



**COUNTY OF EL DORADO
ENVIRONMENTAL MANAGEMENT DEPARTMENT
MEMORANDUM**

TO: Planning Commissioners
FROM: El Dorado County River Program
DATE: March 13, 2013
SUBJECT: River Use Permit 02 Revocation

At the January 15, 2013 River Management Advisory Committee a recommendation was made by the committee for the Planning Commission to support the revocation of River Use Permit 02 held by Gold Rush LLC., if past due reports and fees were not submitted to the County by March 1, 2013. As of March 13, 2013 Mr. Armstrong has not paid the outstanding balance due to the County for Gold Rush LLC. River Use in 2012, but he has submitted the missing river use reports. The breakdowns of the fees are due to the County are as follows.

May	\$606.00
June	\$1,674.00
July	\$2,426.00
August	\$2,058.00
September	\$1,448.00
eMOR Fees Due	\$8,212.00
eMOR 10% Fine	\$821.20
Permit Violations	\$2,350.00
Total Due	\$11,383.20

This balance was sent to El Dorado County Revenue Recovery on March 1, 2013.

Mr. Armstrong phoned Noah Triplett on March 1, 2013 to inform the Environmental Management Department that he was going to be unable to pay the balance due. He also stated that he had filed for Chapter 11 Bankruptcy. No bankruptcy paperwork has been submitted to the County. Mr. Armstrong has also stated that Gold Rush LLC. was evicted from Ponderosa Resort.

In addition to fees owed to the County, fees due to California State Parks for 2012, for use of Salmon Falls take out, had not been paid as of March 1, 2013.

Sections 5.48.090 and 5.48.100 of the County Ordinance Code defines the right of the County to not renew River Use Permits and the right to revoke existing permits. These sections are as follows.

5.48.090 No Vested Right.

The granting of a commercial river use permit does not vest any right or entitlement to an extension or renewal beyond the permit period. (Ord. 4594, 1-15-2002)

5.48.100 Revocation, Denial, or Non-Renewal of Permit.

A. A commercial river use permit may be revoked by the county hearing officer, or the board of supervisors on appeal, and may be reapplied for in the following year, pursuant to the standards and procedures of the River Management Plan as it may be amended from time to time.

B. If a commercial river use permit has been revoked and not issued on reapplication, denied, or no timely application for its renewal has been submitted, the weekday and weekend use allocations associated with that permit shall revert to the county. After first soliciting a recommendation from the river management advisory committee, the board of supervisors may dissolve those allocations or assign them to one or more existing commercial outfitters or new commercial outfitters who apply for all or a portion of the allocations. (Ord. 4594, 1-15-2002)