



Newsletter 3, December 2016

Dear Friends:

On December 12, 2016 the National Park Service (NPS) released its finding of no significant impact (FONSI) on the effects of adjusting the boundary of Joshua Tree National Park to include lands in the Eagle Mountain area of Riverside County, concluding the boundary study and possible land withdrawal environmental assessment. The final study documents can be found at the project website: http://parkplanning.nps.gov/eaglemountain.

The recommended boundary adjustment (Selected Alternative) would add approximately 20,000 acres of federal, state, and private lands to the boundary of Joshua Tree National Park. If fully implemented, the Selected Alternative could allow for greater protection of existing habitat, restoration opportunities, and landscape connectivity for wildlife such as bighorn sheep, as well as new visitor opportunities at Joshua Tree. Another 8,600 acres of land found to be suitable for addition to the national park may be considered for inclusion in the park boundary in the future if current or planned uses of those lands change and they are made available to the agency.

Implementation of the Selected Alternative will require additional agency or Congressional action. The Department of the Interior has already initiated the process to withdraw up to approximately 22,500 acres from Bureau of Land Management's (BLM) jurisdiction for transfer to the NPS. A notice temporarily segregating these federal lands from availability under various public land laws was subsequently published in the Federal Register on November 18, 2016. The segregation is intended to preserve the status quo while the withdrawal process is under review. The non-federally owned lands could become a part of Joshua Tree if the property owners choose to sell or donate them to the NPS.

This newsletter summarizes the final study findings, describes the Selected Alternative, and provides information on the proposed withdrawal application. Comments on the proposed withdrawal will be accepted through February 16, 2017. Please join us for a public meeting in Palm Desert, California on January 18, 2017 to discuss the withdrawal and share thoughts and comments.

Thank you for your involvement in this planning process. We invite you to continue to share your thoughts, ideas, and concerns as we explore implementation of the Selected Alternative.

Sincerely,

David Smith Superintendent, Joshua Tree National Park

Public Meeting Regarding Proposed Withdrawal

Palm Desert, CA January 18, 2017 • 6-9 pm

University of California, Riverside, Palm Desert 75080 Frank Sinatra Drive Palm Desert, California 92211

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Study Findings and Recommendations

The National Park Service (NPS) completed its finding of no significant impact (FONSI) on the effects of adjusting the boundary of Joshua Tree National Park to include lands in the Eagle Mountain area of Riverside County as evaluated in the Eagle Mountain Boundary Study Including Possible Land Withdrawal Environmental Assessment (Boundary Study/EA). The NPS recommends adding more than 20,000 acres of federal, state, and private lands to the boundary of Joshua Tree National Park as described in the Selected Alternative on pages 3-6.

The Boundary Study/EA was conducted jointly by the NPS and the Bureau of Land Management (BLM) to look at the feasibility of adding lands to the national park. The agencies also evaluated the potential effects of transferring administrative jurisdiction of BLM-managed lands to the NPS.

Study Area

The study evaluated approximately 32,500 acres of land in the Eagle Mountains and Chuckwalla Valley. Located in Riverside County, California near the town of Desert Center, the area is bounded to the south, west, and north by Joshua Tree National Park. The eastern border is defined by the Colorado River Aqueduct, which roughly formed the original park boundary established in 1936. Most lands are federally owned and managed by the BLM. However, the area also contains state, school district, private, and Metropolitan Water District of Southern California-owned lands.

Study Findings

Through evaluation of NPS criteria for boundary adjustments, the study finds that 28,600 acres of lands in the Eagle Mountain area are suitable for inclusion in Joshua Tree National Park, containing resource values and visitor opportunities that would help support the overall purpose of the park as directed by Congress. Recent studies have documented the particular importance of the Eagle Mountain area for bighorn sheep and desert tortoise populations. The study area contains prehistoric and historic resources that expand on the national park's

cultural themes; and contains areas important for maintaining Joshua Tree's wilderness values. Adding the suitable lands to the park boundary would also create a more logical boundary delineation, and allow access to NPS staff to monitor and document the resources of the area.

