COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

Planning Services Division

Paul Thompson
Deputy Director of Planning

HEARING DATE: May 26, 2011
ITEM #: 3
TIME: 10:50 am

TO: Placer County Planning Commission

FROM: Stacy Wydra, Senior Planner

DATE: May 9, 2011

SUBJECT: **Conditional Use Permit / Rafting License**
Truckee River Raft Co. (PRFT 20110055)
Mitigated Negative Declaration (SCH No. 2002042137)

COMMUNITY PLAN AREA: The Placer County General Plan, the Alpine Meadows General Plan, and the Tahoe City Area General and Tahoe City Community Plan.

GENERAL PLAN DESIGNATION: Commercial and Recreation

ZONING: PAS 001A Tahoe City Community Plan, Special Areas Numbers 1, 2 and 3
RS-B-43 (Residential, Single-Family, combining minimum building site of 43,000 square feet)
O (Open Space)
W (Water Influence)

STAFF PLANNER: Stacy Wydra, Senior Planner

LOCATION: The proposed project involves the permitting of commercial rafting rental business on the Truckee River from Tahoe City to Alpine Meadows. The proposed project begins or the "put-in" is within the Tahoe City area, approximately a quarter mile southwest of the Tahoe City intersection of Highway 89 and West Lake Boulevard in Tahoe City. The terminus of the project or the "take-out" is located at the Truckee River take out just before The River Ranch in Alpine Meadows.

OWNER/APPLICANT: Tahoe Sierra Recreation, on behalf of the owner: Estate of EW Fuller – doing business as Truckee River Raft Company

PROPOSAL:
The applicant, Truckee River Raft Co., is requesting to renew its Rafting License / Special Business License and Conditional Use Permit (CUP) for outdoor recreation concessions in order to continue to operate its existing commercial river raft rentals business along the Truckee River for another three-year term.

CEQA COMPLIANCE:
A Mitigated Negative Declaration has been prepared for this project pursuant to Section 15070 of the California Environmental Quality Act Guidelines and Section 18.16.010 of the Placer County Environmental Review Ordinance (Negative Declarations). The Mitigated Negative Declaration is attached and must be found adequate to satisfy the requirements of CEQA by the Planning Commission. Recommended findings for this purpose are attached.

PUBLIC NOTICES:
Public notices were mailed to property owners of record within 300 feet of the project area, including all property owners along the portion of the Truckee River proposed for use. A public hearing notice was also published in the *Sierra Sun* newspaper. Other appropriate public interest groups and citizens were sent copies of the public hearing notice. The Departments of Public Works, Environmental Health, Air Pollution Control District, Sheriff, North Tahoe Fire Protection Agency, United States Forest Service, the Tahoe Regional Planning Agency, the Lahontan Regional Water Quality Control Board, Caltrans and the North Tahoe Regional Advisory Council were transmitted copies of the project plans and application for review and comment. All County comments have been addressed and conditions have been incorporated into the staff report.

BACKGROUND:
Since the mid-1970s, Placer County has regulated commercial rafting activities on the Truckee River. The Placer County Code, through the Rafting Ordinance (Sections 5.16.270 through 5.16.290), sets forth regulations and requirements for commercial rafting businesses (a special business license), including a maximum availability of 200 commercial raft licenses on the river at any given time. These 200 rafts are shared equally between two operations: Ryan Bell and Richard Courcier are the operators of Tahoe Mountain Air Sports, Inc. and Sam Rudnick is the operator of Tahoe Sierra Recreation (Truckee River Raft Company).

The applicants' last request for a renewal of their rafting licenses (the special business license) was last reviewed and approved by the Planning Commission in 2008. At the time, the Planning Commission also approved a three-year extension of the associated Conditional Use Permit. In addition to the Rafting License, both operations require Conditional Use Permits for outdoor recreational concessions.

In terms of operations, all rafting activities begin in Tahoe City, near the dam outlet by the intersections of State Routes 28 and 89, which is known as the "Wye." Mountain Air Sports Inc. and Tahoe Sierra Recreation customers enter on the private commercial properties located on the north side of the river. Most of the so-called "private" rafters (i.e. those who are not renting from the commercial companies) enter the river from an U.S. Forest Service property known as the "64 acres", on the south side of the Truckee River, a short distance downstream from the commercial operations.

The commercial rafting excursions terminate approximately 3.5 miles downriver, near Alpine Meadows Road at the entrance of Alpine Meadows. The Tahoe Sierra Recreation operation has an approved egress point at the River Ranch Resort, and the Tahoe's Mountain Air Sports operation has an approved egress point a short distance upstream known as Bell's Landing, on property currently owned by the Tahoe City Public Utility District (TCPUD). Because that property is publicly owned, it is also a point of egress for the "private" rafters as well.

In previous years, Variance applications to on-site parking requirements, accompanied the Conditional Use Permit applications. The County has encouraged the companies to rely primarily on off-site parking away from the Tahoe City Wye, to relieve traffic congestion in that area. As a result, both companies have developed off-site parking facilities. Through the Conditional Use Permit process and the provisions of the Rafting Ordinance, off-site parking can be authorized without the need for a Variance.

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SITE CHARACTERISTICS:

The Tahoe City site: The commercial rafts enter the Truckee River at junction of State Highways 89 and 28, along Highway 89. The parcel is fully developed with a mix of retail and commercial uses. The majority of the site is impervious cover and the Truckee River borders the southern boundary of the property.

