

About This Report

Ruined Relics is an account by former cultural resources staff and volunteers of Los Padres National Forest documenting the dramatic decline of one of the premiere historical preservation programs in the nation. The consequences of this decline have been the loss of, and unnecessary damage to, priceless historic artifacts and loss of public trust.

At one time, the Forest had a highly qualified and experienced professional cultural resource staff with a firm belief in historic preservation and the value of cultural resources. Under the guidance of these professionals, Los Padres NF was widely acknowledged for the diversity and accomplishments of its cultural resources program. One by one, the leaders of this professional team have been replaced.

This PEER white paper is an attempt to air the issues that contributed to the destruction of the cultural heritage program and that threaten the historic and prehistoric resources the program is charged

with protecting. The white paper also recommends next steps for the future of this program at Los Padres so that the needless damage of cultural and scientific treasures will end.

In order to avoid detracting from the message, the messengers behind this report have chosen to remain anonymous. As all the material cited within is on the public record, they believe that the facts presented speak for themselves.

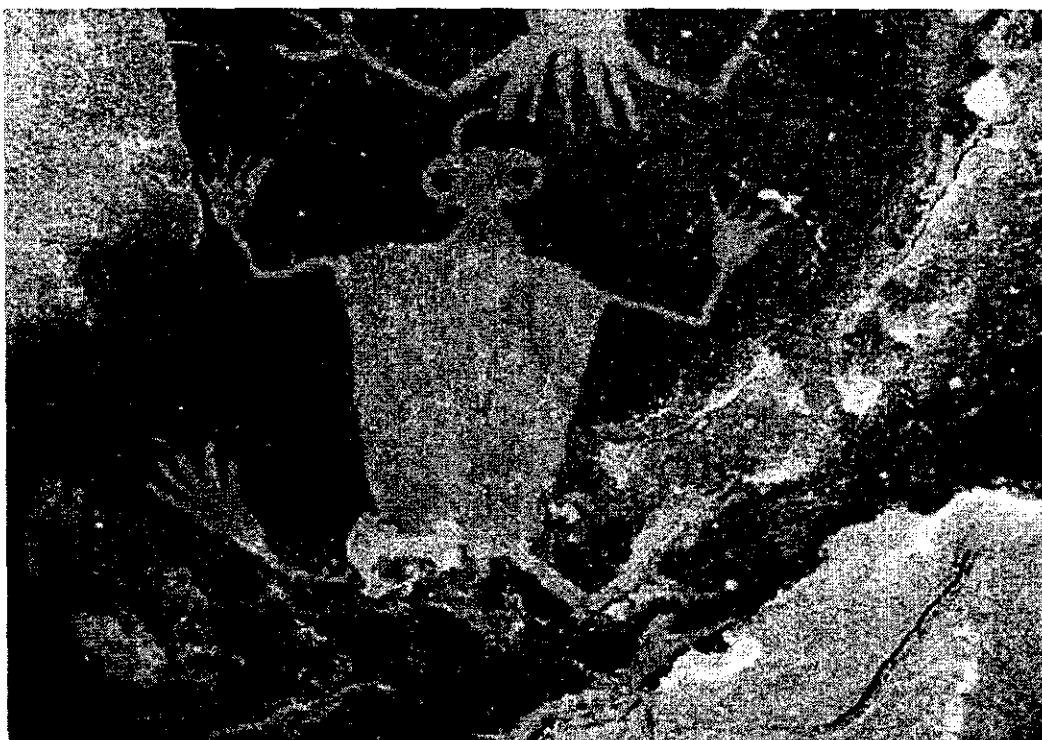
PEER is proud to assist conscientious public servants who have dedicated their careers to the protection of our country's resources and the faithful execution of our environmental laws.

Jeff Ruch
PEER Executive Director



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Rock art in Sierra Madre Archeological District, Los Padres National Forest.

Executive Summary

Los Padres National Forest holds one of the nation's most valuable collections of historic and prehistoric sites. The cultural, educational and scientific value of Los Padres is enormous and largely untapped. But rather than protecting and inventorying these valuable resources, Los Padres National Forest managers have shirked their stewardship responsibilities by permitting activities that damage or destroy these artifacts, in violation of federal law.

