

Coachella Valley Conservation Commission

April 10, 2014



Staff Report

Subject: Requirement for Fence in La Quinta to Avoid Urban-related Impacts to Peninsular Bighorn Sheep

Contact: Katie Barrows, Director of Environmental Resources (kbarrows@cvag.org)

RECOMMENDATION: Information Only

BACKGROUND: On March 3, a letter from the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) was received to officially notify the CVCC and the City of La Quinta that bighorn sheep are using artificial sources of food and water in unfenced areas within the City of La Quinta. The letter is consistent with a requirement in the CVMSHCP (Section 8.2.4.1) that, “. . . if Peninsular bighorn sheep are using artificial sources of food or water in unfenced areas of existing urban Development within or near a Conservation Area, the CVCC (unless otherwise agreed to by the applicable Local Permittee) shall cause to be constructed a barrier to sheep access to cure the problem within 2 years of such notice. The location of this barrier (i.e., an 8-foot fence or functional equivalent) shall be determined by CVCC based on its ability to obtain permission/access to the necessary lands.” The receipt of this letter “starts the clock” for the problem to be addressed within two years. The letter is attached for your review.

For some time, staff has been working with the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, BLM, and the City of La Quinta to address concerns related to Peninsular bighorn sheep coming on to the golf courses in the City of La Quinta. Over the past year or more, meetings and site visits have been held to assess the situation along the toe of the Santa Rosa Mountains in La Quinta. Visits have been made to several golf courses in the area, including PGA West, the City’s SilverRock Resort, and other golf courses. City personnel and golf course staff have been very cooperative in working with us on this issue. Unfortunately, since the summer of 2012, three bighorn rams have died, one due to oleander poisoning and two drowned in the canal. Staff is working cooperatively with the wildlife agencies, City of La Quinta, and other partners to develop a plan for a fence along the toe of the slope adjacent to the golf courses. Some segments of a fence could be constructed by others as a result of development conditions imposed on past, present or future projects.

In 2003, the City of Rancho Mirage installed a fence at a cost of approximately \$1 million for 5 miles of fencing along the edge of the mountains to prevent bighorn sheep from coming into urban areas and crossing Highway 111. A similar fence to respond to the wildlife agencies’ concerns and the permit condition could cost significantly more than the fence in Rancho Mirage, depending on the ultimate length and design. For comparison, note that the cost of the fence could be much more than CVCC receives in development impact fees from all the cities and County in a single year. Staff will be proposing budget adjustments to address this potential financial burden that, unfortunately, will negatively impact other monitoring and acquisition efforts.

The situation with bighorn sheep accessing golf courses in La Quinta and the letter from the wildlife agencies was recently the subject of a story on local TV news channel, KESQ. The story can be found at the following link: <http://www.kesq.com/news/bighorn-sheep-fence-may-be-on-the-way/25257190>

On other projects related to bighorn sheep, we continue to work on the bighorn sheep monitoring program funded through a Local Assistance Grant from CDFW; this grant was accepted by the CVCC in January 2014. The Grant Agreement has been approved and is being finalized, with funding expected to be available in the next month or two. The project will require the purchase of GPS collars and the allocation of funds to other PBS monitoring tasks. We are working with our partners to identify options for completing the monitoring program. Ongoing coordination will be handled through the Bighorn Sheep Oversight Group established by CVCC; a meeting of that group is in the works. Staff has also requested a presentation on the status of bighorn sheep for the CVCC as soon as it can be scheduled.

FISCAL ANALYSIS: The cost for the proposed fence will need to be determined and presented as part of an overall plan to the CVCC for approval at a later date, prior to any action being taken.

ATTACHMENTS:

1. Letter from U.S. Fish and Wildlife Service and California Department of Fish and Wildlife.



U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262
760-322-2070
FAX 760-322-4648



California Department of Fish and Wildlife
Inland Deserts Region
78078 Country Club Drive, Suite 109
Bermuda Dunes, California 92203
760-200-9158
FAX 760-200-9358

In Reply Refer To:
FWS-CDFW-ERIV-09B0023-13TA0160

Mr. Tom Kirk
Executive Director
Coachella Valley Conservation Commission
73-710 Fred Waring Drive, Suite 200
Palm Desert, California 92260

FEB 28 2014

Mr. Frank J. Spevacek
City Manager
City of La Quinta
P.O. Box 1504
La Quinta, California 92247



Subject: Notification that Peninsular Bighorn Sheep (*Ovis canadensis nelsoni*) are using artificial sources of food in unfenced urban areas in the City of La Quinta, Riverside County, California

Dear Messrs. Kirk and Spevacek:

The U.S. Fish and Wildlife Service (Service or USFWS) and the California Department of Fish and Wildlife (Department; formerly California Department of Fish and Game or CDFG), jointly referred to as the Wildlife Agencies, provide this notice to the Coachella Valley Conservation Commission (CVCC) and the City of La Quinta (City or Local Permittee) to express our concerns regarding urban-related impacts to the Peninsular Ranges Distinct Population Segment of Nelson bighorn sheep (Peninsular bighorn sheep, *Ovis canadensis nelsoni*), a federally endangered species and a State endangered and fully protected species. CVCC and the City are permittees under the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (CVMSHCP/NCCP) through Federal Fish and Wildlife Permit TE104604-0 and State of California NCCP Permit 2835-2008-001-06.

