



PC 8-10-17  
Item #5  
(15 pages)

Debra Ercolini <debra.ercolini@edcgov.us>

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**Fwd: FW: RMAC Planning Commission recommendation**

2 messages

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Char Tim <charlene.tim@edcgov.us>

Fri, Aug 4, 2017 at 12:16 PM

To: Debra Ercolini <debra.ercolini@edcgov.us>

Cc: Nathan Rangel <nate@raftcalifornia.com>, dmandrsn@msn.com, Noah Triplett <noah.triplett@edcgov.us>

Debbie,

Please post this public comment for the River Management Plan item on the Planning Commission's August 10th agenda (item #5). Thank you.

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

From: **Nathan Rangel** <nate@raftcalifornia.com>

Date: Fri, Aug 4, 2017 at 10:35 AM

Subject: FW: RMAC Planning Commission recommendation

To: charlene.tim@edcgov.us

Cc: Adam Anderson <admandrsn@msn.com>, Noah Triplett <noah.triplett@edcgov.us>

Hello Ms. Tim:

Mr. Anderson has asked me to forward this material to you for inclusion for next week's Planning Commission meeting. We are submitting the attached amendments and cover letter to the Commissioners regarding their review of the Draft RMP.

Please kindly confirm you receipt of this and let me know if anything further is needed from you in order to have this available to the Commission for deliberation and consideration.

Thank you in advance for your assistance.

Regards,

Nate Rangel

Vice-Chairman

River Management Advisory Committee

(530) 626-7385

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**From:** Adam Anderson [mailto:admandrsn@msn.com]

**Sent:** Tuesday, August 01, 2017 10:24 AM

**To:** Noah Triplett

**Cc:** Nate Rangel; sacksteder@sbcglobal.net

**Subject:** RMAC Planning Commission recommendation

Hi Noah,

Karen Mulvany kept notes and I think only on the motion we made. The gist of the meeting was all board members were present. We had approximately 28 non board people attend. We had a vote to approve and submit to the PC the changes or restoration of the RMAC to the draft RMP that Nate prepared. Voting was unanimous in the affirmative. William Crenshaw submitted changes to the outside consultant hiring process as an amendment to our submission and it was also voted on. The results were unanimous in the affirmative. I believe both motions were made by Nate Rangel and seconded by Bob Smay. Sara Schwartz-Kendall submitted comments that I will scan and send to you. It was decided that I would draft a cover letter with our submission to the PC explaining the reasoning for our submission with the help of Nate Rangel and Victoria Sacksteder. I made a recommendation at the end of the meeting that we have a RMAC river field trip and to invite interested parties. We decided to have it on Friday Aug 18th. The purpose is to build awareness of issues that the river corridor is facing.

Please submit the following attachments to the Planning Commission, Board of Supervisors, County Staff and have it attached to the Aug 10th PC meeting notes.

Thanks,

Adam

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**Char Tim**

Clerk of the Planning Commission

Assistant to Roger Trout, Director

**County of El Dorado**

Planning and Building Department

2850 Fairlane Court

Placerville, CA 95667

(530) 621-5351 / FAX (530) 642-0508

charlene.tim@edcgov.us

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**2 attachments**



**RMAC resolution cover letter.pdf**

637K



**2017 0725 RMAC RMP Amendments.pdf**

6936K

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**Char Tim** <charlene.tim@edcgov.us>

Fri, Aug 4, 2017 at 12:18 PM

To: Debra Ercolini <debra.ercolini@edcgov.us>

Cc: Nathan Rangel <nate@raftcalifornia.com>, Noah Triplett <noah.triplett@edcgov.us>, admmandrsn@msn.com

Resending....as I had a typo in Adam's email address.

[Quoted text hidden]

July 30, 2017

Dear El Dorado County Planning Commission,

The River Management Advisory Committee (RMAC) met on July 25<sup>th</sup> 2017 and voted unanimously to submit to the Planning Commission the attached changes or restorations to the draft River Management Plan (RMP) being submitted to the PC on Aug. 10<sup>th</sup> 2017. We feel passionately and have heard countless testimonies from the river corridor community that the RMAC is a valuable conduit for communication between the river corridor community and the County. Our community's voice and representation at the County would be significantly diminished if this responsibility was turned over to the Parks and Recreation commission (PRC).

