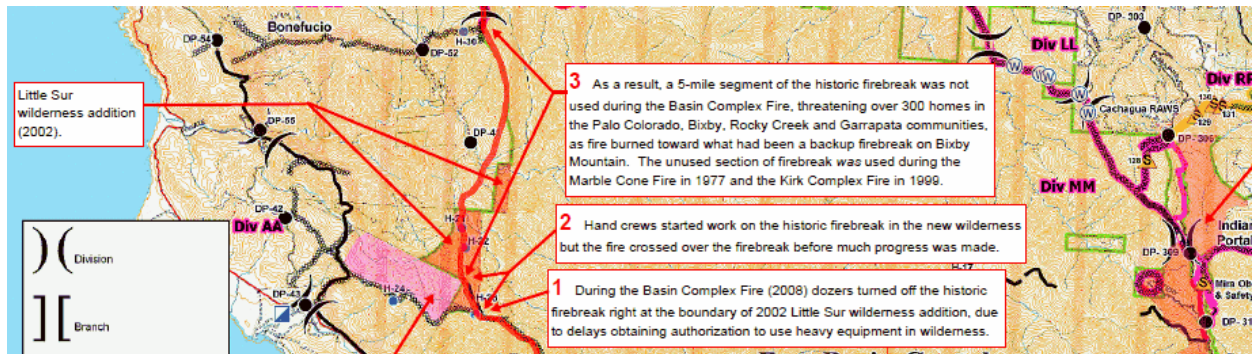


Help protect communities near the Los Padres National Forest



How the Big Sur Forest Service Management Unit Act would further threaten lives and homes in communities around the Los Padres National Forest

And

How the act should be changed to avoid that

Go to the bottom of the page to see changes proposed to the Big Sur Forest Service Management Unit Act, or, read your way down to see reasons for the changes.

This page is largely about abuse of the concept of wilderness, and how it has put lives, homes and communities at risk from wildfires in Monterey County.

1964 - Wilderness Act prohibits use of motorized equipment in wilderness

The Wilderness Act of 1964 includes provisions that generally prohibit the use of motorized equipment in wilderness ([16 USC 1133\(c\)](#)). The Wilderness Act of 1964 provides an exception in [section 1133\(d\)\(1\)](#), which states, "... such measures may be taken as may be necessary in the control of fire ..." However, that exception is interpreted narrowly, typically to mean that motorized equipment can only be used in wilderness after a fire has started, and only after the fire is close to where motorized equipment is needed.

The Forest Service has established a procedure for approving use of heavy equipment in wilderness during wildfires, which requires approval from the Regional Forester, after the request has been passed through the [chain of command](#). See the [Forest Service Manual at sections 2326.04 and 2326.1](#) for the conditions that must be present before approval is granted (excerpted from [this part of the FSM](#)).

This procedure can cause delays obtaining authorization to use heavy equipment in wilderness during wildfires, and has caused delays that threatened lives and property in Monterey County as described below.

1968 - Report to President Johnson on the proposed Ventana Wilderness

In 1968, the United States Department of Agriculture prepared a report for then-President Lyndon Johnson on the not-yet-created Ventana Wilderness. The Ventana Wilderness was proposed to be created within a portion of the Los Padres National Forest in Monterey County. You can download a copy of the report [by clicking here](#) (6 MB).

Here is a pertinent quote from the report:

"The threat to the Wilderness from large conflagrations sweeping into the area would remain a challenge. The boundary of this proposed Wilderness is very important and has been intentionally established wherever possible to allow the construction of peripheral fuelbreaks, and fire control access.

Approximately 70 percent of the boundary of this area would be located 250 feet below the crest of the ridge to permit the machine construction of effective fuelbreaks. For portions of approximately 12 miles of Wilderness boundary around the north end of this unit, provision is made for additional protection by means of a hand constructed fuelbreak inside the Wilderness if necessary.

In the event of fire the Forest Service would use whatever fire-fighting methods the situation requires, including use of machinery in building fuelbreaks and temporary roads."

Other pertinent statements in the report are,

"The prime objective on the easterly boundary of this Wilderness proposal is to establish and maintain adequate continuous peripheral fuelbreaks on key ridges to protect the area from sweeping conflagrations. The boundary as proposed is on such a key ridge 20.5 miles in length. To include Areas F and G in this proposal would cancel this objective.

