

ORDER NO. 12-08
LOS PADRES NATIONAL FOREST
LA BREA FIRE AREA
NATIONAL FOREST SYSTEM ROADS AND TRAILS
EMERGENCY FIRE CLOSURE

Pursuant to 16 USC 551 and 36 CFR 261.50(b), and to protect natural resources and provide for public safety, the following acts are prohibited within the Los Padres National Forest. This Order will be in effect from December 15, 2012 through December 14, 2013.

1. Using a motorized vehicle on any National Forest System road within the La Brea Fire Area as described in Exhibit A. 36 CFR 261.54(a).
2. Using a motorized vehicle on any National Forest System trail within the La Brea Fire Area as described in Exhibit A. 36 CFR 261.55(b).

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

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Owners or lessees of private land in the La Brea Fire Area are exempt from the prohibitions listed above to the extent necessary to gain access to their land.
4. Residents in the La Brea Fire Area are exempt from the prohibitions listed above to the extent necessary to gain access to their residences.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

A violation of these prohibitions 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 14th day of December, 2012.



Peggy Hernandez

Forest Supervisor

Los Padres National Forest



Date: December 14, 2012

Subject: Order No. 12-08
Los Padres National Forest
La Brea Fire Area Closure

To: File

From: Peggy Hernandez, Forest Supervisor

This document explains my rationale and the regulatory basis for implementing a closure Order for the La Brea Fire Area on the Los Padres National Forest (refer to Exhibit A). This closure will be in effect from December 15, 2012, until December 14, 2013.

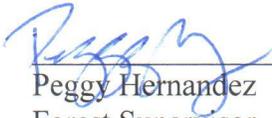
The La Brea Fire started on August 8, 2009, and was located 16 miles west of New Cuyama / 26 miles east of Santa Maria. The La Brea Fire included the area bordered in green as shown in Exhibit A. The fire burned intensely over much of the area – leaving trees burnt, steep hillsides barren and hydrophobic soils. Because of this, there is high risk of falling trees, rock slides, and flash flooding during the rainy season. Grading and maintenance of some forest roads and trails have not been completed, and they are not ready to be opened for public use. Those roads and trails are outlined on the attached Forest Order map Exhibit A. Road and trail conditions outlined in Exhibit A are unsafe for public use, and motorized use in the area would cause further resource damage and siltation in streams.

The purpose of this closure is to facilitate fire restoration efforts, and is enacted pursuant to 36 CFR Part 261.50 (a) and (b) – “Prohibitions to provide short-term resource protection or to protect public health and safety.” This restriction is necessary for the purpose of ensuring resource protection and for the protection of public safety. This closure will remain in effect until roads are repaired and resources are stabilized and protected.

Since the initial closure, siltation has filled streams and loose soils have filled the edges and banks with debris and highly erodible materials. Habitats have been degraded along these waterways and any further disturbance by motorized vehicles has the potential to permanently destroy habitats, creating conditions that would mandate closure for even longer periods in the future. Entire sections of the roadway have eroded and multiple crossings require stabilization in order to provide for public safety. Large pot holes, sink holes and siltation extend over the length of the road. Creek crossings have large drops as the waterway has cut through the road. Large boulders block the road and there are steep eroded side slopes. Failure to restrict use by

motorized vehicles will cause even more erosion. The closure area continues to be safe enough to allow public access on foot, horse or non-motorized bikes.

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. Pursuant to 36 C.F.R. § 215.12(f), this decision is not subject to administrative appeal. I have determined that there are no extraordinary circumstances associated with this temporary closure.

