



PC 8-10-17
Item # 5
Debra Ercolini <debra.ercolini@edcgov.us>
(10 pages)

Fwd: [CLNews] River Management Meetings Thursday & Monday

1 message

Char Tim <charlene.tim@edcgov.us>
To: Debra Ercolini <debra.ercolini@edcgov.us>

Mon, Aug 14, 2017 at 9:28 AM

----- Forwarded message -----

From: **Melody Lane** <melody.lane@reagan.com>
Date: Wed, Aug 9, 2017 at 8:54 PM
Subject: RE: [CLNews] River Management Meetings Thursday & Monday
To: ggilmores@yahoo.com, Coloma-Lotus News <clnews@googlegroups.com>
Cc: edc.cob@edcgov.us, Jim Mitrisin <jim.mitrisin@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, charlene.tim@edcgov.us, jvegna@edcgov.us, brian.shinault@edcgov.us, gary.miller@edcgov.us, James Williams <james.williams@edcgov.us>, jeff.hansen@edcgov.us, Michael Ranalli <michael.ranalli@edcgov.us>, john.hidahl@edcgov.us, sue.novasel@edcgov.us, brian.veerkamp@edcgov.us, shiva.frentzen@edcgov.us, barry.smith@parks.ca.gov, Roger Trout <roger.trout@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>

FYI...

All Planning Commission documents submitted for Agenda Item #5 – RMP Update can be viewed via this link:
<https://eldorado.legistar.com/LegislationDetail.aspx?ID=3113036&GUID=E0F79932-F626-4EAD-BF8F-CBC543493161>

Sent: Wednesday, August 9, 2017 1:04 PM
Subject: Please post to 8/10/17 Planning Commission Agenda Item #5 - RMP Update

Please post to Legistar and the 8/10/17 Planning Commission Agenda Item #5 the attached notarized Affidavit mailed certified USPS today to Supervisor Michael Ranalli relevant to the River Management Plan.

Melody Lane

Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds.

During the 7/25/17 Special RMAC meeting held in the MGD Museum Nate Rangel erroneously claimed RMAC “didn’t have to respond” to my questions. That is false. Note this KEY excerpt from the Ranalli Affidavit submitted into the public record also applies to all Committee Reps/Commissioners:

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. By not responding and/or not rebutting, such as you have demonstrated, you, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to correspondence or other public inquiries, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by Citizens injured by their actions. All American Citizens, can expect, and have the Right and duty to demand that you and other government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Sent: Tuesday, August 8, 2017 1:41 PM

Subject: 8/10/17 Planning Commission meeting Agenda Item #5

Please ensure the entirety of this correspondence, including all attachments, are posted to the 8/10/17 Planning Commission Agenda Item #5 - RMP Update on the EDC Legistar calendar.

**Please note that the minutes for the 7/25/17 Special RMAC meeting held in the Marshall Gold Discovery Park Museum for the RMP Update contain numerous errors and falsifications. There was no county representative present to maintain order over the mob, and Nate Rangel acting in tandem with Adam Anderson, failed dismally to abide by the Brown Act and Roberts Rules of Order. Karen Mulvaney acted as Mr. Rangel's personally appointed "scribe" during the meeting which was authorized by Parks & Rec Manager, Vickie Sanders. The audio is impossible to understand, let alone transcribe by county staff, and the majority of the speakers never identified themselves. Therefore approval of the RMAC minutes, any recommendations, or actions taken by the committee/commissioners is "ultra vires" and in violation of your Principle Agent Oaths of Office.

Melody Lane

Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

From: 'Big Bird' via Coloma-Lotus News [<mailto:clnews@googlegroups.com>]

Sent: Tuesday, August 8, 2017 2:59 PM

To: Coloma-Lotus News

Subject: [CLNews] River Management Meetings Thursday & Monday

Hey Y'all,

Many of us put a lot into and get a lot from the river.

There are two upcoming county meetings Thursday and Monday.

This is about the future management of this valuable riparian resource.

Make no mistake this could positively or negatively affect you, your business, or your life.

River luv, - g

Chief Administrative Office, Parks Division requests that the Planning Commission review the final draft of the Summer 2017 updated River Management Plan and provide recommendations regarding staff's proposed updates to the River Management Plan.