Therefore, all of the land having Wilderness qualities within logical Wilderness boundaries has been included in this proposal."

In other words, a primary consideration for the location of wilderness boundaries when the Ventana Wilderness was proposed was to leave most fuelbreaks out of wilderness to ensure that motorized

equipment could be used to maintain fuelbreaks around the wilderness and inside the perimeter of the Los Padres National Forest before fires start, and to ensure that firebreaks could be opened with heavy equipment during fires without delay. You can read about the distinction between firebreaks and fuelbreaks [by clicking here](#).

The importance of peripheral fuelbreaks in the Los Padres National Forest is demonstrated by the fire frequency map in the Monterey County Community Wildfire Protection Plan, which reveals that most major wildfires in Monterey County start in the Los Padres National Forest. You can view [the fire frequency map by clicking here](#).

However, since the Ventana Wilderness was established in 1969 at 98,000 acres, wilderness has been expanded dramatically, including wilderness additions that interfere with maintenance and use of fuelbreaks and firebreaks.

1969 to 2002 - Wilderness additions in the Monterey Ranger District of the Los Padres National Forest

Following is a table of additions to wilderness areas in the Monterey Ranger District of the Los Padres National Forest.

| Year | Acres Added to Ventana Wilderness | Acres Added to Silver Peak Wilderness |
|--------------|-----------------------------------|---------------------------------------|
| 1969 | 98,000 (created) | |
| 1978 | 61,000 | |
| 1984 | 2,750 | |
| 1992 | 38,000 | 14,500 (created) |
| 2002 | 37,110 | 17,055 |
| Total | 236,860 | 31,555 |

As a result, 86 percent of the Los Padres National Forest in Monterey County is now wilderness (up from about 32 percent in 1969). In many locations wilderness has been extended essentially up to the national forest boundary, leaving no room to readily maintain a peripheral fuelbreak inside the Los Padres National Forest with motorized equipment. This is important because topography limits where firebreaks and fuelbreaks can be installed and be effective. Moreover, it is prudent to have room for backup firebreaks in case fire jumps over the primary line.

What about the statements in the 1968 report that including additional wilderness over the acreage initially included would defeat the objective of enabling continuous peripheral fuelbreaks on key ridges maintained with motorized equipment? And what about the statement that all logical wilderness was included in the wilderness area recommended in the 1968 report?

Maps showing older wilderness additions and the location of firebreaks they may have interfered with are not readily available.

However, there is sufficient information to see how recent wilderness additions have interfered with firebreaks and fuelbreaks.

2001 - Monterey Defensible Fuel Profile Zone projects planned by the US Forest Service

In 2001 the US Forest Service performed the environmental review process required by the National Environmental Policy Act on ten projects it called the Monterey Defensible Fuel Profile Zone (MDFPZ). The purpose of the projects was to make escape routes and firebreaks safe to use, defensible and effective during a wildfire. To do that, the projects were planned to reduce hazardous accumulations of wildfire fuels/vegetation for up to 1,000 feet from each side of escape routes and firebreaks. All of the project areas were outside wilderness in 2001.

As part of the environmental review, public meetings were planned to scope potential environmental impacts. You can read a copy of the Forest Service's scoping letter for the MDFPZ projects, which invites the public to comment on the projects [by clicking here](#).

The environmental review analysis was completed for all ten project areas. However, after wilderness was expanded over eight of the project areas only two of the projects were approved to be worked on (see 2002 below).

Among the attendees at the Forest Service's public scoping meetings on the MDFPZ projects were Congressman Farr's field representative, and members of the Ventana Wilderness Alliance.

You can read a web page on one of the MDFPZ scoping meetings [by clicking here](#). You can read an attendance sheet for the meeting [by clicking here](#). You can read a comment letter on the MDFPZ projects, submitted by the Ventana Wilderness Alliance's president in 2001, [by clicking here](#). (Note: These web pages on the 2001 meeting were available on the Internet until early March, 2011, then removed. Hence the pdfs of Google's cache of the pages.)

