March 26, 2009

Pamela Creedon
Executive Director
CVRWQCB
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Subject: Clean-up and Abatement Order (CAO) for the Rubicon Trail.

Dear Mrs. Creedon,

A strong final Clean-up and Abatement Order should be implemented for the Rubicon Trail. The Trail should be managed as a sustainable historical landmark.

My experience on the Trail began in 1967, on my first backpacking trip alone in the Desolation Valley Wilderness Area and Rockbound Valley.

My grandfather, Hans Nelson, herded sheep in the Incline and Squaw Valley areas on Lake Tahoe's north shore (Squaw Valley is a little farther from Tahoe than Incline is); during the Depression he left the livestock business and became a Youth Crew foreman in the Civilian Conservation Corps. He met my grandmother at a dance at Chambers Lodge (Chambers Landing on Lake Tahoe), across the highway from one end of the Miller Lakes Road to Rubicon Springs (The Rubicon Trail).

My backpacking trip in 1967 was one of my most memorable hikes. Unmelted snow fields remained on some trails. I wandered off the trail in several places; from one place, near Lake Schmeidel, I looked down at the striking color contrasts of China Flat. The oval meadow was bisected by the dark blue ribbon of the Rubicon River. The springtime renewal erased the marks of the previous year. The only signs of humans were some dishwashing litter in the edge of a lake, a very small amount of litter, and a few axe marks on fallen timber.

From near its source at Clyde Lake, I followed the Rubicon River to Rubicon Reservoir in Rockbound Valley, near the Rubicon Trail. China Flat was nearly primeval, unspoiled. The utterly clear waters varied from about a foot to perhaps twelve feet deep. Trout were clearly visible on the streambed. My fishing impulse was set aside to let the trout remain unmolested. The saying, "Visit the wilderness and leave only your tracks" took on special meaning — to leave it undisturbed. The region was awe-inspiring and clean.

In 1975, on my last hike through Desolation Valley, China Flat was changed. It was surrounded by a barbed wire fence. The meadow was grazed nearly to the ground by cattle. Streamside willows were gnawed. The Rubicon was silted-in, no longer the deep, clear stream. Trout were gone. Stream depth was a few inches to about 1½ feet. The sand was dulled, trampeled by hooves. The water was undrinkable without extensive purification. A herder's hut was across the meadow. It had become a typical rundown pasture. Five trails were made by hikers.

At Rubicon Reservoir I started across-country

to find Rubicon Springs. I passed Buck Island Lake at its outlet, near a section of the Rubicon Trail. Not knowing the road was nearby, I went by compass across extensive granite slabs, sparsely populated by huge old-growth pines. I followed a stream that flowed over the granite rather than in a stream-bed. The stream dropped off a twelve-foot ledge into a natural, enclosed area with a pool in it - somewhat like a grotto. A little farther on, I reached the Rubicon River.

A discarded boot was on the opposite bank - the Rubicon was a creek where I'd left it, and had become a major waterway where I got to it again. My overland direction was correct; I'd arrived at Rubicon Springs, but when I waded the river there was nothing resembling what I thought a remote spring would look like. The mudhole and driven-over grasses and ferns was actually the Springs; some 4-wheel-drivers had desecrated the Springs.

I went downstream several miles, climbing gradually uphill as the gorge became a chasm. I camped on a ledge, with the echo of river rapids. Next day I figured I could reach Hell Hole Reservoir in a day (I knew Basque sheep-herders who previously ran sheep there), or Georgetown in two or three days. I tried to hike over the ridge to Lake Tahoe, but after climbing up and down a couple hills and ravines filled with mountain whitethorn and buckbrush, I decided to backtrack to the old boot and mud-hole, near a stream gauging station.

A fisherman and his son hailed me - they

said the mashed-up mudhole was Rubicon Springs. After lunch they drove me to Lake Tahoe on the Miller Lakes Trail (Rubicon Trail). Their 2 wheel drive Chevy truck made it easily on the road. The Miller Lakes were a delightful scene, with sunlight filtering onto the water.

