

San Gabriel Mountains Foothills and Rivers Protection Act Frequently Asked Questions

Overview

The San Gabriel Mountains Foothills and Rivers Protection Act has three objectives:

1. Expand the boundaries of the San Gabriel Mountains National Monument to include the Western areas of the Angeles National Forest
2. Establish a National Recreation Area (NRA) along the Foothills and San Gabriel River corridor
3. Establish new wilderness areas and designate Wild and Scenic Rivers

San Gabriel Mountains National Monument Expansion:

Why do these new areas of the San Gabriel Mountains need additional protection?

The Western areas of the San Gabriel Mountains are one of the most visited places in the Angeles National Forest. What many people don't realize is just how much strain this area is under to keep up with the growing demand for outdoor space and recreation. The Los Angeles area is one of the most park poor regions of the country. As a result, the Mountains are one of few places Angelenos can enjoy the outdoors, but they are under immense stress from overuse. Much of this area was burned in the 2009 Station Fire.

There is persistent trash, graffiti, safety hazards, and few visitor facilities and services in the Mountains. These conditions increase fire dangers, decrease water quality, and threaten the diverse ecology and other features that make these mountains unique in the world.

Why were these areas left out of the Presidential National Monument proclamation?

The authority given to the president under the Antiquities Act limits the total area that can be protected, requiring the most minimal boundary necessary to protect the outstanding natural, historic and scientific resources. The western area of the Angeles National Forest contains significant infrastructure (roads, dams, etc.), and the Administration felt this limited their ability to protect this area within its limited authority. Congress has the ability to expand this boundary with its broader authority.

Are you asking the President to declare a National Monument?

No, this is congressional legislation that will ultimately make its way to the president after first moving through Congress. A national monument can be designated in two ways - with the authority Congress gave the president under the Antiquities Act, or directly by Congress. It is not uncommon to see national monuments expanded by Congress.

What is a National Monument and how is it different from a National Recreation Area (NRA)?

A national monument is very similar to a national recreation area but applies only to lands federally managed, in this case, by the United States Forest Service.

Both designations uphold and protect water rights, property rights, land use rights, etc. Both enhance conservation and improve management of areas with special ecological, cultural, historic, and recreational value through more resources, education, and public engagement. Both allow a wide range of recreational activities.

What are the benefits of a National Monument?

As we have seen over the past years since its designation, the San Gabriel Mountains National Monument status has helped prioritize the area within the U.S. Forest Service budget and brought with it new and critical resources. Expansion of the National Monument will provide additional resources and protections to the western areas of the San Gabriel Mountains, which will give families more sustainable recreational opportunities so that they can enjoy the mountains now and preserve them for generations to come.

A national monument will protect water quality by applying more resources toward preventing trash and pollution in and along the rivers.

A national monument will also have a positive economic effect. Numerous studies have shown that recreational spaces increase property value and increase revenues for local businesses as well as cities.

A national monument can create opportunities for urban families, youth, veterans, and minorities to enjoy outdoor activity and learn about nature and the history and ecology of the mountains. They will learn how to preserve and protect the environment, and participate in empowering work and volunteer opportunities.

Under a monument designation, where does funding come from for improvements?

Ultimately, budgets are about priorities and a national monument status allows the Forest Service to permanently prioritize our region when allocating resources. The U.S. Forest Service has long operated with a tight budget and as a result the Agency continually has to shift resources around to meet all its responsibilities. *In the first year alone, the San Gabriel Mountains National Monument received three million dollars in additional federal funding; this is expected to continue.*

Since being elevated to the status of a national monument, the U.S. Forest Service was also able to raise funds through private-public partnerships, apply for grants, and potentially increase support from foundations. Over four million dollars was raised in private funds in the first year of the monument.

How are water and property rights protected under a National Monument?

Monument designations only apply to federal lands, not state, local, or private lands. They do not affect state, local, or private property in and around the monument boundaries. They do not create additional land use or regulatory authorities. They do not create new water rights or alter existing ones. They do not affect existing uses of the area.