2002 - Wilderness expanded up to and over the historic firebreak, blocking MDFPZ projects

In 2002, Congressman Farr introduced and succeeded in passing the [Big Sur Wilderness and Conservation Act of 2002](#). This legislation extended wilderness over eight of the ten Monterey Defensible Fuel Profile Zone projects. As a result, the Forest Service abandoned these eight projects that were intended to protect lives and property.

Moreover, the legislation extended wilderness to within 30 to 100 feet of firebreaks, and roads that are escape routes, and over the historic peripheral firebreak in a critical location in the Little Sur River watershed. You can find links to detailed maps of the 2002 wilderness expansions [by clicking here](#). Note that the wilderness expansions include areas around the perimeter of the Los Padres National Forest in Monterey County, with some on the Big Sur coast side, some near Carmel Valley and Cachagua, and some on the Salinas Valley side.

The Big Sur Wilderness and Conservation Act of 2002 had no hearings in Congress and no floor debate. It was pulled from committee before review and voted out of the House in the middle of the night, in one minute. It had similar lack of review in the Senate due to the efforts of Senator Boxer. You can see the lack of Congressional review of the bill [by clicking here](#).

It appears that the very intent of the Big Sur Wilderness and Conservation Act of 2002 was to block Monterey Defensible Fuel Profile Zone projects by extending wilderness over them, and to block maintenance and use of the historic firebreak that protects communities around the Los Padres National Forest in Monterey County.

This is the same firebreak that was used during the 1977 Marble Cone Fire (178,000 acres) and the 1999 Kirk Complex Fire (86,000 acres), most of which was intentionally excluded from wilderness when the Ventana Wilderness was created in 1969.

Due to the 2002 wilderness expansions, the historic firebreak was not used and was not effective in critical areas during the Basin Complex Fire in 2008, which burned 163,000 acres. As a result, lives and homes were put at risk.

2008 - Basin Complex Fire problems with wilderness and firebreaks

During the 2008 Basin Complex Fire there were delays obtaining authorization to use heavy equipment in wilderness areas, including in some of the new 2002 wilderness additions. Congressman Farr denies that this happened. For example, see an article from the February 18, 2011 Carmel Pine Cone newspaper [by clicking here](#). However, it has now been confirmed by fire officials with both the California Department of Forestry and Fire Protection and the US Forest Service that substantial delays occurred.

Moreover, even when authorization for use of heavy equipment in wilderness was obtained, it was portioned out incrementally. That is, authorization was only granted to use heavy equipment in areas that were relatively close to the fire front. As the fire moved, authorization for use of heavy equipment in wilderness had to be re-obtained incrementally, causing repeated delays.

Due to delays obtaining permission to use heavy equipment in the 2002 Little Sur wilderness addition during the Basin Complex Fire, work on a 5-mile-long section of the historic firebreak in the Little Sur River watershed was started with hand crews only. Heavy equipment working on the historic firebreak turned off the firebreak right at the boundary of the recently-added wilderness. Before the hand crews had made much progress on the firebreak in wilderness, the fire crossed over the historic firebreak and started moving toward over 300 homes in the Palo Colorado, Bixby, Rocky Creek and Garrapata communities. The only remaining opportunity to stop the fire was on Bixby Mountain, which had been the location for a backup firebreak, which became the only firebreak between the fire and these communities.

The fire was stopped from burning through these communities only after fire crews with the California Department of Forestry and Fire Protection (CDF) and US Forest Service reopened the Bixby Mountain firebreak (largely on private land). CDF's DC-10 dropped miles of retardant and crews backfired off the newly-opened line.

There are reports there were delays obtaining permission to use heavy equipment on firebreaks during the Basin Complex Fire in other wilderness locations as well.

[Click here to see a map](#) (2 MB) that shows where some of the 2002 wilderness additions are located, where dozerlines and handlines were installed during the Basin Complex Fire, where a portion of the historic firebreak is located, where a portion of the historic firebreak was not used due to wilderness, and where the Basin Complex and Indians fires burned. To view the map with a dialup Internet connection it may work best to right-click on the above link and choose "save," then open the file after it is saved on your hard drive.

Though not connected to the federal Big Sur Forest Service Management Unit Act, the map also includes where a state wilderness area was also proposed by the Ventana Wilderness Alliance, which would also have contributed to blocking maintenance and use of a critical portion of the historic peripheral firebreak.