Under the leadership of Forest Supervisor Jeanine Derby, the Forest has given low priority to cultural resource protection. Construction projects, fire-prevention practices, motorized vehicle trails, cattle grazing and recreational uses have all contributed to permanent damage of irreplaceable scientific treasures.

After Forest archaeologists brought examples of these problems to the attention of the State Office of Historic Preservation in the mid-1990s, Derby and other Forest leaders retaliated against the professional staff that blew the whistle. The staff were relieved of some of their cultural resource responsibilities and replaced by less experienced but obedient employees.

As a consequence, unnecessary damage to cultural sites continues on Los Padres Forest and remains a concern to archaeologists both within and outside the Forest Service.

- ▶ A prehistoric village or camp site suffered extensive damage by road construction because the on-site construction monitor called for by the former Forest archaeologist was not in place when the work was done.

- ▶ A popular off-road recreation area is impacting historic and prehistoric sites because Forest management abandoned an environmental analysis of the Off-Highway Vehicle (OHV) trails.
- ▶ Cattle grazing and a campground are damaging ancient rock art and other sites in the Sierra Madre Archaeological District.

The Forest is relying on outdated, often inaccurate resource surveys to approve projects, and the required consultation with local tribes is deficient or non-existent.

The archaeologist who established the Forest's award-winning volunteer program, Partners in Preservation, is one of the Los Padres whistleblowers and was subsequently banned from participating in the program. "Partners in Preservation" has essentially been abandoned, operating only as a shadow of its former scope and importance. Site damage documented and reported by volunteers goes unaddressed or unacknowledged.

Ruined Relics concludes with the authors' recommendations on the steps required to restore the cultural program at Los Padres and to protect the rich but endangered relics that are an irreplaceable part of our national heritage.



United States Forest Service

I. A Forest on Probation

Los Padres National Forest is home to an incredibly rich archaeological and historical record. The range of ecosystems, from the intertidal zone to the Upper Mohave, has produced an unsurpassed archaeological record of human adaptation to these environments as well as to now-vanished paleo-environments. The Forest was the ancient home of Chumash, Salinan, and Esselen Indian Tribes

Numerous prehistoric rock art sites make up an especially unique and fragile aspect of this archaeological record. Los Padres contains one of the richest records of abstract, or nonrepresentational, prehistoric paintings in the world, as well as hearth stones and other artifacts dating back six thousand years. The Forest's recent historic record is also significant, reflecting the Spanish colonial period as well as sites of early homesteading, ranching, and mining. Also represented are historic Forest Service buildings, including lookout towers and ranger stations. Civilian Conservation Corps construction projects, such as ranger stations, roads and trails are present as well.

Historic Preservation Mandate

In 1966, the National Historic Preservation Act (NHPA) established guidelines for evaluating and protecting our nation's cultural and historic resources. Specifically, Section 106 of the Act requires that federal agencies must confer with the State Historic Preservation Officer, an official appointed in each State or territory to administer the National Historic Program and the NHPA for all federal undertakings.

In order to streamline approval of projects that will not affect cultural sites, the Forest Service in California has a Programmatic Agreement (PA) with the State Office of Historic Preservation

(SHPO), allowing the Forests to proceed with most projects without consultation. Undertakings that will affect sites must still comply with the requirements of the National Historic Preservation Act, including consultation. The Los Padres National Forest, however, has an extensive record of violating the Section 106 requirements and failing to consult on a number of projects that do affect sites and are therefore not covered by the PA.

As a consequence of the whistleblowing by the Los Padres cultural staff, in February 1998 the Regional Office of the Forest Service conducted a review of the Los Padres cultural resources program. In May 1998, in 1999 and again in 2002 the Regional Forester placed Los Padres on "provisional status" under the PA, primarily because previous failures to comply with the requirements of that Agreement have not yet been resolved. Under the terms of

Acronyms

Here are a few common acronyms used in this white paper.

NHPA: National Historic Preservation Act
PA: Programmatic Agreement between the Forest Service and the SHPO
SHPO: State Historic Preservation Officer
USFS: United States Forest Service



the PA, once a Forest is placed on provisional status, it is provided one year to correct the identified performance deficiencies, after which the Regional Forester may suspend it from use of the PA. Despite unresolved deficiencies, Los Padres continues to operate under the PA, but in a provisional status.