Additionally, the administration used language, crafted with extensive local input, as a foundation for a national monument proclamation. This preserves existing water and property rights.

If I live in the mountains or would like to hike, hunt, fish, cycle, run marathons, ride off-highway vehicles in the mountains, am I able to continue to do so?

Yes. These are kinds of activities that a national monument is designed to preserve. With increased resources and public education, these activities would even be enhanced as the mountains are better managed, cleaner, and safer. Monument designations do not affect existing uses of the area.

San Gabriel National Recreation Area:

What is a National Recreation Area?

A National Recreation Area (NRA) is a designation originally given to lands around reservoirs with water-based recreation. NRAs safeguard recreational opportunities, and help ensure sustainable management.

The NRA designation has been broadened to include other outdoor areas, particularly those in or near urban centers. Each NRA designation is unique, and recreational activities like boating, fishing and hunting are often explicitly authorized in its authorizing legislation.

Why do we need an NRA to protect this area?

San Gabriel Foothills – The San Gabriel foothills are the gateway to the mountain range and some of the best places to recreate for our communities and a critical buffer zone between urban and wild places. However, persistent trash, graffiti, and safety issues increase fire dangers, decrease water quality, and threaten the ecology and unique habitats of the foothills. Resources are needed to make sure people can still enjoy this open space while also maintaining it.

River Corridors and Puente Hills – The river corridors and Puente Hills provide important ecological connections to the mountains. But parks in these urban areas are few and far between, and lack the resources to adequately provide opportunities for residents to walk, jog, bike, picnic, or enjoy other outdoor recreational activities.

Economic Value and Resources – Numerous studies have shown that recreational spaces increase property value and increase revenues for local businesses. An NRA designation could bring the kind of resources and recognition that places like Santa Monica and the West Side already enjoy.

Public Health and Environmental Justice – Los Angeles is the most park-poor region in the United States. In fact, New York City has more park space than L.A. Lack of recreational opportunities – large or small – has severe impacts on urban populations struggling with obesity, diabetes, heart disease, and chronic illness. Opportunities to enjoy outdoor activity are vital for public health and the well-being of people of all ages and walks of life.

What are the benefits of the NRA?

The NRA will allow the National Park Service to contribute to community-based, community-driven projects. For example, it can help cities create more pocket parks and walking paths among their communities, as well as access points to existing trails and bike paths. It can help improve signage, and increase education about the environment, fire safety, the special history of the region, and more.

These are just some ideas. Ultimately, the establishment of the Partnership and Advisory Committee and public engagement activities will ensure YOU have the final say in the management.

Who will be in charge of managing and governing the NRA?

You will. This began as a local effort, and Rep. Chu will keep it that way. The NRA would be managed by a partnership of local, state, and federal representatives. The study suggested some examples of entities that could be included, but the details of how this partnership is structured will be decided through local input and ongoing conversations with a range of local stakeholders. Partnership parks like this are more and more common as they allow for various stakeholders to come together and work with NPS resources to better manage urbanized areas for sustainable recreation.

What would the role of NPS be?

The National Park Service (NPS) would coordinate partnership-based activities through cooperative management agreements, and provide educational, interpretive, law enforcement, and other services as appropriate. Since NPS does not own any land in the watershed or the mountains, no matter what shape the NRA takes moving forward, NPS will have no authority over the lands. Only through agreements would NPS have the directive to take specific actions or lands that are acquired through purchase from willing sellers.

Will Santa Monica Mountains NRA or the Santa Monica Mountains Conservancy be in charge?

No. In fact, Rep. Chu believes the San Gabriel Watershed and Mountains are unique and deserve to be their own separate and independent unit. Rep. Chu has heard loud and clear from many constituents and stakeholders so far that you do not want Santa Monica Mountains NRA or the Santa Monica Mountains Conservancy to be involved in a San Gabriel NRA.