The Alpine Meadows site: The commercial rafts disembark the river at this juncture. The site is bordered by the Truckee River to the North and is surrounded by forest land and residential/commercial development. The site, know as Bell's Landing, is a mixture of paved and unpaved parking area/driveway. There is a limited tree canopy bordering the river.

EXISTING LAND USE AND ZONING:

	LAND USE	ZONING
TAHOE CITY SITE	Rafting Business/Food Establishments	Retail/Tourist
NORTH	State Route 28/Commercial Businesses	Retail/Tourist
SOUTH	Truckee River	Recreation
EAST	State Route 89	Retail/Tourist
WEST	Rafting Business	Retail/Tourist

	LAND USE	ZONING
APLINE MEADOWS SITE	Parking Lot/Egress Point	RS-B-43
NORTH	Truckee River	W-Recreation
SOUTH	Open Space-Forest Land	RS-AG-43
EAST	Open Space-Forest Land	RS-B-43
WEST	Residential	RS-B-43

DISCUSSION/ANALYSIS:

General Plan/Community Plan Consistency

The proposed land use is consistent with the General Plan for the area and is compatible with the goals and policies of the Tahoe City Community Plan, the Alpine Meadows General Plan, and Placer County General Plan. Both Special Area # 1 (Retail/Tourist Area) and # 3 (Recreation Area) allow for boat launching facilities and beach recreation. Furthermore, the project is consistent with the policies of the Special Areas in that Special Area # 1 encourages tourist oriented uses and priority should be given to locating retail uses on street and sidewalk frontages and Special Area # 3 states that public outdoor recreation uses are encouraged and this area is targeted for increased public access to lake and river access.

Special Area # 3 requires an Use Permit for Outdoor Recreation Concessions. Outdoor Recreation Concessions is defined as facilities which are depended on the use of outdoor recreation areas such as onsite food and beverage sales, onsite recreational equipment rentals, para-sailing, rafting, and onsite recreation instruction. This also includes outfitter or guide service establishments whose base facilities are located on or near a recreation area. The use of commercial rafting down the Truckee River complies with the intent of Special Area # 3in that rafting on the Truckee River is a public outdoor recreation use encouraged by the policies of Special Area # 3.

The Truckee River Water Quality

Two rafting company permittees have submitted applications for the renewal of their permits in order to run approximately 100 rafts each (200 total) on the Truckee River. Since 2002, Placer County has been requiring that the commercial rafting businesses pay a "fair-share" fee towards river clear-up, habitat restoration, rafter education, and monitoring responsibilities. It is possible that emerging water quality regulatory requirements may result in this "fair-share" funding responsibility to include assisting

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Placer County with comprehensive water quality monitoring and streambank erosion control implementation.

This reach of the Truckee River and its numerous watersheds are the focus of numerous water quality studies, monitoring programs and State Regulations. A great deal of this activity has occurred in the last decade with numerous new state regulations within the last three years. One of the main purposes of this activity is to obtain information concerning the Truckee River's water quality and how that affects the beneficial uses of the River. The information obtained thus far has led the Lahontan Regional Water Quality Control Board (LRWQCB) to issue approximately ten (10) National Pollutant Discharge Elimination System (NPDES) permits within the watershed areas leading to the Truckee River. These permits require the permittees, in general, to identify, manage and reduce pollutants from their jurisdictions. The main pollutant of concern is apparently sediments from human generated activities.

The LRWQCB has specifically required Placer County to develop a Truckee River Water Quality Monitoring Plan (TRWQMP). This plan will review all the existing information and ongoing activities of numerous entities in several watersheds and provide a plan and implementation schedule on how best to monitor the water quality of the Truckee River in the future.

The LRWQCB also required Placer County to submit a Storm Water Management Plan (SWMP) for the main stem reach of the Truckee River within Placer County. This SWMP document has recently been approved and requires a program which will include an annual report of the County's activities to protect the water quality of the Truckee River. It is anticipated that the LRWQCB will soon impose a Total Maximum Daily Load (TMDL) for this same reach of the Truckee River which will be the County's responsibility. It is anticipated that this TMDL will lead to eventual water quality monitoring and sampling similar to those procedures required in Squaw Creek (bioassessment monitoring).

It is possible that these emerging regulatory requirements may lead to sampling and monitoring within the rafting permit area beginning in 2011. The sampling and monitoring may determine whether the rafting operations have an effect on water quality of the Truckee River.

2009 River Monitor Report

The summer of 2009 was the twelfth year of the Truckee River Monitor Program supervised by Placer County Department of Health and Human Services, Division of Environmental Health. The River Monitor Program is designed to monitor both commercial and private rafting and the condition of the riparian zone along the Truckee River. Commercial (rental) and private (self-outfitted) rafters float a 3.5-mile section of the River that starts near Fanny Bridge in Tahoe City and ends at River Ranch, just upstream of Alpine Meadows Road.

According to the 2009 River Monitor Report, the average number of private rafters per day was half the number of commercial rafters per day. The average number of private rafts per day was ten percent more than the number of commercial rafts. The average number of commercial rafters per day was about the same as 2008 (based upon actual counts). The average number of commercial rafts per day decreased ten percent from 2008 (based upon actual counts). The average number of total rafters per day during peak use decreased approximately twenty percent from 2008. And the average number of people decreased thirty-three percent from 2008.

