



## CITY COUNCIL STAFF REPORT

DATE: July 1, 2015 CONSENT CALENDAR

SUBJECT: CONSIDERATION OF CITY COUNCIL SUPPORT FOR THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015

FROM: David H. Ready, City Manager

BY: Office of the City Manager

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### SUMMARY

In February 2015, Senator Dianne Feinstein introduced the California Desert Conservation & Recreation Act of 2015, Senate Bill 414 (S414), which builds on the Senator's California Desert Protection Act, which became law in 1994. S414 would protect additional public lands and is intended to carefully balance conservation, recreation and renewable energy development.

### RECOMMENDATION:

Adopt Resolution No. \_\_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING WILDERNESS, WILD AND SCENIC RIVERS, NATIONAL MONUMENTS, NATIONAL PARK AND PRESERVE ADDITIONS IN THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015."

### STAFF ANALYSIS:

At the June 17, 2015, City Council meeting, staff provided information regarding the California Desert Conservation & Recreation Act of 2015; a copy of the associated staff report is included as **Attachment 1**. At that time, the City Council directed staff to schedule formal City Council action to support the federal legislation at the July 1, 2015, meeting. A resolution of support has been prepared and may be adopted by the City Council to facilitate this action.

ENVIRONMENTAL IMPACT:

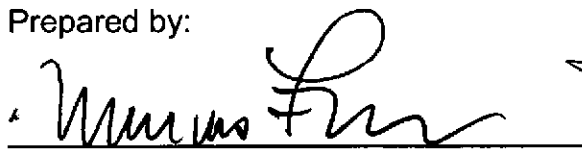
Section 15061 (b)(3) of the California Environmental Quality Act ("CEQA") Guidelines exempts activities that are covered under the general rule that CEQA applies only to projects that have the potential to cause significant effects on the environment. Where it can be seen with certainty that there is no possibility the activity in question may have a significant effect upon the environment, the activity is not subject to CEQA.

FISCAL IMPACT:

There is no direct local fiscal impact associated with the requested action.

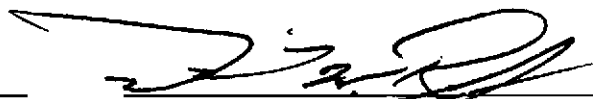
SUBMITTED:

Prepared by:



Marcus L. Fuller,  
Assistant City Manager/City Engineer

Approved by:



David H. Ready, City Manager

Attachment:

1. June 17, 2015, staff report
2. Resolution

ATTACHMENT 1



## CITY COUNCIL STAFF REPORT

DATE: June 17, 2015 CONSENT CALENDAR

SUBJECT: CALIFORNIA DESERT CONSERVATION AND RECREATION ACT 2015  
(U.S. SENATE BILL 414)

FROM: David H. Ready, City Manager

BY: Office of the City Manager

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### SUMMARY

In February 2015, Senator Dianne Feinstein introduced the California Desert Conservation & Recreation Act, Senate Bill 414 (S414), which builds on the Senator's California Desert Protection Act, which became law in 1994. S414 would protect additional public lands and is intended to carefully balance conservation, recreation and renewable energy development.

### RECOMMENDATION:

Receive and file.

### STAFF ANALYSIS:

Senator Dianne Feinstein introduced the California Desert Conservation and Recreation Act 2015, Senate Bill 414 (S414) that would expand protection to public lands throughout southern California. A Fact Sheet of S414 is included as **Attachment 1**, and proposes to:

- Create two new national monuments: (1) The Mojave Trails National Monument, which would encompass 942,000 acres of land, and (2) The Sand to Snow National Monument, which would encompass 135,000 acres of land from desert floor in the Coachella Valley to the top of Mount San Gorgonio, (a map identifying the proposed Monument is included as **Attachment 2**);
- Designate 5 Bureau of Land Management (BLM) wilderness areas covering approximately 204,650 acres;
- Designate 73 miles of waterways as Wild and Scenic Rivers, including a portion of the Whitewater River northwest of Palm Springs (reference information and map is included as **Attachment 3**);
- Add 32,520 acres of wilderness and 6,369 acres non-wilderness to Death Valley

- National Park (DVNP), and designates 59,076 acres of wilderness within DVNP;
- Add 4,518 acres to Joshua Tree National Park and 21,000 acres to the Mojave National Preserve; and
  - Add 95,110 acres to existing BLM wilderness and 7,141 acres to USFS wilderness;
  - Designate five existing BLM Off-Highway Vehicle areas (covering approximately 135,000 acres of California desert) as permanent Off-Highway Vehicle (OHV) recreation areas.

