

RUBICON TRAIL

SUMMARY OF THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD'S

DRAFT CLEANUP AND ABATEMENT ORDER FOR EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION

Background

The Rubicon Trail is an historic off-highway vehicle (OHV) trail in the Sierra Nevada which connects Ice House Road near Loon Lake to Lake Tahoe. The Rubicon Trail ranges in condition from a well-defined dirt road to granite domes, ledges, and rock debris which create difficult passage for OHVs and make it is one of the world's most famous off-highway vehicle destinations. Traffic counts have shown that approximately 35,000 vehicles access the Rubicon Trail entry areas during the three summer months with the highest use on weekends and holidays.

Starting in June 2003, the El Dorado County Parks conducted multiple workshops and prepared interim documents which would become the basis for a Draft Environmental Impact Report (EIR) for the Rubicon Trail. In October 2007, the County Parks Department distributed the Draft EIR (also referred to as the Rubicon Trail Master Plan or the RTMP) for public review and comment. On July 1, 2008, the responsibility for oversight and management of the Rubicon Trail was transferred from the County Parks Department to the El Dorado County Department of Transportation.

Issues

The Central Valley Regional Water Quality Control Board alleges that El Dorado County has not adequately managed the Rubicon Trail for OHV use. The allegations state unmitigated use has resulted in sediment and other waste discharges to waters of the state, human sanitation problems, soil contamination of metals, and water contamination of petroleum-based fluids. The impacts of the extensive use of this popular trail are summarized in three categories:

Soil Erosion - El Dorado County has permitted OHV enthusiasts to access the Rubicon Trail throughout the year, and minimal work has been completed to effectively drain the trail surface and prevent or reduce sediment discharges to waters of the state. The trail has become incised due to heavy trail use, and water from rainfall and snowmelt events is intercepted by the incised trail and then transported along with sediment to stream crossings. It is estimated that between 75 and 100 cubic yards of sediment is likely discharged annually from the El Dorado County portion of the Rubicon Trail to waters of the state. This increased sediment load fills spawning gravels and reduces aquatic habitat.

Human Waste - In July 2004, the El Dorado County Board of Supervisors issued a state of local emergency due to the significant amount of human fecal waste littered around the Spider Lake area. As a result, the Spider Lake area was closed to camping. The amount of fecal waste was determined to pose a health and safety threat to users of the trail and to streams and lakes which are tributary to the Rubicon River and the Middle Fork American River. The lack of sanitation facilities along the trail or at the Ellis Creek, Spider Lake, or Buck Island Reservoir primitive camping areas forces the public to rely on individual human waste disposal methods.

Soil/Water Contamination - In early 2005, the El Dorado County Parks environmental contractor hired a consultant to determine the water quality impacts of the Rubicon Trail. Low levels of oil and grease were identified in water and soil samples collected on the Rubicon Trail. Low levels of copper and cadmium were also identified in soil samples. This contamination is due to motor oil, grease, and other petroleum-based fluids spilling and leaking from OHVs which have overturned or have damaged mechanical components while traversing rocky segments of the trail.

Actions

The implementation of this proposed order is an action to ensure the restoration of natural resources and/or the environment and is exempt from the provisions of the CEQA, in accordance with California Code of Regulations, title 14, sections 15307 and 15308. This order may also be classified as a minor action to prevent, minimize, stabilize, mitigate or eliminate the release, or threat of release, of hazardous waste or substances.

- Take all reasonable steps to cease the discharge of sediment and other wastes resulting from motorized use of the Rubicon Trail.
- Prepare and implement a vehicle use reduction plan on the Rubicon Trail to address vehicle use during wet weather conditions.
- Submit an Operation and Maintenance (O&M) Plan to address sediment, human waste, and petroleum-based spills on the Rubicon Trail. The O&M Plan must describe how the Rubicon Trail will be managed to reduce future discharges of sediment, human waste, and petroleum products to waters of the state.