What is a Special Resource Study?

A Special Resource Study (SRS) is a study requested by Congress and conducted by the National Park Service (NPS) to determine if an area is qualified to be a unit of the National Park System. Congress requested the San Gabriel Watershed and Mountains Special Resource Study. NPS completed the study after nearly ten years of research and public comment.

Where can I find a copy of the Study, background, and information about the study area and the study process?

<https://parkplanning.nps.gov/showFile.cfm?projectID=12203&filename=sangabriel%5Fsrs%5Fnewsletter4%2Epdf&sfid=65310>

Was the public allowed to see the Study and provide comments while it was going on?

Yes. The study began by seeking local input and reviewing existing local plans for the area. An initial series of suggestions, called alternatives, were presented to the public and comments were taken over a period of several months. Over 5,000 people commented at that time. Based on those comments, the National Park Service (NPS) developed a revised set of alternatives and again submitted them for public review. Public town halls were held throughout the study area, and over the course of several months, NPS received an additional 12,000 comments. Ninety-five percent of the responses supported Alternative D, which recommended creating an NRA that includes the San Gabriel Mountains, river corridor, and Puente Hills.

Once the study was completed, Rep. Chu undertook an extensive public outreach process in 2013 and 2014 to determine what various stakeholders wanted to see in a San Gabriel NRA. Rep. Chu engaged in this process before drafting legislation. She hosted stakeholder roundtables with elected officials, water and public works agencies, business entities, and environmental groups. She held a large public town hall meeting for constituents from all over the San Gabriel Valley to voice their opinions and concerns. She had extensive conversations with the San Gabriel Valley Council of Governments, as well as regular discussions with water agencies, non-profit groups, city councils and elected official, chambers of commerce and business representatives, utilities and sanitation, county officials from Los Angeles and San Bernardino, homeowners, and recreational groups. As a direct result of the feedback she received from her public outreach, Rep. Chu drafted legislation for the NRA that ensures a continuation of property rights, local land control, water rights, fire management and several other priorities.

What is allowed/prohibited in a NRA?

Recreational activities, such as hiking, camping, cycling, boating, fishing, and hunting are allowed in most NRAs. A wide range of recreational activities can be explicitly authorized in the legislation that establishes a particular NRA. The legislation creating each NRA is unique to the local needs and uses of the area. Many more activities are allowed in NRAs than are often allowed in National Parks, for example.

How will the NRA protect my rights?

The National Park Service (NPS) does not own any land in the area under consideration for the NRA, so NPS has no authority to impose or alter rights, jurisdictions, policies, regulations, ownership, access, or uses. Local landowners will not have to ask NPS for permission to sell, lease, or access their own lands, expand their own homes, businesses, or facilities, operate their facilities, etc.

How will Rep. Chu ensure the National Recreation Area protects my rights?

The language in this bill was developed after years of input to ensure that:

- Agencies and organizations (and all others) that own and manage land within a San Gabriel NRA will continue to manage their lands according to their own policies and regulations.
- Local governments, businesses, and private citizens will retain ownership over property and authority over land use whether they are in or near the NRA boundaries.
- NPS will not have the authority to regulate the way lands are used or impose its policies on lands it does not own, and NPS does not own any land in the proposed NRA boundaries.
- The NRA designation will not impact local land use authority over private lands or any lands the Nation Park Service does not own.
- The NRA will NOT establish additional regulatory or land use authorities over local governments.
- NRAs are subject to existing water rights so all existing water rights will remain intact and unaffected.
- Legislation will ensure the NRA designation does NOT impact infrastructure for flood control, protection, storage, and transportation of water, treatment of water and wastewater, management of solid waste or utilities.
- Management of water supply and treatment plants will continue under current authorities.
- The NRA will not include new or future beneficial uses or requirements for water supply, water quality, or air quality regulations.
- Eminent domain will not be used for land acquisition.

