

Steamboat Springs Revised Municipal Code Sec. 16-12.
Use of public river access points by guide services and outfitters.

(a) *Definitions.*

(1) *Outfit* means providing floatation devices, guide services or other equipment necessary to float or fish the Yampa River.

(2) *Outfitter* means any person, sole proprietorship, partnership, corporation, limited liability company, or other business entity, which provides, for a fee, floatation devices or guide service for use on the Yampa River within Steamboat Springs.

(3) *River corridor* means that portion of the Yampa River between River Creek Park and Bear River Park.

(4) *Public river access* means any city park, parkway, recreation area, open space, or trail adjacent to the Yampa River and used to put into or take out from the Yampa River, including, without limitation:

- a. River Creek Park (Polombus);
- b. Rotary Park;
- c. Fetcher Park;
- d. Emerald Park;
- e. Dr. Rich Weiss Park;
- f. Ski Town Lions Club Park;
- g. Yampa River Core Trail (between Ninth and Tenth Streets);
- h. Yampa River Core Trail (between Tenth and Twelfth Streets);
- i. Little Toots Park;
- j. West Lincoln Park; and
- k. Stockbridge Center.
- j. Bear River Park

(5) *Trip* means use of a floatation device for downstream travel or walking/wading for flyfishing by any person or vessel. Any upstream return and re-use, by any person, of a floatation device for downstream travel shall constitute additional trips regardless of whether additional rental fees are charged or collected or whether the outfitter provided upstream transportation.

(6) *Outfitter's permit* means a permit for commercial operations on the Yampa River issued or approved by the City Manager or designee.

(b) *Use restrictions.* Only outfitters who obtain and maintain in good standing an outfitter's permit shall be allowed to conduct commercial operations on the Yampa River through the City river corridor. Outfitters whose customers use any public river access shall be subject to the following use restrictions:

(1) Trip restrictions.

- a. No outfitter shall outfit more trips than authorized by their outfitter's permit or special event permit.

b. It shall not be a defense to a violation of this paragraph that limits were exceeded by reason of use of a floatation device for additional trips even if no additional rental fee was charged or collected for such additional trips and no transportation was provided by the outfitter for such additional trips.

(2) Outfitters shall keep a daily log of rental and guide service activities that shall be copied to a city parks and recreational services officer on a monthly basis and also within a reasonable time following the request of any such officer. The daily log shall include the following:

- a. The number of floatation devices rented each day; and/or
- b. The number of clients per day on the river corridor; and
- c. The number of trips/clients putting in at each public river access each day.

(3) Outfitters shall restrict the size of rafts and canoes provided to customers using any public river access according to the following schedule:

- a. From peak runoff to four hundred (400) c.f.s. no rafts over fifteen (15) feet in length and no canoes over eighteen (18) feet in length.
- b. Under four hundred (400) c.f.s. no rafts allowed on the river corridor.
- c. After July 6 in any year no rafts allowed on the river corridor. The director of parks, open space, and recreational services shall have the authority, after consultation with the parks and recreation commission at a public hearing, to extend the July 6 deadline when river corridor conditions are such that permitting rafts on the river corridor will not interfere with other river uses such as fishing or tubing.

(4) The City may suspend outfitters' commercial river operations when any one or more of the following criteria thresholds occur:

- a. The Yampa River flows drop below eighty-five (85) c.f.s.
- b. Dissolved oxygen levels average less than 6.0 mg/l at the 5th Street Bridge for the preceding forty-eight (48) hours.
- c. Maximum water temperatures at the 5th Street Bridge exceed seventy-five (75) degrees for two or more consecutive days.

(5) If the City suspends any outfitters' commercial operations due to any of the above criteria in Sec.16-12(b) (4) being met, those outfitters shall not operate until the City Manager or designee in consultation with Colorado Parks and Wildlife has determined that conditions have improved to allow for aquatic wildlife health. The City reserves the right to suspend any outfitters' commercial river operations at any time when river health conditions are critical and negative impacts may result from commercial operations.

