County’s Open Space Conservation goal. The EIR does not identify any potential impacts on agricultural resources.

III. AIR QUALITY. <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?		X		
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X			
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X



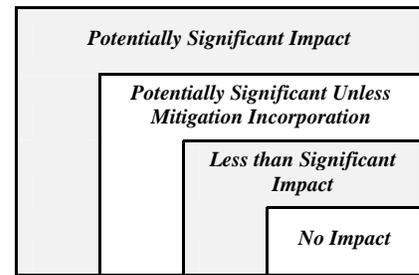
(Air Quality continued)

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 15, Air Quality, is incorporated by reference. The significance criteria for air quality are identified in Section 15.3.1 (pg. 15-5).

- a-c) The EIR analysis of Impact 15-3 (pg. 15-8) states that increased traffic in the project area would increase vehicle emissions which could exacerbate Ambient Air Quality Standards (AAQS) non-attainment. The potential increases would be short-term and localized and would not be expected to significantly deteriorate air quality within the project area, or lead to federal and state AAQS non-attainment. The EIR however, does incorporate two mitigation measures to ensure that air quality impacts due to commercial rafting activities are maintained at a less than significant level over the three-year permit term. First, the EIR concluded that the incorporation of Mitigation Measure 9-1 (pg. 9-10) would reduce the impact on Level of Service Thresholds to a less than significant level. Second, the incorporation of Mitigation Measure 16-5, referenced above, establishes a commercial river use capacity system that prevents daily commercial river use from exceeding the historic peak use levels by more than 10%. Commercial river use cannot increase over the three-year permit period to a level that would cause traffic induced by commercial river use to exceed Level of Service thresholds.
- d-e) The EIR does not identify impacts to sensitive receptors. Any potential impacts from objectionable odors are related to the construction of new restroom facilities, which are not included in the approval of Commercial River Use Permits.

The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.



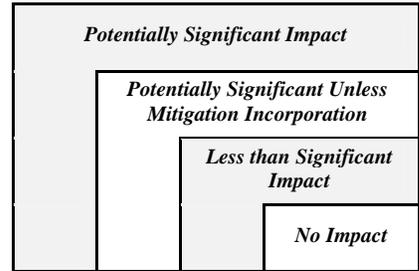
IV. BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 8, Biological Resources, is incorporated by reference. The significance criteria for biological resources are identified in Section 8.3.1 (pg. 8-11).

- a) The EIR identifies special status species with the potential to occur within the project area. The analysis relates potentially significant impacts on these species to facility construction. No facility construction accompanies the approval of Commercial River Use Permits.
- b) The EIR analysis of Impact 8-2 (pg. 8-11) identifies the potential degradation of riparian habitats resulting from increased whitewater boating use and associated public access. The EIR concludes that incorporation of Mitigation Measures 5-2 (pg. 5-6) and 8-2 would reduce this impact to a less than significant level.
- c) The EIR does not identify any federally protected wetlands in the project area.
- d) The EIR finds in Section 8.4 (pg. 8-13) that the project’s effect on fisheries is less than significant.
- e-f) The Land Use analysis in the EIR Section 4 (pg. 4-5 to 4-12) does not find any impacts or conflicts with the plans and policies in these two categories.

The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.



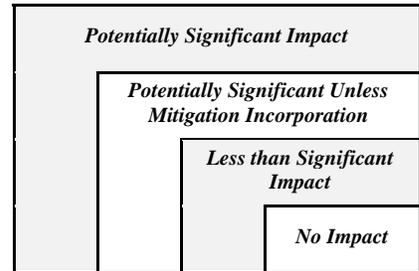
V. CULTURAL RESOURCES. <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 12, Cultural Resources, is incorporated by reference. The significance criteria for biological resources are identified in Section 12.3.1 (pg. 12-5).

a-d) The EIR analysis identifies potential impacts on cultural resources that may result from the construction of new facilities. Approval of Commercial River Use Permits does not include any new facilities. No other potentially significant impacts are identified in the EIR.

VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?		X		



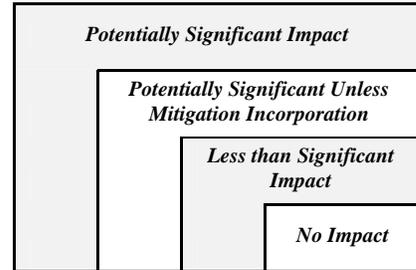
VI. GEOLOGY AND SOILS. <i>Would the project:</i>				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 5, Geology and Soils, is incorporated by reference. The significance criteria for biological resources are identified in Section 5.3.1 (pg. 5-3).