Below are just five of the many reasons why the RMAC should be restored into the new RMP:

- The RMAC is fully financially supported by the River Trust Fund (RTF) and, as such, has no impact on County General Funds or County taxpayers.
- The RMAC is a 7 member committee that includes representation from residents, business owners, State Parks, commercial and private boaters and two at-large positions. These individuals provide valuable and diversified insights into the complex and changing river corridor community.
- The RMAC has a rich and decades long history of dealing with issues of concern for all stakeholders on this most remarkable and unique resource - the South Fork of the American River.
- Commercial outfitting is the largest pure-tourism based industry on the Western Slope. Taking RMAC out of the draft RMP effectively takes away their voice in how this resource is managed.
- At numerous public meetings held in the Coloma-Lotus Valley there has been nearly unanimous and overwhelming support for the RMAC to continue in it's traditional role. Acceptance of the staff and consultant's suggestions regarding removing RMAC and substituting the PRC in those traditional responsibilities would effectively ignore our community's strongly stated desires.

Thank you for your service and consideration of these important changes being submitted to your Commission.

Respectfully,



Adam L. Anderson

Chairman - RMAC

Submitted to El Dorado County Parks Division by Nathan Rangel on 7-20-2017

Proposed amended alternatives to the ~~Draft RMP for 2017~~ El Dorado County River Management Plan Summer 2017.

Strike the following from Chapter 1 on pages 1 and 2 from the 2017 Draft: Summer 2017 River Management Plan:

### **History of the RMP Planning Process**

~~In response to landowner complaints about noise, trespassing, litter, and inadequate sanitation, the County banned whitewater recreation by ordinance in 1976 (RMI, 1997). This ordinance was later struck down by the State Court of Appeal in the case of People ex rel. Younger v. County of El Dorado (1979) (96 CalApp.3rd 403). Following the Younger decision, the County adopted a Stream and River Rafting ordinance in 1980. In 1981, the County began active management of commercial outfitters on the South Fork. The Board of Supervisors first designated the section of South Fork of the American River between the Chili Bar Dam and the confluence of the Folsom Lake State Recreation Area as a special use area pursuant to the California Harbors and Navigation Code section 660 in 1984 with the adoption of ordinance 3463 and again most recently in 2002 with the adoption of ordinance 4596. Since the early 1980's, the County of El Dorado has managed commercial and non-commercial whitewater recreation to enhance public health, safety, and welfare and preserve environmental values. The RMP establishes a set of operational rules for commercial and private boaters navigating the South Fork of the American River between the Chili Bar Dam and Salmon Falls Road in El Dorado County. These rules define and update the County's river management and reporting activities. The County then embarked on the development of survey and factual information to formulate a river management program. This effort consisted of property owner surveys, river user surveys, and coordination with representatives of responsible and interested agencies (County of El Dorado, 1984). An El Dorado County RMP and accompanying Environmental Impact Report (EIR) were prepared in 1984. This plan was adopted by the County in 1984 as a chapter of the General Plan's Recreational Element (ibid.). The project EIR also was certified in 1984, and the County began the active management of whitewater recreation in and along the South Fork of the American River in that year.~~

~~The RMP was amended in March 1988 (Sections III, IV, and V—County Resolution 99-88) and again in May 1992 (Sections 3A, 4A, and 4B—County Resolution 135-92). Many of the 1988 RMP's (Section IV, Land Use and Facilities) goals have been met, including: Special Use Permitting for all river access and camps; Acquisition and development of Henningsen Lotus Park; Public agency (Bureau of Land Management) acquisition of river area lands; and Development of a radio communications system by the El Dorado County Sheriff's Office. In 1995, Mr. Bernard Carlson sued the County on the grounds that the commercial permitting process in the RMP was a discretionary, rather than a ministerial process, under the California Environmental Quality Act (CEQA). Mr. Carlson prevailed in this litigation and, as a term of settlement, the County agreed to contract with independent consultants to update the existing RMP and prepare the 2001 RMP. Planning Process In adherence to the terms of Carlson vs. County of El Dorado (as defined by County Ordinance 4365), the 2001 RMP and the 2001 RMP EIR were prepared by independent consultants reporting to the Planning Commission and the Board of Supervisors, through coordination with the County. The County has implemented the current RMP, since its adoption in 2001, with no revisions. Five year summary reports, required by RMP Section 7.2.2, were not done for the 2002 to 2006 time period. The County prepared Five Year reports for the 2002 to 2006 time period, retrospectively, at the time of the preparation of the 2007 to 2011 report. The RMP report provided a "List of Minor Modifications to the El Dorado County River Management Plan (From the 2002-2006 and 2007-2011 Five Year Summary Reports)." Some of these modifications have been implemented, but the RMP has not been revised to reflect these changes. The County will consider any proposed modifications to the RMP and evaluate the need for specific CEQA compliance activities.~~