The full text of S414 is available at:

<https://www.govtrack.us/congress/bills/114/s414/text>

A map showing an overall view of the various areas of southern California affected by S414 is included as **Attachment 4**. It does not appear that S414 would affect any public lands located within the incorporated limits of Palm Springs. On April 21, 2015, the Sustainability Commission voted unanimously to endorse and support S414, and has requested staff to present S414 to City Council for its consideration to officially support it. While S414 would protect important public lands, some public officials have expressed concern that limiting public lands to development, mining, and other uses may harm the local economy, (refer to article *Feinstein bill will boost economy, supporters say*, April 29, 2015, included as **Attachment 5**).

Staff submits this information related to S414, with the recommendation from the Sustainability Commission for official support from the City Council. If the City Council prefers to consider an official statement of support, staff recommends that the City Council direct staff to prepare a formal Resolution of Support for S414, which could be presented to the City Council for official action at a subsequent meeting.

#### ENVIRONMENTAL IMPACT:

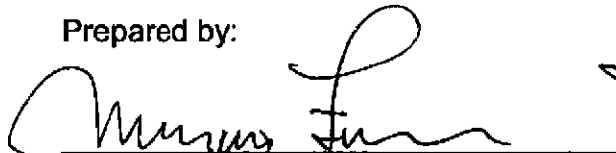
Section 15061 (b)(3) of the California Environmental Quality Act ("CEQA") Guidelines exempts activities that are covered under the general rule that CEQA applies only to projects that have the potential to cause significant effects on the environment. Where it can be seen with certainty that there is no possibility the activity in question may have a significant effect upon the environment, the activity is not subject to CEQA. The requested action requests the City Council to receive and file this report on the proposed legislation identified as S414, which itself will not result in any new direct physical impacts to the environment. Therefore, the requested action is considered exempt from CEQA.

#### FISCAL IMPACT:

There is no direct local fiscal impact associated with the requested action.

**SUBMITTED:**

Prepared by:



Marcus L. Fuller,  
Assistant City Manager/City Engineer

Approved by:



David H. Ready, City Manager

**Attachment:**

1. Fact Sheet of S414
2. Sand to Snow National Monument Map
3. Wild and Scenic Rivers Designation Information for Whitewater River
4. S414 Overview Map
5. *Feinstein bill will boost economy, supporters say, April 29, 2015*

ATTACHMENT 1

# CAMPAIGN FOR THE CALIFORNIA DESERT

Protecting Our Legacy, Strengthening Our Future

## California Desert Conservation and Recreation Act of 2015 (S.414)



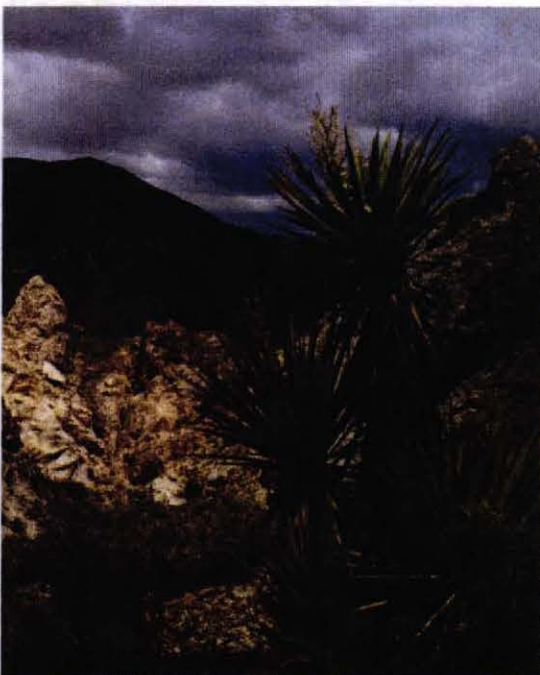
### Summary

The conservation and recreation portion of the California Desert Conservation and Recreation Act of 2015 will improve protection for approximately 1.6 million acres of federal land while ensuring that public access and recreational use of the desert can continue for generations to come.