- a) The EIR analysis of seismicity in Section 5.4.2 (pg. 5-6) finds this to be a less than significant impact.
- b) The EIR analysis identifies Impact 5-2 (pg. 5-5), citing the potential for ground disturbances on private lands could result in increases in erosion. The EIR concludes that the incorporation of Mitigation Measure 4-3 and 5-2 would reduce the potential impacts from soil erosion to a less than significant impact.
- c-e) These three potential impacts do not apply to the approval of Commercial River Use Permits. All land uses by Commercial River Use Permit holders is conditioned by their River Use Permits to occur on properties which have had a Special Use Permit issued by the County. Special Use Permits are discretionary permits approved by the Planning Commission. The development of these properties has undergone a separate environmental analysis under CEQA.

The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.

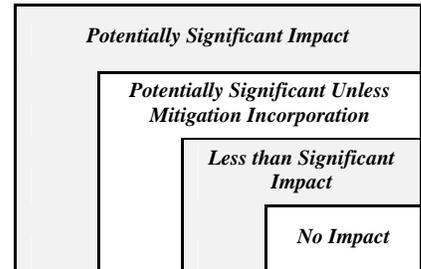


VII. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

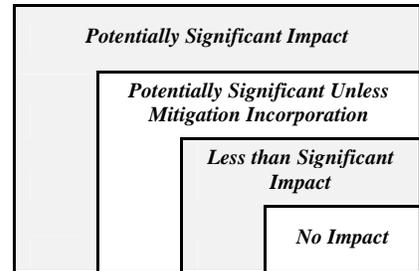
Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan is incorporated by reference.

- a-f) The EIR analysis does not indicate any potential hazard hazardous material impacts that are related to the River Management Plan.
- g-h) The EIR Section 4 Land Use analysis (pg. 4-6 and 4-7) concludes that the project does not significantly increase the possibility of wildland or developed area fires. The EIR concludes that the project is consistent with the applicable County General Plan objectives: Fire Safety Objective 6.6.2 and Flood Protection Objective 6.4.1.



VIII. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?		X		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		
f. Otherwise substantially degrade water quality?		X		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X



(Hydrology and Water Quality continued)

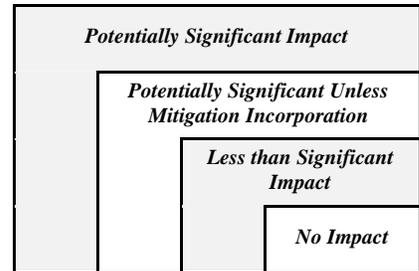
Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 6, Hydrology and Water Quality, is incorporated by reference. The significance criteria for water resources are identified in Section 6.3.1 (pg. 6-31).

- a) The EIR analysis of potential water quality impacts identifies Impact 6-2 (pg. 6-34), stating that increased use of the river would continue the degradation of water quality on the South Fork. The EIR concludes that potential water quality impacts related to increased river use would be reduced to less than significant levels by implementing educational and water quality monitoring programs from the River Management Plan and incorporating Mitigation Measures 4-3 (pg. 4-16), and Mitigation Measure 6-2 (pg. 6-35).
- b-d) The EIR analysis does not indicate that these potential water quality impacts apply to the approval of Commercial River Use Permits.
- e-f) See response to item VIII.a., above.
- g-j) The EIR analysis does not indicate that these potential water quality impacts apply to the approval of Commercial River Use Permits. No site-specific development is included.

The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.

IX. LAND USE PLANNING. <i>Would the project:</i>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X



(Land Use Planning continued)

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 4, Land use, is incorporated by reference. The significance criteria for land use are identified in Section 4.3.1 (pg. 4-13).

- a) The EIR does not indicate that there is any potential land use effect in this category.
- b) The EIR identifies Impact 4-1 (pg. 4-14), a potential conflict with El Dorado County General Plan Program 10.2.2.2.1. This program requires a project to provide for and finance improvements to public services consistent with the degree of impact to those services. The EIR concludes that the incorporation of Mitigation Measure 4-1 (pg. 4-15) would reduce the impact from the potential conflict to a less than significant level.
- c) The EIR does not indicate that there is any potential land use effect in this category.

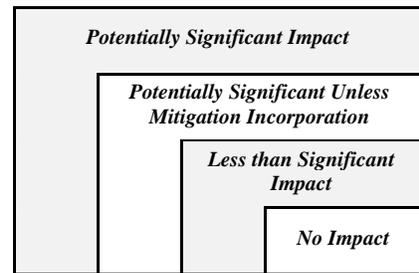
The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.

X. MINERAL RESOURCES. <i>Would the project:</i>			
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 5, Geology and Soils, is incorporated by reference. The significance criteria for geology are identified in Section 5.3.1 (pg. 5-3).