In place of the above insert:

### **History of the RMP Planning Process**

*The Board adopted the current El Dorado County RMP (2001), which updates the 1988 El Dorado County RMP. This RMP was the latest action in El Dorado County's (the County's) ongoing interest in the preservation and enhancement of human and natural environments within the project area. Over the past 40 years, the County has banned, and then actively managed, whitewater recreation on the South Fork of the American River.*

*In response to landowner complaints about noise, trespassing, litter, and inadequate sanitation, the County banned whitewater recreation by ordinance in 1976 (RMI, 1997). This ordinance was later struck down by the State Court of Appeal in the case of People ex rel. Younger v. County of El Dorado (1979) (96 CalApp.3rd 403). Following the Younger decision, the County adopted a Stream and River Rafting ordinance in 1980. In 1981, the County began active management of commercial outfitters on the South Fork.*

*The County then embarked on the development of survey and factual information to formulate a river management program. This effort consisted of property owner surveys, river user surveys, and coordination with representatives of responsible and interested agencies (County of El Dorado, 1984). An El Dorado County RMP and accompanying Environmental Impact Report (EIR) were prepared in 1984. This plan was adopted by the County in 1984 as a chapter of the General Plan's Recreational Element (ibid.). The project EIR also was certified in 1984, and the County began the active management of whitewater recreation in and along the South Fork of the American River.*

*Many of the 1988 RMP's (Section IV, Land Use and Facilities) goals have been met, including:*

- Special Use Permitting for all river access and camps;*
- Acquisition and development of Henningsen-Lotus Park;*
- Public agency (Bureau of Land Management) acquisition of river area lands;*
- and*
- Development of a radio communications system by the El Dorado County Sheriff's Office.*

*In 1995, Mr. Bernard Carlson sued the County on the grounds that the commercial permitting process in the RMP was a discretionary, rather than a ministerial process, under the California Environmental Quality Act (CEQA). Mr. Carlson prevailed in this litigation and, as a term of settlement, the County agreed to contract with independent consultants to update the existing RMP and prepare a new one.*

*In 1995, the County selected Resource Management International, Inc. (RMI) (later known as Navigant Consulting, Inc.) to prepare the updated RMP and EIR. RMI prepared these documents as a three-phase process, beginning in January 1996, as described below.*

### ***Planning Process and CEQA Compliance***

***El Dorado County River Management Plan Phase I Report (April 1996)*** – *The Phase I Report documented existing conditions and explored the scope of issues to be addressed through the RMP update process.*

***El Dorado County River Management Plan Phase II Report (April 1997)*** – *The Phase II Report documented the second phase of the RMP update process, focusing on RMP alternatives. The report considered the County's options for the management of whitewater recreational use levels, educational programs, safety and emergency response activities, environmental protection, noise and water quality concerns, and the relationship between recreational activities and residents' rights. Phase II studies documented in the report included intensive community involvement, such as topical public workshops, surveys of river users and residents, and analyses of the economic impacts of whitewater recreation and river area noise. Using this information, 10 project alternatives were presented in the report for consideration by members of the public, organizations, interested agencies, and the County. The number of alternatives increased to 15 prior to the initiation of the EIR process in 1998.*

***El Dorado County River Management Plan EIR (Phase III)*** – *In 1998, a Draft EIR was prepared to evaluate various alternatives for the update of the existing RMP. The EIR was provided for public and agency review and comment on September 4, 1998. Subsequently, public and agency comments were received and reviewed by the County and its project consultants.*

*As a result of this review, the project consultants and County Counsel recommended to the Board preparation of a Revised Draft EIR. This document would include modifications to the project El Dorado County River Management Plan 1-3 November 2001 alternatives in an effort to address many of the public and agency concerns raised in comments on the Draft EIR.*