Approximately, 20,000 acres of federal, state, and private land would be feasible for NPS to administer, while other lands may become feasible in the future when current and proposed uses cease.

Finding of No Significant Impact

Based on the environmental impact analysis contained in the environmental assessment and the results of public review and agency coordination, the NPS has determined that the Selected Alternative does not constitute a major federal action that will significantly affect the quality of the human environment.

Next Steps

Implementing the selected alternative, will require additional agency or Congressional action. The Department of the Interior has initiated the process to withdraw up to approximately 22,500 acres from BLM's jurisdiction and transfer them to the NPS. Although the final Boundary Study/ EA and FONSI serve as the required environmental analysis for the possible withdrawal and transfer of up to 22,500 acres of BLM-managed lands within the study area, this FONSI does not document BLM's decision on the proposed withdrawal. The BLM will issue a separate FONSI that documents its decision on whether the withdrawal and transfer would have a significant effect on the human environment. If the Department of the Interior determines that it is appropriate to proceed with the withdrawal and transfer, the Department will authorize the publication of a public land order in the Federal Register directing the transfer. See page 7 for more information about the proposed withdrawal.

Final Study Documents

The final study documents (FONSI and Boundary Study/ EA) and more information about the proposed federal land withdrawal are available at: http://parkplanning.nps.gov/eaglemountain.

Boundary Study/EA Timeline

| Time Frame | Planning Activity | Public Involvement Opportunities |
|------------------------------------|--|---|
| Summer 2015 (complete) | Conduct Public Scoping Share information about the study process Identify issues and information that need to be addressed in the study | Review Newsletter 1 Send us your ideas and concerns Participate in public meetings and voice your ideas and concerns with the planning team |
| Spring 2016 (complete) | Prepare and Distribute Draft Study/EA Complete boundary adjustment criteria analysis and develop alternatives based on comments from the public, park partners, government agencies, and other stakeholders | Review draft study/EA or summary newsletter (Newsletter 2) Send us your written comments on the draft study/EA Participate in public meetings and voice your ideas and concerns |
| Summer/ Fall 2016 (complete) | Complete Study Evaluate comments Prepare and issue a Finding of No Significant Impact (includes Selected Alternative) | Review final documents on study website Participate in any implementation planning including the proposed withdrawal process |

Selected Alternative

Introduction

The Selected Alternative is essentially the preferred alternative identified in the public review document released in March 2016, slightly modified to incorporate feedback received during the public comment period. Those changes primarily include a reduction of private and federal lands associated with Eagle Mountain Pumped Storage Hydroelectric Project licensed under the Federal Power Act. Acreage and availability of State School Lands was also clarified.

The majority of the more than 9,000 comments reviewed supported the boundary adjustment. Most concerns raised pertained to potential effects on existing mining activity. The NPS is committed to ongoing coordination and communication with regards to these concerns as it we move forward with implementation planning. The December 2016 Finding of No Significant Impact contains a summary of comments and responses to concerns raised regarding the March 2016 Boundary Study/EA.

Description

The National Park Service (NPS) has selected Alternative C, with revisions, from the Boundary Study/EA (Selected Alternative). Under the Selected Alternative, the boundary of Joshua Tree National Park could be expanded in stages by approximately 20,005 acres, assuming certain subsequent actions take place (See Map: Selected Alternative, p. 6). As an initial step, the boundary could be expanded to include approximately 17,670 acres of federally owned lands currently managed by BLM if the proposed withdrawal and transfer of these lands is approved by the Department of the Interior.

