

STAFF REPORT

AGENDA ITEM: The California Desert Protection Act of 2011

STAFF: Daphne Greene, Deputy Director, OHMVR Division
Tricia Gill, OHMVR Division

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Discussion: Senator Feinstein's Deputy State Director, James Peterson, will provide an overview of the California Desert Protection Act (CDPA) of 2011 (S. 2921).

Background: On December 21, 2009 Senator Diane Feinstein [D-CA], introduced the CDPA. In brief, Senator Feinstein seeks to balance competing interests, to conserve desert land, protect sensitive desert ecosystems, and maintain recreational uses while also fulfilling California's commitment to developing renewable energy.

CDPA Overview: The CDPA is divided into two titles. The first title of the bill primarily covers conservation and recreation, while the second title covers renewable energy development on suitable lands.

Key provisions in the legislation would: designate two national monuments, the Mojave Trails Monument and the Sand to Snow Monument; designate five new BLM wilderness areas; protect four waterways as Wild and Scenic Rivers; improve the permitting process to permit large-scale wind and solar development on suitable lands in the California desert; and enhance recreational opportunities. (Please see attached map.)

Of particular interest, the CDPA would designate five existing off-highway vehicle (OHV) recreation areas in the Mojave Desert as permanent OHV areas.

Senator Feinstein is collaborating with the Marine Corps to study alternatives that would allow for a portion of Johnson Valley OHV Area to continue to be used for OHV recreation. The bill proposes lands in Johnson Valley which are not needed by the Marine Corps become part of a designated Johnson Valley OHV Recreation Area.

Status:

The CDPA was introduced on December 21, 2009, read twice, and referred to the Senate Committee on Energy and Natural Resources (Committee). A hearing has yet to be scheduled on this legislation. Following Committee hearings, the Committee must then report the bill to the floor for consideration by the full body of Congress. Senator Feinstein is hopeful the bill will be passed this year.

Commission action: No recommendation made. To be determined by the Commission.