*At a March 16, 1999 Board meeting, this approach was presented to and approved by the Board. Subsequent to this approval, however, the Board revised its decision. On March 30, 1999, the Board directed again that a Revised Draft EIR be prepared, that considers the River Management Advisory Committee Alternative (RMAC Alternative), without modification, as the proposed project. (The RMAC is an advisory body that provides review and comment on river management activities to the El Dorado County Planning Commission. The RMAC holds regular public meetings that provide a forum for the discussion of river use issues, ideas, and conflicts.) The Board also directed that a multi-factor carrying capacity approach be developed as a project alternative or as mitigation for impacts associated with projected growth in river use.*

*As a result of this Board direction, an evaluation of carrying capacity options was prepared by Environmental Stewardship & Planning in April 2000 and finalized in July 2000 (ESP, 2000). These draft and final "White Paper" reports provided the public with recommendations on river use performance standards and management actions that respond to increases in the intensity and duration of river use. Navigant Consulting, Inc. evaluated these documents and incorporated many of these recommendations as impact mitigation measures within a Revised Draft EIR. The Revised Draft EIR was prepared to: (1) evaluate the potentially significant effects of the proposed project (i.e., the RMAC Alternative and key elements of the proposed carrying capacity strategy), and (2) provide sufficient environmental documentation to allow the County to make an informed decision concerning the proposed project and alternatives.*

*The evaluation of the RMAC and other project alternatives discussed within the Revised Draft EIR document considered comments received on both the September 4, 1998 Draft EIR and the Notice of Preparation for the Revised Draft EIR that was issued on October 26, 1999. The Revised Draft EIR was submitted to the State Clearinghouse on September 12, 2000 (SCH#1998092013) and was circulated in accordance with CEQA requirements. The Board certified a Final EIR (dated November 30, 2000) on March 27, 2001.*

**Post-EIR RMP Development Process** – *Upon certification of the Final EIR, the Board directed that Environmental Stewardship & Planning be retained by the County to produce an RMP document that embodied the RMAC Alternative and mitigation measures presented the EIR. The Board also directed the RMP development process to include public participation in the development of management actions associated with carrying capacity-related mitigation measures contained within the EIR*

*Pursuant to the Board's direction, Environmental Stewardship & Planning arranged two public workshops and a series of focused user-group meetings to provide opportunities for public input to the RMP development process. Workshop 1 was held on July 18, 2001, and provided an opportunity for Environmental Stewardship & Planning staff to present the proposed process for developing the RMP document, and enabled public attendees to present suggestions and recommendations associated with RMP development.*

*Based on elements presented in the RMAC Alternative, mitigation measures included in the EIR, and the 1988 River Management Plan (as amended), and in consideration of comments received at El Dorado County River Management Plan 1-4 November 2001 Workshop 1, Environmental Stewardship & Planning prepared a Draft RMP which was distributed for public review during September 2001. To enable reviewers to determine the original source of elements presented in Chapter 6 of the RMP, the Draft RMP included notations associated with specific plan elements that identified the original source of each management action or plan requirement.*

*A second workshop was held on September 24, 2001. The focus of Workshop 2 was to receive public input regarding the Draft RMP. Attendees were provided an opportunity to provide general comments on the draft RMP document, and were specifically requested to provide feedback concerning the document's integration of the 1988 RMP and the RMAC Alternative, the incorporation of EIR mitigation measures, and the set of management actions associated with the carrying capacity strategy contained within the RMP. Written comments addressing the Draft RMP were also requested and received through October 4, 2001. Following the receipt of comments, final revisions were made to the RMP by Environmental Stewardship & Planning to produce this final RMP document.*

*In adherence to the terms of Carlson vs. County of El Dorado (as defined by County Ordinance 4365), the 2001 RMP and the RMP EIR were prepared by independent consultants (Environmental Stewardship & Planning and Navigant Consulting, Inc., respectively) reporting to the Planning Commission and the Board of Supervisors, through coordination with the County General Services Department - Airport, Parks and Grounds Division (County Parks)*