Meeting Name:	Planning Commission	Agenda status:	Final
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Meeting date/time:	8/10/2017 8:30 AM	Minutes status:	Draft
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Meeting location:	Building C Hearing Room
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Meeting Name:	River Management Advisory Committee (RMAC)	Agenda status:	Final
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Meeting date/time:	8/14/2017 7:00 PM	Minutes status:	Draft
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Meeting location:	Board of Supervisor Meeting Room 330 Fair Lane, Bldg A Placerville, CA
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Hope to see you there.

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415-497-2660

510 - B1G - B1RD
(510) 214-2173

<https://www.google.com/voice>

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Char Tim

Clerk of the Planning Commission

County of El Dorado

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RMP SOFAR PC.PDF
2847K

Two weeks ago Assemblyman Kevin Kiley was the guest speaker @ Taxpayers Association meeting. Several times he mentioned the importance of Constitutional Oaths of Office. As you know, any act by any public official that doesn't support and defend the Constitution, violates and opposes it.

John Hidahl will recall how lively discussion ensued after I brought up issues concerning the Fire Fee Tax & American River Conservancy land acquisitions turned over to CA State Parks & BLM. I cited just one example, ARC's 10K acre acquisition of the Headwaters of the American River. Note these key words: ***climate change, forest restoration, drought-stricken, Sierra Nevada most important source of water, wildfire, recreational hotspot, public funding.***

This purchase was made possible by private donations and public funding from Wildlife Conservation Board & CA Natural Resources Agency for the purchase price \$10,167,000. The acreage will be owned by the ARC in partnership with the Nature Conservancy until it is turned over to BLM & CSP to manage the American River Scenic Corridor that stretches from downtown Sacramento, through Coloma and beyond Lake Tahoe.

Approximately 65-70% of EDC is public watershed, all of it exempt from property taxes. Just a few examples of ARC acquisitions are Cronan Ranch, Magnolia, Mt. Murphy, Chili Bar, Salmon Falls, and Kanaka Valley. The tax burden is consequently heaped onto private property owners to pick up the slack and pay for public services like fire, code and law enforcement. This is where the River Management Plan (RMP) comes in.

Whoever controls the water controls the people. The RMP for the South Fork American River (SOFAR) is all about CONTROL. CA State Parks, BLM and American River Conservancy play a huge role in the RMP. So do the BOS-appointed RMAC representatives who operate like the River Mafia Mob. I'll explain:

The last time I attended the BOS, Shiva Frentzen & Brian Veerkamp denied my First Amendment right to address the SOFAR Project agenda item #50 by shutting off the microphone. ***I was not breaking the law; you were.***

John Hidahl commented afterwards that it was unfortunate the project was called SOFAR. It's not just about the forest. It's all about who CONTROLS the Sierra watershed, namely the NGOs—like ARC and the rafting industry—working in conjunction with government agencies and profiting at tax payers expense. They are, and always have been, ***OUT OF CONTROL.***

Larry Weitzman's article *"Pay to play on the river at tax payer's expense"* published in Friday's Mtn. Democrat accurately describes the July 25th Special RMAC meeting held in the Marshall Gold Discovery Park Museum, ***"There was no county representative present at a very one-sided meeting that bordered on mob rule. While an official county advisory committee, their actions may have been beyond the law and their authority. It's called an "ultra vires act."***

The minutes from that meeting were just posted yesterday to Legistar, but are entirely falsified. Acting in tandem, Nate Rangel and Adam Anderson totally disregarded the Brown Act and Roberts Rules of Order. Everyone talked at once, and few identified themselves. Talk about mob rule, the few who didn't go with the flow were interrupted and cut off.

The BOS, particularly Supervisor Ranalli, knows for a fact that RMAC representatives, working in conjunction with county staff, have been falsifying RMAC documents literally for decades, yet you continue to aid and abet their unlawful actions. It's business as usual; the decisions have already been made behind closed doors. This applies as well to the Planning Commissioners who are scheduled to review the RMP Update this Thursday.

Not only are you in violation of your Constitutional Oaths of Office, that's a rip-off of all EDC taxpaying citizens. You have a fiduciary obligation to the public. It goes without saying that you are opening yourself wide up for costly litigation.

If any of you have questions or comments, make them now while I'm at the podium in order that I may exercise my right to publicly respond for the record.