- a-b) The EIR analysis does not indicate any potential mineral resource effects.

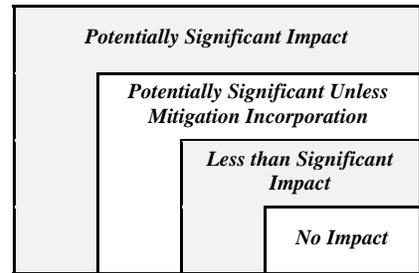


XI. NOISE. <i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?				X
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 10, Noise, is incorporated by reference. The significance criteria for noise are identified in Section 10.3.1 (pg. 10-12).

- a) The EIR analysis examined noise associated with whitewater recreation from on-river activities, from activities at river access points, and at campgrounds. The EIR concluded that County noise standards for non-transportation noise sources might be currently exceeded. The County adopted a statement of overriding consideration for this impact in the Findings of Fact for the El Dorado County River Management Plan Update (pg. 56). The EIR analysis of Impact 10-2 (pg. 10-14) states that increased amounts of river use could result in noise level increases at river egress facilities and at shoreline locations along the river. There are three aspects of the River Management Plan that limit the potential growth in commercial river use and thus mitigate this potential impact. First, the River Management Plan limits any potential growth in commercial river use through an allocation system that places daily river use limits on each outfitter. Second, Mitigation Measure 16-5 (pg. 3-3 of the Final EIR document) is designed to prevent the amount the total amount of commercial river use on peak summer weekends from increasing more than 10% above the historic peak levels. Third, Mitigation Measure 13-2 (pg. 3-2 of the Final EIR document) creates an incremental management system designed to disperse commercial river use. The effect of this mitigation measure will be two maintain or reduce the number of hourly bus trips through the Salmon Falls take-out area, which the EIR identified as the main contributor to this potential impact. The EIR analysis of Impact 10-4 (pg. 10-16) states that noise levels at campgrounds may exceed County noise standards. The EIR concludes that the incorporation of Mitigation Measure 10-5 (pg. 10-16) would reduce this potential impact to a less than significant level.
- b) The EIR analysis does not indicate any potential impacts in this category.
- c) The EIR analysis of Impact 10-2 (pg. 10-14) states that the noise impacts are primarily during daylight hours on weekends of peak river use (primarily mid-June through Labor Day weekend).



(Noise continued)

- d) See response to XI.a., above.
- e-f) The EIR analysis does not indicate any potential impacts in these two categories from this project.

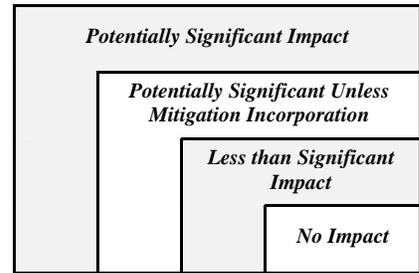
The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.

XII. POPULATION AND HOUSING. <i>Would the project:</i>				
a.	Induce substantial population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan is incorporated by reference. The EIR analysis does not indicate any potential impacts in the Population and Housing category.

XIII. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a.	Fire protection?		X	
b.	Police protection?		X	
c.	Schools?			X
d.	Parks?			X
e.	Other government services?	X		



(Public Services continued)

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan Section 14, Public Services, is incorporated by reference. The significance criteria for public services are identified in Section 14.3.1 (pg. 14-6).

- a-b) The EIR analysis in Section 14.4.1 (pg. 14-8) concludes that the impact on the Sheriff’s Department would be a less than significant impact. The analysis of the impact on the El Dorado County Fire Protection District in Section 14.2.3 pg. 14-5) concludes that the impact on fire protection services would be less than significant.
- c-d) The EIR analysis does not identify any potential impacts on schools or parks.
- e) The EIR analysis of Impact 14-1 (pg. 14-7) states that implementation of the River Management Plan could impact County government services. The EIR concludes that the potential impacts would be mitigated to a less than significant level with the incorporation of Mitigation Measure 4-1 (pg. 4-15).

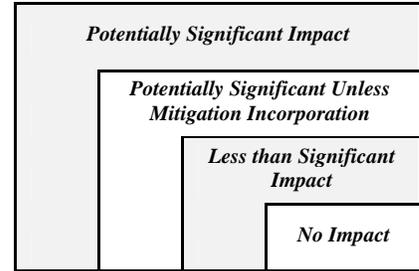
The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.

XIV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X		
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan, Section 7 Recreation, is incorporated by reference. The significance criteria for recreation are identified in Section 7.3.1 (pg. 7-6).