### Specifically, the Act (S.414) will:

- Establish the 941,413-acre Mojave Trails National Monument in eastern San Bernardino County along the longest undeveloped stretch of historic Route 66;
- Designate the 133,524-acre Sand to Snow National Monument that stretches between Joshua Tree National Park on the east and the high country of the San Gorgonio Wilderness in the San Bernardino National Forest to the west;
- Add five areas encompassing 204,6500 acres to the National Wilderness Preservation System, including the Avawatz Mountains Wilderness, Great Falls Basin Wilderness and Soda Mountains Wilderness;
- Enlarge existing BLM wilderness by 95,110 acres including Golden Valley Wilderness, Kingston Range Wilderness, and Grass Valley Wilderness; and add 7,141 acres to the San Gorgonio Wilderness (USFS);
- Establish the 81,800-acre Vinagre Wash Special Management Area in Imperial County where many ecologically and culturally sensitive areas would be protected from development and vehicle use;
- Enlarge Death Valley National Park by 97,965 acres, Mojave National Preserve by 21,000 acres and Joshua Tree National Park by 4,518 acres;

Continued





## California Desert Conservation and Recreation Act of 2015 (Continued)



- Add over 70 miles (22,400 acres) of stream to the National Wild and Scenic Rivers System along the Amargosa River, Deep Creek, Surprise Canyon and the Whitewater River;
  - Designate the Alabama Hills National Scenic Area (18,840 acres)
  - Designate the Black Lava Butte and Flat Top Mesa as an Area of Critical Environmental Concern (6,350 acres)
  - Establish the Joshua Tree Visitor Center
  - Provide for revenue sharing with state and counties from renewable energy rents and royalties
- Permanently prohibit the staking of new mining claims on approximately 10,000 acres of land sacred to the Quechan Tribe in Imperial County while preserving established claims;
- Mandate the study and protection of cultural trails and associated features along the Colorado River that is sacred to several tribes;
- Transfer a 994-acre Bureau of Land Management holding in San Diego County to Anza-Borrego Desert State Park and require the state to manage the land as wilderness; and
- Require the Department of the Interior to study the future impacts of climate change on the California desert, to mitigate these impacts and to identify and protect important wildlife migration corridors in the region.

### In addition to these protective measures, the Act will also:

- Withdraw protection from 33,571 acres of the Soda Mountains Wilderness Study Area;
- Withdraw protection from the 84,400-acre Cady Mountains Wilderness Study Area (5,500 acres of the area will be included in the Mojave Trails National Monument);
- Facilitate the transfer of isolated parcels of state-owned land that are surrounded by desert wilderness areas and parks in exchange for federal assets, potentially including parcels of federal land;
- Turn five existing administratively-designated off-highway vehicle (OHV) recreation areas into legislatively-designated OHV areas;
- Require the Secretary of the Interior to study the possibility of expanding these OHV areas; and
- Allow for the expansion of a small airport in Imperial County.

### For more information, contact:

Monica Argandoña, California Wilderness Coalition,  
margandona@calwild.org, 951-205-6004

