

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE



I - INFORMATION  
General

1104 West Eighth Street,  
Santa Ana, California.  
April 21, 1953.

Mr. Jack Hammond, Publisher  
The Corona Daily Independent,  
Corona, California.

Dear Mr. Hammond:

Thank you for your letter and for the opportunity to help clarify the questions raised in articles recently published regarding access to public lands in the Trabuco District of the Cleveland National Forest.

The first watershed and timbered areas to be put under public management were called forest reserves. These later became our national forests. Then the "Trabuco Canyon Forest Reserve" was created in 1893 through an Act of Congress (incidentally it was the first, and now the oldest national forest in the United States), less than one-half of the land area in the northern part of the Santa Ana Mountains was in public ownership. Through an earlier Act, to encourage development of the new western territories, railroads were granted patents to every other section of unappropriated lands within thirty miles of their right-of-way. Other sections of land had been settled under the Homestead Act and patents had either been issued or were pending at that time. Still other parcels had been patented under the Mining Laws. All of the railroad properties have been sold and are now in private ownership.

Because of this checkerboard land pattern inside the national forest and the solid blocks of patented agricultural lands at the base of the mountain, it was not possible to locate good usable, low cost forest protection roads, or truck trails, on routes entirely on public lands. After surveys, and prior to construction, attempts to acquire deeded rights-of-way were unsuccessful. Owners of patented lands would not sell or grant a right-of-way to the government. However, because the roadway was needed for forest and watershed protection and administration, owners did permit the government to construct and maintain truck trails across their lands for that purpose only, and stipulated in the written permits that that portion

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of the truck trail crossing their respective properties would never be opened to public use or travel.

These are not deeded rights-of-way and the land occupied by the truck trail on these patented lands is private property and subject to all the rights of private ownership. The forest is closed to all public use during the dry summer season, but during the winter and spring months when fire closure restrictions are not in force the gates still have to be kept closed and locked to prevent public travel over those portions of the truck trails crossing patented lands. Most of these gates are government property, necessary because of the agreement for use of private property. The signs up on the crest, or Main Divide, are government signs. These signs, placed at the head of truck trails leading down the mountain, advise that there is a locked gate at the lower end of the trail. They were placed there for the convenience of the public, and to prevent the obvious inconvenience of traveling to the bottom of the mountain and back up again because of the barrier at or near the base of the mountain. Public access to this section of the Main Divide was made possible by the construction of the Silverado-Maple Springs road by Orange County, entirely on public lands. This road is maintained by Orange County and closed to public use during the fire season. The Corona-Black Star road is the only other route to the Main Divide cleared by deeded rights-of-way. However, even here access to the Main Divide south of the junction is restricted by patented lands. Public access to the Main Divide from the Ortega Highway is restricted for the same reason.

The highest value of the Santa Ana Mountains is as a primary watershed and must be managed and protected as such. The forest service believes that the national forests are for the use and enjoyment of the public when it is possible to protect the primary values, and is most interested in making these lands accessible. Because of appropriation limitations the forest service has not been able to furnish complete protection without assistance from local governments. Communities and ranchers dependent upon an adequate water supply have been generously co-operative. Riverside and Orange Counties and the Temescal Water Company have supplemented federal appropriations for many years. Since its organization the Temescal Water Company alone has made direct contributions of around \$25,000.00 for watershed protection in this area. This company and ranchers of the Temescal Valley have furnished men and equipment without charge for protection of the national forest in ~~this~~ vicinity.

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Fire risks have increased and water reserves decreased with the tremendous growth in population and developments, and the need for recreational outlets is rapidly becoming a problem that must be met. At the present time the forest service does not have the means

necessary to fireproof and reduce hazards, for an adequate patrol and protection force, or for the preparation and maintenance of recreation areas and campsites that would be necessary if this tinderbox were opened to year-round public use. For this reason the major watershed areas in Southern California are closed to all public use during the dry summer months. Only areas of relatively lower fire risk and fireproofed public camps are open to use during this danger period.

In the Santa Ana Mountains there are some very attractive and scenic areas that will someday be developed for camping and recreational enjoyment. Old trails should be opened up and trail camps provided for hikers and horseback riders. Our present road or truck trail system, largely narrow one-way routes with few turn-outs, built solely for fire protection purposes, is not safe for use by a general public unaccustomed to travel over this type of roadway in rough mountainous country. These truck trails are especially dangerous when wet, cut by washing and further narrowed or blocked in places by slides.

We are not able to maintain them during the winter. The forest service is not authorized to construct new roads except for access to isolated timber stands and for the harvesting or development of resources needed for the national welfare. Neither are we permitted to spend public monies for the betterment or maintenance of roads or truck trails not on the approved transportation plan, or to do maintenance work beyond the requirements for fire protection purposes. Maintenance funds are sufficient for one-third of our present requirements, and even though a road is entirely on public lands and open for public use during winter and spring seasons, it is sometimes necessary to close it temporarily until the damage can be repaired, or to prevent damage during a particularly wet season.

The problem of access to public lands is one that needs to be worked out. The solution to the problem need not be controversial. It seems that a route for access might be selected and obtained through private property that would not invade the privacy of landowners, and that could connect to an improved truck trail in the national forest. If such a route is in the public interest it would be worth careful study by civic organizations. The forest service would be glad to co-operate to the extent of our limitations with the County of Riverside and the citizens of Corona toward the planning and construction of such a beneficial project.

Very truly yours,

*Joseph K. Munhall*  
Joseph K. Munhall  
District Ranger.