Designation of Wilderness Areas and Wild and Scenic Rivers

What new Wilderness areas will be established by this bill?

The proposed wilderness areas include 2,027 acres of additions to the San Gabriel Wilderness, 13,851 acres of additions to the Sheep Mountain Wilderness, and two new areas: the Yerba Buena Wilderness (6,774 acres) and Condor Peak Wilderness (8,417). This comprises 31,069 acres of wilderness in sum. The areas being considered for wilderness designation were originally inventoried by the Forest Service in the 1970s. Since the time when they were originally identified, they have been exhaustively and repeatedly studied by the Forest Service. Several of the areas have been recommended by the Forest Service for wilderness designation, and the agency is again evaluating other areas for potential wilderness designation.

- **Condor Peak Wilderness**
 - Located in the Lower and Upper Big Tujunga Watersheds, this designation preserves 8,417 acres of public lands. The unit rises abruptly from 1,800 feet on its southern flanks to over 6,000 feet at its northern boundary near Mt. Gleason. It is hoped that the California Condor will return to this area part of its historic habitat.
- **Yerba Buena Wilderness**
 - Preserve one of the most spectacular undeveloped landscapes in the San Gabriel Mountains (6,774 acres). This area offers opportunities for solitude in a natural setting and a variety of recreational experiences.
- **San Gabriel Wilderness Additions**
 - This adds 2,027 acres to the existing San Gabriel Wilderness encompassing areas with dramatically rising slopes and a variety of flora and fauna. The San Gabriel Wilderness Additions encompasses a portion of the San Gabriel River watershed, which is an important source of clean drinking water.
- **Sheep Mountain Wilderness Additions**
 - Adds 13,851 acres to the established Sheep Mountain Wilderness. The Sheep Mountain Wilderness Additions are contiguous with the existing wilderness and add important landscapes to the wilderness area's northwest and southwest/southern flanks. These additions include several tributary canyons of the San Gabriel River, a portion of the San Gabriel Mountains crest between Mt. Baden Powell and Mt. Hawkins. The area is home to wildlife including its namesake Nelson Bighorn Sheep.

What is Wilderness?

Wilderness is a designation that seeks to protect remaining tracts of "relatively undisturbed" Forest Service land. The purpose is to maintain these lands as untouched and wild as possible. All wilderness designations can be made only by Congress and in accordance with the Wilderness Act, which was signed into law in 1964 by President Johnson. The rules that apply to wilderness only apply inside that Wilderness area, not beyond it or surrounding communities. Wilderness prohibits many activities, like use of motorized vehicles, that are permitted and encouraged in a National Monument.

What activities are allowed/prohibited in a Wilderness area?

Many types of recreation are permitted in wilderness area including: hiking, camping, hunting, fishing, outfitting and guiding, kayaking, canoeing, rafting, swimming, backpacking, horseback riding, pack trips, wheelchairs (including motorized wheelchairs), skiing, snow-shoeing, bird-watching, scientific research and nature study, control of fire and insect and disease outbreaks, livestock grazing, mining on pre-existing claims, and continued use, with reasonable access, of tracts of private or state land that may be within the boundaries of some wilderness areas.

Prohibitions usually include commercial activities, use of motorized vehicles and mechanized transport (including mountain bikes), road construction, new mining claims, and human infrastructure. These are largely absent to begin with for the area to qualify as a wilderness. However, there are several exceptions to these prohibitions, such as measures to control fires, insects, and diseases; and commercial recreation activities.

How does Wilderness affect existing rights?

Wilderness designations are subject to valid existing rights. This includes mining claims, water rights, grazing permits, and other valid existing rights.

How does Wilderness affect private property?

Wilderness designation applies only to federal lands and does not affect private or other non-federal property. There is no buffer around wilderness, and wilderness designation does not affect the use of land outside the wilderness.

How does Wilderness affect fire prevention and suppression?

