

ORDER NO. 15-07
LOS PADRES NATIONAL FOREST
SESPE CONDOR SANCTUARY PROHIBITION AREA
OCCUPANCY AND USE

Pursuant to 16 USC 551 and 36 CFR 261.50(a), and to protect natural resources, the following act is prohibited within the Los Padres National Forest. This Order is effective from July 31, 2015 through July 30, 2016.

Going into the Sespe Condor Sanctuary, as shown on Exhibit A and described in Exhibit B. 36 CFR 261.53(a).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

1. Persons with a permit specifically authorizing the otherwise prohibited activity.
2. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

This prohibition is in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

A violation of this prohibition is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Done at Goleta, California this 30th day of July 2015.



Robert A. Baird
Forest Supervisor
Los Padres National Forest

Date: July 30, 2015

Subject: FOREST ORDER NO. 15-07
LOS PADRES NATIONAL FOREST
SESPE CONDOR SANCTUARY
To: File

From: Robert A. Baird, Forest Supervisor 

I have decided to issue Forest Order No. 15-07, closing the Sespe Condor Sanctuary (Sanctuary) to public use. This Order will be in effect from July 31, 2015 through July 30, 2016.

Despite decades of legal protection and extensive conservation efforts, condors continued to decline in the wild throughout the twentieth century. Legal protection was first provided to the California condor by the State of California around the turn of the century. Official concern began to be expressed for the California condor in the mid-1930s. In 1947, the 35,000 acre Sanctuary was established in Los Padres National Forest. In 1951, the Sanctuary was expanded to 53,000 acres. The Chief of the Forest Service intended the Sanctuary to be closed to all public entry except by permit and with the exception of quarter-mile width travel corridors (Sespe Creek, Agua Blanca Creek, Alder Creek Trail, and Bucksnot Trail) that allow recreationists to travel through the area. (USDA 1952) In 1967, the California condor was recognized as “endangered” and received legal protection in 1972 when the U.S. Migratory Bird Treaty with Mexico was amended to include vultures and certain other families of birds. With the passage of the Endangered Species Act of 1973, federal agencies were required to protect habitat and to prepare recovery plans that specified actions for its recovery.

The Forest Service provides critical habitat, wildlife refuge, and land management for the protection of the California condor (p. 974, AOU 2010; p. 82, Part 2, USDA 2005; USDO I 1996 and 2013). The Los Padres Condor Range and River Protection Act of 1992 established the Sespe Wilderness (Home of the California Condor), which encompasses the Sanctuary. These protections include the controlled public access to the Sespe Condor Sanctuary (p. 80, Part 2, USDA 2005) and Land Management Plan standards and guidelines to protect condor nesting, roosting, and foraging habitat (p. 8, 9, & 69, Part 3, USDA 2005). Survey data shows California condors heavily utilizing the Sanctuary to breed, nest, roost, and forage.

As condors expand their use into their historic range, interactions with humans continues to be a concern. Refuges of high-quality habitat without human contact are necessary. (S. Kirkland, USFWS Condor Field Coordinator, personal communication, July 17, 2014) Contaminants, primarily lead exposure from lead ammunition, continue to be a threat to the condor and the Sanctuary provides area protection from exposure. Human interactions and habituation can be problematic increasing the “likelihood of associating food (and micro-trash) with humans, possibly resulting in reduced reliance on natural foraging behavior” (p.26-35, USDO I 2013). The frequency of visits and hundreds of public visitors to the Tar Creek area, as well as other

Sanctuary areas, exposes condors to human food and micro-trash and direct human contact. This habituation increases the risk of injury to condors, documented by the death of a condor in 2008 strangled in a climbing rope in the Sanctuary. Adjacent to the Sanctuary and also closed to public entry for the protection of the California condor, the Hopper Mountain National Wildlife Refuge provides area protection for condors. It is “maintained as a refuge to protect the Sanctuary” (USDOJ 1996). The 1996 California Condor Recovery Plan (USDOJ 1996) documents the past and continued use of the Sanctuary for the research and recovery actions for the condor (USFWS California Condor Recovery Program). The Sanctuary is a necessary component of the condor’s recovery (p. 13, USDOJ 1996 and p. 20, USDOJ 2013).

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 CFR 220.6(d)(1) – prohibitions to provide short-term resource protection or to protect public health and safety – and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure. Implementation of the decision may begin immediately.