(c) *Fees.* A permit fee will be required. In addition, each outfitter whose customers use any public river access shall pay to the city, on a monthly basis, a fee in the amount of five (5) percent of gross revenues derived from the provision of equipment or services, including guide services, to customers for purposes requiring the use of any public river access. The fees shall be designated for use for river enhancement

projects, monitoring, and enforcement. The city will decide expenditures in consultation with the fee paying outfitters and other interested parties.

(d) *Required equipment.* Outfitters whose customers use any public river access shall provide the following to each customer:

- (1) A re-usable mesh or nylon trash bag which can be attached to the floatation device or carried by guides; and
- (2) No outfitter shall permit any customer under eleven (11) years of age to enter the river without a life jacket. Life jackets shall not be required for walk/wade fishing.

(e) *Required information.* Outfitters whose customers use any public river access shall provide the following information to their customers:

(1) Outfitters will post in a prominent place a readable map, identifying public put-in and take-out points and parks where restrooms are available. This map will be posted in a highly visible location at each business for the customers to view. In addition this will be reduced, laminated and available to each floatation device customer, if requested.

(2) A list of operating rules, safety tips, and river etiquette shall be posted in a prominent place at each rental location and shall also be printed on waivers/releases signed by customers. The list shall include the following advisement:

- a. No glass allowed on the river;
- b. No littering permitted; pack out all trash;
- c. No styrofoam coolers permitted;
- d. Respect other river users, i.e., fishermen;
- e. Respect private property, standing on the bank or river bed adjacent to private property could subject you to prosecution for criminal trespass;
- f. No dogs allowed;
- g. No nudity permitted;
- h. Adhere to catch and release and all other fishing regulations;
- i. No alcohol.

(3) Outfitters shall advise each customer as to the conditions and potential dangers they may encounter on the river and the availability of life jackets.

(f) *Outfitter equipment identification.* Each outfitter shall identify their floatation devices or clients by uniform color codes and shall print the name of the outfitter on the floatation devices or clients (vests, hats, arm bands, etc.). The director of parks, open space, and recreational services must be notified in writing of changes in color codes and names. The director shall maintain a registry of outfitter equipment identification schemes.

(g) *Miscellaneous.*

- (1) Outfitter use of public river access points and associated designated parking areas shall not unreasonably interfere with other users' access.
- (2) Outfitter etiquette will be addressed and respected by all users without impeding public use.
- (3) Outfitters whose customers use any public river access shall comply with all applicable state licensing or operating laws and regulations.

(h) *Use of city property prohibited.* No outfitter shall provide floatation devices for use on or over any city property, including submerged river bed, located within or adjacent to the Downtown River Corridor south of the Fifth Street Bridge. For the purposes of this section (h) only, floatation devices shall not be deemed to include canoes, kayaks, stand up paddleboards, or rafts. Properties located within or adjacent to the Downtown River Corridor south of the Fifth Street Bridge include, without limitation, the following:

- (1) River Creek Park (Polumbus);
- (2) Rotary Park;
- (3) Fetcher Park;
- (4) Emerald Park;
- (5) Baxter Parcel; and
- (6) Dr. Rich Weiss Park.

**Yampa River Commercial Use Guidelines
(Appendix B of Yampa River Management Plan)**

These operational protocols within the Yampa River Management Plan guidelines are based on City Ordinance requirements with input from local river outfitters, the Parks and Recreation Commission, and City staff. They should be followed to ensure compliance with relevant ordinances, to provide a quality recreational experience for customers, and to protect the rights of private landowners and residents who live along the river. Adherence to these guidelines will also minimize potential conflicts between the multiple recreational uses occurring on and around the river, and ensure that recreational uses do not exceed sustainable levels.

1. Use Limits

Companies that provide floatation device rentals or guide services that use City property for river access shall adhere to the following restrictions:

A. Tubing

- Customers may not put on the river before 10:30 am.
- Customers may not put on the river after 4:00 pm.
- No tubing upstream of 5th Street Bridge.

