

5/1/2017

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Charlene Tim <charlene.tim@edcgov.us>  
8 pages

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## Clerk of the Planning Commission

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**hilde schweitzer** <hilde@amriver.us>  
To: charlene.tim@edcgov.us

Mon, May 1, 2017 at 12:54 PM

Please accept these comments regarding Item 2 on the Agenda for May 11, 2017  
Thank you,  
Hilde Schweitzer

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### 2 attachments

-  **Comments AWA-WWC transfer.pdf**  
76K
-  **Point Pleasant SUP 1986.pdf**  
550K

Comments-  
Hilde Schweitzer  
Planning Commission May 11, 2017  
Agenda Item #2—Transfer of User days WWC to AWA

Please accept the following comments regarding the proposed transfer/sale of Whitewater Connection in its entirety to Action Whitewater Adventures:

In 1981, which was the original year that the river was managed by El Dorado County there were 120 applicants for permits to run river trips. The requirement to receive a permit was a self-reporting system that stated that you had taken a self reported number of people down the river the previous year.

In 1984 when the first River Management Plan was adopted there were 79 outfitters that were each given a seasonal total number of user days. None of the permits had a weekend user day number allowed greater than 254 (the number of people allowed to be taken down the river on a given weekend day). In 1988 the seasonal number total was eliminated allowing for unlimited seasonal use as long as the user day numbers did not exceed a set maximum for the weekend and weekday use. The maximum permit size in terms of weekend use numbers operated by one permit per weekend day in 1988 was 173.

While the total number allowed on the river in one day has remained 2750 people (2970 adjusted for the 8% guest usage), the current trip sizes and user day limits for certain companies have continued to increase through permit sales, consolidation, etc. Currently the largest company, AWE holds 301 weekend user days.

Today, instead of the original 79 permits with smaller number of user days, there are 28 active Outfitters (2 permits are vacant) with user day numbers like 307, 228, 301, 200, 198 etc. These are mega permits and arguably have greater impact on the environment and surrounding landowners than decades ago when the original EIR was certified by the County.

The transfer of the two companies above creates a company with a total of 327 weekend user days. AWA also has power of attorney to run trips for River Rat which holds 52 more weekend user days, creating the potential for 379 users to be on the river run by AWA.

The Staff has concluded that the transfer:

The transfer of an El Dorado County River Use Permit is CEQA exempt under Section 15061(b) (3). There is certainty that the transfer of a River Use Permit from one outfitter to another will not have a significant effect on the environment. A River Use Permit transfer does not change the allotted amount of commercial river use allowed by the County's River Management Plan. A transfer will merely change the entity holding an existing River Use Permit.

It is my opinion that this type of transfer, creating use numbers that more than double a previous permit allocation, can and do cause potential significant effects on the environment and should not be considered exempt from CEQA.

Additionally, the current River Management Plan was adopted in 2001 and was written in 1996. The County is in the process of updating the Plan and the effects on the environment of Outfitters with user days this size needs to be addressed. I acknowledge that under the current RMP this transfer is allowed and even encouraged, but I question that the CEQA documents associated the current RMP are adequate in this situation.

The SUP that AWA is proposing to use (Point Pleasant Campground) was created in 1986. The camping capacity was for 300 people and 100 cars. There have been several major floods since then, the topography of the land has changed, original campsites have disappeared, vegetation has disappeared or been altered, septic systems have aged, and many new homes have been built adjacent to and across from the Camp. The camp is situated in the middle of the County created Quiet Zone which was created as partial mitigation for noise and other impacts on local landowners.

While I acknowledge that the current RMP has been followed in terms of user day transfers, and I acknowledge that consolidating permits will make accounting for the County easier, I do not feel that the facility requirement has been properly vetted. The original SUP, written in 1986, does allow for 300 people, the current Outfitter using the site only has a permit for 198 people. To add an additional 129 people (or 181 if River Rat is added) using the campground greatly impacts the facility, the neighboring landowners, and the environment. Therefore, I request that Planning thoroughly review the site of the SUP and determine impacts to the area based on the 300 number currently allowed in the SUP.

Land use requirements (locations of ingress, egress, rest stops, lunch stops, camping or other planned non-emergency stops). All private property locations must have a Special use Permits that allows commercial boating activity. Permits or authorization is required for the use of County, state or federal lands. Section F requires written authorization for use of all lands by an applicant.

Respectfully submitted,

Hilde Schweitzer

Agenda of: June 26, 1986

Item #: 9b

STAFF: Peter Maurer

STAFF REPORT

SPECIAL USE PERMIT

FILE NO.: S86-14

APPLICANT: VICTOR and VIRGINIA FANCHER

REQUEST: Operation of a campground including base operations for two commercial rafting companies, put-in and take-out by commercial outfitters, and noncommercial rafters.