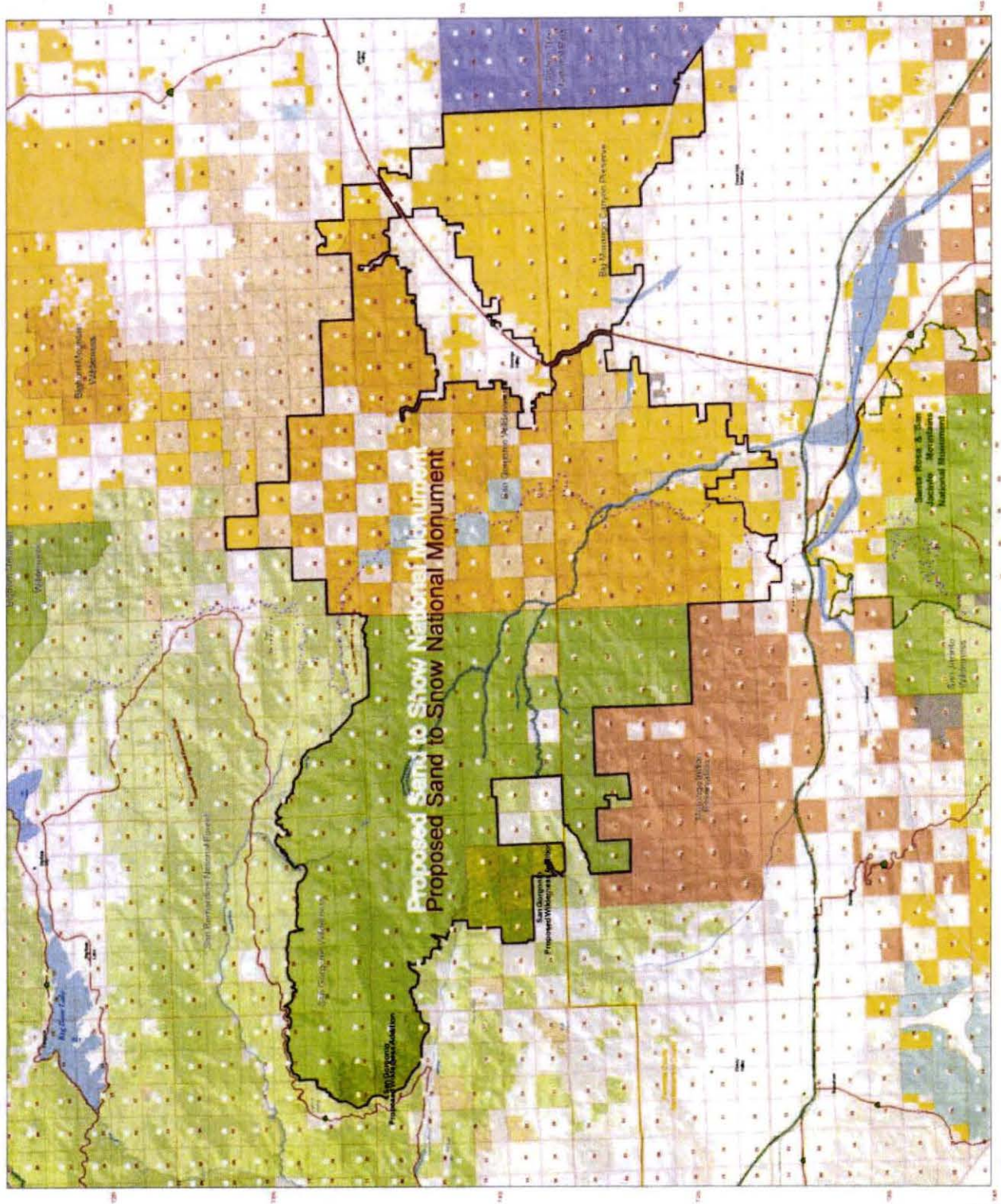
Matt Jatovsky, The Wilderness Society,  
matt\_jatovsky@twc.org, 760-366-1847

David Lamfrom, National Parks Conservation Association,  
dlamfrom@npca.org, 760-219-4916

ATTACHMENT 2

**Proposed Sand to Snow National Monument**  
**January 21, 2015**

This map prepared at the request of Senator Dianne Feinstein



**ATTACHMENT 3**

# CAMPAIGN FOR THE CALIFORNIA DESERT

Protecting Our Legacy, Strengthening Our Future

## Whitewater River Proposed Wild and Scenic River



### Did You Know?

- The CDCRA proposes to **protect more than 28 miles** of the Whitewater River, and its North, Middle and South Forks.
- The **ultimate sources** of the Whitewater River include Mt. San Gorgonio and a 10,000 ft ridge in the San Bernardino Mountains.
- The Whitewater wild and scenic river will be **managed** by the US Forest Service, BLM and the Wildlands Conservancy.