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Historical Malfeasance

In 1995 and 1996, Los Padres' cultural resources staff blew the whistle on a number of egregious cases in which Forest management had violated the law. In some of these cases there was damage to archaeological sites, in other cases the whistleblowing averted the damage to the sites. A few examples include:

- ▶ **Arroyo Seco Recreation Area** During the 1980's, Los Padres National Forest completed a cultural resources survey that suffered a number of deficiencies. The survey failed to assess the impacts of recreation on significant historic and prehistoric sites, including an ancient rock shelter listed on the National

Register of Historic places that suffered numerous incidents of illegal excavation and artifact theft. When the Forest Service Regional Office provided funding to conduct additional studies, Los Padres management diverted these funds to cover unbudgeted expenses for completing development of the recreation area instead. As a result, the studies were not completed, and became a "Foreclosure" under Section 106 of the National Historic Preservation Act (see sidebar, page 8).

- ▶ **Snowy Off-Highway Vehicle Trail** This project turned on an arcane point—defining the scope of the cultural surveys necessary to satisfy the requirements of Section 106. The cultural resources staff, the Advisory Council on Historic Preservation, and the California Historic Preservation Officer took the view that the entire trail was the "undertaking" while the Forest insisted that only a new, major reroute of the lower half of the trail was subject to review, although significant historical sites are situated along the abandoned portion.
- ▶ **Cuyama I and Cuyama II Fuel Management** These were prescribed burning projects that were implemented before required cultural studies were completed and thus violations of law, regulation and Forest Service policy. The violations were brought to the attention of the Forest Service Regional Office and the California Office of Historic Preservation.

Rather than acknowledge the bad management decisions that led to these foreclosures, the Forest Supervisor attempted to shift blame back to the same cultural resources staff that had objected to those decisions. The whistleblowers had many of their cultural resources responsibilities suspended, and those duties were assigned to less experienced or less qualified employees.



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The Forest agreed to a schedule of corrective actions with the Advisory Council on Historic Preservation, but the end date of that schedule passed over two years ago.

To date, some of the agreed-upon actions have been completed, while others were not funded or are pending for other reasons. Progress has ceased on the foreclosure resolutions.

At Arroyo Seco, the Region had agreed again to provide funding to study the outstanding cultural resource issues over a three year span, and much of the work was completed. However, during the third year of funding, Forest management directed the cultural resources staff to stop further spending and all remaining funds were either absorbed into the larger Forest budget or were returned to the Regional Office. Today funding is unavailable to complete oral history work, implement protective measures or complete the required final report.

With the Snowy OHV trail, the Forest was forced to agree with cultural resources staff and the compliance work was done for the entire trail project. However, a historic mining building along the trail, the "Baker Cabin," is unprotected, and three years of stabilization work is uncompleted. A historic Chumash village site, situated along the now abandoned lower portion of the Snowy Trail, determined eligible for the National Register of Historic Places, is still in need of stabilization and protection.

Studies conducted after the Cuyama prescribed burns indicated there were significant impacts to a prehistoric site. The evaluation of that site is incomplete although a graduate student from UCSB is working on the project. Measures to protect this site from vehicles, livestock, and other impacts have not been implemented.

Section 106 and Foreclosures

In California, unless exempted under a Programmatic Agreement, whenever a federal agency considers any undertaking, it must first consult the State Historic Preservation Officer to assure the action will not impact historic or prehistoric resources. Beginning a project without this consultation constitutes a "foreclosure," as the agency has "foreclosed" on the ability consult in compliance with Section 106 of the NHPA. Los Padres National Forest has incurred numerous foreclosures.



II. Business as Usual

While the original foreclosure cases languish in various stages of correction, a smorgasbord of new problems, negligent behavior and illegal orders continue to threaten historic and prehistoric sites on the Forest.

Bulldozing East Dry Canyon

The archaeological record indicates that the canyon was once the site of either an ancient village or a long-term hunting camp occupied by the Chumash Indian tribe. A significant site for both anthropological artifacts and Miocene fossils, including camels, horses and turtles, East Dry Canyon sustained devastating and unnecessary damage earlier this year as a result of negligent oversight.

