



File Code: 2350/2530

Date: September 2, 2014

Pamela C. Creedon
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95760

Dear Ms. Creedon:

I am writing to support rescission of Cleanup and Abatement Order (CAO) R5-2009-0030 for El Dorado County (County) and the United States Department of Agriculture, Forest Service, Eldorado National Forest (Forest Service) issued by the California Regional Water Quality Board, Central Valley Region (CRWQB-CVR). In previous correspondence and hearings, the Forest Service has objected to the Board's jurisdiction to name the Forest Service as a Responsible Party in this Order, and we maintain that objection. Nonetheless, we have worked cooperatively with the CRWQB-CVR and the County on this matter.

The Forest Service has taken appropriate management actions for public use of National Forest System land in the vicinity of the Rubicon Trail. As agreed upon in our June 14, 2010 letter to you, document submittals to the CRWQB-CVR from the County have been a joint effort with Forest Service involvement. The Forest Service has coordinated closely with the County through frequent meetings, including the monthly meetings of the Rubicon Oversight Committee. The Forest Service has also entered a Memorandum of Understanding with the County and the California Department of Parks and Recreation OHMVR Division to provide comprehensive management of the Rubicon Trail as well as interpretive and educational programs to OHV enthusiasts recreating on the Rubicon Trail. The Forest Service coordinated a Programmatic Agreement with the State Historic Property Office and the County. Additionally, the Forest Service worked closely with the County on their development of the Saturated Soil Water Quality Plan.

On August 14, 2012, after completing an Environmental Impact Statement, the Forest Service granted a Public Road Easement to El Dorado County for the portions of the Rubicon Trail on National Forest System land within El Dorado County. The easement included a saturated soil management strategy to address motor vehicle use during the wet season. The County has successfully developed and implemented a monitoring protocol for the saturated soil strategy, with Forest Service involvement and participation.

The physical improvements to the Rubicon Trail made by the County and numerous non-profit organizations have been tremendous. The Forest Service has supported this effort by providing free use of over 4,000 tons of rock, and by issuing permits and waiving fees for crew camping areas, toilets, service road and gates, service buildings, construction areas, commercial road use,



and stockpile sites. The EIS prepared for the easement also authorized bridges, maintenance, facilities adjacent to the trail, and closure of non-system routes. The Forest Service has successfully obtained grant funding from the State Parks OHMVR Division to support ground operations, maintenance, campground reconstruction, and law enforcement along the Rubicon Trail.

The partnership of all parties involved in improving the condition and management of the Rubicon Trail has been exemplary. The Forest Service supports the rescission order as drafted by CRWQB-CVR staff (transmitted on August 19, 2014) and recommends its adoption by the Board.

Sincerely,

/s/ Laurence Crabtree
LAURENCE CRABTREE
Forest Supervisor

cc: Richard M Thornburgh