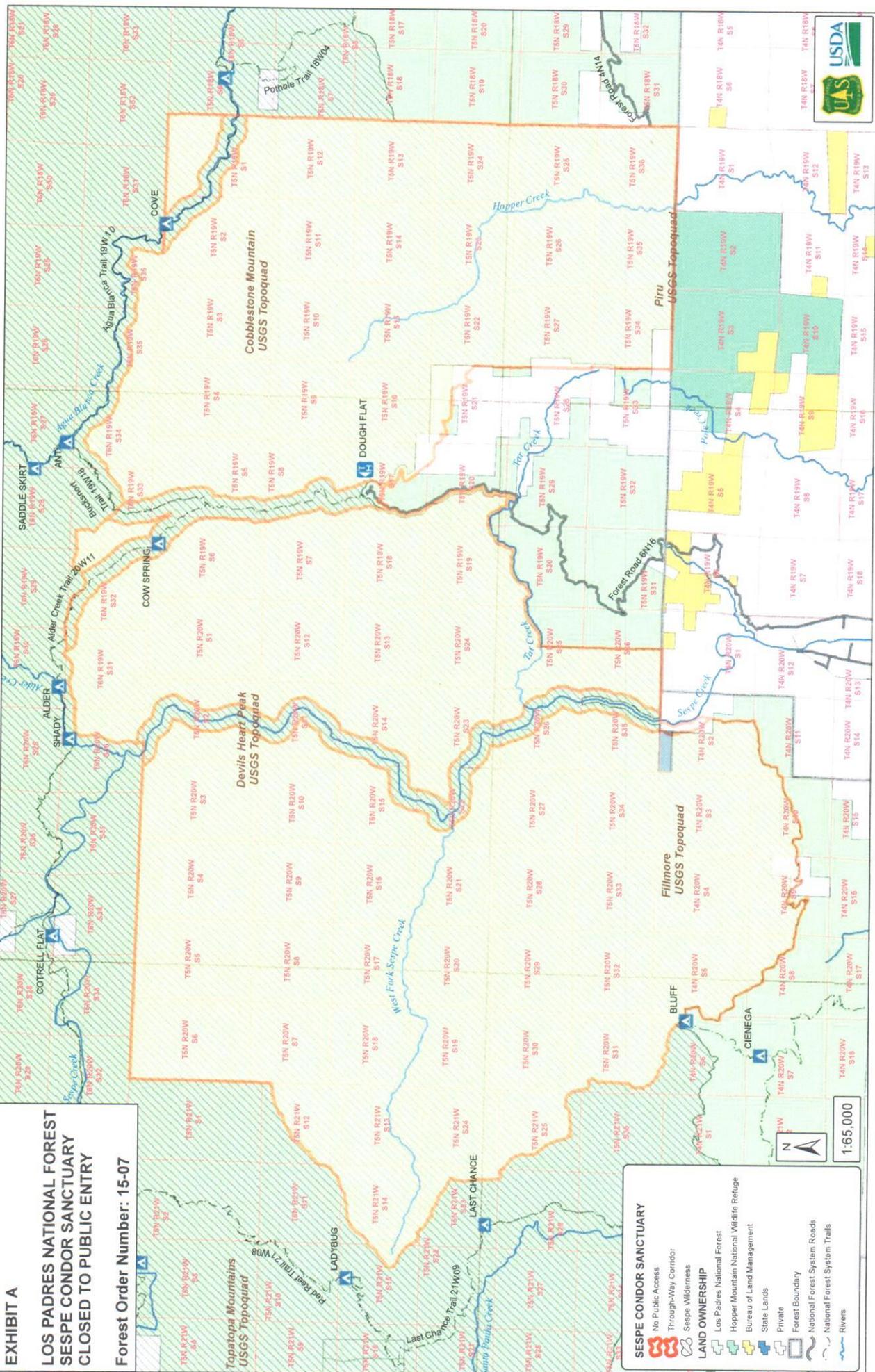
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- Walters, Jeffrey R., Scott R. Derrickson, D. Michael Fry, Susan M. Haig, John M., Marzluff, Joseph M. Wunderle, Jr. “Status of the California Condor and Efforts to Achieve its Recovery.” *The Auk* 127(4): 969-1001. The American Ornithologists’ Union (AOU), 2010. Journal.

