

RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, Commercial River Use Permit Fees and River Management Fees are governed by the Board of Supervisors of the County of El Dorado Resolution 34-81 and Resolution 247-96; and

WHEREAS, the Board of Supervisors recognizes that recreational use of the county's streams and rivers includes the use of streams and rivers by rafts, kayaks, and other floating devices. The board has further found it necessary to manage whitewater recreation, through the County's River Management Plan, to protect the riparian environment and the safety, health, and welfare of river users and riparian landowners; and

WHEREAS, the El Dorado County General Plan Parks and Recreations Element Objective 9.1.4: "Rivers and Waterways" is to, "Conserve and promote the waterways of El Dorado County, particularly the South Fork of the American River, as recreational and economic assets"; and

WHEREAS, the El Dorado County General Plan Parks and Recreations Element Policy 9.1.4.1 states "The River Management Plan, South Fork of the American River, (River Management Plan) is considered the implementation plan for the river management"; and

WHEREAS, the El Dorado County General Plan Parks and Recreation Policy 9.2.3.2 states "The River Management program for the South Fork of the American River shall continue to be funded primarily through commercial permits and user fees"; and

WHEREAS, the fees for the issuance and annual review of Commercial River Use Permits and River Use Fees shall be established by resolution of the Board of Supervisors. The permit fees shall be an amount equal to the estimated cost of enforcing and administering the provisions of Chapter 5.48 of the County of El Dorado ordinance code and River Management Plan; and

WHEREAS, the River Management Special Revenue Fund, created in 1981, will continue to function as a savings account for the deposit of Commercial River Use Permit Fees and River Use Fees; and

WHEREAS, the River Management Special Revenue Fund will be used, as budgeted by the Board of Supervisors, 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 the River Management Plan; and

WHEREAS, no person or entity shall engage in commercial river use on the reaches of the South Fork of the American River between Chili Bar and Salmon Falls, except as authorized by a valid Commercial River Use Permit in good standing as provided under the authority of Chapter 5.48 of the County of El Dorado ordinance code; and

WHEREAS, violations of this resolution will be considered a violation of County Code Chapter 5.48; Streams and Rivers Commercial Boating, and a violation of the River Management Plan and, therefore, subject to applicable ramification therein.

NOW, THEREFORE, BE IT RESOLVED beginning January 1, 2012 the Commercial River Use Permit Fees, River Use Fee, and Penalty Schedule shall be set forth for the South Fork of the American River, superseding the aforesaid Resolution 34-81 and Resolution 247-96;

Commercial River Use Permit Fees

Uniform Annual River Use Permit Application Fee	\$200.00
River Use Permit Transfer Application Fee	\$150.00
Inactive River Use Permit Fee	\$200.00

River Use Fees

River Use Fee	\$4.00 Per Passenger Per User Day
Late Penalty Charge	10% on outstanding balance per month
Exceedance of Permitted Capacity	\$50.00 Per Passenger

Class I & II Violation Penalty Schedule

First violation in any one category	\$100.00
Second violation in any one category	\$250.00
Third violation in any one category	\$500.00

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____ Date: _____
Deputy Clerk