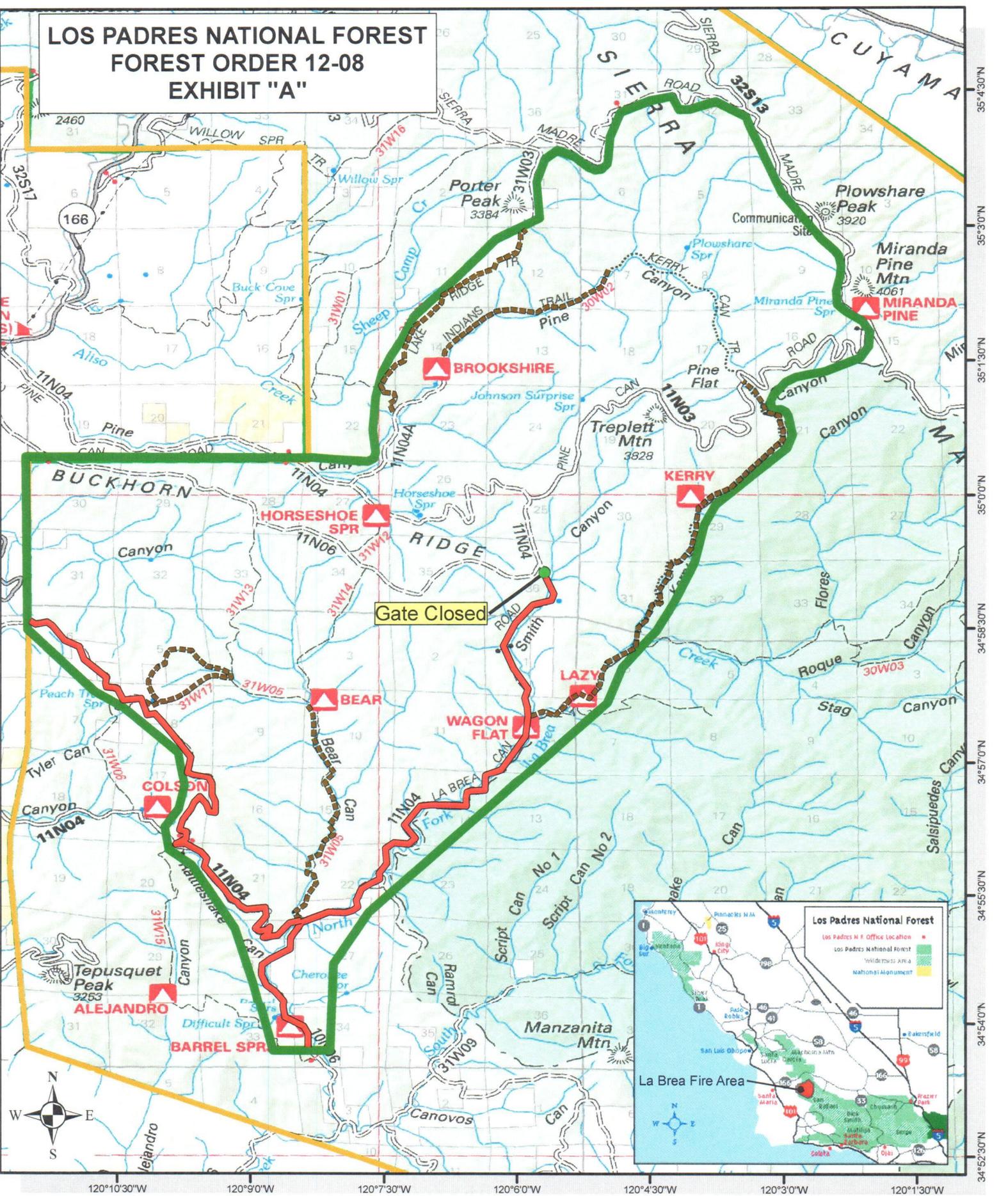


Peggy Hernandez
Forest Supervisor
Los Padres National Forest

12/14/12

Date

LOS PADRES NATIONAL FOREST FOREST ORDER 12-08 EXHIBIT "A"



- Roads Closed to Motorized Vehicles
- - - - - Trail Closed to Motorized Vehicles
- La Brea Fire Area Boundry

