

Public Safety and Property Rights Concerns Regarding Proposed River Management Plan Updates

El Dorado County Parks and Recreation Commission:

I am writing to express serious concerns regarding public safety, river congestion, and private property rights following the County's recent proposed updates to the River Management Plan and the decision not to adopt several recommendations made by the Coloma Lotus Advisory Council (CLAC) Ad Hoc Committee.

CLAC's recommendations were intended to address safety risks, clarify enforcement authority, improve accountability, and protect both river users and property owners. The decision not to implement many of these measures raises significant concerns about the safety of non-commercial river users, the protection of private property, and the lack of effective oversight of commercial operations on the South Fork of the American River.

Given the extent of public input provided through CLAC, it is difficult not to question whether meaningful public participation is being taken seriously when safety and oversight recommendations are repeatedly declined. The following outlines my major concerns.

Public Safety Risks to Non-Commercial River Users

The absence of stronger spacing, density, and enforcement provisions creates avoidable safety risks for non-commercial river users, including but not limited to non-commercial rafters, kayakers, and tubers. Without clear requirements governing group separation, visibility, and congestion control, large commercial outfitter groups may cluster in ways that:

- Increase the likelihood of collisions and accidents on the river.
- Create dangerous navigation conditions for smaller craft users.
- Limit the ability of private boaters to safely maneuver or avoid congested areas.
- Increase emergency response risks due to overcrowded river conditions.

The lack of defined spacing standards or enhanced enforcement mechanisms raises questions about how the County intends to ensure safe shared use of the river. While most of the outfitters who operate on the South Fork are excellent stewards of the land and river, follow the rules, and operate in good faith, there are serious concerns about some commercial companies' conduct on the river. For example, a commercial company received a violation for running a rapid named Troublemaker in such an unsafe fashion in May of 2025 that they received a violation for it, which is not even listed on the penalty schedule. Again, many of the outfitters act in good faith, however there are a few that behave in a way that demands constant oversight to ensure they are following the RMP. CLAC's recommendations on spacing, density, and enforcement provisions

were meant to address these persistent issues, and the County's decision not to address these concerns creates opportunity for disputes or even injuries.

Impacts on Private Property Owners

Equally concerning is the impact on private property owners along the river corridor. Property owners have reported instances where commercial operators stop on private property without permission, conduct business activities such as staging customers, conducting swift water rescue training scenarios, eating lunch, teaching guide schools, and much more while refusing to leave when requested. None of these constitute emergencies which would allow entering private property.

This happened to me personally in April of 2025, when a commercial company conducted a swift water training rescue scenario for their commercial guide school on my private property with no permission. The outfitter was asked to leave, refused, resulting in the El Dorado County Sheriff coming out to the scene, witnessing the violation, and documented it. This should not be happening, the El Dorado County Sheriff should not have to become involved because of the County's lack of oversight on private property, in a scenario where the County grants the outfitter the right to operate. Additionally, it is incredibly concerning that the County is allowing outfitters to continue operating without any real punishment for clear violations of the RMP. In other words, the County chooses not to engage with outfitters committing real and document violations, and it unclear why the County chooses not to do so.

Without clear enforcement procedures, meaningful penalties, or defined oversight mechanisms:

- Property owners may lack effective recourse when unauthorized commercial use occurs.
- Commercial operators may face limited accountability for trespass or unauthorized use of private land.
- The burden of enforcement may fall unfairly on private property owners rather than the County.
- Ongoing conflicts between property owners and commercial operators may increase.

The absence of stronger enforcement language and appeal procedures raises concerns that property rights are not adequately protected and that conflicts will continue without resolution. When the actions of this outfitter were brought to the attention of code enforcement and the Parks and Recreation Department, the only violations that the County issued to the outfitter were in relation to reporting user days. The County issued violations to the outfitter for fraudulent reporting of user days and for underreporting of user days, however the County did not issue a violation for a non-emergency stop on private property (or for any of the other numerous violations documented that day, such as the Quiet Zone violation). The trespassing was documented, the sheriff's report was available for the County to view, and yet the County decided to do nothing about it. This raises some serious concerns, and in my mind demonstrates

that the County is more concerned with collecting user day fees than ensuring the safety and welfare of property owners impacted by a discretionary commercial activity that the County authorizes and is supposed to regulate.

Lack of Oversight and Accountability

The decision not to implement recommendations related to governance oversight, independent appeals, and enforcement structures further contributes to public concern. Without clear mechanisms for public oversight or transparent enforcement processes, the public may lack confidence that the County will address violations consistently and fairly.

Strong oversight structures help ensure that commercial activities operate responsibly, public safety standards are enforced, and community concerns are addressed in a timely manner. The current framework appears to centralize authority while providing limited avenues for public accountability or review.

Request for Clarification and Action

Given these concerns, I respectfully request that the County provide clarification on the following:

1. What specific measures will be implemented to prevent dangerous congestion and ensure safe river conditions for non-commercial users?
2. What enforcement mechanisms exist to address unauthorized commercial activity on private property?
3. How can private property owners obtain timely assistance when commercial operators refuse to leave their property?
4. What procedures ensure accountability when violations occur?
5. Will the County reconsider safety and oversight recommendations previously submitted by CLAC?

The river is a shared public resource that requires clear standards, consistent enforcement, and strong protections for both public safety and private property rights. I urge the County to revisit these unresolved issues and work collaboratively with the public to ensure safe and responsible river management.

Thank you for your time and consideration. I look forward to your response.

Sincerely,
Natalie Haber

Non-Commercial Boater Representative for CLAC