

LOCKHEED FIRE



SHMUEL THALER/SENTINEL FILE

A Cal Fire tanker drops fire retardant on a front of the Lockheed Fire as it burns atop Scott Creek on Aug. 14, 2009.

Officials: Campfire started 2009 blaze

No charges filed against
property owner

3-22-12

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Fire + Fire Protection - 2009

BONNY DOON — Embers from a small fire pit outside a remote cabin in 2009 touched off the largest wildfire in the Santa Cruz Mountains in years, Cal Fire officials reported this week.

Steady 15 mph winds whipped up the Lockheed Fire, which injured 10 firefighters in the 11 days it took to contain as it burned outside Bonny Doon in August 2009.

In a comprehensive report on the Lockheed Fire released through a Sentinel public records request, fire officials determined that a rock-ringed campfire off Bertoli Drive was still hot hours after the wildfire started. Despite the conclusion of the fire's origin, Cal Fire officials and prosecutors said there was not enough evidence to charge the property owner, Mario Daniel.

Daniel Berlant, a Cal Fire spokesman, said Wednesday that the chief lesson of the Lockheed Fire is to completely douse campfires.

"It's your responsibility to make sure

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it's extinguished completely — and that means every single ember," Berlant said. "This one was not completely extinguished, and it started a wildfire."

FIRE'S ORIGIN

The wildfire was first reported about 7:15 p.m. on Aug. 12, 2009, near the Lockheed Martin facility; about 11 miles northeast of Bonny Doon.

Daniel owns a rustic cabin — without electricity or running water — off a dirt road near the Lockheed facility.

He told investigators that he worked as a machinist in Watsonville. He had been house-sitting at a friend's home near Glenwood Drive in Scotts Valley at the time. He visited the cabin at least every two days to feed his 17-year-old cat.

He and his girlfriend, Loretta Sapino, were at the cabin the afternoon and night of Aug. 9, according to the Cal Fire report.

Outside the cabin was a couch, two 55-gallon drums, a stack of wood and a rock-ringed fire pit. The pit had a domed metal device on top to screen it. Daniel told fire investigators he did not start a fire on the property that evening.

He later said he had used the fire pit four times in the past 10 years. Efforts to reach Daniel on Wednesday were unsuccessful.

According to the report, on Aug. 11, Daniel got off work and went to Boulder Creek to get his motorcycle.

He rode to his property to feed his cat.

There is a locked gate to the land that blocks vehicles but not pedestrians. He told investigators that he sometimes drives through that gate or a gate at the Lockheed facility, where he knows the guards. Defense contractor Lockheed Martin, which tests parts for submarine-launched missiles for the U.S. Navy at the Bonny Doon facility, owns about 1,500 acres in the burn area.

That day, Daniel said he stayed for about an hour and a half. He watched the sunset and left.

"I never burn in that thing.

ON THE NET

■ See a map of the 2009 Lockheed Fire's spread online at www.santacruzsentinel.com

I don't have fires," he told fire investigators.

Daniel said he spent that night at the Scotts Valley home.

On Aug. 12 — the night of the wildfire — Daniel was making pizza with his girlfriend at the Scotts Valley home. A Lockheed guard called him to alert him of the fire.

He and Sapino piled in to his green, 1995 Isuzu Rodeo and drove to the property. They collected his cat and some belongings from the cabin and started down the dirt road to leave.

That was when Cal Fire officials investigating the blaze stopped them, according to the report.

When questioned, he told them it was unlikely that someone trespassed on the property — in part because there was a locked gate. After more questioning, the couple departed.

The Lockheed Fire burned for 10 more days. It was the largest of four major wildfires in the Santa Cruz Mountains in 2008 and 2009, spreading to 7,817 acres.

Thirteen outbuildings, three travel trailers and two vehicles were destroyed. More than 2,000 firefighters battled the blaze, which cost more than \$26 million to fight.

THE INVESTIGATION

The day after the fire started, fire officials went to Daniel's property to further investigate the blaze's origin.

When the fire started, firefighters laid a hose line upwind of the fire to mark its start. Northerly winds carried the fire away from Daniel's cabin, which was spared. Investigators honed in on the fire pit and its battered, metal screen.

"The ash inside the pit appeared to be fresh, as light, white ash was still present. On top of the pile was evidence of fresh paper being burned," according to the Cal Fire report.



This is the fire pit off Bertoll Drive in Bonny Doon where Cal Fire says the 2009 Lockheed Fire started.

Fire investigators trained an infrared thermometer on it. The surface temperature was 160 degrees. An inch below the surface of the ash the temperature was 148 degrees.

Metal barrels sometimes used to burn debris also were found. However, the paint was intact, which suggested they had never been used for burning.

Cal Fire investigators Jake Dellamonica and Kay Price interviewed Daniel a few days after the fire started.

After some lengthy questioning, one of them asked Daniel, "Have you ever seen the show 'CSI'? We're kind of like that, except for fires. When a fire burns, it leaves behind evidence. We can trace a fire's path back to where it started."

Daniel replied, "It wasn't the burn barrels, I haven't used them yet."

They said they didn't suspect the barrels. Then they asked, "Are you sure you haven't had a fire in the campfire recently?"

"I don't burn there! Ever!" Daniel exclaimed.

Investigators also found a few marijuana plants at the property. Daniel said he had a medical marijuana card and that he'd been in a car accident earlier that year.

Fire officials asked if he smoked pot that night.

"No. Yes. Maybe. I can't remember if I smoked pot that night," he told them.

Later, investigators asked him how he felt about the wildfire.

"I feel ashamed," Daniel told them.

The investigators asked him "Did you do something wrong?"

Daniel replied, "No, I just feel shame."

Cal Fire officials told him they believed the fire was accidental but said it started on his property, according to the report.

HINDSIGHT

Berlant, the Cal Fire spokesman, said the investigation took more than 2½ years to complete. They interviewed neighboring property owners, Lockheed officials, people who notified authorities of the fire and many others.

Investigators ruled out other potential fire starters such as lightning, shooting, vehicles, arson or children playing with fire.

"We've determined where it was started and what led up to it," Berlant said Wednesday. "But in this case, there was nothing that showed 100 percent who actually started the fire."

He said the investigation was closed. There are no other suspects.

In the past, Cal Fire investigators shared their findings with the Santa Cruz County District Attorney's Office.

Prosecutor Kelly Walker, who worked on the case, said Wednesday he had not seen the full report.

Still, he and Berlant said there were no witnesses who could identify who started the fire.

"They did not have enough evidence to present a case to our office," Walker said.

Cal Fire has since given Daniel an administrative citation and documents on how to "safely and properly" have a campfire. He has not been fined.

If there is another fire on the property, a judge could consider the administrative citation, similar to a warning, in proceedings, Berlant said.

Cal Fire officials said they do not plan to sue Daniel to recoup the \$26.6 million spent fighting the fire. When weighing a civil suit, Berlant said, "We really had to balance the cost and time of recovering any money."

Berlant said Daniel does not have assets to pay for it.

One man has been charged in the four major wildfires of 2008 and 2009, Channing Verden.

Verden, a Los Gatos contractor, in 2011 was held to answer for trial on a charge of recklessly starting the 2008

Summit Fire.

Prosecutors said he failed to extinguish large piles of logs he was burning. His trial has been delayed to later this year.

The most important lesson of the Lockheed Fire, according to Berlant, is that residents and visitors should respect campfires. Pour water on all fires and stir up the ashes. Watch it extinguish completely.

"Every campfire has the potential to be a wildfire. In this one, we did have firefighter injuries and people's property was burned," Berlant said. "We are very fortunate that no one lost their lives."

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