The Whitewater River flows freely from the Mt. San Gorgonio Summit (11,499 feet) for more than 30 miles to the Coachella Valley. An area of high ecological significance, the Whitewater River is one of the most pristine and remote watersheds in southern California.

The river provides a critical biological link between the San Bernardino Mountains and Coachella Valley, and important habitat for such diverse species as the California spotted owl, Nelson's bighorn sheep, and arroyo toad. The river's rich riparian vegetation is a seasonal home to endangered neotropical songbirds, including least Bell's vireo and southwest willow flycatcher.

Much of the upper watershed is virtually trail-less, but the lower river may be easily accessed from Interstate 10 by visiting The Wildlands Conservancy's Whitewater River Preserve, where a trailhead along the Pacific Crest Trail parallels and then crosses the river.

The Whitewater River is an important ceremonial and cultural area for traditional Cahuilla Indians, who visit the river to collect and gather native materials.

For More Information: Steve Evans, Friends of the River, [sevans@friendsoftheriver.org](mailto:sevans@friendsoftheriver.org), 916.708.3166  
Monica Argandoña, California Wilderness Coalition, [margandona@calwild.org](mailto:margandona@calwild.org), 951.205.6004  
Matt Jatovsky, The Wilderness Society, [matt\\_jatovsky@twc.org](mailto:matt_jatovsky@twc.org), 760.690.6649



CAMPAIGN FOR THE CALIFORNIA DESERT  
Protecting Our Legacy, Strengthening Our Future