The Wilderness Act says that any means necessary may be used to protect against and control fire as well as insects and disease. While managers will attempt to fight fires in a way that preserves the area's wilderness character, protecting life and property remains the top priority.

Why consider new wilderness? Are these lands threatened?

Southern California's growing population needs a place to get away from it all and wilderness designation ensures that the land remains the way it is for everyone to enjoy. These lands are not currently threatened, and wilderness will ensure that they will stay that way. Wilderness also delivers many other benefits like providing a home for wildlife, delivering clean air and water, and strengthening the local economy.

Will wilderness impact water rights?

Wilderness designation does not affect existing rights, including water rights. In some cases, land managers can secure water rights needed to protect wilderness in accordance with state and federal law. However, such actions are rare and may not affect existing rights. In the San Gabriel Mountains, the areas being considered for wilderness area are upstream of all existing water uses. We are committed to ensuring that wilderness designation does not affect any existing or anticipated water use.

Does the public support new wilderness?

Yes. In Forest Service planning processes dating as far back as the 1980s, thousands of people have commented in favor of protecting new wilderness areas. In the most recent National Recreational Area study, 95% of the more than 12,000 comments received by the Park Service supported designating new wilderness in the San Gabriel Mountains.

What new Wild and Scenic Rivers will be established by this bill?

The additions to the Wild & Scenic River system include all three forks of the San Gabriel River (25.3 miles) and Little Rock Creek (20.2 miles).

- **East, West and North Forks of the San Gabriel River**
 - Protect 25.3 miles in the forest's largest watershed and the source of clean drinking water for Los Angeles County. All three forks support rare native fish populations. Easily accessible segments of the East Fork and North Fork provide outstanding family

recreation opportunities, including picnicking, wading, and camping. The upper West Fork is the route of the Gabrieleno National Recreation Trail and the upper East Fork offers unique backcountry hiking, backpacking, and wild trout fishing.

- **Little Rock Creek**
 - Preserve 20.2 miles in this secluded and crystal-clear northern creek, which flows from the San Gabriel Mountains high country to the Mojave Desert.

What are Wild & Scenic Rivers?

Wild and scenic rivers are another type of designation that, similar to wilderness, are intended to help preserve the remaining free-flowing parts of rivers. The Wild and Scenic Rivers Act of 1968 established this policy to complement the construction of dams and other structures along waterways. The act created three types of wild and scenic rivers:

- **Wild rivers** — free from impoundments (dams, diversions, etc.) and generally inaccessible except by trail, where the watersheds (area surrounding the rivers and tributaries) are primitive and the shorelines are essentially undeveloped;
- **Scenic rivers** — free from impoundments and in generally undeveloped areas, but accessible in places by roads.
- **Recreational rivers** — readily accessible by road, with some shoreline development, and possibly subject to some impoundment or diversion in the past.

What activities are allowed/prohibited in a Wild and Scenic River area?

Management of wild and scenic rivers is less restrictive than wilderness. Road construction, hunting and fishing, and mining and mineral leasing may be permitted, as long as they don't violate other existing federal or state laws. Restrictions vary with the class of the designated river. Generally, wild rivers have the highest level of protection in terms of development and water resource use, scenic rivers an intermediate level, and recreational rivers the least restrictive.

How does a Wild & Scenic Rivers designation affect existing rights?

The federal government must cooperate with state and local governments, as well as land owners, in developing management plans for the area. The Wild and Scenic Rivers Act also limits eminent domain, and the federal government has never used this for wild and scenic rivers in California.

Does Wild & Scenic protection affect existing water rights?

No, the state's authority to regulate water rights remains unaffected by designation. There is a federal water right conferred by designation, but it begins at the date of designation and is junior to all other existing rights. To assert this right, the managing federal agency must apply to the appropriate state water rights agency and any decision would follow existing state water rights procedures and established rule of law. To acquire water rights, federal agencies would have to pay fair market value. This legislation explicitly states that federal protection will not affect downstream water projects. There are currently no upstream water projects.