- a) The EIR analysis of potential impacts does not indicate that there would be an increase in commercial use of recreational facilities in the project area. All commercial river use on privately owned land is subject to the use limitations contained in the conditions on a property’s Special Use Permit. All commercial use on County, state or federal lands is subject to permit. The EIR concludes that the incorporation of Mitigation Measure 7-1 (pg. 7-7) and Mitigation Measure 8-2 (pg. 8-12) would reduce the potential impact on recreation facilities to a less than significant level.
- b) The approval of Commercial River Use Permits does not require or allow the construction or expansion of recreational facilities. Any proposals for new facilities or modifications to existing facilities must adhere to all applicable County land use planning regulations.



(Recreation continued)

The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.

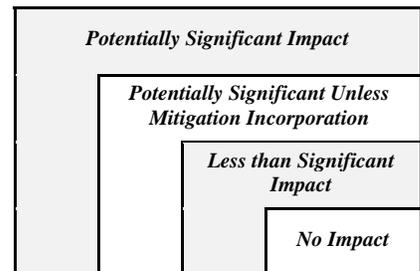
XV. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?				X
f. Result in inadequate parking capacity?				
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan, Section 9 Transportation and Circulation, is incorporated by reference. The significance criteria for recreation are identified in Section 9.3.1 (page 9-8).

- a-b) The EIR analysis of Impact 9-7 and Impact 9-8 (pg. 9-13) identifies potential traffic and transportation impacts resulting from the growth in river use and the implementation of various plan elements. The EIR concludes that the incorporation of Mitigation Measures 9-1 (pg. 9-10) would reduce the potential impact of Impact 9-7 to a less than significant level. The approval of Commercial River Use Permits would not create the potential impact described in Impact 9-8 because as a condition of approving the permits, applicants must demonstrate that their operations have secured parking areas that conform to the County parking standards of Chapter 17.18 of the County Ordinance Code.
- c-e) The EIR analysis does not find any potential impacts in these traffic and transportation categories.
- f) See response to XV.a., above.

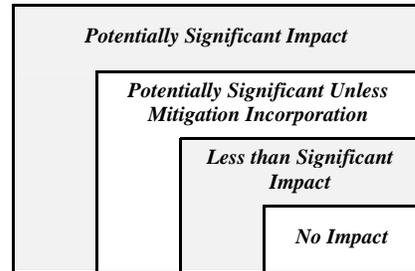
The approval of Commercial River Use Permits would result in no additional impacts other than the impacts already analyzed in the EIR. No new environmental analysis is needed.



XVI. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion:

Analysis used: The Environmental Impact Report for the El Dorado County River Management Plan is incorporated by reference. The EIR analysis indicates that there are no potential impacts to utilities and service systems from the approval of Commercial River Use Permits.



XVII. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X		
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	X			
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion:

Analysis Used: The analysis section of this Environmental Checklist establishes that this project, the approval of Commercial River Use Permits, is consistent with the Environmental Impact Report for the El Dorado County River Management Plan. The Environmental Impact Report, Section 16, Other Environmental Considerations, is incorporated by reference. Section 16.1 (pg.16-1) identifies one project specific potentially unavoidable impact and two potentially significant and unavoidable cumulative impacts that could result from the implementation of the River Management Plan. The project specific impact would be increased noise levels associated with increased use of facilities. The potential cumulative impacts would be increased noise levels associated with traffic increases and increased air emissions associated with traffic increases. The impacts, mitigation and findings are described in Section XI, Noise, and Section III, Air Quality, of this Environmental Checklist.

The El Dorado County Board of Supervisors adopted a Statement of Overriding Considerations within the attached Findings of Fact for the El Dorado County River Management Plan Update (pg. 56).

All other potential impacts to physical resources would be reduced to a less than significant level with the incorporation of the Environmental Impact Report's mitigation measures.

To summarize, the approval of Commercial River Use Permits is a project consistent with the County's River Management Plan and the potential environmental effects are adequately analyzed in the adopted EIR. The adopted mitigation measures and monitoring program avoid or mitigate all potentially significant effects except for the three potential impacts discussed above. Appendix B of the River Management Plan outlines the mitigation measures and monitoring plan.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at:

El Dorado County Chief Administrative Office, Parks Division
River Management Program
330 Fair Lane, Building A
Placerville, CA 95667
530.621.5360

Or on the web at <http://www.edcgov.us/>

- El Dorado County River Management Plan, adopted November 20, 2001. The mitigation monitoring plan is included in Appendix B.
- Environmental Impact Report for the El Dorado County River Management Plan, certified November 21, 2001 State Clearinghouse Number 1998092013
- El Dorado County Streams and Rivers Commercial Boating Ordinance Chapter 5.48.
- Findings of Fact for the El Dorado County River Management Plan Update, adopted November 20, 2001.
- El Dorado County Ordinance Code.