

State Parks Safety Summit – Rubicon Trail Re-Route

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Thank you to State Parks for placing this important issue on the agenda.

The Rubicon Trail re-route has been a contentious issue since its inception. Over the past two years, significant time, money, and effort have been invested in finding solutions that maintain year-round access while preserving the trail's protections and historic rights.

RSSI and its attorney compiled and distributed a detailed report outlining concerns with this project. I would like to highlight four of them today.

1. CEQA Compliance

The Forest Service initially pursued a CEQA process but later shifted to a federally funded project. Regardless of opinions about CEQA, California law exists for a reason. The proposed route crosses wetlands and passes over the Pacific Crest Trail, creating legal vulnerabilities that could expose the Rubicon to future challenges, restrictions, or closures. A project of this magnitude deserves full review and compliance.

2. Rejection of Alternatives

When stakeholders proposed repairing the existing trail alignment, the Forest Service and contractor claimed it would cost millions of dollars, yet no supporting study was provided.

In response, Veerkamp Engineering independently evaluated the site and developed two repair options at a fraction of the cost of the proposed re-route. Those alternatives were dismissed by the USFS without meaningful consideration.

Shortly afterward, the Veerkamp family—who participated at their own expense—received a cease-and-desist letter regarding their adjoining property. At minimum, the timing created the appearance of retaliation against those presenting alternative solutions.

3. Project Leadership and Transparency

There have been multiple instances where information provided by Forest Service representatives, including Mr. Chavez, was later shown to be inaccurate. Questions regarding the gate issue and the project's status were answered incorrectly during public meetings and site visits.

Public Records Act documents also reveal priorities that should concern everyone involved. In one communication, Mr. Chavez stated:

“My concerns at this point lie more in protecting the TNF’s interests related to managing the trail and protecting the land, and less in trying to make the MOU work.”

Combined with the dismissal of alternatives and the documented failures of previous re-route efforts, this undermines confidence in the management of the project and raises legitimate concerns about whether the outcome has already been predetermined.

4. RS2477 Rights

Forest Service communications acknowledge that changing the route could jeopardize potential RS2477 rights tied to the existing trail. In Public Records Act documents, the agency stated:

“As you stated, it probably is a good idea not to decommission the existing route that may be subject to RS2477. The revised route would not be eligible for a 2477 ROW claim according to FLPMA as written as it would be post-1976.”

This statement confirms that the Forest Service understands the risk to existing access protections while proposing a route that would not enjoy the same protections in the future.

Conclusion

The pattern throughout this process is clear: repairing and preserving the existing trail has not been given fair consideration. Significant legal, procedural, and access concerns remain unresolved.

I respectfully request that this board communicate to the Highway Commission that it should withhold support for the proposed re-route until the protection of the Rubicon Trail and public access rights are clearly secured.

Additionally, based on the documented concerns regarding transparency, decision-making, and stakeholder engagement, I believe Mr. Chavez should be removed from this project and replaced with leadership capable of restoring public confidence in the process.

Thank you for your time and consideration.

Feel free to contact me with any additional questions or document requests you may have.

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