In addition to observing and charting rafting traffic, the River Monitor has also begun documenting the Truckee River's ecological health and ensuring the rafting companies uphold the conditions of their permits. The River Monitor has noted in the 2009 report that the restricted areas had not been disturbed as long as the fencing and signage remained in place and as the water flow began to decrease there was some bank erosion in various places, predominantly at the ingress and egress. The

River Monitor observed a new area of concentration between the Pipe and First Bridge and parts of the bank were beginning to deteriorate. The River Monitor noted that the rafting companies have generally complied with the conditions of their permits.

North Tahoe Regional Advisory Council
The project was presented to the North Tahoe Regional Advisory Council (NTRAC) as an action item on April 14, 2011. No member of the Council expressed any dissatisfaction pertaining to the re-issuance of the rafting permits. There was no negative public comment at the NTRAC meeting. NTRAC members voted unanimously to approve a three-year Rafting Permit and Conditional Use Permit for the rafting operations.

CEQA / MITIGATED NEGATIVE DECLARATION
The Mitigated Negative Declaration (SCH No. 2002042137) evaluated all applicable environmental impacts associated with the proposed project. The project was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have less than significant effects upon the environment with mitigation. A proposed Mitigated Negative Declaration was prepared for this project and was filed with the County Clerk's office and the State Clearinghouse. Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures of the following sections have been added to the project.

Since 2002, Placer County has been requiring that the commercial rafting businesses pay a "fair share" fee towards river clear-up, habitat restoration, rafter education, and monitoring responsibilities. As mitigation, the applicant agrees to participate on a "fair share" basis toward the appropriate education of customers, provision of signage in areas of sensitive vegetation, and the employment of personnel to help monitor and enforce conditions of approval.

The analysis in the prepared Mitigated Negative Declaration concluded that the project could result in potentially significant impacts related to biological resources, soils, hydrology/water quality, recreation, and noise unless otherwise mitigated to less than significant levels. On this basis, staff has determined that the Mitigated Negative Declaration is the appropriate environmental document for this project.

RECOMMENDATION:
Staff recommends the Planning Commission adopt the Mitigated Negative Declaration, and approve the Conditional Use Permit and the Rafting License for the Truckee River Raft Co. (PRFT 20110055), based upon the following findings and subject to the attached recommended conditions of approval.

FINDINGS:
CEQA
Adopt the California Environmental Quality Act Findings and find that all environmental impacts associated with this project known as the Truckee River Raft Co. Rafting License were adequately addressed in the Mitigated Negative Declaration prepared for the project, and the implementation of the applicable mitigation measures identified in the Mitigated Negative Declaration will reduce all identified impacts to less than significant levels. The Planning Commission has considered the proposed Mitigated Negative Declaration with the proposed mitigation measures, the staff report and all comments thereto and hereby adopts the Mitigated Negative Declaration for the project based upon the following findings:

1. The Mitigated Negative Declaration has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts. Mitigation measures address air quality, biological resources, hydrology and water quality, soils, transportation and traffic, noise, and utility and service systems. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts.

2. There is no substantial evidence in the record as a whole that the project as revised and mitigated may have a significant effect on the environment.

3. The Mitigated Negative Declaration as adopted for the project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.

4. The Mitigation Plan/Mitigation Monitoring Program prepared for the project, as set forth in Attachment E, is approved and adopted.

5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

Conditional Use Permit:

1. The project, with the recommended conditions, is compatible with the neighborhood and adequate provisions have been made for necessary public services and mitigation of potential environmental impacts.

2. The proposed use is consistent with all applicable provisions of Chapters 17 and 18 of the Placer County Code.

3. The proposed use is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan, Tahoe City Area Genearl Plan and Tahoe City Community Plan, and the Alpine Meadows General Plan.

4. The establishment, maintenance or operation of the proposed use would not be detrimental to the health, safety, and general welfare of people residing or working in the neighborhood of the proposed use, and would not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the County.

5. The proposed use is consistent with the character of the immediate neighborhood and would not be contrary to the orderly development of the Tahoe City Area Genearl Plan and Tahoe City Community Plan or Alpine Meadows General Plan.

6. The proposed use would not generate a volume of traffic beyond the capacity of roads providing access to the use, consistent with the applicable requirements of the Tahoe City Area Genearl Plan, Tahoe City Community Plan, the Alpine Meadows General Plan, and Placer County General Plan.

Rafting License:

The applicant, Truckee River Raft Company has complied with all of the requirements for the issuance of a rafting license as required under the Placer County Rafting Ordinance (Section 5.16.207 – 5.16.290) for an additional three (3) year period.