B. Guide Services

- No time restrictions.
 - Each permitted fishing guide service will be allowed four (4) clients per day on the downtown river corridor. Half-day guide trips will be counted as a full day of usage.
- C. Kayak/Canoe Rentals or Lessons
- No time restrictions.
 - No trip caps.
 - Use of ponds at Fetcher, River Creek (aka Polumbus), West Lincoln or Casey Parks counts as “trips”.
- D. Number of Trips
- No outfitter shall outfit more trips than authorized. Second trips on the same day will be counted against each operator’s cap.
 - It shall not be a defense to a violation of trip limits if they were exceeded by reason of use of a flotation device for additional trips, even if no additional rental fee was charged or collected for such additional trips and no transportation was provided by the outfitter for such additional trip.
- E. Parking
- Vehicles (commercial or private) in Fetcher, Rotary or Lion’s Park or the library/community center parking lots may not be left unattended for more than 2 hours between the hours of 10:30 and 4:00 pm during the summer season and must follow all posted parking regulations.
 - Companies and their customers are encouraged to use the parking lots at Howelsen Hill and at the Stockbridge multi-modal center.

2. Identification

Each company will make their flotation devices easily identifiable by color codes and/or names of the company printed on the flotation device or client (vest, hat, arm bands, etc.). Currently, the following tube identification scheme is approved:

- Backdoor Sports/Rock and Roll – yellow tubes with red straps
- One Stop Ski Shop – blue tubes
- Bucking Rainbow – orange tubes

Any changes to these designated color schemes require prior approval of Parks and Recreation staff.

3. Safety

The safety of all customers should be a primary concern. Clear, concise descriptions of conditions and potential hazards that might be encountered should be relayed to all customers. All customers should be informed of the availability of life jackets and the potential dangers involved on the river. Flotation devices should not be tied together for the customer’s own safety, and proper clothing and footwear should be worn. Children 11 years old and under will be required to wear life jackets. Additionally, customers should not be allowed on the river during any periods when the Sheriff’s Office has a closure in effect, typically due to high water levels.

4. Use Log, Fees, and Reporting

All companies shall maintain all records required by their permit and make them available for review upon request of any City Parks and Recreation, Public Safety, Legal or Planning Department staff. The use log will provide the basis for calculating and paying the 5% user fees specified by City Ordinance. Use reports with corresponding fees should be submitted no later than 10 days after the end of any month during which commercial services were provided.

5. Fishing Guides

Fishing guides authorized to provide services on the Yampa River within city limits are presently limited to five (5) as noted below:

- Bucking Rainbow
- North Park Fishing Club
- Steamboat Flyfisher
- Straightline Sports
- Yampa River Outfitters

*Yampa Valley Anglers is also approved, but not written into the Management Plan

The addition of any other fishing guides is subject to review and approval by the Parks and Recreation Commission.

6. Permitting

With the exception of commercial tubing, which is limited to a specific daily number of trips allotted to the three approved commercial tubing operators, the Parks and Recreation Commission must approve annual or multiyear permit approvals for all other uses.

7. Use Limits

As defined in the Yampa River Management Plan, limits were set on daily numbers for tubing and fishing companies. Several businesses were bought since the plan was adopted and their numbers were absorbed by the purchasing business. Original information from the YRMP has been updated to reflect those new numbers:

Commercial Tubing	Weekday	Friday	Weekend
Backdoor Sports (acquired Lockhart’s)	288	327	630
Bucking Rainbow (acquired Blue Sky)	110	135	225
One Stop Ski Shop	35	38	60
Totals	433	500	915

Commercial Fishing	Clients per day
Bucking Rainbow (acquired Blue Sky)	8
North Park Fishing Club	4
Steamboat Flyfisher	4
Straightline Sports	4
Yampa River Outfitters	4
*Yampa Valley Anglers	4