The park's boundary could be expanded in subsequent stages to include approximately 2,000 acres of privately owned lands, and 335.7 acres of State School Lands that have been determined feasible for addition to Joshua Tree National Park but that are not currently available to NPS. Lands recommended for inclusion in the park boundary do not include those lands and rights of way associated with the Federal Regulatory Commission license withdrawal area for the Eagle Mountain Pumped Storage Hydroelectric Project. The Selected Alternative, if fully implemented, could allow for greater protection of existing habitat, restoration opportunities, and landscape connectivity for wildlife such as bighorn sheep, as well as new visitor opportunities. As depicted in the map on page 6, the expanded boundary would exclude a 30 acre private parcel in the northwestern corner of the study area. The private owner has not consented to the inclusion of this parcel in an expanded park boundary.

The 2,000 acres of private land could be acquired when available through direct donation to NPS or through purchase by a third party from a willing seller with subsequent donation to NPS. Eagle Crest Energy Company, which holds property interests in these lands, has indicated that it would consider donating lands not needed for the pumped storage hydroelectric project to the NPS following construction of the project and at such time that the outstanding promissory note for the private parcels is secured. State School Lands could be acquired through a land exchange with the California State Lands Commission. The California State Land Commission has indicated that it would consider a land exchange when and if the surrounding private lands and mineral interests are transferred to the NPS for management.

The long-term vision of the National Park Service would be to include in the park boundary all of the lands determined suitable for addition to Joshua Tree National Park, if and when such lands become available to the National Park Service. This would include approximately 8,610 acres that include the Eagle Mountain Mine and Townsite, if existing uses of those lands change and subsequently become available to the NPS through willing sellers. Federal lands associated with the proposed rights of way for the pumped storage hydroelectric project could be considered for transfer to the NPS at a later time, if not needed for the operation of the facility. Additional feasibility analysis and environmental site assessments for the remaining lands may be necessary at such time that they become available.

Valid Existing Rights

If the park boundary is adjusted, valid existing rights would be preserved. The proposed boundary addition would not include BLM-managed lands that have been previously withdrawn under the Federal Power Act for the Eagle Crest Energy Company's Eagle Mountain Pumped Storage Project. The hydroelectric project received a 50-year license from Federal Energy Regulatory Commission (FERC) in June 2014.

Southern California Edison maintains electrical and telecommunications infrastructure in the Townsite area near the proposed boundary adjustment and additional facilities are planned to support the proposed pumped storage hydroelectric project. The Selected Alternative would allow public utilities to access, maintain, or upgrade existing and planned electrical and telecommunications infrastructure on adjacent lands.

All valid existing mineral rights (for both patented and unpatented mining claims) would be retained by current claimants. The unpatented and patented mining claims in the boundary revision area that would be transferred to NPS administration would become subject to the Mining in the Parks Act and its implementing regulations (36 C.F.R. § 9, Subpart A- Mining and Mining Claims), as well as other NPS laws and regulations. Mining claims in NPS-administered areas must be determined to be valid, through the completion of a validity exam, before the NPS can approve a plan of operations for mining. To be valid, a mining claim must contain a discovery of a valuable deposit of a mineral, subject to location under the Mining Law of 1872. For a millsite to be valid, the millsite must be on lands that are non-mineral in character and be in use for mining, milling, or other mining related purposes.

Because BLM cost-recovery regulations do not authorize the recovery of costs associated with validity examinations on NPS lands, the cost of the validity exams would probably be borne by the National Park Service should lands be transferred for management as part of Joshua Tree National Park. However, the validity examination would be conducted by BLM personnel. Unpatented claimants could apply for temporary approval to continue mining in the NPSadministered areas until such time that a validity exam could be conducted. The NPS is committed to ongoing coordination and communication with area claim holders with regards to implementation planning and future use of the area if federal lands containing unpatented claims are transferred to NPS management.

Implementation

Implementation of a boundary adjustment would require additional administrative and/or Congressional action and may occur in stages. The mechanism for implementation of the proposed boundary adjustment is dependent upon the availability of properties and the means by which they could be acquired by the NPS. Federal lands managed by the Bureau of Land Management (BLM) could be administratively transferred to the National Park Service (NPS) as authorized by provisions of the Land and Water Conservation Fund (LWCF) Act (54 U.S.C. §100506(c)(1)(b)) and the Federal Land Policy and Management Act (FLPMA). In the near term, the boundary could be expanded to include approximately 17,670 acres of federally owned lands currently managed by BLM if the proposed withdrawal and transfer of these lands is approved by the Department of the Interior.