## ***Planning Process***

*The County has implemented the current RMP, since its adoption in 2001, with no revisions. Five-year summary reports, required by RMP Section 7.2.2, were not done for the 2002 to 2006 time period. The County prepared Five-Year reports for the 2002 to 2006 time period, retrospectively, at the time of the preparation of the 2007 to 2011 report. The RMP report provided a "List of Minor Modifications to the El Dorado County River Management Plan (From the 2002-2006 and 2007-2011 Five Year Summary Reports)." Some of these modifications have been implemented, but the RMP has not been revised to reflect these changes.*

*The County, with advisory input from the River Management Advisory Committee to both the Planning Commission and Board of Supervisors, will consider any proposed modifications to the RMP and evaluate the need for specific CEQA compliance activities.*

## **Next - Under Chapter III - River Management Plan Elements**

### **Element 5 - Agency and Community Coordination, pages 28 and 29:**

The Agency and Community Coordination Programs element defines protocols for sharing of information and recommendations through public meetings, coordination of community involvement activities including meeting participation and volunteer opportunities, and coordination with federal and state agencies concerning river management issues. The public and community have served as an important asset to the County as it pertains to river management. The County will utilize the ~~County Parks and Recreation Commission~~ *the River Management Advisory Committee*, the Planning Commission and Board of Supervisors on the management of the South Fork of the American River and the implementation of the County River Management Plan.

*Pre- and Post-Season RMAC Meetings - Each November, the RMAC will hold a post-season meeting to summarize the year's river management character. This meeting will be publicized by notices distributed to river-area residents and merchants, in addition to the usual RMAC mailing list. The meeting will feature a summary report by County staff and opportunities for residents, outfitters, private boaters, merchants, and all other interested persons to discuss river operations. County staff will be tasked with the review of the minutes of this session to identify issues requiring special attention in the coming recreation season. The minutes of this session will be presented to the Planning Commission by the RMAC Chairperson.*

*In response to the input received at the post-season RMAC meeting, County staff will present the results of review of input, coordination with representatives of collaborating County departments, and other agencies. Proposed modifications to river management protocols will be announced and discussed by the RMAC and the public. Updated river management protocols will be implemented with the advice of the RMAC, the County Division of Parks, and other river management agencies.*

## **Next - Under Chapter III - RIVER MANAGEMENT ELEMENTS**

### **Element 10 - Funding**

Amend as follows:

**ELEMENT 10 - FUNDING** River Use Permit application fees and outfitter river use fees serve to support the River Trust Fund, which is the primary source of funding for much of the County's river-related management activities.

10.1 The River Trust Fund, created in 1981, will continue to function as a savings account for the deposit of commercial River Use Permit application fees and user day fees. County Parks and Trails Division provides fiscal administration of the River Trust Fund *in coordination with and advisory guidance from the River Management Advisory Committee.*

10.2 The River Trust Fund will be used, as budgeted by the County, as the basic funding source for improvements in the river corridor, including education programs, land lease/purchase, mitigation monitoring and reporting, staffing, and other management activities as specified in this RMP.

10.3 The County will ensure that adequate funds are available or funding is secured prior to the implementation of the elements of this RMP that may require increased County expenditures or elements that could result in decreased revenue to levels below that necessary to conduct the management activities identified in this RMP

Next - Under Chapter IV - RMP REVIEW AND REVISION PROCESS

Retain the following on page 50:

The RMP is designed to serve as an active, evolving tool that implements the County's river management goals. The intent of this portion of the RMP is to provide ongoing refinement of the RMP to ensure public safety, environmental protection, and the most efficient use of County resources. RMP update procedures are defined to provide for plan refinements in response to results of annual operations reviews. The RMP revision processes described below also include a periodic review of the RMP to ensure that the adopted and implemented management actions and impact mitigation measures remain, in total, meaningful and responsive to current guidance provided by the Board, the public, advisory committees, other county departments.

