RESOLUTION NO. 86-102

RESOLUTION OF MARIPOSA COUNTY BOARD OF SUPERVISORS IN OPPOSITION TO "CALIFORNIA DESERT PROTECTION ACT OF 1986"

WHEREAS, Senator Alan Cranston of California has introduced a bill entitled "California Protection Act of 1986" (the Bill), S.2061, and

WHEREAS, the Bill proposes three new parks that would total 5.71 million acres with 3.05 million acres taken from the existing Congressionally designated California Desert Conservation Area managed by the Bureau of Land Management (BLM), and

WHEREAS, the Bill proposes another 4.5 million acres of public lands be automatically established as wilderness and be managed by BLM; and

WHEREAS, the total area proposed for wilderness or inclusion into existing or new national parks is more than 9.4 million acres; and

WHEREAS, the proposed bill creates 82 separate wilderness areas; and

WHEREAS, the Bill proposes that of the 12.1 million acres currently managed for the public by BLM, only 4.6 million acres remain available for multiple use such as hunting, mining, grazing and motorized recreation, and 7.5 million placed in wilderness or parks. However, the Bill then directs that the 4.6 million remaining public use areas to be used as trading stock for blocking up for more parks and wilderness areas, and

WHEREAS, the Bill proposes that the current Death Valley National Monument, almost entirely within the boundaries of Inyo County, already over 2 million acres, would be designated a National Park and expanded to 3.4 million acres of which 1.3 million acres would come from BLM public lands. The wilderness portion of the Death Valley Park will consist of 3.2 million acres, and

WHEREAS, the Bill proposed one entirely new national park, Mojave National Park of 1.5 million acres which would come from BLM public lands; redesignate Joshua Tree National Monument expanding it to 805,000 acres; and designate 3.9 million acres of national park wilderness in these three parks of which 1.6 million acres would come from BLM public lands, and
WHEREAS, the Bill, in proposing to establish three national parks within the already designated California Desert Conservation Area, will withdraw many of these lands from many other important uses under the public land laws and the mining laws, such as for mining leases and from Geothermal Steam Act leasing, and

WHEREAS, the Bill will require that ever unpatented mining claim located within the boundaries of the proposed parks must have a validity test completed within two years after passage of the Bill. The estimated cost of purchasing any existing patented mining claims must also be provided Congress within that two year period, and

WHEREAS, the Bill discusses protection of grazing rights which may be located within the proposed national parks; but says that, "upon expiration of the current term of such (grazing) permits, the permits shall not be renewed," and

WHEREAS, the Bill provides as national parks, the three proposes sites in the California Desert -- Mojave National Park, Joshua Tree National Park and Death Valley National Park -- will follow the tradition of other national parks by charging entry fees. Also, new public funds will have to be appropriated in the Federal budget to construct extensive public facilities, such as a visitors' center in the Mojave National Park and to provide for additional staffs. The proposed Bill says, "There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title," and

WHEREAS, the passage of the Federal Land Policy and Management Act of 1976 included a congressional mandate to BLM to begin planning for protecting and managing the resources of the California Desert Conservation Area under a multiple use concept, i.e., using the lands for mining, wilderness, recreation, grazing, as well as for the scenic beauty and cultural resources of the area, and

WHEREAS, in 1980, the California Desert Plan was completed on time through a great amount of public participation, including that of the affected counties, in developing a draft plan and draft EIS, and a final EIS and final plan. Environmental, cultural, mining, recreation and ranching organizations, among others, all participated, and

WHEREAS, over 18,000 copies of the draft Desert Plan were distributed for public review and comment in 1979. Twelve hearings and workshops were attended by over 900 people. Nearly 9,000 written responses, containing over 40,000 individual comments were received. The public Desert Advisory Council, the BLM and the public developed the final plan over a five year period, and
WHEREAS, the Desert Plan stressed the multiple use concept and called for setting aside certain special areas for particular protection such as 700,000 acres for areas of critical environmental concern (ACED) and 5.5 million acres of wilderness study areas of which approximately 2 million have been preliminarily recommended as suitable. The wilderness designation process is continuing as part of the planning process whereby Congress, with ample opportunity for public input, will decide on the proper mix of wilderness, and

WHEREAS, the Desert Plan was approved by then Secretary of Interior, Cecil Andrus, and reaffirmed later by the Secretary of Interior under the current administration, putting the Desert Plan in the unique position of having been endorsed by two Secretaries of Interior under two administrations, one Democratic and one Republican. The BLM conducts an annual amendment process which includes an annual EIS, and

WHEREAS, the Desert Plan contained the proposed establishment of the 1.5 million acre East Mojave National Scenic Area with the management philosophy that, "... the East Mojave National Scenic Area was so designated because of its unique blend of human use (past and present) and genuinely unique features ... . Designation ... was adopted ... to ensure continuation of the uses and occupation which gives the region its character, and yet give special emphasis to retain the area's natural scenic qualities ... ." In other words, the uses of the area are important, but BLM will manage them to assure the scenic values of the area will remain; and

WHEREAS, neither Senator Cranston, nor his staff, consulted with any representative of Inyo County or any of its staff before introducing the Bill; and

WHEREAS, we are informed that no local governments, nor their staffs in California, were consulted by Senator Cranston or his staff before introducing the Bill, and

WHEREAS, the Bill would drastically limit multiple use of the desert by tourists, miners and for grazing, and

WHEREAS, we are informed that Senator Cranston and his staff consulted with environmental groups approximately one (1) year prior to the Bill's introduction, and
WHEREAS, we are informed that desert user organizations, such as the California Mining Association, cattlemen organizations, American Motorcycle Association and others, were not consulted prior to the introduction of the Bill, and

WHEREAS, the Bill would drastically affect the land use of almost all of the California desert counties, and

WHEREAS, the Federal government, through the BLM, has already spent a great deal of money, time and energy in developing the California Desert Plan with the participation of all desert users, including the environmental groups, local governments and others.

NOW, THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors opposes S.2061 (California Desert Protection Act of 1986) in its present form, and

BE IT FURTHER RESOLVED that the Mariposa County Board of Supervisors supports the efforts of the BLM in the development of California Desert Plan in the California Desert Conservation Area and the multiple use concepts therein, and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to both U.S. Senators from California, the Congressional Delegation from California, appropriate State representatives, County Supervisors Association of California, Regional Council of Rural Counties, and other organization as designated by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, State of California, this 25th day of March, 1986, by the following vote:

AYES: BARRICK, DALTON, ERICKSON, RADANOVICH, TABER

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

\[Signature\]
CHAIRMAN OF THE BOARD OF SUPERVISORS
BEVERLY BARRICK

ATTEST:
\[Signature\]
GERALD MC CARTHY, County Clerk and
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
\[Signature\]
JEFFREY G. GREEN, County Counsel