In March 2002 volunteers observed that Forest Service road construction had exposed an archaeological deposit. The project was going ahead without a construction monitor on site. Monitoring is a standard procedure wherever buried archaeological sites are suspected, and had been called for on this project by the former Forest Archaeologist. Although not formally evaluated, the damage was observed to be extensive, destroying artifacts and the archaeological context necessary to interpret the remaining record.

The current Forest Archaeologist had been notified of the construction dates in advance, but failed to have a monitor in place. As a result, over three cubic meters of irreplaceable artifacts were disturbed.

Fire and Fire Prevention

Wildfire management is not exempt from the National Historic Preservation Act. In fact, wildfire suppression, especially the construction of bulldozer lines, can cause significant damage to archeological sites. A single bulldozer line can obliterate a 10,000-year old site in a matter of minutes. Even so, Forest Service officials recognize that wildfires are a special situation requiring flexibility and an overriding consideration for safety.

The Wolf Fire, which raged for two weeks in June 2002, burned almost 23,000 acres. The fire and bulldozed fire lines severely damaged known prehistoric sites. In each case, fire control personnel and the inexperienced lead archaeologist assigned to the fire failed to take even the most basic measures to avoid permanent harm.

One of these sites, situated above the Sespe River, had already sustained bulldozer damage from an earlier fire. The site location was well documented, and the specifics were made known to fire management personnel. During the Wolf Fire, a bulldozer line was plowed through the site, even though the location of the site was made known to fire management personnel by archaeologists assigned to the fire. Typically, bulldozer lines are designed to avoid known archaeological sites or to avoid the kinds of terrain where sites would likely be encountered. In this case, the damage was done, but the fire break was neither needed nor used for fire suppression.

A second site, near Mutau Flat and previously unrecorded, was discovered during bulldozer line construction. Still, a fire break was completed through the site before the extent of damage or the site's significance had been scientifically evaluated.



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A prehistoric rock art site with international significance was badly damaged by smoke and heat. The Piedra Blanca rock art site consists of several red painted condors, star symbols, and a bear shaman situated on a black background. Because the Zone Archaeologist normally responsible for the Piedra Blanca site was still facing retaliation for the 1995 disclosures, an inexperienced student was assigned to be lead archeologist for the fire. The student refused to get into the site early on when there was still ample opportunity to safely install protective fire shelters over the site. Later, when the Zone Archeologist was allowed into the area, it was too late to install protective measures because of the proximity of the fire.

In each of these cases, no efforts were taken to avoid damages, even though such effects could have easily been prevented. Because there were no proper site evaluations, the total extent of damages from the Wolf Fire will never be known.

It is unclear whether the Forest notified the SHPO of the emergency as required under the Programmatic Agreement. The damage caused by wildfire suppression is a continuation of damage permitted to occur with impunity during the Marre fire of 1993, the Wild fire in 1996, Plaskett II fire in 2000, and other wildfire incidents in the Los Padres. As with the East Dry Canyon case, the harm has not been evaluated and there has been no accountability for the damage.

In March 2002, Los Padres National Forest and other agencies conducted a controlled burn in the area within the Sage Hill Prescribed Burn Project. The burn area also included the privately-owned San Fernando Rey Ranch adjacent to the Forest. The fuels archaeologist, along with the biologists monitoring for environmental compliance, were

ordered to stand down during the private phase of the burn. However, the entire project is a federal undertaking because federal dollars were expended on the private property and the burn on private land was done in conjunction with that on public lands.

No pre- or post-fire survey or monitoring was conducted on either the private or the federal portion, as was called for in the original archaeology report, therefore it is not known whether any sites were damaged. Since fire has effects on archaeological and historic sites, failure to conduct a survey within the burn area itself is a violation of Section 106 and constitutes a foreclosure.

Condor image at Piedra Blanca before it was damaged by fire.



III. Trampling Treasures

All forms of recreation can impact sensitive sites. Because Los Padres NF is a popular destination for Off-Highway Vehicle (OHV) enthusiasts, equestrians, and campers, the need to manage significant areas is obvious. But once again, Forest managers have refused to protect these sites, even when simple steps could be taken.