Madam Clerk: Please enter these documents into the public record:

1. This transcript
2. Weitzman Mtn. Demo article, "Pay to play on the river at tax payer's expense"
3. 10,000+ acres of American River headwaters acquired by ARC

Sierra forest acquisition aims at fewer wildfires, more water

by Contributor 8-19-15 Mtn. Democrat

In the wake of massive wildfires across drought-stricken California, the American River Conservancy, The Nature Conservancy and Northern Sierra Partnership have announced the acquisition of 10,115 acres of forest in the fire-endangered Sierra Nevada.

Now protected, this massive watershed — referred to as the American River Headwaters — will serve as a living laboratory for scientists to test how forest restoration could reduce the risk of megafires and increase the state's dwindling water supply while improving wildlife habitat.

The property will be owned by the American River Conservancy and the restoration and research activities will be implemented in partnership with The Nature Conservancy.

"This deal protects a critically important watershed and connects the Wild and Scenic North Fork American River with the Granite Chief Wilderness, allowing animals a better chance to adapt to changing environmental conditions," said Alan Ehr Gott, executive director with the American River Conservancy.

The Sierra Nevada is the largest and most important source of water for drought-stricken California. The American River Headwaters begin on this property, and its waters ultimately flow into the Sacramento River, providing clean drinking water to more than 20 million Californians. A legacy of poor forest management, overly zealous fire suppression, and climate change has put the Sierra Nevada at significant risk of large wildland fire, according to Ehr Gott.

"We are facing another record breaking year of drought and wildfires in California and the only way to reduce the impacts of this trend is to increase the pace and scale of forest restoration," said The Nature Conservancy's forest ecologist Ed Smith, who will help lead the team's research and restoration plan. "With climate change accelerating the risk of catastrophic fire, our research will be aimed to test techniques to protect us from megafires, improve watershed health and reduce drought impacts for forests and people who rely on them."

Multiple studies have found forest restoration techniques, like forest thinning and controlled burns, to be effective and cost-efficient tactics both to reduce the number of fires and to increase water supply. The American River Headwaters restoration project will take those principles and implement them at a landscape scale, to serve as a model for more forest restoration projects throughout the Sierra.

Clearing forests of dry brush and leaving room between larger trees not only reduces the risk of catastrophic wildfires, but also allows snowfall and rain to accumulate in the forest and replenish creeks and rivers rather than evaporating from the tops of overcrowded forests. Restoration of these lands could potentially increase water supplies while reducing the risk of high-severity wildfire.

In addition to being a critical natural resource for California in addressing its water supply, the Sierra Nevada is also a globally recognized recreational hotspot. As part of the restoration effort, the participating groups will take on

conservation projects that do double duty: supporting California's natural infrastructure and securing a beloved recreation destination for Californians and visitors.

"This was the largest piece of unprotected land along the Sierra Crest south of Donner Summit. This is a big win for water quality, for wildlife and for everyone who loves the splendid landscapes of the Sierra Nevada," said Lucy Blake, president of the Northern Sierra Partnership.

This acquisition was made possible by a number of private donations and by public funding from the Wildlife Conservation Board and the California Natural Resources Agency.

<http://www.mtdemocrat.com/opinion/the-balancing-act-pay-to-play/>

The Balancing Act: Pay to play on the river at tax payer's expense

By Larry Weitzman From page A4 | August 04, 2017

I want my readers to understand about El Dorado County government functions. Services that provide a general benefit like public safety (sheriff, D.A., police, Probation) roads, infrastructure, zoning, business licensing and parks, to a lesser extent, provide a general benefit to all county residents and should be paid for by the general population and the General Fund. I did mention licensing, but that should be self-funded, whereas fines and penalties aren't intended to fund public safety.

As to building and safety, those are supposed to be self-funded just as the requirements we place on builders with respect to on-and off-site improvements for housing developments are charged huge traffic impact mitigation fees to provide for most of that. El Dorado County already has taxes on the tourist and recreation industry in the form of a 10 percent tax on hotels/motels and other temporary lodging called the transit occupancy tax. It raises millions of dollars and helps pay for the extra services required as a result and although it is General Fund money, it's an excuse to fund things like the county visitor's bureau, festivals and other tourist and business draws. South Lake Tahoe makes bank on their transit occupancy tax.