Strike the following on page 50:

#### 4.1 Annual Operations

~~After completion of each rafting season County Parks and Trails Division will present a summary of the year's river management activities to the County Parks and Recreation Commission (PRC) in a public session. The PRC will consider this report in public sessions to assess. If substantive issues or suggestions are identified in these sessions, the County Parks and Trails Division Manager will direct staff to conduct a focused study of these subjects for consideration at the next PRC meeting. Where it is likely no EIR would be required, the PRC will annually propose RMP updates for immediate implementation, using an adaptive management protocol. Where it is likely an EIR would be required, the PRC will aggregate proposed RMP updates for recommendation in a 5 year update cycle.~~

Insert the following on page 50:

#### ***Annual Report to RMAC***

*The RMP annual report process is the heart of the intent to refine and improve the County's ongoing management of the River. This annual cycle will provide the interested parties with current information and timely public involvement opportunities each season. The process described below and presented in Figure 7-1 will be used to implement annual review processes. The County River Manager will compile data and observations from staff and the River Safety Committee for the completed boating season. River use data will be summarized in September of each year and posted on the County's web site. These data also will be transmitted to the County's Geographic Information System (GIS) for recordation and facilities management purposes.*

*The County River Manager will meet with representatives of the BLM, California State Parks, and key County agencies including, but not limited to, the County Sheriff, Department of Environmental Management, and Planning Department. This session (typically held in mid-October) will focus on a review of the past season and a collaborative review of lessons learned and possible improvements in the management of the South Fork. County Parks will present a summary of the year's river management activities (including specific reports on issue areas, as recommended by the RMAC) to the RMAC in a public session, typically held at the November RMAC meeting. This report will include recommendations formulated by County Parks, in consultation with California State Parks and BLM recreation staff, after their joint review of annual river data. The public will be encouraged to propose increased County attention to management issues, conflicts, or problems by monitoring in the subsequent year or by temporary RMP modification. If a majority of the RMAC believes that elements of the carrying capacity program should be modified, the proposed modifications will be considered in at least one subsequent RMAC public session. The RMAC will accept or reject the proposed modifications and provide recommendations to the County Planning Commission.*

#### ***Planning Commission Consideration of RMAC Recommendations***



*The County Planning Commission will conduct a public session for consideration of any RMAC recommendations to modify the existing RMP. After the receipt of public comments and deliberation, the Planning Commission will reject or tentatively accept the RMAC recommendation. If the RMAC recommendation is accepted, a CEQA Initial Study will be conducted to identify and report the potential environmental impacts of the proposed program modification. The results of this analysis will be reported to the County Planning Commission in a public session. The Planning Commission will consider the results of the CEQA analysis and accept or reject the RMAC recommendation to modify the RMP.*

Next - on page 50 amend as follows:

#### **4.2 Five-Year Periodic Review**

The five-year RMP review process is ~~the heart of~~ *central to* the intent to refine and improve the County's ongoing management of the River. This five-year cycle will provide the interested parties with current information, use trends and the results of public involvement opportunities from each season. The process described below will be used to implement annual review processes. 4.2.1 Periodic Review RMP annual reports will be compiled by County Parks and Trails Division by December 30 of every fifth year. This report summary will be submitted to the ~~PRC~~ *River Management Advisory Committee* and Planning Commission along with any recommendations. They will evaluate the adequacy of the RMP, as implemented, in consideration of conditions reported in the summary report. Such evaluation will consider the following:

- Responsiveness to County goals and policies,
- Implementation of Mitigation Monitoring Plan, and
- Efficiency and economy of RMP implementation.

The ~~PRC~~ *River Management Advisory Committee* and County Planning Commission will make a recommendation to the County to either: I. Continue implementation of the RMP as currently prescribed, 17-0659 E 54 of 102 El Dorado County River Management Plan 51 Spring 2017 II. Continue implementation of the RMP with minor modifications, or III. Update the RMP. In the event that the second finding is presented, the County Planning Commission will conduct a public session to consider any recommendations to modify the existing RMP. After the receipt of comments and deliberation, the Planning Commission will reject or tentatively accept the recommendations. If these recommendations are accepted, a CEQA Initial Study will be conducted to identify and report the potential environmental impacts of the proposed modifications. The results of this analysis will be reported to the County Planning Commission in a public session. The Planning Commission will consider the results of the CEQA analysis and accept or reject these recommendations to modify the RMP. In the event that the third finding is presented, the County Planning Commission will make a recommendation to update the RMP. After the receipt of public comments and deliberation, the Planning Commission will reject or tentatively accept the recommendation to update the RMP. If the Planning Commission accepts this recommendation, it will be transmitted to the Board for deliberation and action. The Board will consider the results of this process and determine the need to update the RMP.