Motorized Recreation

The network of OHV trails in San Luis Obispo is impacting more than 30 carefully documented prehistoric and historic sites. Direct impacts result from mechanical erosion when motorcycles and other off highway vehicles cross directly over a site deposit. Indirect effects stem from erosion and deposition of offsite sediment onto the surface of archaeological sites. More than a decade ago, cultural resources staff proposed a program to monitor and evaluate this damage as part of the implementation of the OHV plan, but Forest management elected to abandon that environmental analysis, thus permitting site damage to continue—with the exception of protection measures taken on two specific sites on the "Burnout Trail."

In 1995 the Forest began a study of archaeological sites and OHV impacts at Gold Hill Campground, a popular OHV "sacrifice area". A sacrifice area, as the term implies, is an area that is open, with few use restrictions, without maintenance or management, where destruction of resources is assumed and deemed an acceptable trade-off for allowing off-road recreation.

The area includes significant archaeological features such as hearths, rock art, and what is known as a "spring mound" - a raised area, covered by willows common to desert environments. Spring mounds provide a fossil record of pollen and other organic materials that, in other locations, have yielded information important to the understanding of paleo-environments and climate

The archaeological record of these sites would provide valuable information on 8,000 years of cultural evolution and adaptation. Unfortunately, the Forest simply stopped its evaluation program on a number of historic and prehistoric sites at Gold Hill. The program was originally designed to include analysis and documentation from a student employee, but when that employee left, Forest managers failed to fund completion of the work, and the sites remain substantially unprotected. Trail funding has since been diverted to other priorities within the Forest because of concerns that the evaluation program may upset the Forest's OHV constituency. The off-roaders' fear of trail closures could result in their opposition to the awarding of State OHV grant funds to the Forest.

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Impacts, however, are ongoing. The sites receive damage almost daily from OHVs and related camping. Gold Hill sits adjacent to Hungry Valley State Vehicular Recreation Area, which contributes to its popularity. Many thousands of visitor days of use occur at Gold Hill, particularly in the spring. In addition, several OHV routes emanate from the area so that Gold Hill functions as a trailhead with large areas for a low-grade camping experience.



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Non-motorized Recreation

A proposed program to evaluate and protect prehistoric sites on the trail network in and around the Santa Ynez Valley was similarly ignored. In consultation documents, the Forest promised SHPO that its staff would evaluate the sites along the trails, but the studies were never conducted. The type of sites characteristically found damaged along the trail system normally represent small, temporary encampments, but some longer term villages have also been damaged. Artifacts found at these types of sites include grinding implements, bone and shell tools and ornaments, flaked stone tools such as projectile points, and the waste material from manufacture of flaked stone tools. In addition, animal bones are commonly found on the surface of such sites. This area continues to sustain damage from equestrian use, mountain bikes, foot traffic and artifact theft; the extent of this damage has not been assessed.

Sierra Madre Archaeological District

One of the most significant cultural regions within the Los Padres National Forest is the Sierra Madre Archaeological District. Listed on the National Register of Historic Places, the management prescription for the District establishes cultural resources as the preeminent concern, but the current leadership's bias toward recreation, livestock grazing and the interests of grazing permittees has prevented this in practice.

The significant archaeological sites within the District include the well-known "Sapaksi," or House of the Sun, complex. This major Chumash site was first documented during interviews conducted in the early part of the twentieth century by famed ethnographer and linguist John Harrington. Sapaksi features paintings of mythical creatures and a large and prominent sun disk figure in addition to a well-developed midden—the organic and material evidence of a village site.

The management prescription for the Sierra Madre Archaeological District requires limiting access to some of the most sensitive sites. An important part of the plan was the closure of the Painted Rock Campground, which sits just 200 feet from the principal rock art site. Forest managers have resisted this step and today the campground remains open, exacerbating the deterioration of the rock art and its setting.

Aside from recreational impacts, another major threat to cultural resources within the District is cattle grazing. Livestock can damage surface archaeological sites by disturbing or compacting the soils and removing protective vegetation. In addition, cattle destroy rock shelters and wall paintings as they rub against the surfaces. A multi-year study conducted in the 1990's concluded that a fencing program was key to stabilizing site surfaces and protecting them from livestock damage.

