

Attachment 3

List of Recommended Minor Modification to the El Dorado County River Management Plan (From the 2002-2006 and 2007-2011 Five Year Summary Reports)

Element 1.1 requires that a quarterly newsletter is published for landowners and residents along the river. It is recommended that this Element be updated such that the newsletter is produced twice a year (spring and fall) rather than quarterly and that the newsletter is published electronically with hard copies issued only to those who specifically request a hard copy.

Element 1.3 requires that information kiosks are placed at various locations along the river on public lands. Because of the number of boaters that utilize private campgrounds and resorts along the river, it is recommended that this Element be updated to include that County staff will work with the owners of these facilities to install informational kiosk at put-ins on their respective properties.

Element 2.4.4 requires that County Parks (now the River Program) coordinate with the RSC on programs including swiftwater rescue courses for the public. Because the RSC's role is currently fulfilled by the Sheriff's Department (and other agencies), courses for the public have not been conducted. Staff has recommended, and RMAC concurs, that this Program Element could be updated by adding that contracting a River Rescue Instruction company, which could offer free or reduced-cost courses for outfitters and the public, would fulfill this Program Element.

Element 3.3 requires that the County respond to illegal parking areas identified by complaints by designating these areas as double-fine zones. The Department of Transportation's (now the Community Development Agency, Transportation Division) Traffic Advisory Committee should be asked to review the possibility or necessity of establishing double-fine zones through a County ordinance to fulfill Program Element 3.3.2.

Element 4.1 specifies monitoring of use levels and boat densities at Troublemaker, Barking Dog and Satan's Cesspool rapids to evaluate if carrying capacity thresholds have been exceeded. River Program staff recommend adding Meatgrinder and Fowler's rapids to the monitoring locations. These two rapids are the first Class III rapids on the upper and lower section of the river. Appendix B of the RMP details the Mitigation Monitoring Plan. The section that details assessment of boater densities (page B-21) states that "two kayaks will be counted as one craft because of their superior maneuverability". Appendix D of the RMP specifies the data and standards used for monitoring; however, there is no definition of "craft" for counting purposes. For consistency, it is recommended that the same definition used in Appendix B be incorporated into Appendix D.

Element 5.2 requires the County General Services Department (now Chief Administration Office) to coordinate with utilities that use the river resources to determine changes in flow. SMUD has a pending relicensing agreement with FERC and has already implemented a

published schedule of releases that affect flow eliminating the needs to coordinate with the utilities. It is recommended that Element 5.2 be deleted.

Element 5.6.1 states that the County will make an effort to expand river trash clean-ups to a monthly basis. Monthly cleanups are neither necessary, because use on the river is heaviest during the summer months, nor feasible, due to changes in water levels during the winter months. It is recommended that that the monthly clean-up goal change to two per year; one clean-up on the upper section (Chili Bar Run) and one clean-up on the lower section (Gorge Run).

Element 6.2 details the requirements for Commercial Outfitters. River Program staff recommend making violations of any of the requirements specified in Element 6.2, (that are not already listed as Class I or II violations), as Class I violations, expanding the current list of violations listed in the RMP.

Element 6.2 and its sub-Elements specify maximum group sizes. For safety reasons, it is recommended that the following new sub-Elements be added to the RMP:

1. Add sub-Element 6.2.2.3 which creates a high water trip requirement that would prohibit single boat trips if flows are above 6,000 cfs and advocate that all passengers wear wetsuits to reduce the risk of hypothermia.
2. Add sub-Element 6.2.2.4 requiring all commercial trips to have at least one guide on every trip for every 8 guests. The guide must meet the requirements outlined in Element 6.2.7.

Element 6.2.1.4.4 addresses inactive status of River Use Permits. In order to encourage active use of permits, it is recommended that the following updates be added to the permit requirements:

1. “A permit cannot be in an inactive status for more than one year or be inactive for more than two years within a 5 year time frame.” The updated language limits how long a permit can remain inactive.
2. The required permit maintenance fee for inactive permits shall be the same as the annual permit renewal fee.

Element 6.2.6.1.1 mandates that Commercial Outfitters provide monthly reports to the County during the operating season. River Program staff recommend adding an additional reporting requirement where Commercial Outfitters must notify the River Program of lost or missing persons, or deaths from any cause on a river trip within 24 hours, and provide a written follow-up detailing the incident.

Element 6.2.7.1 requires that trip leaders working for Commercial Outfitters have current Swiftwater Rescue Certification. Based on standards developed by County Parks (now the River Program) in 2002 it is recommended that the following be added to Element 6.2.7.1:

1. At least one guide per trip must have completed a swiftwater rescue training course.
2. Outfitters may designate any guide as the swiftwater rescue trained person; he or she does not have to be the “trip leader”.

3. In-house courses, taught by experienced outfitter employees are adequate, and to allow for lower cost courses, Rescue III or American Canoe Association (ACA) cards of completion are not required.
4. Courses must teach at least the suite of skills found in an ACA swiftwater rescue, Rescue III whitewater rescue technician, or equivalent course.
5. Each year, Outfitters must submit a list of guides that meet swiftwater rescue training standards to the River Program office by the end of May for the upcoming river season.

Element 6.2.10 discusses the violations and associated penalties. County Ordinance identifies violations of the swiftwater training requirements as a misdemeanor that can be prosecuted by the District Attorney’s Office. However, due to the expense and time it takes to build cases for swiftwater training violations, prosecution of violators has not been feasible. It is recommended that the ordinance be changes to make these violations of the swiftwater training requirements considered violations of the Commercial Outfitter permit requirement on which fines can be levied by the implementing agency (currently the Community Development Agency, Environmental Management Division). If implemented, the violation should be considered as a “Class I” violation and added to Program Element 6.2.10.1.2.

Element 6.3.6 states that Institutional Groups are subject to the same requirements specified for non-commercial boaters (Sections 6.3.1 through 6.3.5). RMAC recommends limiting the number of Institutional Groups to seven (7) per year, which is the current number of institutional groups that register with the County annually.

Element 8.1 discusses Pirate Boater Ordinance Enforcement. The Sheriff’s Department Boating Unit recommends that the definition of “Commercial Outfitter” be revised in County Ordinance Chapter 5.58 to make it possible to prosecute for-profit rafters that advertise “cost-sharing”.

Element 9.1 discusses the need for an MOU with private property owners in the Chili Bar area. Because the County purchased this property in 2007, an MOU is no longer needed and the Element can be deleted.

Element 9.6 discusses SUP modifications to allow private boaters to use the Highway Rapid area for river access. BLM has developed access at nearby Greenwood Creek fulfilling this Element. Therefore, it can be removed from the RMP.