EXHIBIT A

**LOS PADRES NATIONAL FOREST
SESPE CONDOR SANCTUARY
CLOSED TO PUBLIC ENTRY**

Forest Order Number: 15-07



SESPE CONDOR SANCTUARY

- No Public Access
- Through-Way Corridor
- Sespe Wilderness

LAND OWNERSHIP

- Los Padres National Forest
- Hopper Mountain National Wildlife Refuge
- Bureau of Land Management
- State Lands
- Private

Boundaries

- Forest Boundary
- National Forest System Roads
- National Forest System Trails
- Rivers

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SESPE CONDOR SANCTUARY PROHIBITION AREA
OCCUPANCY AND USE
EXHIBIT B

The boundary of the Sespe Condor Sanctuary begins at the southeast corner of Township 5 North, Range 19 West, San Bernardino Base and Meridian (SBBM); thence northerly along the east boundary of the township to the northeast corner of said township; thence westerly along the north boundary of township to a point 1/8 mile east of Agua Blanca Creek; thence southeast along Agua Blanca Creek at 1/8 mile distance south of the creek centerline to its intersection with the east edge of township; thence south 1/4 mile along said township; thence northwest along Agua Blanca Creek at 1/8 mile distance south of the creek centerline to its intersection with the north edge of township; thence easterly and northerly following Agua Blanca Creek and Agua Blanca Trail (Forest Trail No. 19W10) at 1/8 mile distance south of creek/trail centerline, whichever is the most southerly, to the intersection of Bucksnot Trail (Forest Trail No. 19W18) and Agua Blanca Trail; thence southwest following at 1/8 mile distance south of Bucksnot Trail approximately 1.5 miles to drainage divide between Stone Corral Creek and Agua Blanca Creek; thence northwesterly and westerly along the divide between Stone Corral Creek and Agua Blanca Creek and the divide between Stone Corral Creek and Alder Creek to its intersection with Alder Creek Trail (Forest Trail No. 20W11), approximately 1/2 mile east of Dripping Springs; thence westerly along Alder Creek Trail at 1/8 mile distance south of Alder Creek Trail to its intersection with Alder Creek; thence south along Alder Creek to the intersection of Alder Creek and Sespe Creek; thence south along Sespe Creek at 1/8 mile distance east of the creek centerline to a point 1/8 mile due northeast of the north boundary of T5N R20W SBBM; thence south along Sespe Creek at 1/8 mile distance east of the creek centerline for 19 miles to the south boundary of T5N R20W SBBM; thence west across Sespe Creek to west bank; thence south along the west bank of Sespe Creek to a point 1/8 mile due south of intersection of Sespe Creek and the mouth of Pine Canyon; thence north along Sespe Creek at 1/8 mile distance west of the creek centerline for 19.5 miles to its intersection with the north boundary of T5N R20W SBBM; thence westerly along north boundary of township to northwest corner of the township; thence southerly along west boundary of township to top of Topa Topa Ridge; thence southwest along top of Topa Topa Ridge to a point approximately one mile northeast of Hines Peak; thence southeasterly along top of divide ridge between Santa Paula Creek and Sespe Creek to its intersection with the San Cayetano Trail in the north part of Section 8, T4N R20W SBBM; thence easterly following the north side of San Cayetano Trail and San Cayetano Road to point where road crosses San Cayetano Ridge on north edge of Section 11, T4N R20W SBBM; thence continuing northeasterly following top of ridge to junction with Sespe Creek at the mouth of Pine Canyon; thence north along Sespe Creek at 1/8 mile distance west of the creek centerline to south boundary of T5N R20W SBBM; thence east along the southern boundary of Township 5 approximately 3/4 miles to the center of Section 36, T5N R20W SBBM; thence north along the centerline of Sections 36 and 25 to its intersection with Tar Creek; thence easterly along Tar Creek to its intersection with Forest Road No. 6N16; thence northerly along the west side of Forest Road No. 6N16 to its intersection with Spring Canyon Trail; thence easterly along Spring Canyon Trail to Section

line between Sections 21 and 22, T5N R19W SBBM; thence southerly following the section lines to the southwest corner of Section 34, T5N R19W SBBM; thence easterly following the south boundary of the township to the starting point, as shown on Exhibit A.