

BILL TRACKING REPORT

101st Congress 1st Session
U. S. Senate

S 11

1989 Bill Tracking S. 11; 101 Bill Tracking S. 11

CALIFORNIA DESERT PROTECTION ACT OF 1989

SPONSOR: Senator Alan Cranston D-CA

DATE-INTRO: January 25, 1989

LAST-ACTION-DATE: September 26, 1990

STATUS: Not enacted

TOTAL-COSPONSORS: 6 Cosponsors

SYNOPSIS:

A bill to provide for the protection of the public lands in the California desert.

ACTIONS:

Committee Referrals:

01/25/89 Senate Energy and Natural Resources Committee

Legislative Chronology:

1st Session Activity:

01/25/89 [135 Cong Rec S 166](#)

Referred to Senate Committee on Energy
and Natural Resources

05/10/89 [135 Cong Rec S 5117](#)

Cosponsors added

06/01/89 [135 Cong Rec S 6041](#)

Cosponsors added

07/12/89 [135 Cong Rec S 7834](#)

Cosponsors added

10/02/89 [135 Cong Rec S 12305](#)

Senate Subcommittee on Public Lands,
National Parks and Forests concluded
hearings

2nd Session Activity:

03/20/90 [136 Cong Rec S 2798](#)

Cosponsors added

09/12/90 [136 Cong Rec S 12978](#)

Cosponsors added

09/25/90 [136 Cong Rec S 13854](#)

Cosponsors added

09/26/90 [136 Cong Rec S 13889](#)

Senate Energy and Natural Resources
Committee began consideration

BILL-DIGEST:

California Desert Protection Act of 1989 -

Title I: Wilderness Additions

- Designates as additions to the National Wilderness Preservation System 81 wilderness areas within the California Desert Conservation Area (CDCA), the Yuma District, and the district of the Bureau of Land Management. States that non-designated areas within the CDCA have been adequately studied for inclusion in the System and are therefore released from otherwise applicable restrictions. Designates certain lands within the CDCA as the White Mountains Wilderness Study Area.

Title II: Death Valley National Park

- Establishes the Death Valley National Park which subsumes the Death Valley National Monument. Withdraws the additional lands from further exploitation under the mining laws. Requires the Secretary of the Interior (the Secretary) to determine the validity of any unpatented mining claims within such additional lands and whether the United States should acquire any mineral rights in such lands.

Title III: Joshua Tree National Park

- Establishes the Joshua Tree National Park which subsumes the Joshua Tree National Monument. Withdraws the additional lands from further exploitation under requires the Secretary to determine the validity of any unpatented mining claims within such additional lands and whether the United States should acquire any mineral rights in such lands.

Title IV: Mojave National Park

- Establishes the Mojave National Park which subsumes the East Mojave National Scenic Area. Withdraws Federal lands within the Park from further exploitation under the mining laws. Requires the Secretary to determine the validity of any unpatented mining claims within the Park and whether the United States should acquire any mineral rights in such lands. Authorizes the Secretary to regulate mining in such Park. Allows grazing only to the

extent allowed in current permits. Continues the validity of existing rights-of-way for specified activities. Directs the Secretary to prepare and report to the appropriate congressional committees, within three years, on a management plan for the eserve within the Park. Authorizes the Secretary to construct a visitors' center and acquire lands. Authorizes appropriations.

Title V: National Park Wilderness

- Designates as wilderness the Death Valley National Park Wilderness, the Joshua Tree National Park Wilderness Additions, and the Mojave National Park Wilderness.

Title VI: Miscellaneous Provisions

- Directs the Secretary to transfer Red Rock Canyon State Park Additions in the CDCA to California. Establishes the Desert Lily Sanctuary within the CDCA. Establishes the Indian Canyons National Historic Site. Authorizes the Secretary to exchange Federal mineral interests in lands in California for private mineral interests in wilderness areas and national parks designated by this Act. Directs the Secretary to insure nonexclusive access to such wilderness areas and parks by Indian people for traditional cultural and

Title VII: Military Activities

- Provides that nothing in this Act shall preclude, limit, or otherwise affect low level overflights of military aircraft in the California desert in the same location and degree as existed prior to enactment of this Act. Withdraws from appropriation under the public land laws and reserves for military use by the Secretary of the Navy specified lands in California known as the China Lake Naval Weapons Center in Inyo, Kern, and San Bernardino Counties and Chocolate Mountain in Imperial County. Requires the Secretary of the Interior to manage such lands' nonmilitary uses, subject to closure by the Secretary of the Navy for security or safety purposes. Requires the Secretary of the Interior to develop, within three years, a management plan for such lands. Requires the Secretary of the Navy to prevent and suppress brush and range fires with reimbursable assistance from the anagement. Requires the Secretaries to enter into a memorandum of understanding concerning the management plan which includes the provision of fire control assistance upon request. Requires the Secretary of Defense to notify the Secretary of the Interior whenever withdrawn lands are being used for defense-related purposes other than those specified, including the effect of such different use. Authorizes the Secretary of the Interior to delegate management responsibilities for China Lake to the Secretary of the Navy. Requires the Secretary of the Navy to report annually to the Secretary of the Interior, who shall then report to the appropriate congressional committees on the status of natural and cultural resources on such withdrawn lands. Terminates land withdrawals under this Act 15 years after this Act's

enactment. Requires the Secretary of the Navy to publish a draft environmental impact statement on the continued or f lands under this Act. Requires such Secretary to hold a public hearing in California before the withdrawal's termination. Requires the Secretary of the Navy to maintain a decontamination program for such lands during their withdrawal. Requires the Secretary to report annually to the appropriate congressional committees on such decontamination efforts. Requires the Secretary of the Navy to notify the Secretary of the Interior, at least three years before the termination of the withdrawal, whether an extension is going to be requested and, if not, to what extent such lands are contaminated with hazardous materials. Requires the Secretary of the Navy to decontaminate relinquished lands, but if such decontamination is not practicable or economically feasible, authorizes the Secretary of the Interior to refuse to accept such lands. Requires the Secretary of the Navy to then: (1) warn the public of risks of uch lands after the expiration of the withdrawal; and (3) report to the Secretary of the Interior and the Congress on the status of such lands. Directs the Secretary of the Interior to publish the acceptance of withdrawn lands, indicating when such lands will be open and under what conditions. Exempts the United States from liability for injuries or damages resulting from nonmilitary activity on withdrawn lands. Authorizes an extension of the Navy's use of the El Centro Ranges in Imperial County, California, through January 1, 1990, subject to resource protection requirements.

CRS Index Terms:

Parks; Wilderness areas--California; National parks; Historic sites; State parks; Land transfers; Deserts; National monuments; Public lands; Land use; Military training; Weapons; Navy; Wildlife management; Environmental assessment; Airspace (Law); Mines and mineral resources; Grazing; Indians;

CO-SPONSORS:

Added 05/10/89:

Simon D-IL

Added 06/01/89:

Wirth D-CO

Added 07/12/89:

Harkin D-IA

Added 03/20/90:

Hatfield R-OR

Added 09/12/90:

Metzenbaum D-OH

Added 09/25/90:

Akaka D-HI