

ORDER NO. 13-06
LOS PADRES NATIONAL FOREST
NATIONAL FOREST SYSTEM ROADS AND TRAIL CLOSURE

Pursuant to 16 USC 551 and 36 CFR 261.50(b), and to protect natural resources, the following acts are prohibited within the Los Padres National Forest. This Order is effective from December 15, 2013 through December 14, 2014.

1. Using a motorized vehicle on the National Forest System roads listed below and shown on Exhibit A.
 - a. La Brea Road (Forest Road No. 11N04.3)
 - b. La Brea Canyon Road (Forest Road No. 10N06.1)36 CFR 261.54(a).
2. Using a motorized vehicle on the Kerry Canyon Trail (Forest Trail No. 30W02), as shown on 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 along the roads are exempt from the prohibitions listed above to the extent necessary to gain access to their land.
4. Residents along the roads 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 6 months or both. 16 USC 551 and 18 USC 3559, 3571 and 3581.

Done at Goleta, California, this 12th day of December, 2013.



Peggy Hernandez
Forest Supervisor
Los Padres National Forest

Date: December 12, 2013

Subject: Order No. 13-06
Los Padres National Forest
National Forest System Road and Trail Closure

To: File

From: Peggy Hernandez, Forest Supervisor *PH*

This document explains my rationale and the regulatory basis for implementing a motor vehicle prohibition on La Brea Road (11N04.3), La Brea Canyon Road (10N06.1), and Kerry Canyon Trail (30W02) on the Los Padres National Forest (refer to attached map). This closure will be in effect from December 15, 2013 until December 14, 2014.

The La Brea Fire started on August 8, 2009, and burned approximately 90,000 acres in an area 16 miles west of New Cuyama and 26 miles east of Santa Maria. The fire burned intensely over much of the area leaving behind dead vegetation, barren, steep hillsides, and hydrophobic soils. A large portion of the North Fork La Brea Creek watershed was impacted by the fire. In 2011, flooding in La Brea Creek resulted in damage to several routes within and adjacent to the creek. Streams and stream banks have filled with siltation, loose soils, 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. Repair of the routes has not been completed, and as a result they are not ready to be opened for public use. This prohibition will remain in effect until the routes are repaired and resources are stabilized and protected.

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 and the procedures for legal notice and opportunity to comment (36 CFR 215.4) do not apply to this project. Implementation of the decision may begin immediately.