Respectfully submitted,

Stacy Wydra

Stacy Wydra
Senior Planner

ATTACHMENTS:
Attachment A – Recommended Conditions of Approval
Attachment B – Vicinity Map
Attachment C – Site Plans
Attachment D – Mitigated Negative Declaration
Attachment E – County Code Sections 5.16.280-5.16.290

cc: Owner/Applicant – Tahoe Sierra Recreation
Michael Johnson – CD/RA Director
Karin Schwab - County Counsel's Office
Loren Clark – Assistant Planning Director
Paul Thompson – Deputy Planning Director
Allen Breuch - Supervising Planner
Sharon Boswell - Engineering and Surveying Division
Justin Hansen - Environmental Health Services
Angel Ringer - Air Pollution Control District
Andy Fisher - Parks Department
Rich Moorehead - Department of Public Works
Subject/chrono files

RECOMMENDED CONDITIONS OF APPROVAL – RAFTING LICENSE/CONDITIONAL USE PERMIT - "TRUCKEE RIVER RAFT CO." (PRFT T20110055)

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Rafting License and Conditional Use Permit authorizes the applicant to operate one hundred (100) rafts on the Truckee River at any one time and authorizes the operation of a rafting business for the rafting seasons of 2011, 2012, and 2013, as well as approved off-site parking locations and subject to annual review for compliance with the conditions of approval. (PLN)

2. All requirements of the Rafting License shall also be considered conditions of the Conditional Use Permit. (PLN)

3. The rafting operations shall comply with the requirements of Placer County Code Section 5.16.270 *Rafting*, Section 5.16.280 *Rafting – Application requirements,* and Section 5.16.290 *Rafting – License requirements* including but not limited to business and rafting locations, rafting operations, rafting tags, etc. All applicable requirements of the Zoning Ordinance, Alpine Meadows General Plan, Tahoe City General Plan and the Tahoe City Community Plan shall apply to the operation, such as sign requirements, parking requirements, etc. (PLN)

4. The applicant shall submit proof to the satisfaction of the Placer County DRC that all requirements of the Placer County Code, Section 5.16.290, have been met. Such proof, if it has not already been submitted, shall be submitted prior to the beginning of rafting operations each season. (PLN)

5. No display, storage, kiosks, or rentals shall take place/be located within the State Highway right-of-way without the issuance of an Encroachment Permit by Caltrans for such display or storage. All materials, rafts, and other equipment shall be stored inside a building or booth, or removed from the business location by 8:00 P.M. each day. (PLN)

6. All operations relating to areas of assembly; sales locations; the loading, unloading, and storage of rafts; bus loading and unloading must be reviewed and approved by the Placer County DRC. (PLN)

7. Advisory signs shall continue to be provided to inform State highway traffic of the availability of remote parking and/or lack of parking at rental locations. The copy, location, number, size, and operations of such signs shall be reviewed and approved by the Placer County

DRC. Such signs shall be in place before rafting operations begin. Informational/directional signs required by the Placer County DRC without any commercial advertising or company name shall not be included in the computation of sign area as described in Condition #3, but shall be kept to a minimal size needed to be readable from the roadway. Advisory signs approved by Placer County DRC shall be readable from the main Highway and shall be used to advise potential patrons when rafts are no longer available. Such signs shall be used to ensure that rental activities cease by the prescribed time. Such signs shall be subject to design review approval but shall not be counted in sign area, although such signs shall be kept to a minimum size needed to be read from the roadway. (PLN)

8. Parking spaces provided to satisfy parking requirements shall be maintained for the exclusive use of rafting customers between 9:00 A.M. and 4:30 P.M. Parking spaces in excess of the minimum Ordinance requirements may be made available to other members of the public not renting rafts. (PLN)

9. The applicant shall not use the bike trail or unpaved areas within 10 feet of the bike trail for commercial or employee vehicle parking, raft customer loading/unloading, raft storage, or for customer waiting areas, unless appropriate barriers are put in place, to the satisfaction of the DRC. (PLN)

10. The applicant shall provide all raft customers with a guide or other acceptable means of direction from the point of bus departure to the point of ingress, and from the on-site rental area to the point of ingress. (PLN)

11. Rentals, sales, and other business activities for Truckee River Raft Co. (Tahoe Sierra Recreation) shall be permitted at the river ingress point only if barriers are provided to separate customers waiting to do business from the public walkway. Such barriers and other operational details shall be approved by the Placer County DRC. A detailed, scaled plan of this area shall be provided that shows adequate waiting area for customers. Raft rental shall be available at remote parking areas. (PLN)

12. No business solicitation of any type (written, verbal, etc.) shall be permitted in the public right-of-way. Employees shall remain behind the public roads right-of-ways in the course of conducting business. Violations of this requirement will be subject to citation by the Code Enforcement Division, or Sheriff's Department and may result in Permit revocation. (PLN)

13. Obtain a Placer County Business License, which shall be renewed annually. (PLN)

14. The rafting operators shall be responsible for a fair share of clean-up of the river. River clean-up may either be provided through employee labor or through contracting with a separate party, in accordance with Section 5.16.290 of the Placer County Code. Additionally, during the

rafting season, at least three clean-up operations, or as necessary for Holiday periods (July 4th and Labor Day weekend) shall be performed daily, with one schedule for the end of the business day. MM (PLN)

15. The applicant will be required to assist funding, on a "fair share" basis, a Placer County Community Development Resource Agency managed account specifically designated for water quality monitoring, stream bank revegetation and stabilization, or other measures deemed appropriate. The "fair share" contributions associated with this stream restoration and water quality monitoring program shall be updated and reviewed each permit renewal period. MM (PLN)

16. The applicant shall continue to participate in an expanded off-site informational/educational sign program, for the purpose of protecting environmentally sensitive stream banks, riparian vegetation, and zones of private property and quiet zones that restrict trespass and require special notice limitations. The applicant shall provide additional outreach and education targeting rafters emphasizing the sensitivity of fish spawning grounds (i.e. "Please stay in your rafts sensitive fish habitat: Exit the raft only at designated locations."). The applicant through a program of education, appropriate signage indicating "quiet zone" and "private property", and enforcement through the duties of a "River Monitor", the impact of noise and trespass is expected to be reduced to a less than significant level. The copy of such signs is expected to be as follows (or similar wording): "Private Property -- Trespassing not permitted, please keep noise to a minimum." MM (PLN)