2011 - How the Big Sur Forest Service Management Unit Act would endanger lives and homes

On March 14, 2011, Congressman Farr released the latest draft of his Big Sur Forest Service Management Unit Act. He introduced a similar bill in the last session of Congress but it was not acted on. Congressman Farr has indicated he intends to reintroduce the bill in this session after hearing what

people in affected communities think about it.

It is important that people in affected areas become informed so they can offer meaningful comments on how the bill should be changed to correct problems with wilderness and firebreaks caused by previous federal legislation. It will take many informed community voices to counter wilderness advocates and environmental activists should they take their usual positions.

> The bill fails to correct problems with wilderness, firebreaks, fuelbreaks and escape routes

As currently written, the Big Sur Forest Service Management Unit Act would not adequately address hazards created by inappropriate wilderness expansions in 2002, which extended wilderness up to and over firebreaks, fuelbreaks and escape routes.

For example, the bill provides for a wilderness boundary adjustment to the 2002 Little Sur wilderness expansion, but not sufficient to make a significant difference. As explained above, the 2002 Little Sur wilderness expansion blocked use of heavy equipment on a critical portion of firebreak during the 2008 Basin Complex Fire, threatening lives and hundreds of homes.

The Little Sur boundary adjustment map provided on Congressman Farr's website is not clear where the wilderness boundary would be changed in this area. The bill does not say that wilderness will be removed along the historic firebreak (the firebreak used for the Marble Cone and Kirk Complex fires), and it apparently would not be. You can see a copy of the Little Sur wilderness boundary adjustment map on Congressman Farr's website [by clicking here](#) (1.4 MB).

Moreover, the bill provides that only 13 acres of land will be removed from wilderness by the Little Sur wilderness boundary adjustment. The 2002 Little Sur wilderness expansion added 755 acres of wilderness that crossed over the historic firebreak. Removing 13 acres of wilderness, even if in the correct location, could not remove enough wilderness to allow unhindered fuel work with motorized equipment next to the firebreak for an adequate distance on both sides (up to 1,000 feet).

You can read about distinctions between firebreaks and fuelbreaks [by clicking here](#).

Other areas where wilderness was expanded to within 30 to 100 feet of escape routes and firebreaks in 2002 are mentioned in the bill, but problems created in those locations by the 2002 legislation are also not solved with current language in the Big Sur Forest Service Management Unit Act. For example, the bill proposes to move wilderness back 300 feet from the Coast Ridge Road (which serves as both a firebreak and an escape route), but in 2002 wilderness was moved to block a MDFPZ fuel reduction project in that area that would have performed fuel reduction work for up to 1,000 feet from each side of the road.

It appears that all eight of the Monterey Defensible Fuel Profile Zone projects that were blocked by wilderness expansions in 2002 would continue to be blocked by wilderness, at least blocked enough to leave firebreaks and escape routes less safe for firefighters and evacuees, and less defensible during a wildfire should the Big Sur Forest Service Management Unit Act be passed as currently written.

> The bill negates exceptions in other wilderness acts

The bill provides that pre-suppression (pre-fire) fuel reduction work in designated wilderness areas in the Forest Service's Big Sur Management Unit will be "**consistent with wilderness values.**" This term has been used in previous wilderness legislation, and has apparently been interpreted to mean that the work will be done without motorized equipment. In any event, firebreaks and fuelbreaks in wilderness areas have not been maintained before fires, and it appears that this kind of ambiguity in statutes together with wilderness prohibitions on use of motorized equipment is at least part of the cause.

It appears that without crystal clear statutory authorization to use motorized equipment in wilderness before fires start, the Forest Service will not risk criticism or lawsuits by wilderness advocates and other groups for using motorized equipment.

This is significant given that 86 percent of the Los Padres National Forest in Monterey County is currently wilderness. More wilderness would be added by the March, 2011 draft of the Big Sur Forest Service Management Unit Act.

The requirement that work in wilderness areas be consistent with wilderness values would negate wilderness exceptions that were included in previous wilderness bills for the area, which were apparently intended to allow use of motorized equipment in wilderness before fires start due to the extreme fire hazard in some California wilderness areas (e.g., the California Wilderness Act of 1984). You can see excerpts from previous wilderness acts related to wilderness in Monterey County's portion of the Los Padres National Forest [by clicking here](#).