# Whitewater River

## Proposed Wild & Scenic River Segments

S. 414  
(Feinstein)

**Proposed Designation:**

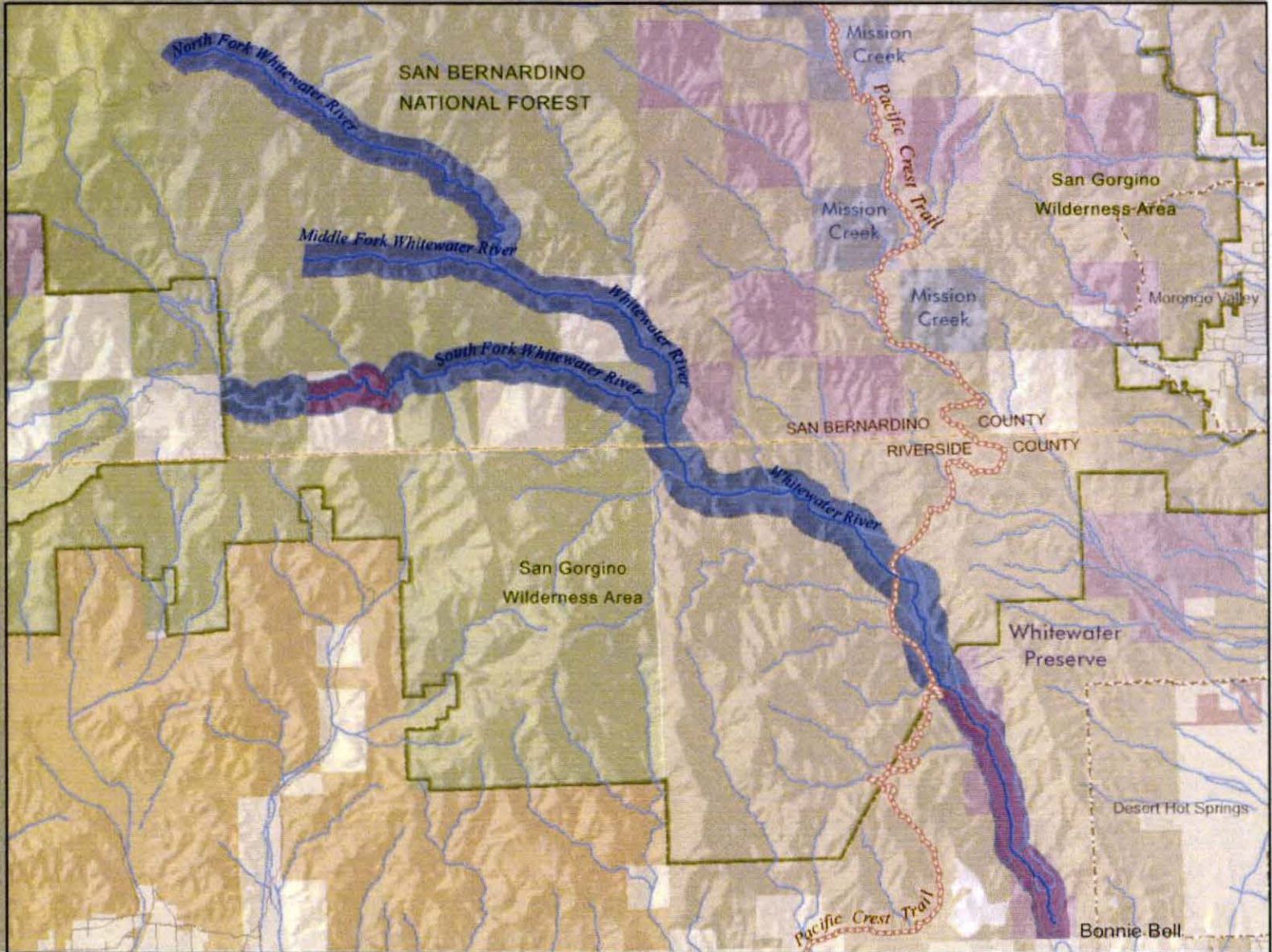
- Wild
- Scenic
- Recreational

**Land Ownership:**

- United States Forest Service
- U.S. Department of Defense Bureau of Land Management
- State
- Local
- Private
- Conservation
- Bureau of Indian Affairs

**Boundaries:**

- Forest Service Administrative Area
- Forest Service Wilderness Area
- County
- City



Map Date: March 2, 2011

Map created by  
Granville Research  
www.granville.org

Bonnie Bell

**ATTACHMENT 4**





**ATTACHMENT 5**

## CAMPAIGN FOR THE CALIFORNIA DESERT

Protecting Our Legacy. Strengthening Our Future

[Wild Places & Rivers](#) · [The Proposal](#) · [Supporters](#) · [Get Involved](#) · [Resources](#) · 

# Feinstein bill will boost economy, supporters say

Apr 29, 2015

Supporters of desert protections legislation introduced by Sen. Dianne Feinstein, D-Calif., said this week that the bill will bolster San Bernardino County's economy and represents little shift from Feinstein's historic 1994 California Desert Protection Act.

Monica Argandona, the Southern California conservation director for the California Wilderness Coalition, an organization focused on the state's wildlands, said she had been working on the California Desert Conservation and Recreation Act of 2015 with Feinstein for eight years.

"There's always going to be opposition, there's always going to be people ideologically opposed to it," Argandona said, "but this will be a great economic benefit to San Bernardino County."

She said the bill essentially preserves lands that each year attract millions of visitors and generate large sums of revenue to the county and local cities.

In 2005, The Wilderness Society analyzed the financial impact to four counties, including San Bernardino, which were part of Feinstein's 1994 bill. The group found that wildlands in the desert generated \$1.3 billion per year and nearly 3,700 jobs between the counties, and \$557 million in this county alone.

According to Campaign for the California Desert — a coalition of conservationists and community and business leaders — visitors to Death Valley and Joshua Tree National Parks and the Mojave National Preserve contributed \$165 million to the region's economy in 2013, also supporting nearly 2,000 jobs.

Introduced in February, Feinstein's bill would create the Mojave Trails National Monument, designating protections to roughly 941,000 acres between Needles and Barstow. It is also expected to increase protections for approximately 1.6 million acres of desert landscape, and also create a second new national monument, while expanding Joshua Tree and Death Valley National Parks and the Mojave National Preserve.

But Feinstein's legislation also has prompted questions from regional leaders, most recently county 1st District Supervisor Robert Lovingood, who said while portions of the bill had merit, the bill was destined to harm the local economy.

He said last week some lands would become off limits to development, mining, off-roading, grazing and military training, and the bill would hinder the multiple-use approach to public lands.

Argandona, however, called the bill "a balanced approach" that reflected the diversity of wildlands' stakeholders, including off-road enthusiasts, conservationists and the military. She said it would not impact major mining corporations.