17. Driveway entrance onto the State Highway and bike trail adjacent to the project site shall be defined and otherwise improved in a manner approved by the Placer County DRC. (PLN)

18. Applicant shall provide docking and access methods at the ingress and egress points to the satisfaction of the Placer County DRC. Improvements shall be in place prior to commencement of rafting operations. Signage, to be reviewed and approved by the DRC, shall be provided at the egress points, directing customers to the proper egress locations. (PLN)

19. Any and all mitigation measures identified in the Negative Declaration for this project, not specifically addressed elsewhere in these conditions of approval, shall be made requirements of these Permits. MM (PLN)

20. A daily rafting tag (numerical raft identification marker) inventory shall be completed by 11:00 a.m. each day during each day of operation. (PLN)

21. Prior to operation, a defined pedestrian path shall be constructed from the west end of the "Raft and Gas" site to "The Dam Café" to ensure pedestrians have a safe path of travel to the put-in site(s) along the Truckee River. (PLN)

22. Prior to April 15th of each year, or prior to commencement of the rafting season, whichever occurs first, the applicant shall provide evidence of implementation of an Educational/Signage Program, to the satisfaction of ESD. The Program shall inform their customers of the location of sensitive (erodible) stream banks and vegetation and what measures should be taken to protect those areas. MM (ESD)

23. Prior to April 15th of each year, or prior to commencement of the rafting season, whichever occurs first, the applicant shall provide a copy of the prior year's River Cleanup Monitoring Report to the Department of Public Works, Stormwater Quality Division. Additionally, the applicant shall provide a response summary describing how the recommendations contained in the report will be addressed and/or implemented. MM (ESD)

24. Prior to April 15th of each year, or prior to commencement of the rafting season, whichever occurs first, the applicant shall submit a Traffic Management Plan that includes, but is not limited to the bussing of patrons between the parking lots and the river, to the satisfaction of the Department of Public Works. The applicant is responsible for the full implementation of that Plan during operating hours. MM (ESD)

25. Water quality Best Management Practices (BMPs), shall be maintained in accordance with the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for New Development/Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD)). (ESD)

26. Prior to April 15th of each year, provide the Engineering and Surveying Department with permits/comments from TRPA and/or Lahontan Regional Water Quality Control Board indicating their approval. (ESD)

27. The rafting fees, as required by Section 5.16.290, of the Placer County Code, are to be paid in full each year, or alternative clean-up measures may be employed. Rafting fees shall be payable in two (2) equal installments: One-half prior to the beginning of operations, and one-half on or before August 1st of each year. When in use, each raft shall be marked with removable numbered identification. (EHS)

28. The project applicant shall provide daily river clean up or more as necessary. On holiday periods such as days or weekends surrounding July 4th and Labor Day, river clean up shall be increased to three trash pick ups a day or more as necessary. This requirement shall be shared between Tahoe's Mountain Air Sports and Truckee River Raft Company. (EHS)

29. At least nine portable toilets shall be provided dispersed along the length of the rafting area of the river. Rafters shall be provided access to these portable toilets. Additional portable toilets shall be provided during peak uses or whenever necessary to prevent nuisance conditions. **Prior to the start of season operation** a copy of a written contract with a portable toilet company shall be provided to Environmental Health Services. This contract shall specify the number of toilets (minimum of nine), maintenance and clean up of portable toilets. This requirement shall be shared between Tahoe's Mountain Air Sports and Truckee River Raft Company. (EHS)

30. An employee to perform the function of a "River Monitor" for the term of this permit shall be provided jointly by Tahoe's Mountain Air Sports and Truckee River Raft Company, or individually each company must perform the function. Prior to the start of the rafting season, the River Monitor shall convene a meeting with the Truckee River Raft Company, Tahoe's Mountain Air Sports, and regulatory agencies outlined in prior Annual River Monitoring reports. The employee shall be responsible for duties including, but not limited to, compliance with and daily counts of number of rafts on the river, policing of signage programs regarding sensitive soils, vegetation, and trespass/quiet zones, river clean up, and general public education, safety, and assistance, as outlined in the "Final Lower Truckee River Recreation Monitoring Plan" of July 2002. The River Monitor shall provide a written report detailing the activities performed and compliance with conditions of approval to Environmental Health Services within five days of the end of each month of the operating season. Failure to provide report shall be grounds for revocation of operating permit. At the end of the rafting season, a final River Monitor report for the year shall be provided to Environmental Health Services within two weeks of the end of the season. The River Monitoring activities and report shall be coordinated between Truckee River Raft Company and Tahoe's Mountain Air Sports.

If complaints are lodged with the County or County efforts are necessary to achieve compliance with either Truckee River Raft Company or Tahoe's Mountain Air Sports conditions of approval, County staff will investigate the complaint and/or efforts to achieve compliance. All time spent concerning complaints and compliance efforts will be invoiced to Truckee River Raft Company and Tahoe's Mountain Air Sports for payment of half of the cost by Truckee River Raft Company and Tahoe's Mountain Air Sports independent of the nature of the complaint.