Unfortunately, some statements in previous wilderness acts lack clarity. For example, the Endangered American Wilderness Act of 1978, which expanded the Ventana Wilderness, states, "**... the management plan for the Ventana area to be prepared following designation as wilderness shall authorize the Forest Service to take whatever appropriate actions are necessary for fire prevention and watershed protection including, but not limited to, acceptable fire presuppression and fire suppression measures and techniques.**" Do the words "appropriate" and "acceptable" mean performed with non-motorized equipment?

If the Big Sur Forest Service Management Unit Act adds the requirement that fuel reduction projects in all wilderness in the Big Sur Management Unit must be "**consistent with wilderness values**" it would act to block use of motorized equipment, instead of clarifying that motorized equipment can be used.

> The bill uses an undefined term, "Wildland-Urban Interface Special Study Area"

The bill designates the Big Sur Management Unit as a "Wildland-Urban Interface Special Study Area" but does not define the term. A search for the term on the Internet returns only references to the Big Sur Forest Service Management Unit Act. Without knowing the meaning of the term it is not possible to know its effect.

However, given the history of what appears to have been intentional blocking of the maintenance and use of firebreaks with wilderness, it seems unwise to not clearly define the term before the bill is introduced.

Significant is that wilderness advocates and the Ventana Chapter of the Sierra Club have objected to the amount of the county's land area that has been designated wildland-urban interface (WUI) in the Monterey County Community Wildfire Protection Plan (MCCWPP).

It is important to maximize the amount of WUI to provide flexibility to the Forest Service and Bureau of Land Management (BLM) as to where the benefits of the federal Healthy Forest Restoration Act of 2003 (HFRA) can be applied, to help them protect communities by reducing hazardous amounts of wildfire fuel to safe levels. The HFRA generally makes it easier for the Forest Service and BLM to conduct hazardous fuel reduction projects if the project area is in WUI. You can read about the benefits of the HFRA [by clicking here](#).

The Ventana Chapter hired a consultant who claimed that the amount of WUI in Monterey County should be reduced to less than 8 percent of the County's land area, based on an inapplicable definition of WUI. The MCCWPP provides that about 60 percent of the County's land area be designated as WUI, based on the definition for WUI in the Healthy Forests Restoration Act.

You can see a map with the Ventana Chapter's proposed WUI [by clicking here](#) (yellow and orange areas on the map). Notice that the Ventana Chapter's WUI would include little or none of the peripheral firebreak around the Los Padres National Forest, and little or none of the at-risk communities near the Los Padres National Forest.

You can see a map from the MCCWPP showing where WUI is [by clicking here](#) (a higher resolution WUI map is in the MCCWPP, which you can download [from this web page](#) (14 MB)).

Many counties include essentially all of their areas that are subject to wildfire in WUI in their Community

Wildfire Protection Plan, to help the Forest Service and BLM protect their communities from wildfires.

If designating the proposed Big Sur Management Unit as a Wildland-Urban Interface Special Study Area were to result in less WUI than shown in the MCCWPP, or in removing firebreaks and fuelbreaks in the Los Padres National Forest from within WUI, it would be harder for the Forest Service to reduce hazardous accumulations of vegetation and to maintain firebreaks and fuelbreaks. Ultimately, that would put lives, homes and communities at increased risk from wildfires.

The term Wildland-Urban Interface Special Study Area should be defined in a way that avoids that possibility.

> The bill requires that fire strategy and actions be consistent with the undefined term

The bill requires the Secretary of Agriculture (who is in charge of the US Forest Service) to develop a fire management strategy consistent with designation of the Big Sur Management Unit as a Wildland-Urban Interface Special Study Area. Given that the term is not defined, the Forest Service may be subjected to criticism or lawsuits for not following the law, the meaning of which is unknowable. This could be used to delay development of a fire management strategy indefinitely. It is telling that the bill lacks provisions that would assist the Forest Service in implementing the fire management strategy, and lacks any requirement that the fire management strategy ever actually be implemented.