Last week, a miners organization announced it was considering an economic boycott of Apple Valley after the Town Council showed support for the bill.

Rep. Paul Cook, R-Apple Valley, sent a federal land survey to constituents in March for feedback, weighing two sides in his letter: The bill's ability to protect the desert and its potential to curtail economic activities.

While Argandona said she expected Cook to be a "champion" for the cause, Lovingood said he looked forward to working with the 8th District Congressman on "alternatives that won't hamstring our economy and will promote the multiple-use approach to our desert."

Randy Banis, editor of DeathValley.com and member of the Bureau of Land Management Desert Advisory Council, said the bill, ultimately, "is not really a whole lot of change."

"I would say this bill is a status quo bill in that it preserves the recreational opportunities that currently exist in these lands and the economic benefits there of," Banis said. "It preserves the current mining claims and protects their economic value and it protects viewsheds and undeveloped lands for public uses for generations to come."

Meanwhile, Latino faith leaders and youth in the Victor Valley plan to hike Big Morongo Canyon Preserve on Saturday. The hike is meant to allow participants to "explore the need to protect the California desert and how the Latino community can help lead the charge for its conservation," the group Por La Creacion: Faith-based Alliance said in a statement.

Feinstein's bill is expected to be discussed during the hike.

6/2/2015

Feinstein bill will boost economy, supporters say | Campaign for the California Desert

Source: **Daily Press**, April 29, 2015

by Shea Johnson, Shea Johnson may be reached at 760-955-5368 or [SJohnson@VVDailyPress.com](mailto:SJohnson@VVDailyPress.com). Follow him on Twitter at [@DP\\_Shea](https://twitter.com/DP_Shea).

### Profile

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### Join Us

Please Join Us and our coalition of local landowners, businesses, tribes, community groups, recreationists, and residents who want to preserve public lands and waterways in the California Desert for generations to come.

### Contact

Contact Us to learn more about the campaign to protect the California Desert.

### Social Media



Theme by [Elegant Themes](#) | Styled by [Netgirl Enterprises Web Design](#)

ATTACHMENT 2

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING WILDERNESS, WILD AND SCENIC RIVERS, NATIONAL MONUMENTS, NATIONAL PARK AND PRESERVE ADDITIONS IN THE CALIFORNIA DESERT CONSERVATION AND RECREATION ACT OF 2015.

**WHEREAS**, Senators Dianne Feinstein and Barbara Boxer have introduced the California Desert Conservation and Recreation Act 2015 (S414) that certain unique, undeveloped, ecologically and geologically significant, culturally important, and scenic areas of public land within the California Desert Conservation Area are preserved as wilderness, wild and scenic rivers, national monuments, and National Park and Preserve additions; and

**WHEREAS**, the proposed designations will contribute to our region's superior desert and mountain vistas, air quality, water quality, peaceful soundscapes, and dark night skies; providing local residents and visitors with opportunities for many recreational activities including hiking, horseback riding, rock climbing, photography, camping, off-roading, wildlife viewing, scientific research, and nature study; ensuring these attributes for future generations; and

**WHEREAS**, national park and wilderness designations are an important component of the City of Palm Springs historic, cultural, economic, and social identity, and generate substantial economic benefit for surrounding area businesses through local employment; tax revenues; visitor spending; and

**WHEREAS**, preserving these areas would protect landscapes that encompass steep mountains, winding canyons, free flowing rivers, and rugged desert landscapes including the proposed Sand to Snow National Monument; Whitewater Wild and Scenic River; and additions to Joshua Tree National Park.

**THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE** that the City Council of Palm Springs endorses and supports the designation of wilderness, the designation of wild and scenic rivers, the National Park and Preserve wilderness additions within the California Desert Conservation Area, and the Sand to Snow National Monument and the Mojave Trails National Monument, all as proposed within the California Desert Conservation and Recreation Act 2015 (S414).

**ADOPTED THIS 1st day of July, 2015.**

\_\_\_\_\_  
David H. Ready, City Manager

ATTEST:

\_\_\_\_\_  
James Thompson, City Clerk

**CERTIFICATION**

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. \_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on July 1, 2015, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California