

Agenda of: April 25, 2019

Staff: Noah Triplett

STAFF REPORT:

**APPLICATION FOR TRANSFER OF RIVER USE PERMIT
USER DAYS**

APPLICANTS:

John Kosakowsky, president and Sarah Vardaro, vice-president of River Runners, Inc., which holds El Dorado County River Use Permits #05;

Jeremiah Copper, managing member of Tributary LLC which holds River Use Permit #01, #11 and #50.

REQUESTS:

John Kosakowsky, president and Sarah Vardaro, vice-president of River Runners, Inc. and Jeremiah Copper, managing member of Tributary LLC request the transfer of 20 weekend and 20 weekday user days from River Use Permit #01 to River Use Permit #05.

Please refer to the attached letter of intent, Exhibit C.

SUMMARY RECOMMENDATIONS

Staff recommends your Commission approve the request by John Kosakowsky, president and Sarah Vardaro, vice-president of River Runners, Inc. and Jeremiah Copper, managing member of Tributary LLC for the transfer of 20 weekend and 20 weekday user days from River Use Permit #01 to River Use Permit #05.

BACKGROUND

Transfers of a portion of a River Use Permit can only be authorized between outfitters that hold a valid County River Use Permits. The transfer of a portion of a River Use Permit must specifically state what portion of the weekday and weekend capacity is to be transferred. The El Dorado County River Management Plan (RMP) contains Element 6.2.1.4 (Exhibit A) which describes the guidelines and procedures for the transfer and consolidation of River Use Permits. The discussion section will include a checklist of compliance with RMP Element 6.2.1.4 and a record of the River Use Permit user day allocations being transferred.

River Use Permit Status

River Runners, Inc. and Tributary LLC are in good standing and have no outstanding fees or unresolved violations with El Dorado County.

DISCUSSION:

Transfer Requirements

The applicants for the transfer have complied with the procedures for a River Use Permit transfer found in River Management Plan Element 6.2.1.4.2:

- The owners have each signed a letter of intent.
- There has been no value assigned to the permits in the transaction.
- River equipment and other assets are included in the purchase/sale agreements.
- There are no outstanding debts or violations.
- Payment of a \$150 transfer fee has been paid.

River Use Permit Allocations

The permits and user day allocations for River Runners, Inc. and Tributary LLC are contained in the tables below.

River Runners, Inc. – Existing Permit	
River Use Permit Number	#05
Weekend user day allocation	64
Weekday user day allocation	45
Memorial Day- Labor Day weekend allocation	n/a

Tributary LLC – Existing Permits				
River Use Permit Number	#01	#11	#50	Total
Weekend user day allocation	110	69	93	272
Weekday user day allocation	100	66	125	291
Memorial Day- Labor Day weekend allocation	n/a	n/a	n/a	n/a

The permits and user day allocations are displayed in the tables below if the user day transfer of 20 weekend user days and 20 weekday user days from River Use Permit #01 to River Use Permit #05 is approved.

River Runners, Inc. – Permit Post User Day Transfer	
River Use Permit Number	#05
Weekend user day allocation	84
Weekday user day allocation	65
Memorial Day- Labor Day weekend allocation	n/a

Tributary LLC – Permits Post User Day Transfer				
River Use Permit Number	#01	#11	#50	Total
Weekend user day allocation	90	69	93	252
Weekday user day allocation	80	66	125	271
Memorial Day- Labor Day weekend allocation	n/a	n/a	n/a	n/a

Environmental Document:

The environmental documents utilized for River Use Permit approvals are the February 28, 2002 initial evaluation by the General Services Department utilizing the El Dorado County Environmental Checklist Form and the Final Environmental Impact Report for the River Management Plan, State Clearinghouse number 1998092013, certified on March 27, 2001.

CEQA Compliance

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 User Day from one outfitter to another will not have a significant effect on the environment. A User Day transfer does not change the amount of commercial river use allowed by the County's River Management Plan. A transfer will merely change the existing River Use Permit User Day allocations.

FINDINGS:

1. The application for the transfer of 20 weekend user days and 20 weekday user days from River Use Permit #01 to River Use Permit #05 meets the standards required by the River Management Plan Element 6.2.1.4.

RECOMMENDATION:

1. Your Commission approves the transfer of 20 weekend user days and 20 weekday user days from River Use Permit #01 to River Use Permit #05.

ATTACHMENTS

Exhibit A	Element 6.2.1.4 from the El Dorado County River Management Plan
Exhibit B	Chapter 5.48, Streams and Rivers Commercial Boating Ordinance
Exhibit C	Letter of intent from the applicants