Inclusion of any of the local, state, or privately owned lands in a future boundary adjustment would require Congressional action, unless such lands were donated to the National Park Service, or acquired through land exchange, in which case such lands could be included in an administrative boundary adjustment (54 U.S.C. §100506(c)).

Resource Protection Opportunities

Most lands recommended for addition to the national park in the Selected Alternative are undisturbed lands that contain habitat important for landscape-scale conservation of the California desert and that would protect adjacent park wilderness values. Including these lands in the national park boundary would provide the NPS the opportunity to protect the transferred lands in tandem with NPS-managed properties within Joshua Tree National Park. Benefits include protection from development, seamless protection of existing habitat, and restoration opportunities for disturbed lands that may provide greater landscape connectivity for wildlife such as desert bighorn sheep.

For areas included in a future boundary adjustment, the NPS would work to ensure that future activities and uses do not diminish the wilderness values of adjacent areas. This would include any new visitor opportunities identified in future management plans for newly added areas.

Additional inventories, documentation and mapping of cultural sites could be undertaken, although location data for sensitive sites would not be released in order to protect the sites from vandalism. The NPS would conduct appropriate consultation and coordination with native cultural groups that have ties to the Eagle Mountain area.

For lands that remain in private ownership, the NPS would seek to work with private landowners on mitigation strategies to avoid or minimize the impacts of adjacent industrial uses



on park resources. Reclamation of disturbed areas associated with the Eagle Mountain Mine would occur under the approved reclamation plan for the mine. However, any private parcels that are donated to the NPS in the future, including those private lands outside of the FERC-licensed area, could provide additional protection of park resources such as travel corridors for populations of desert bighorn sheep in the Eagle and Coxcomb Mountains. NPS could pursue further restoration of areas of any lands transferred to the NPS where necessary for the specific purpose of improving habitat connectivity for desert bighorn sheep and other sensitive species.

Resource Management Planning. Although specific implementation plans would be required for management actions such as restoration projects, the park's recently completed Resource Stewardship Strategy (2014) would provide initial resource management guidance for those resources that are considered fundamental to the purpose of Joshua Tree National Park. A resource stewardship strategy is a planning document for a national park unit to achieve its desired natural and cultural resource conditions, which are derived from relevant laws and NPS policies identified in a park's foundation document, or other park plans. The resource stewardship strategy serves as a bridge between the park's foundation document and everyday management of its natural and cultural resources. The resource stewardship strategy describes measurable desired conditions and possible pathways to achieve desired results for certain fundamental resources and values. Lands within the proposed boundary adjustment include resources that represent almost every fundamental resource and value outlined in the park foundation document and resource stewardship strategy. Those fundamental resources and values are:

- Biological diversity and healthy ecosystem function
- Interconnectivity of California desert lands
- Recreational opportunities and values
- Wilderness values and wilderness accessibility
- Ever-expanding knowledge base
- Opportunity to understand, apply, and share knowledge to benefit the park and beyond
- Geological resources and desert landforms
- Hydrological resources
 - Night sky
- Clean and breathable air
- Soundscape
- Viewsheds
- Historic structures or landscapes
- Archeology (historic and prehistoric)
- Cultural anthropology
- History

Visitor Experience Opportunities

Under the Selected Alternative, new visitor opportunities in the Eagle Mountains could be explored. Backcountry hiking, night sky viewing, and informal camping opportunities could be afforded without requiring extensive infrastructure improvements. A hiking trail connection to Cottonwood Springs could be explored. The NPS could consider improvement of the existing access road for safer visitor and staff travel while taking into consideration the need to conserve natural, cultural, and wilderness values. Other facilities that could be explored include trails, camping areas, or overlooks. Consideration would be given to areas where interpretive signage could provide information about the area and its history.