How the Big Sur Forest Service Management Unit Act should be changed to help protect communities from wildfires

The Big Sur Forest Service Management Unit Act is an excellent opportunity for Congress to correct dangerous problems caused by previous federal legislation. Congressman Farr has said it would be too difficult to remove all of the wilderness additions that have crowded and crossed over firebreaks, fuelbreaks and escape routes due to opposition by wilderness advocates. The following suggestions are intended to correct problems while leaving wilderness in place.

Please communicate your support for the following proposed changes to the bill to Congressman Farr, and send a copy of your statement of support for the following changes to farsbill@gmail.com so your comments can be submitted to Congress during hearings on the bill if needed.

- Provide in the bill that the benefits of the Healthy Forest Restoration Act of 2003 (HFRA) will apply to all portions of the Ventana and Silver Peak wilderness areas that were not included in wilderness when the Ventana Wilderness was created in 1969. This would include for example, performance of Authorized Hazardous Fuel Reduction Projects with motorized equipment ([16 USC 6511\(2\)](#), [6512](#) and [6513](#)), reduced review for such projects under the National

Environmental Policy Act under certain conditions ([16 USC 6514](#)), and limitations on litigation attempting to stop such projects ([16 USC 6515](#) and [6516](#)). This is needed because the benefits of the HFRA do not currently apply within wilderness, including inappropriate wilderness that hinders safe and effective maintenance and use of critical escape routes, fuelbreaks and firebreaks that help protect lives, homes and communities from wildfires. For more information on the benefits of the HFRA [click here](#).

- Provide in the bill that the benefits of the HFRA also apply to the 12-mile portion of the historic fuelbreak that was included in wilderness when the Ventana Wilderness was created in 1969. As noted above, when the Ventana Wilderness was created it was contemplated that this portion of the fuelbreak could be maintained using non-motorized equipment; however, that has not occurred. Allowing use of motorized equipment will reduce the cost and time required for fuel reduction work, helping the Forest Service maintain the fuelbreak. This portion of the peripheral fuelbreak protects communities in the White Rock, Carmel Valley and Cachagua areas.
- Provide in the bill that the Forest Service is authorized to maintain, and directed to maintain, including in wilderness, firebreaks and fuelbreaks that will help protect at-risk communities from wildfires originating in the Los Padres National Forest, within two years after the effective date of the Big Sur Forest Service Management Unit Act, and provide that they will be maintained in effective condition thereafter.
- Provide in the bill that an Incident Commander, the District Ranger (or equivalent for the management unit), the Forest Supervisor and the Regional Forester are each independently authorized to order use of heavy equipment throughout the Big Sur Management Unit, including in wilderness, upon the start of wildfire in any portion of the Big Sur Management Unit, and upon the start of wildfire in any area near the management unit. Provide that this statutory authority shall be displayed prominently on all Forest Service documents and maps that may be referenced during a wildfire, especially those that discuss or indicate wilderness (Incident Commanders cannot be expected to research statutes during a wildfire).
- Define in the bill the term "Wildland-Urban Interface Special Study Area" to remove ambiguity that could be used to challenge Forest Service actions, and to ensure it is not used in an attempt to reduce the amount of wildland-urban interface (WUI) in Monterey County or to remove WUI from encompassing firebreaks and fuelbreaks on federal land.

These suggested changes to the bill would help enable the Forest Service to implement recommendations in the Monterey County Community Wildfire Protection Plan (MCCWPP). You can read excerpts from the MCCWPP's recommendations [by clicking here](#). You can download the entire MCCWPP [by clicking here](#) (14 MB).

The MCCWPP has been signed by the California Department of Forestry and Fire Protection; the Monterey County Fire Chiefs Association; fire chiefs representing 12 fire departments including volunteer brigades, districts, and the Presidio of Monterey/Fort Ord; the US Forest Service; the Bureau of Land Management; the California Department of Parks and Recreation; Monterey County; and the Monterey Fire Safe Council.

The fire authorities that signed the MCCWPP are responsible for wildfire protection on the vast majority of Monterey County's land area.

To help them protect lives and property, it is important that you let fire authorities know you support them speaking out in favor of maintaining and using firebreaks and fuelbreaks, including with motorized equipment in wilderness. You can post your support on [the Comments page](#) of this website. Fire authorities need to hear from you that you support them advocating for the protection of lives and homes as the highest priority. They may feel pressured to not speak up by the very politicians and environmental activists who helped cause the problems described above.