El Dorado County is blessed with incredible beauty and topography making it a playground for the semi adventurous and adrenalin junkies alike. We have one of the best recreational rivers in the country, the American. It is a magnificent show of nature, its power and beauty. The South Fork of the American River flows through the Marshall Gold Discovery State Historic Park like the financial aorta of El Dorado County.

As a result, it has spawned a huge industry — commercial rafting. It's been ongoing for decades with some years drawing more than 100,000 people who want the thrill of running rapids like Troublemaker. It is a rush. And that's only one of several that will get your heart rate going. With the paddling required it will add to your cardiovascular conditioning too. This year about 70,000 are expected to run the river with a commercial rafting company. About the same amount of people do the river in their own kayaks and rafts.

As a result of all this activity several problems are created. First is the public safety that has to be provided, emergency response teams, noise issues, crime issues, code enforcement, huge environmental issues and water quality concerns. Most of this falls on the El Dorado County Sheriff's Office. Just last week they had their elite team of seven divers, all deputies, scouring the Cosumnes River looking for person reportedly missing spending hundreds of hours including overtime looking for this individual (who was not a rafter). On top of that, the taxpayers are spending about \$30,000 a year on a bus shuttle subsidy, purely to benefit the commercial rafting industry. An educated guess as to the total dollar amount spent on these river issues exceeds \$1 million. That could be a lot of road-fixing money. Rafting is not a priority but the roads are. But almost all of this money comes from the General Fund.

In looking at rate schedules from the various outfitters, the average cost for a river trip is about \$100 a person. One outfitter listed its cheapest run at \$95 for a half river run on a weekday. On the weekend that goes up by \$20 and any other trip goes up from there. Rafting the river is about the

price of Disneyland and Disneyland does it all: policing, environmental, cleanup, maintenance and shuttle buses.

What do the rafting outfitters pay the county to run their enterprises? There is a \$200 permit charge per company and a \$2-a-head put into the River Trust, which is used to pay for one county employee (River Recreation Supervisor Noah Rucker-Triplett) who works administratively with the rafters (a complete accounting needs to be done on this potential slush fund). The outfitters take in in excess of \$7 million but pay nothing for the privilege of making this money. Taxpayers end up paying for the sheriff, environmental services, code enforcement or the continuing damages to the private citizens who live near the river who have to put up with the noise pollution, commotion, huge late-night parties, vandalism, theft, trespassing and more. In fact, the six-mile stretch from about a half mile east of Troublemaker rapids to where the river turns southwest from Highway 49 toward Folsom Lake at the Greenwood Circle day use area is designated a quiet zone. It probably is quiet compared to the take-off areas of LAX or SMF, or maybe not.

At a very recent River Management Advisory Committee meeting in the Marshall Gold Discovery Park Museum to discuss the updated county River Management Plan, the rafters want to tell the county how to run the river concessions. Isn't that the tail wagging the dog? There was no County representative present at a very one-sided meeting that bordered on mob rule. While an official county advisory committee, their actions may have been beyond the law and their authority. It's called an "ultra vires act."

The river outfitters want to play, but don't want to pay. If the outfitters want to have input they can start by absorbing all the costs they create. There is a county Planning Commission meeting scheduled for Aug. 10 at 8:30 a.m. at the hearing room in Building C at the Government Center in Placerville to discuss the update and possible approval of the River Management Plan (RMP). It shouldn't be approved. It should be modified to reflect the costs and how those costs are going to be paid because of the outfitter's commercial enterprises. We need a study to determine what exactly these costs are and how and who is going to pay for them. As above, we have a TOT on lodging, why not on the rafters, too? They create bigger problems than the hotel/motels in the county. We need a 10 percent river fee (tax) and a permit fee for private users.

The RMP is deficient until a cost study is done. Approval by the Planning Commission without a complete cost analysis would be derelict of their duty to the residents of El Dorado County. Otherwise, the residents of El Dorado County are going to pay, while the rafters play and make money at taxpayer expense. That is not a proper function of government. I doth protest and so should everyone else. Tell your supervisor, enough is enough. While I wish the rafting industry continued success, the taxpayers should not be supporting and subsidizing these businesses. They need to pay their own way.