LOCATION: Northeast side of Highway 49, approximately 400 feet east of Lotus Road (Point Pleasant Beach)

APN/ACREAGE: 6-450-24, 22.86 acres

GENERAL PLAN AREA: Lotus/Coloma

LAND USE DESIGNATION: Parks/Recreation

ZONING: RF, Recreational Facilities

ENVIRONMENTAL DOCUMENT: Negative Declaration filed.

BACKGROUND

This item was continued from the meeting of June 12, 1986, to allow the Commission time to make a site inspection of the property.

Point Pleasant Beach, a private campground, began operations prior to the requirement of a special use permit pursuant to Section 17.48.060 (A) of the El Dorado County Code. The request to expand this operation now necessitates the issuance of a permit.

DISCUSSION

Site Description - The project site is relatively level, with a few steep banks adjacent to the river and highway. The vegetation is predominately mixed woodland and chaparral. Surrounding zoning and land use is as follows:

**ZONING LAND USE**

North	RE-10	Rural Res./Agric., 10-acre min
South	RE-10	Rural Res./Agric., 10-acre min.
East	RE-10 & RE-5	Low Density Res./1 d.u./5.0-9.9 ac
West	RE-10	Rural Res./Agric.

**Access:** An existing paved driveway is the access point to Highway 49. If an encroachment permit does not already exist from Caltrans, one must be obtained.

**Services:** Water and sewer is proposed to be provided by well and septic system. This must be approved by the Environmental Health Division and any appropriate State agency.

**General Plan:** A review of this project found that it conforms to the policies of the Lotus/Coloma Area Plan and the Long Range Plan.

**RIVER MANAGEMENT ADVISORY COMMITTEE (RMAC):** On April 23, 1986, the River Management Advisory Committee reviewed this application. RMAC recommended approval with twelve conditions. These conditions have been incorporated into the recommended conditions of approval by Planning staff.

It appears that RMAC's major concerns, and that of staff as well, are the visual impact of the campground and erosion. The recommended conditions attempt to screen the site from the highway and river and to revegetate and stabilize disturbed areas.

**RECOMMENDATION:** Staff recommends that the Planning Commission approve the Negative Declaration, as filed, and further approve the request to operate a campground and river rafting company on Assessor's Parcel No. 6-450-24, subject to the following Conditions and based on the following findings:

**Conditions**

1. Approval by the Planning Division of a revised site plan drawn to scale which displays all campground facilities. This shall be submitted within 60 days of approval by Planning staff.
2. All further permanent structures shall be located outside of the flood plain which shall be designated on the site plan.
3. The applicant shall submit a landscape and revegetation plan prepared by a landscape architect for the campground area. This plan shall specifically address the bank stabilization on the slope adjacent to the river and shall also display a method to screen the campsites from view of the river. This plan shall be submitted to the Planning Division within 90 days of approval by the Planning Commission.

**CONDITIONS** (continued)

4. The applicant shall obtain an encroachment permit from the California Department of Transportation unless waived by that Department.
5. The use shall conform to the approved site plan; specifically, that vehicles shall be restricted to roads and parking areas as approved and shown on the approved site plan.
6. All parking shall be a minimum of 50 feet from the river.
7. Parking shall not be permitted adjacent to the entrance.
8. Campground capacity shall be:
  - a. 30 campsites
  - b. 300 maximum persons
  - c. 100 vehicles
9. All campground structures, tarps, and other improvements shall be earth-tone materials and color when visible from the river of Highway 49.
10. The applicant shall obtain approval from the Environmental Health Division.
11. The applicant shall obtain approval from all appropriate State agencies.

**Findings**

The establishment of a campground and river rafting company in an RF, Recreational Facilities, Zone District is:

1. Authorized by Section 17.48.060 (A) of the El Dorado County Code.
2. Not considered detrimental to the public health, safety and welfare, or injurious to the neighborhood.
3. Found to be in compliance with the intent of Chapter 17.22, Special Use Permits.
4. Found to be in conformance with the El Dorado County General Plan.

NOTICE OF PUBLIC HEARING

The El Dorado County Planning Commission will hold a public hearing in the Planning Commission Meeting Room, El Dorado County Office Center, 360 Fair Lane, Placerville, CA 95667 on June 12, 1986, to consider the following item:

- 2:15 p.m. - Special Use Permit: S86-14; to consider an application submitted by VICTOR and VIRGINIA FANCHER, which would allow the operation of a campground and river rafting company, including put-in and take-out by commercial outfitters and noncommercial rafters, on property identified by Assessor's Parcel No. 6-450-24, consisting of 22.86 acres. The property is currently zoned RF, Recreational Facilities, and is located on the northeast side of Highway 49, approximately 400 feet east of Lotus Road (Point Pleasant Beach), in the Lotus/Coloma Area. (Neg. Dec. filed)

All persons interested are invited to attend and be heard or to write their comments to the Commission. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

EL DORADO COUNTY PLANNING COMMISSION  
RICHARD M. FLOCH, Executive Secretary

Fancher

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