

Comments-

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RMAC Meeting April 10, 2017

item #7—Transfer of User days WWC to AWA

Please accept the following comments regarding the proposed transfer/sale of Whitewater Connection in it's entirety to Action Whitewater Adventures:

In 1981, which was the original year that the river was managed by El Dorado County there were 120 applicants for permits to run river trips. The requirement to receive a permit was a self-reporting system that stated that you had taken a self reported number of people down the river the previous year.

In 1984 when the first River Management Plan was adopted there were 79 outfitters that were each given a seasonal total number of user days. None of the permits had a weekend user day number allowed greater than 254 (the number of people allowed to be taken down the river on a given weekend day). In 1988 the seasonal number total was eliminated allowing for unlimited seasonal use as long as the user day numbers did not exceed a set maximum for the weekend and weekday use. The maximum permit size in terms of weekend use numbers operated by one permit per weekend day in 1988 was 173.

While the total number allowed on the river in one day has remained 2750 people (2970 adjusted for the 8% guest usage), the current trip sizes and user day limits for certain companies have continued to increase through permit sales, consolidation, etc. Currently the largest company, AWE holds 301 weekend user days.

Today, instead of the original 79 permits with smaller number of user days, there are 28 active Outfitters (2 permits are vacant) with user day numbers like 307, 228, 301, 200, 198 etc. These are mega permits and arguably have greater impact on the environment and surrounding landowners than decades ago when the original EIR was certified by the County.

The transfer of the two companies above creates a company with a total of 327 weekend user days. AWA also has power of attorney to run trips for River Rat which holds 52 more weekend user days, creating the potential for 379 users to be on the river run by AWA.

The Staff has concluded that the transfer:

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

It is my opinion that this type of transfer, creating use numbers that more than double a previous permit allocation, can and do cause potential significant effects on the environment and should not be considered exempt from CEQA.

The SUP that AWA is proposing to use (Point Pleasant Campground) was created in 1990. The camping capacity was for 300 people and 100 cars. There have been several major floods since then, the topography of the land has changed, original campsites have disappeared, vegetation has disappeared or been altered, septic systems have aged, and many new homes have been built adjacent to and across from the Camp. Nowhere in the SUP for Point Pleasant does it state that put-ins and takeouts for river user are allowed. The camp is situated in the middle of the County created Quiet Zone which was created as partial mitigation for noise and other impacts on local landowners.

While I acknowledge that the current RMP has been followed in terms of user day transfers, I do not feel that the facility requirement has been properly vetted. It does not appear that the SUP intended has an SUP that allows for commercial boating activity as part of it's operating requirement. Therefore, I do not feel that the requirements have been met for the transfer.

Land use requirements (locations of ingress, egress, rest stops, lunch stops, camping or other planned non-emergency stops). **All private property locations must have a Special use Permits that allows commercial boating activity.** Permits or authorization is required for the use of County, state or federal lands. Section F requires written authorization for use of all lands by an applicant.

Respectfully submitted,

Hilde Schweitzer