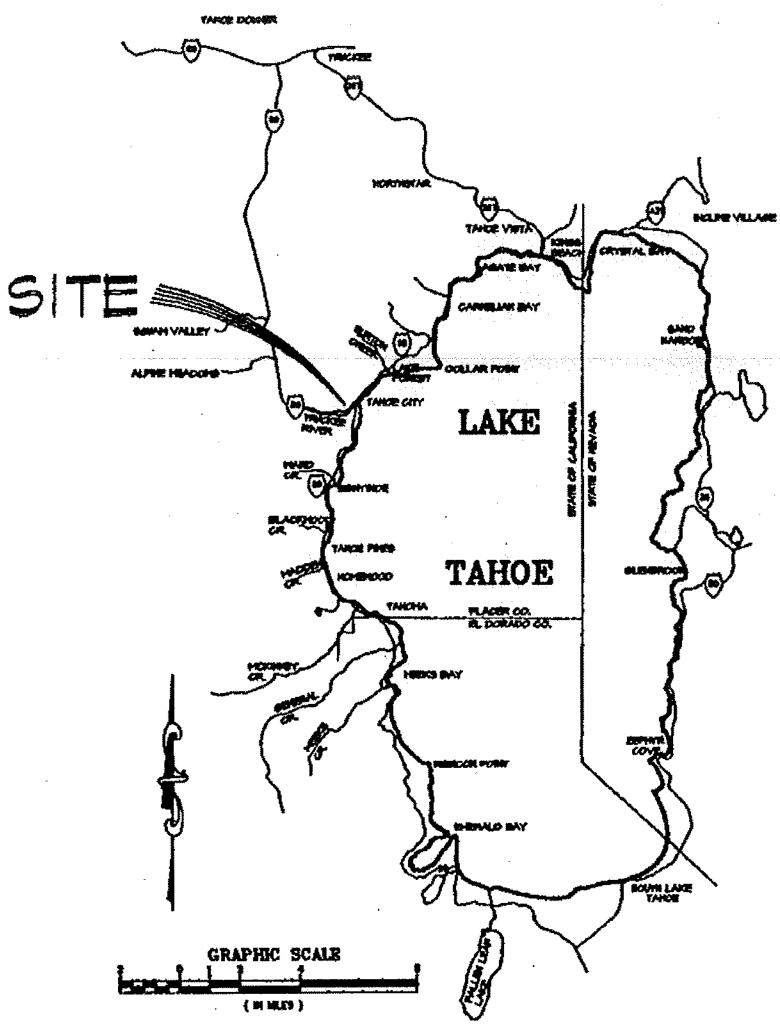
FEES

31. The rafting fees, as required by Section 5.16.290, of the Placer County Code, are to be paid in full each year, or alternative clean-up measures may be employed. Rafting fees shall be payable in two (2) equal installments: One-half prior to the beginning of operations, and one-half on or before August 1st of each year. When in use, each raft shall be marked with removable numbered identification.

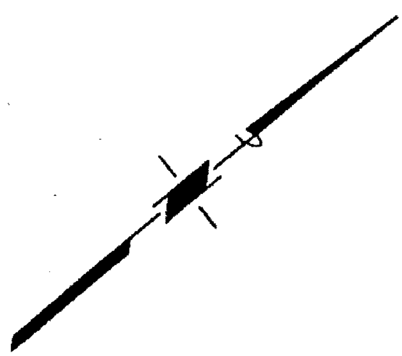
EXERCISE OF PERMIT

32. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a certain development project known as the Sugar Bowl Academy Temporary Conditional Use Permit. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition. **(CC)**

33. This Rafting License\Conditional Use Permit shall be valid for a period of 36 months, and shall expire on June 6, 2014. At the end of the first rafting season (the 2011 season), the DRC shall meet to discuss compliance with the conditions of approval. If conditions have been met to the satisfaction of the DRC, no additional action will be taken. If compliance has not been satisfactory, the permits shall be taken back to hearing for consideration for revocation and\or modification.