Access would continue to be limited on private lands and to FERC energy license withdrawal lands. However, the NPS could explore with Kaiser Eagle Mountain, LLC (KEM), and its affiliates opportunities to provide access from the private lands to the east, to the extent that such opportunities would not interfere with current mining operations and the existing approved reclamation plan for the Eagle Mountain Mine. Careful consideration would be given in evaluating additional visitor access opportunities to ensure public safety and consistency with the current reclamation plan for the mine.

Once lands are transferred to the NPS for administration as part of Joshua Tree National Park, some existing uses would be constrained in accordance with NPS regulations and policies. Off-highway vehicle use would be limited to designated routes, pursuant to implementation planning for the area. Some uses such as shooting would no longer be permitted. Some visitors to the federal lands conduct mining on unpatented claims. Long-term continuation of this use would be contingent upon validity for the claim and other requirements of NPS regulations for mining.

The NPS would need to conduct further planning to determine the range of visitor use facilities that would be appropriate and compatible with the area's natural and cultural resource values and where such facilities could be appropriately sited. Any new visitor opportunities would be considered in light of existing and potential opportunities to access to the area. The NPS could explore cooperative opportunities to provide access along public roads or seek access agreements from adjacent land owners.

Public Access Following NPS Management. If BLM-managed lands are transferred to NPS jurisdiction, the NPS would continue to allow access to the transferred lands along existing roads such as Black Eagle Mine Road. NPS would not provide public access to private or state lands unless such lands are acquired by NPS through donation, sale or transfer. Access to the former mining areas may be restricted for safety reasons. If those lands are acquired by NPS, further analysis would be required to evaluate safe and appropriate access opportunities.

Operational Management Opportunities

The areas proposed for inclusion in the boundary would allow the NPS to improve access to the Eagle Mountain area and expend funds on studies and projects related to natural and cultural resource protection for most of the lands within the study area. Resources within this area would be studied and inventoried, contingent on the availability of funds. The need for inventories is heightened with the effects of climate change on park resources and the impacts that could result from construction and operation of the proposed pumped storage hydroelectric project.

Future Plans Needed. If lands are transferred to NPS for management, the NPS would complete a management plan to define appropriate uses and functions for the area and to coordinate the interrelationships among uses, site resources, and facilities (for visitors and/or park operations); and establish a road map to guide decisions on needed capital improvements, preservation, and development. As described above, the resource stewardship strategy provides guidance for protection of Joshua Tree National Park's fundamental resources and would serve to provide guidance for management of the area's resources until such time that a comprehensive site plan would be completed for the area. Additional studies and planning would be required for any restoration efforts on the previously disturbed areas.

Costs

The NPS base budget for Joshua Tree National Park in fiscal year 2015 was \$6.06 million, which includes employee salaries and day-to-day operating expenses. In the current fiscal environment, it is unlikely that funding increases would be immediately available to support the expanded park area upon transfer of the lands to NPS for management. In the short-term, existing funding for Joshua Tree National Park, including revenue from park entrance fees, would be used for management of the newly added lands.