Finally in List of Appendices under Appendix C add Resolution 065-2002:



**RESOLUTION NO. 065-2002**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**A RESOLUTION OF THE EL DORADO COUNTY BOARD OF SUPERVISORS  
AMENDING RESOLUTION NO. 170-2001 RELATING TO THE  
RIVER MANAGEMENT ADVISORY COMMITTEE**

**WHEREAS**, the County of El Dorado has in 2001 adopted an updated River Management Plan; which is a plan for the management of whitewater recreation activities and supporting land uses on the South Fork of the American River; and

**WHEREAS**, said plan calls for the establishment of a standing committee to advise the County on appropriate measures for the Plan's implementation and to make recommendations on amendments to the Plan and related matters; and

**WHEREAS**, it is desirable for said committee to be formally established and to be representative of a broad base of interests concerning the river; and

**WHEREAS**, those interests should include representatives from the Coloma-Lotus communities, the overall County of El Dorado, and agencies that share management responsibilities over whitewater recreation on the South Fork of the American River; and

**WHEREAS**, the federal Bureau of Land Management has declined the County's invitation to participate in the standing advisory committee;

**NOW, THEREFORE, BE IT RESOLVED BY THE EL DORADO COUNTY BOARD OF SUPERVISORS** that there is established a River Management Advisory Committee whose membership, role, conduct and by-laws shall be reconstituted in accordance with the following:

**I. EXISTING COMPOSITON OF RMAC REPRESENTATIVES AMENDED**

The composition of RMAC as established by Resolution No. 170-2001 is hereby rescinded and abolished.

**II. COMPOSITION OF REPRESENTATIVES**

There shall be established a RMAC that shall consist of seven members or representatives to be appointed by majority vote of the Board of Supervisors upon nomination in the manner specified in Section III. below.

- A. Business Representative. There shall be one business representative who shall be an owner or operator of a business in the Coloma-Lotus area. The business representative shall not be a permitted outfitter on the South Fork of the American River.
- B. Outfitter Representative. There shall be one outfitter representative who shall be an owner or operator of a business possessing a valid River Use Permit for the South Fork of the American River.
- C. Non-commercial boater Representative. There shall be one non-commercial boater representative who has an appropriate background to represent non-commercial interests and regularly uses the river for whitewater recreation. The non-commercial representative shall not have a financial interest in any outfitting business nor derive their primary income from any aspect of commercial outfitting.
- D. Landowner/Resident Representative. There shall be a landowner/resident representative who shall be an owner of residential property or a resident on property that is within the project area of the River Management Plan. This representative shall not have a financial interest in any outfitting business nor derive their primary income from any aspect of commercial outfitting.
- E. California Department of Parks and Recreation Representative. There shall be a representative from the Gold River District who has responsibilities for the management of recreation on state park lands along the South Fork of the American River.
- F. Members-at-Large. There shall be two public members-at-large who shall not own or reside on any property within 1000 feet of the South Fork American River and who shall be free from any material financial relationship to tourist-recreation businesses along the river corridor.
- G. The Airports, Parks and Grounds Manager or his/her designee shall serve ex officio as secretary to the RMAC. The responsibilities of the secretary include posting the meeting notices as required by law, and preparing the agenda and minutes for the committee's meetings.

**III. NOMINATION AND APPOINTMENT**

- A. Candidates for outfitter, non-commercial boater, business, member-at-large and landowner/resident vacancies shall be solicited by the Clerk of the Board of Supervisors who shall post a notice of vacancy in the County Administrative Center and in at least one conspicuous public location in the Coloma-Lotus area. The notice shall state the type of vacancy, and nominations shall be accepted for not less than 20 days after posting.

- B. Nominations for the State Parks representatives shall be forwarded to the District IV Supervisor from the agency manager.
- C. The Board of Supervisors shall make appointments at any regularly scheduled Board meeting. In the event that there are insufficient nominations for membership, the Board of Supervisors may make any appointment it deems in the interest of the public.

**IV. APPOINTMENT TERM AND CONDITIONS**

Representatives, or members, shall serve for four-year terms.

A member shall be removed from the committee for cause if the Board of Supervisors finds he or she no longer meets the qualifications for the position to which he or she was appointed.

The General Services Director shall report to the Board of Supervisors if the outfitter representative is in violation of any ordinance, regulation or condition related to his or her River Use Permit.