VICINITY MAP

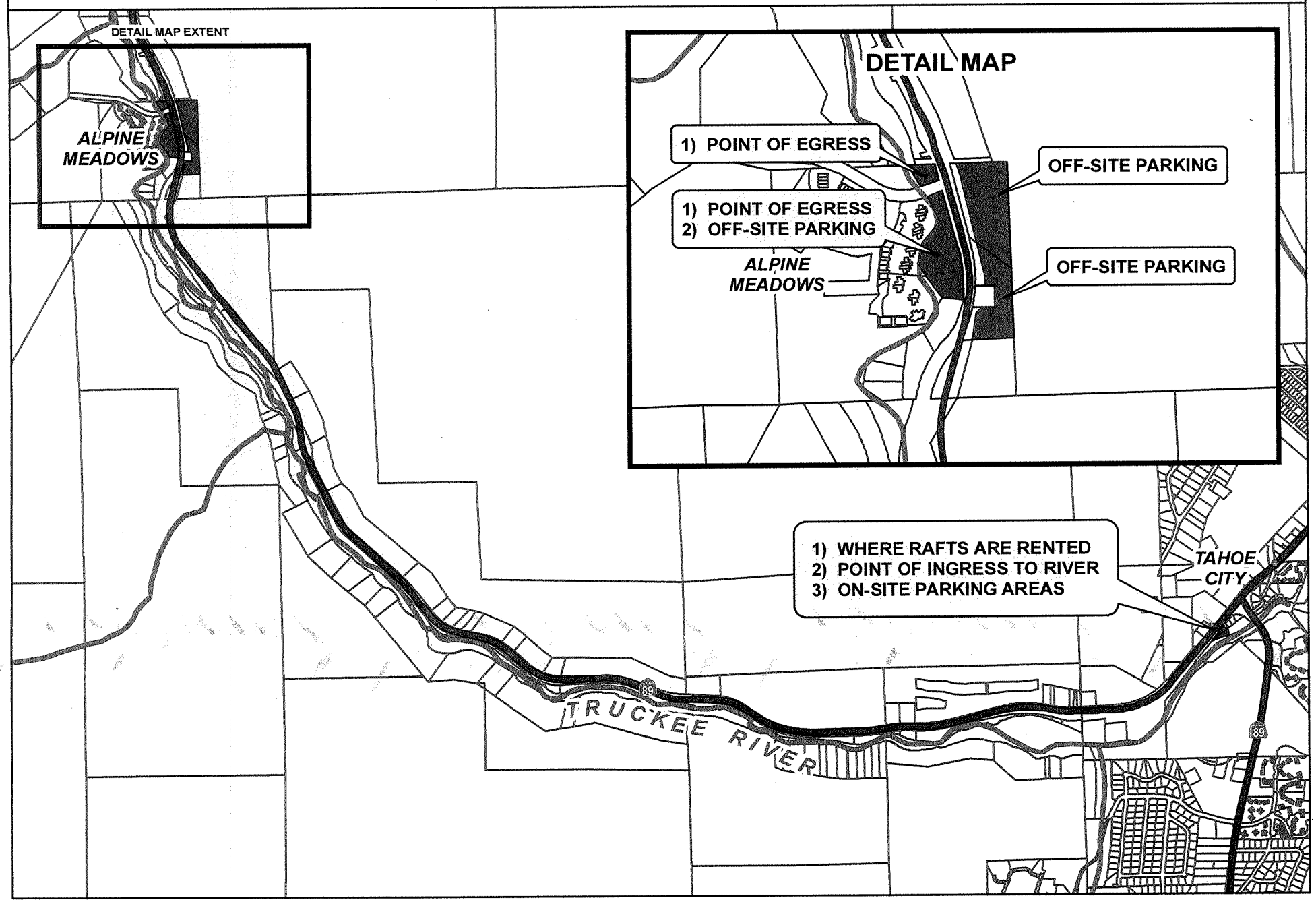


GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

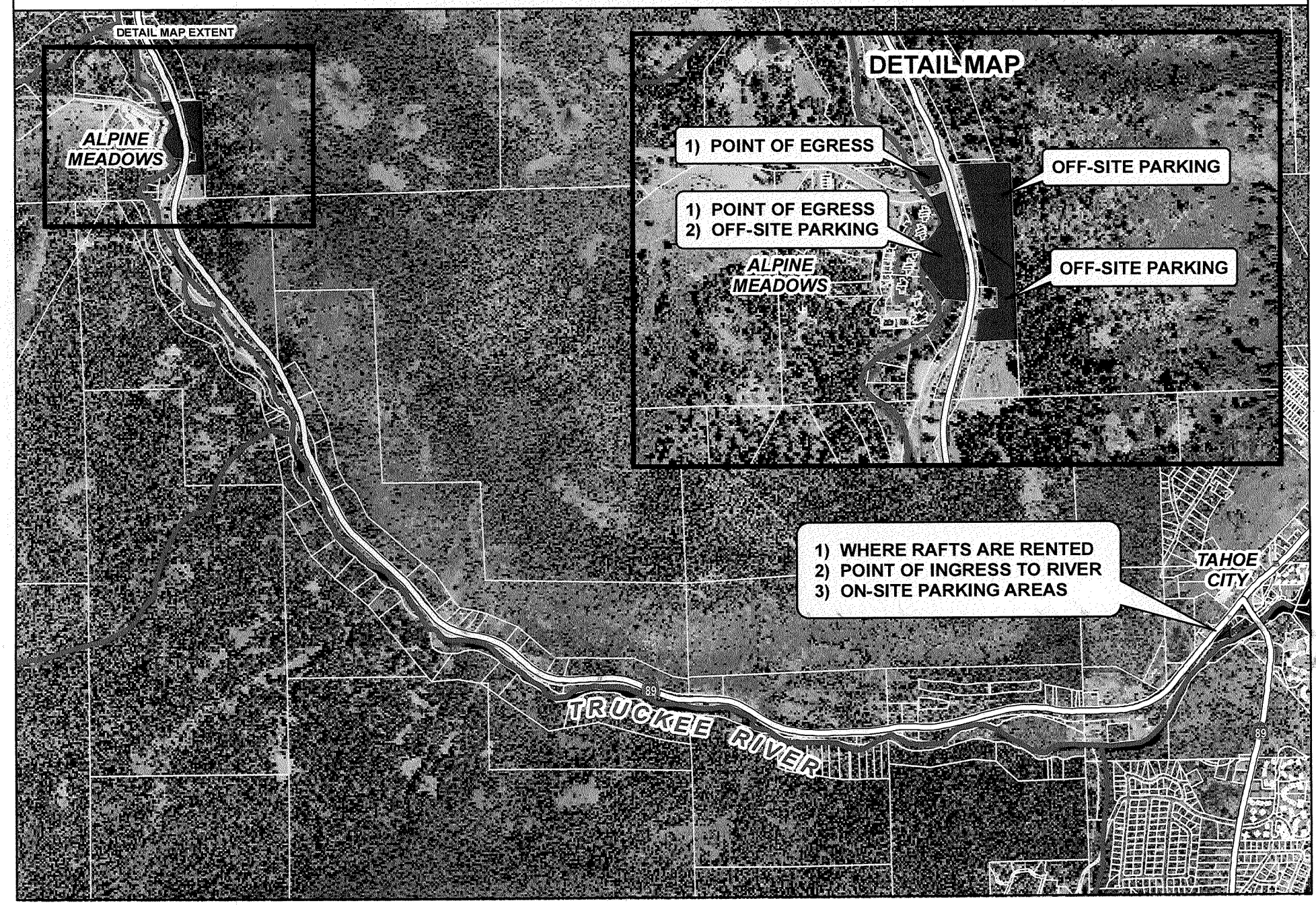
ATTACHMENT B

TRUCKEE RIVER RAFT CO.



ATTACHMENT C

TRUCKEE RIVER RAFT CO.



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

ENVIRONMENTAL COORDINATION SERVICES

Michael Wells, Coordinator

MITIGATED NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

☐ The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.

☒ Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

Title: **Truckee River Rafting Permit**	**Plus#** PRFT 20110055
Description: The project proposes renewal of their existing conditional use permit in order to continue operation of their commercial river raft rentals along the Truckee River.	
Location: Approximately a quarter mile southwest of the Tahoe City intersection of Highway 89 and West Lake Boulevard in Tahoe City, Placer County	
Project Owner/Applicant: Tahoe Sierra Recreation, PO Box 1799, Tahoe City, CA 96145 (530) 583-1068	
County Contact Person: Stacy Wydra	530-581-6288

PUBLIC NOTICE

The comment period for this document closes on **May 25, 2011**. A copy of the Negative Declaration is available for public review at the County's web site (http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx), Community Development Resource Agency public counter, and at the Tahoe City Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, please visit our Tahoe Office, 565 West Lake Blvd., Tahoe City, CA 96145.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.

ATTACHMENT D

COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

ENVIRONMENTAL COORDINATION SERVICES

Michael Wells, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3080 • www.placer.ca.gov

INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

Project Title: **Truckee River Rafting Permit**	Plus# PRFT 20110055
Entitlement: Conditional Use Permit	
Site Area: 1 acre / 43,560 square feet	APN: 094-190-004, 094-540-024
Location: Approximately a quarter mile southwest of Tahoe City WYE and Highway 89 along the Truckee River, Placer County	

A. BACKGROUND:

Project Description:
The applicant, Truckee River Rafting Company is requesting renewal of their existing Conditional Use Permit in order to continue operation of their commercial river raft rentals along the Truckee River. Specifically, the request is to renew the Conditional Use Permit for another term of three years.

Project Site (Background/Existing Setting):
The Tahoe City site where rafts enter the Truckee River at the junction of State Highways 89 and 28, along Highway 89, is fully developed with a mix of retail and commercial uses. The majority of the site is impervious cover and the Truckee River borders the southern boundary of the property. Rafts disembark the Truckee River at the Alpine Meadows site which is bordered by Highway 89 to the west and is surrounded by forest land. The site is a mix of paved and unpaved parking area/driveway. There is limited tree canopy bordering the river.

B. ENVIRONMENTAL SETTING:

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	Commercial – Recreation	Placer County / Tahoe City / Alpine Meadows	Rafting / Truckee River
North	Retail Tourism	Same as project site	SR 28
South	Recreation	Same as project site	SR 28