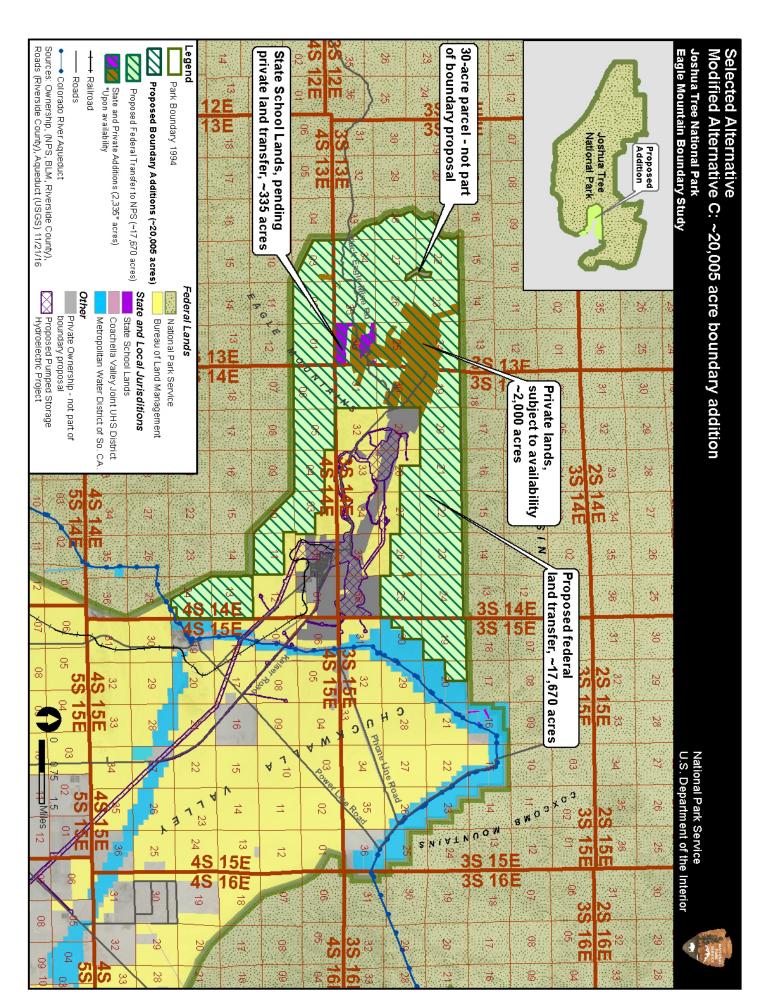
Operations. Initially, existing staff at the park would manage and operate the expanded park area. However, over time as implementation planning identifies specific resource management needs and visitor opportunities additional staffing and expertise needed for the expanded area would likely include:

- Resource management staff to document and manage the expanded scope of natural and cultural resources within the newly added area
- Interpretive staff to create and deliver visitor programs
- Law enforcement staff to protect resources and ensure a safe visitor experience
- Maintenance and facilities management staff, primarily for maintenance of Black Eagle Mine Road
- Total additional staffing identified would be five FTE which would require an increase of \$340,000 over the park's current annual operating budget.

Facility and Other One-time Costs. Aside from existing roads, the area under consideration in the Selected Alternative contains very few facilities that would require NPS maintenance. The NPS would assume maintenance for approximately eight miles of Black Eagle Mine Road and access roads associated with the mining areas. Annual operation and maintenance of the road in its current condition (unpaved four-wheel drive passable only) would cost approximately \$8,000. Minimal road improvements to allow passenger cars access (unpaved) would be a one-time capital investment of \$280,000. Annual maintenance costs for an improved road would be about \$1,600 more annually over maintenance costs for the road in its existing condition.

Over time, as implementation planning identifies specific projects and needs, additional funding would be sought. Capital costs related to visitor services may include funding for road improvements, new trails, overlooks, camping areas, or waysides. Further implementation planning would determine appropriate visitor facilities and would identify specific costs associated with those facilities. Additional inventories, documentation and mapping of cultural sites would be undertaken to inform implementation planning where necessary. Planning would consider potential visitor use, facility and site design where appropriate, and detailed identification of resource protection needs. Actual costs to the NPS would vary depending on timing and implementation and contributions by partners and volunteers.

The private land proposed for inclusion in the boundary would include two of the former mining pits (Black Eagle and Iron Chief) associated with the Eagle Mountain Mine. If these lands are included in the park, the NPS could incur some costs to address any potential safety hazards associated with mined lands if reclamation activities by KEM are not sufficient for NPS purposes. The NPS would also have to incur costs for any validity exams related to unpatented mining claims that are transferred to the NPS for management.