The General Services Director shall notify the Board of Supervisors if any member fails to attend four consecutive regular committee meetings. The Board of Supervisors shall thereupon declare the membership vacant for cause. Vacancies shall be filled in the manner specified in Section III.

A member may be removed from the committee without cause by an order declaring the membership vacant. The order must be approved by a four-fifths vote of the Board of Supervisors.

**V. POWERS AND DUTIES**

The RMAC provides a forum for the discussion of river use issues, ideas or conflicts among persons or groups with an interest in the South Fork of the American River. The committee may make recommendations to both the County Planning Commission and the Board of Supervisors on matters related to whitewater recreation and campground development along the river.

**A. RMAC SHALL BE ADVISORY TO THE BOARD OF SUPERVISORS ON THE FOLLOWING MATTERS:**

1. Administration of the River Management Plan and Plan Update by the County.
2. Implementation of the River Management Plan Update.
3. Amendments to the River Management Plan and Plan Update.
4. Ordinances or regulations relating to private or commercial activities on the South Fork American River.
5. Use of the River Trust Fund.

6. Other matters referred by the Board of Supervisors.
7. Nothing in this resolution shall require that comments or recommendations from RMAC be a prerequisite for a decision by the Board of Supervisors on any matter.

**B. RMAC SHALL BE ADVISORY TO THE PLANNING COMMISSION ON THE FOLLOWING MATTERS:**

1. Amendments to the River Management Plan and Plan Update.
2. River Use Permits
3. Special Use Permits for campgrounds, river accesses, and similar recreation facilities adjacent to the South Fork of the American River.
4. All discretionary applications within 1/4 mile of the center of the South Fork of the American River between Chili Bar reservoir and Folsom Lake.
5. Nothing in this resolution shall require that comments or recommendations from RMAC be a prerequisite for a decision by the Planning Commission on any matter.

**VI. CONDUCT OF MEETINGS**

The RMAC shall establish a schedule for regular meetings and may schedule special meetings at its discretion. All meetings shall be conducted in accordance with standard parliamentary procedure. Notice shall be provided and in all other way meetings shall be conducted in compliance with the Ralph Brown Act, as amended. The attendance of four members is required for a quorum. A quorum is required for the official transaction of business.

**VII. ORGANIZATION**

- A. Officers. At the first committee meeting each calendar year, RMAC shall elect a chair and vice-chair, who shall hold office for a term of one year or until the election of their successors. No officer shall serve more than two consecutive terms in the respective office.
- B. By-laws. RMAC may develop by-laws for the committee, provided the by-laws do not conflict with this resolution and are approved by the Board of Supervisors.

**VIII. FISCAL SUPPORT**

Members of RMAC shall not be considered as agents of the County and shall serve without compensation. RMAC shall be eligible for clerical support necessary for preparation, reproduction and distribution of meeting agendas and minutes. These support costs shall be paid by the River Trust Fund to the extent such funds are available. The Director of General Services or his/her designee shall be considered the fiscal officer for RMAC and shall approve all charges and requests for funds.

Resolution No. 065-2002



**COMMUNICATIONS**

RMAC shall forward all official communications and recommendations in written form to the Planning Commission of Supervisors. Recommendations and communications shall include the date of the meeting, the number of representatives in attendance and the roll call vote of the committee. The Planning Commission or Board of Supervisors may waive the requirement for written communication at its sole discretion.

Passed and adopted by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 12th day of March, 2002, by the following vote of said Board:

Ayes: ~~DUBAY~~ BAUMANN, BORELLI, HUMPHREYS, SOLARO

ATTEST  
Dixie L. Foote  
Clerk of the Board of Supervisors

Noes: NONE  
Absent: NONE

By: *Margaret C. Moody*  
Deputy Clerk

*David A. Solaro*  
Chairman, David A. Solaro  
Board of Supervisors

I certify that the foregoing instrument is correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: Dixie L. Foote, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By: \_\_\_\_\_  
Deputy Clerk

## Chapter IV – RMP REVIEW AND REVISION PROCESS

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Add Text to address Community and RMAC concerns about issuing contracts for RMP Updates:

*If a substantive update to the RMP is required (updates requiring the procurement and contract of an outside consultant) the County shall use a competitive contract bidding process and solicit proposals from qualified firms. Proposals from qualified firms shall be reviewed by the RMAC, and the RMAC shall rank firms and make a recommendation to the decision making body.*