East	Retail Tourism	Same as project site	Same as project site
West	Retail Tourism	Same as project site	Same as project site

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Tahoe City Area Community Plan EIR

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

a) A brief explanation is required for all answers including "No Impact" answers.

b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.

c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).

d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].

f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:

- ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
- ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
- ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)				X
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)				X
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)				X

Discussion- All Items:
The project will not impact any scenic vistas along the Truckee River Corridor, any other scenic resources, substantially degrade the existing visual character or quality of the site and its surroundings, or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

II. AGRICULTURAL & FOREST RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X
4. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use? (PLN)				X

Discussion- All Items:
The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland to non-agricultural use), conflict with General Plan or other polices regarding land use buffers for agricultural operations, conflict with existing zoning for agricultural use, or a Williamson Act contract. The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use. The re-issuance of a permit for existing river rafting operations does not involve land use changes.

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III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)				X
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)				X
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)				X
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)				X
5. Create objectionable odors affecting a substantial number of people? (APCD)				X

Discussion- Item III-1:
The project is located within the Mountain Counties Air Basin (MCAB) portion of Placer County. The project proposes an extension of time for an existing raft trip company along the Truckee River. There are no new facilities proposed and increases in traffic should be minimal. The project would not contribute a significant impact to Region, as the related emissions would be below the significant level. The project will not result in a significant obstruction to the Tahoe Air Quality Plan. No mitigation measures are required.

Discussion- Items III-2,3:
The MCAB is designated non-attainment for the federal and state ozone standards (ROG and NO_x), unclassified for the federal particulate matter standard ($PM_{2.5}$) and non-attainment for the federal particulate matter standard (PM_{10}). There are no additional construction activities proposed.

Discussion- Items III-4,5:
The project includes no grading operations. No mitigation measures are required.

IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries? (PLN)			X	
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)			X	
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X