Ten years ago, the cultural resources staff, with extensive consultation with Native Americans, managed to implement a program of site protection and monitoring within the district at Montgomery Potrero. Designed to protect over 20 prehistoric sites, including rock art and surface archaeological deposits, the program included signing and fencing of approximately 400 acres.

The rancher holding a Forest Service grazing permit within the Santa Barbara Potreritos allotment has steadfastly opposed the fencing. In 2001, the Forest began a serious move to eliminate or reduce the size of the fenced area by reconsideration of the fence in the Forest Plan revision and in the allotment permit renewal process. To date, this effort has failed largely due to opposition from Native American groups.

Archaeologists are concerned that ongoing Forest Plan revisions and the renewal of the grazing permit will undermine the cultural resource focus of Sierra Madres Archaeological District, including

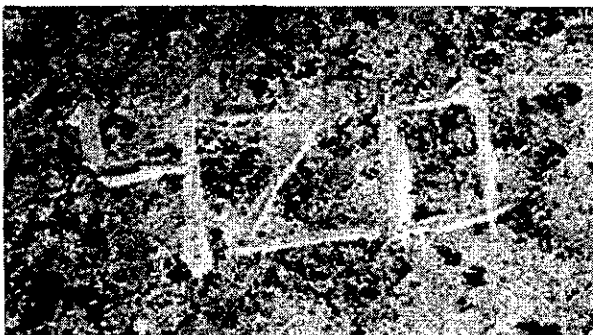


removal of the direction to close Painted Rock Campground. The Forest Plan revision process was well underway before there was even a minimal reference to cultural resources in planning documents available to the public—a reflection of the bias against cultural resources and of the inexperience of current Forest Archaeologist, Joan Brandoff-Kerr. Many sites are presently being grossly impacted from cattle grazing on the Santa Barbara Potreritos allotment outside of the fenced area and the adjacent allotments where the USFS is contracting out work or using inexperienced staff to “write-off” impacts and mitigation needs for the various cultural resource sites.

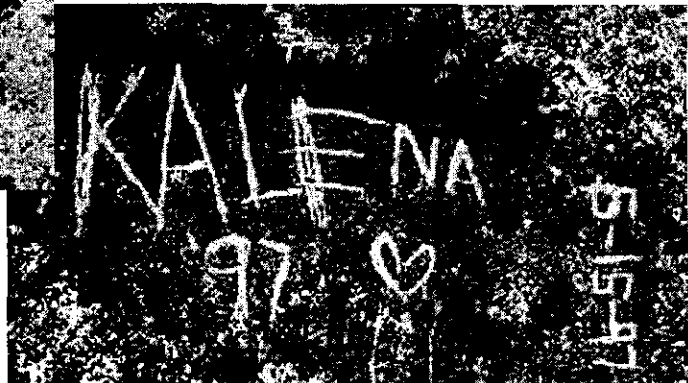
Since 1999, Forest volunteers have documented continuing damage at prehistoric sites near the Indians Ranch, near Memorial Campground, and Wagon Caves, including illegal excavation and artifact collection, camping, smoke and fire damage to rock paintings, livestock damage and defacement. These sites include prehistorically occupied rock shelters and terraces along the San Antonio River and represent an archaeological record spanning 8,000 years. The theft is likely by casual collectors, but there has been no concentrated effort to catalogue the extent of the illegal activity or to identify the culprits since the departure of the former Los Pinos District Archaeologist.

The new District Archaeologist may be beginning to pick up the slack in this area, according to volunteers. Recently a volunteer site steward documented illegal excavation at Wagon Caves. This report led to a site visit by the District Archaeologist and by the local law enforcement ranger. What has not changed is that volunteers, uncoordinated and largely unsupported by the Forest, remain the backbone of heritage site conservation in the area.

When volunteers observe looting or other damage they are trained to contact Forest authorities. They may not act as agents of law enforcement. In the case of the Arroyo Seco-Nacimiento Road area, no looting has been observed by either Forest employees or volunteers, only the evidence of looting already accomplished. However, a volunteer site steward observed and reported damage to an important site near Memorial while it was ongoing, but the District failed to act.