Notice of Proposed Withdrawal and Public Meeting

On behalf of the National Park Service (NPS) and subject to valid existing rights, the Secretary of the Interior proposes to withdraw up to 22,462 acres of public lands for 20 years from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto and to transfer administrative jurisdiction over such lands from the Bureau of Land Management (BLM) to the NPS for administration as part of Joshua Tree National Park. The notice published in the Federal Register on November 18, 2016 (Vol. 81, No. 223) temporarily segregates the lands for up to 2 years, gives the public an opportunity to comment on the proposed withdrawal application, and announces a public meeting scheduled for January 18, 2017 from 6:00 to 9:00 p.m. at University of California Riverside - Palm Desert, 75080 Frank Sinatra Drive, Palm Desert, California 92211. Comments must be received by February 16, 2017.

Valid existing rights in the public lands would not be affected by this notice. During this two-year segregative period, proposed licenses, agreements, or other discretionary land use authorizations may be allowed with the approval of an authorized officer of the BLM, after coordination with the NPS. "Withdrawal" is the term for the possible long term transfer of land from BLM to the NPS for management as part of Joshua Tree National Park. The segregation and withdrawal would not affect the Eagle Mountain Pumped Storage Hydroelectric Project licensed under the Federal Power Act.

Frequently Asked Questions

How does the proposed withdrawal process relate to the Boundary Study?

The Eagle Mountain Boundary Study Including Possible Land Withdrawal Environmental Assessment evaluated the proposed withdrawal and will inform the decision about the possible land transfer. However, the Secretary of the Interior will make the final decision on the proposed public land transfer. Prior to that decision the BLM will initiate a separate decision document after public comment and further evaluation.

What would happen if the NPS undertakes management of the area?

If the land is withdrawn and transferred to National Park Service jurisdiction, the NPS could offer new opportunities for public enjoyment such as hiking trails, backcountry camping areas, or new educational and interpretive programs. Some current visitor activities such as unrestricted off-highway vehicle use and establishment of new mining claims on federal lands may be limited and/or prohibited. Plans for specific opportunities would be evaluated through a management plan that would identify specific uses and opportunities for the area. The plan would be developed with public involvement and cooperation with other agencies.

How would the proposed land withdrawal effect existing uses on public land, including mining?

During segregation, existing recreational opportunities allowed under BLM management would continue. However, new mining claims cannot be established. Existing claims would continue to be mined under current BLM management.

If land is transferred to the NPS, the NPS regulations pertaining to mineral exploration and development may apply where prospectors hold mineral interests. The regulations are designed to permit claimants to exercise their rights while preserving the integrity of the National Park System units (36 CFR, Chapter 1, Part 9B). Unpatented mining claims would have to undergo a validity exam before further mining would occur. However, unpatented claimants could apply for temporary approval to continue mining in the NPS-administered areas until such time that a validity exam could be conducted. Because BLM costrecovery regulations do not authorize the recovery of costs associated with validity examinations on NPS lands, the cost of the validity exams would probably be borne by the NPS. However, the validity examination would be conducted by BLM personnel.

The NPS is committed to ongoing coordination and communication with area claim holders with regards to implementation planning and future use of the area if federal lands containing unpatented claims are transferred to NPS management.

For More Information on the Proposed Withdrawal

Contacts: David Smith, Superintendent, Joshua Tree National Park, Phone: 760-367-5500 or Doug Herrema, Field Manager, Bureau of Land Management, Palm Springs South Coast Field Office, 760-833-7100.

How to Submit Comments: Comments should be sent to the Superintendent, Joshua Tree National Park, 74485 National Park Drive, Twentynine Palms, California 92277 or online at: http://parkplanning.nps.gov/eaglemountain. Comments must be received by February 16, 2017.

Public Meeting

January 18, 2017, 6:00 to 9:00 p.m. University of California, Riverside, Palm Desert 75080 Frank Sinatra Drive Palm Desert, California 92211



Newsletter #3, Final Study - Summary and Next Steps, December 2016 Eagle Mountain Boundary Study Including Possible Land Withdrawal Environmental Assessment