In 1975 I hiked from Chambers Landing on the Miller Lakes Road to Rubicon Springs. The road was a little difficult to stay on due to logging roads. Eventually I reached Rubicon Springs. This time the Springs were not overrun with ORV's or 4WD jeeps — the water was clear, grasses thrived, it looked like a spring. I went up the rugged road and camped by a huge boulder at Buck Island Lake.

The next morning I felt exhuberant, serene, and energetic. The gloom of worsening social and environmental conditions at South Tahoe was replaced by optimism. Then a voice called down from the boulder. An off-road motorcycler was watching me, asking what I was doing there. I said I was hiking to Desolation Valley. My morning solace was broken, so I didn't feel like entertaining anyone who didn't share my reason for being there. He wasn't injured or stranded, so I just attended to my camp. After a few minutes he drove away on his sputtering, burping cycle.

My last experience on the Rubicon Trail was about seven years ago. A good friend and Tahoe Rim Trail photographer drove me from Tahoe City to a lake, along a backroad on the ridge above Lake Tahoe. We returned to Tahoe on the Miller Lakes Road. The

formerly nearly-smooth road had become a two-mile jumble of spine-jarring boulders, with no dirt between the rocks. The joy of that road was gone. It took my arthritic spine about a year to feel somewhat recovered from the jolting; it took another year or more to resume some simple activities. I was later told that 4-wheel-drive groups had deliberately removed the dirt in order to make the road bumpier.

That misuse and degradation of a historical public road, in a unique ecological area, is a type of sabotage. It's a violation of our quality of life.

Most of my outdoors-oriented schoolmates, in 1967, were more interested in the annual "Jeepers Jamboree" than in environmental conservation or wild lands stewardship. Many bird, mammal, reptile, and insect species that were formerly found at South Lake Tahoe, were found in the Rubicon area. Many species left South Tahoe as natural habitat was developed, or degraded, or altered in some way. It was refreshing to see them again.

A disability support group takes people with various infirmities on 4-wheel-drive outings on the Rubicon Trail. This is a responsible, productive use of 4WD's. Healthy outdoor outings are conducive to injury recovery, and morale-building for many disabled people. Being marooned in towns can worsen existing injuries and make new ones. The negative effects of being immobilized, without access to the restorative effects of nature, is sometimes downplayed in order to promote the synthetic advantages of some types of man-made environments.

Being disabled, I am aware of the benefits of healthy outdoor experience. I'm aware of the negative effects which are often caused by being immobilized, indoors or in limited communities, for extended periods of time.

The practical use of motor vehicles, for disabled access to the outdoors, is much different from the misuse of vehicles on the environment.

Proven measures for the protection of the Trail include winter wet season closure of the Trail. This step should be implemented immediately. The abuses of snow and wet season travel by 4x4 vehicles is well documented by the users' own photos. Over the snow travel ~~by~~ on nearby USFS dirt roads is not allowed. This one measure will go a long way toward eliminating a major cause of ongoing resource damage with little or no cost to El Dorado County. Gates are a simple proven form of enforcement.

Protect fragile resources. Restore the Trail to a narrow historic street legal 4x4 route. Take steps to fix the damage already inflicted. Adopt an Operations and Maintenance Plan. Require cleanup of all oil spills and carry out all human waste. Install, maintain, and monitor erosion control measures to ensure no damage is done to water quality.

Eliminate the use of extreme vehicles. These are causing most of the damage. Restrict use to street legal vehicles only.

Protect our forests. While the Rubicon is a county road, it has become an unmanaged extreme off road vehicle park with severe impacts to the Trail

and adjacent National Forest lands that are being destroyed by off-roaders.

Use permits, fees, and quotas to protect the Trail. The Rubicon passes through high alpine forests identical to those in adjacent Desolation Wilderness. The difference between the two is appalling. The Forest Service limits use in Desolation through a quota system and a permit fee; why can't the county do the same for the Rubicon Trail?

Stop encroachment into non-motorized areas. Enforce existing boundaries and regulations.

Start TODAY. El Dorado County asserts it is already planning to do much of what is required in the draft CAO (Clean-up and Abatement Order). The CAO will not be an undue burden. In fact, it provides a necessary timeline and strong incentive to actually do the work.

Sincerely,

Stephen Alastuey