A volunteer repeatedly reported ongoing defacement of a significant prehistoric site to Los Padres N.F. officials but they failed to respond.



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Recreation Residences

Recreation residences are privately-owned cabins located on leased National Forest land. They are intended to be used as summer cabins, but have become an inexpensive residential alternative, and many cabins are now occupied year-round. Renovations and repairs of these facilities can have significant impacts on nearby cultural resources, but often proceed with the approval of non-resource staff.

The management of these residences is problematic for the Forest in many ways. Many have failing septic systems, and Section 106 compliance requires an archaeological assessment prior to tank replacement. The owners of the residences exert considerable pressure on the Forest to be accommodating in these cases, which has led to some backdoor cultural resource approvals.

In 2000, the recreation residence program manager, Joan Brandoff-Kerr, now the Los Padres Forest Archaeologist, monitored construction of a septic tank replacement within the mapped boundary of an archaeological site in the Fremont Tract using inadequate and unapproved techniques. She also approved the monitoring of a water line at another recreation residence, using an individual unqualified for such independent responsibilities. These activities were taken in such a way to undermine the authority of the Forest Archaeologist at the time and were foreclosures under federal law.

Sometimes these approvals land the homeowners in trouble with the law. One homeowner was prosecuted in May and June 2001 under the Archaeological Resources Protection Act (ARPA) for causing damage to an archaeological site during construction of house foundations. She had discussed the work with Brandoff-Kerr and District Ranger Gloria Silva and believed she had permission to proceed.

Such prosecutions are conducted selectively. A significant archaeological site was damaged more severely at Arroyo Burro by a private contractor, who bulldozed a road through an archaeological site eligible for the National Register. The contractor had discussed the project beforehand with acting District Ranger Joan Brandoff-Kerr and was not prosecuted because the Brandoff-Kerr felt he did not have "intent" to damage the site. However, intent does not need to be proven in ARPA civil cases. In both cases the perpetrator had met with Brandoff-Kerr beforehand, and both perpetrators felt they had permission to proceed with the actions that caused the damage.

Winchester Gun Club

The Winchester Gun Club operates under special use permit on Forest property in a rocky canyon along the north side of the crest of the Santa Ynez Mountains. The rock art complex at the Winchester Gun Club has been determined eligible for the National Register of Historic Places. The images include representations of mythical figures as well as highly abstract representations. This complex receives a thousand visitor days each year despite it being in an area closed to the general public. It has outstanding potential as an interpretive site since it is near a paved road and easily accessible by a foot trail. Previously the site was protected by a well-trained cadre of volunteers but that volunteer presence has dwindled under the management of the current Forest Archaeologist.



The area had been used for informal recreational shooting for decades but the current gun club, organized around target shooting of many kinds, has occupied the area at least since the late 1970's. The gun club permit was renewed in spring 2002 through a deal cut by the Forest Supervisor, the new Forest Archaeologist, and the Forest's Tribal Liaison.

Beginning in 1990, the former archaeological staff conducted research for the permit, including gathering of public comments and extensive consultation of Native Americans, who were generally opposed to renewing the permit. In addition, the former Forest Archaeologist found that the noise from the gunfire constituted an "adverse effect" on the rock art site and its use as a ceremonial site for Native American religious practice. This finding almost ensured that a full Environmental Impact Statement (EIS) would be required. These findings were disregarded and hidden from the public, the Native Americans, and the State Historic Preservation Officer

The consultation with Native Americans conducted for the just-completed NEPA decision was limited to a select few individuals. The prior consultations were disregarded. The Tribal Liaison documented the new "consultation" with six short handwritten lines. The SHPO concurred, the permit was renewed, and the damage and impacts to the large rock art complex are continuing. The site's potential for public education has been significantly compromised. The USFS has done nothing to develop a long-term management plan or to protect the site from the gun club or other users, or to use the potential of the area to educate an interested public or numerous school groups that request to see the site.



IV. Stewardship Squandered

The “Partners in Preservation” Site Steward Program

In the early 1990’s the Forest successfully developed a pioneering volunteer program, designed to tap the energy, commitment and resources of volunteers to help the Forest monitor historic and prehistoric sites. Over the years, the “Partners in Preservation” program became adopted permanently by the Forest and it formed the centerpiece of the historic preservation program. At its peak, the program had more than 200 volunteers monitoring over one hundred historic and prehistoric sites. The combined volunteer labor and specialized services has been valued in excess of one million dollars and greatly benefited the preservation of cultural resources in Los Padres.

Such programs take an investment of time and money and a high level of commitment by the employees who manage them. The Partners in Preservation program was developed and nurtured by one of the archaeologists that exposed the Forest’s mismanagement of cultural resources in the mid 1990’s. In retaliation for her whistleblowing, the archaeologist was banned from the site steward program she had created and replaced by an inexperienced archaeologist.

Since then, the program has been allowed to deteriorate. Volunteers are frequently ignored, they feel their input is disregarded, few training opportunities have been offered and attendance at those sessions has declined. Bureaucratic barriers have been erected internally that do not exist for other volunteer programs managed by the Forest.



Site stewards attend a stone tool making workshop. The Los Padres Partners In Preservation program, once a national model, has deteriorated due to management’s neglect.



V. Restoring Trust

The Los Padres National Forest holds an abundance of irreplaceable historic and prehistoric sites. At one time, the Forest had in place a highly qualified and experienced professional cultural staff with a firm belief in historic preservation and the value of cultural resources. Under the guidance of these professionals, the Los Padres was widely acknowledged for the diversity and accomplishments of its cultural resource program. One by one, this professional team has been replaced in recent years by a cultural staff valued primarily for its obedience to the Forest Supervisor.

The current leadership of the Los Padres National Forest has not only de-prioritized its once grand cultural resources program, but has actively undermined the program, violated federal laws, and systematically retaliated against its expert staff.

The Forest holds one of the world's most valuable collections of historic and prehistoric sites. The educational and scientific value of these resources is immeasurable. Due to inept leadership and petty politics, these sites may well be lost to the world forever, along with the information they hold.

Los Padres leadership continues to demonstrate a lack of affirmative stewardship for cultural resources. Inconsistent and casual compliance of the regulations by top managers continues, despite numerous warnings from the State Office of Historic Preservation and the Forest Service Regional Archaeologist. The Los Padres National Forest has had ample opportunity to preserve the convenient provisions of the Programmatic Agreement, but has shown no indication that it has an interest in fully complying with those provisions.

The authors of this white paper have made a number of recommendations to get the program back on track and restore the cultural resources program.

Suspend the Programmatic Agreement. The PA between the Los Padres National Forest and the State Office of Historic Preservation has long been used as a loophole to illegally approve harmful activities without going through the Section 106 process. The state should suspend the PA until the Forest proves its willingness to comply with the intent of the National Historic Preservation Act.

Investigate the Forest's Cultural Resources Program. The State Office of Historic Preservation and the federal Advisory Council on Historic Preservation must investigate the mismanagement of the cultural resources program at Los Padres, and appropriately discipline leadership who have intentionally violated cultural resources laws

Restore the Partnership in Preservation Program. This pioneering program once tapped the energy, commitment and resources of hundreds of volunteers, becoming the backbone of Los Padres vast resource program, and a model for other National Forests around the country. Since 2001 it has been all but abandoned. This program must be reinvigorated with financial support and a commitment from Forest leadership.

Institute a Non-Retaliation Policy. An already declining cultural resources program took a nosedive when its dedicated archaeological staff became systematically excluded from oversight after blowing the whistle on Forest leaders. The Forest must issue a policy of non-retaliation against its employees to prevent petty politics from hurting dedicated staff.



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Hire and Promote the Most Competent Staff. A world class resource requires top experts. Over the years, the Forest's professional leadership has been replaced by a cultural staff valued primarily for its obedience to the Forest Supervisor. The Forest must reverse this trend by hiring and promoting the most competent archaeological staff.

Clean up the top. An independent review team should be assigned to investigate Forest Supervisor Jeanine Derby's record of hostility to resource activists and to the interests of historic preservation, including a thorough examination of Derby's retaliation against outspoken cultural resources personnel.