Members of the public, including the Bighorn Institute of Palm Desert, California, have informed us that Peninsular bighorn sheep are regularly observed grazing within several golf resorts in the La Quinta area, including SilverRock Resort, PGA West, and The Quarry at La Quinta. These developments are located at the wildland-urban interface along the base of the Santa Rosa Mountains in La Quinta, adjacent to Peninsular bighorn sheep habitat in the Santa Rosa and San Jacinto Mountains Conservation Area of the CVMSHCP/NCCP. The Bighorn Institute has obtained photographic documentation of Peninsular bighorn sheep on these properties, and Peninsular bighorn sheep have been seen on the PGA West golf course during various televised events (see Enclosure 1), including the recently televised Humana Challenge tournament in January 2014.

We are concerned that rams, ewes, and lambs will continue to be attracted to forage, and possibly water sources, at golf resorts throughout the year, where they are at risk of injury and death from drowning in canals and swimming pools, toxic plant poisoning, vehicle strikes, the effects of ingesting intestinal parasites present among watered lawns and grasses, and other potential urban-related hazards. The death of three bighorn rams within urbanized areas of the City occurred during the summers of 2012 and 2013. One ram died of acute *Nerium oleander* poisoning on the grounds of PGA West; the others were found drowned in the concrete-lined Coachella Canal, one in the vicinity of Madison Street and 52nd Avenue in La Quinta, and the other in the vicinity of Lake Cahuilla.

According to Section 8.2.4.1, item 14, of the CV MSHCP/NCCP:

If the USFWS or CDFG provides written notice to the CVCC or Local Permittee that Peninsular bighorn sheep are using artificial sources of food or water in unfenced areas of existing urban Development within or near a Conservation Area, the CVCC (unless otherwise agreed to by the applicable Local Permittee) shall cause to be constructed a barrier to sheep access to cure the problem within 2 years of such notice. The location of this barrier (i.e., an 8-foot fence or functional equivalent) shall be determined by CVCC based on its ability to obtain permission/access to the necessary lands. If placement of a barrier must occur on other public lands (e.g., BLM [Bureau of Land Management], CDFG), CVCC will coordinate with these other agencies as appropriate.

The Service first approached CVCC on this issue on May 30, 2012, at a CVMSHCP/NCCP Coordination Meeting at the Coachella Valley Association of Governments office in Palm Desert (see Enclosure 2). Representatives of the Wildlife Agencies and CVCC subsequently met at the City-owned SilverRock Resort on June 12, 2012, with representatives of the City and Landmark Golf Management, which manages SilverRock Resort for the City. Representatives of CVCC and the Wildlife Agencies met again to discuss the issue on August 20, 2012, at the Service's Palm Springs office. These parties and representatives of the Bighorn Institute met again at SilverRock Resort on September 11, 2012, and at PGA West on July 26, 2013. Representatives of the Wildlife Agencies, CVCC, and the City met at the City of La Quinta Civic Center on January 9, 2014. In addition, the Service has continued to remind CVCC informally at CVMSHCP/NCCP Coordination Meetings that Peninsular bighorn sheep were continuing to use the above sites for forage.

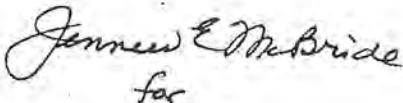
Thus, we are formally providing written notice to you that Peninsular bighorn sheep are using the above mentioned locations for forage, and possibly water, at the urban-wildland interface on the edge of a CVMSHCP/NCCP conservation area. The 2-year clock for CVCC and potentially the City to construct a barrier to Peninsular bighorn sheep access at the La Quinta golf courses named above begins on the date of this letter. Although the CVMSHCP identifies fencing or a functional equivalent as a sheep barrier, it is well documented that adequate fencing will keep Peninsular bighorn sheep away from inappropriate forage and

water sources on golf resort properties, and will reduce the opportunities for Peninsular bighorn sheep to wander farther into the urban environment. In particular, we note the success of the Peninsular bighorn sheep fence built by the City of Rancho Mirage in 2002 in reducing Peninsular bighorn sheep mortalities in that area. Before the fence was constructed, the Bighorn Institute had documented 15 Peninsular bighorn sheep deaths in urbanized areas along California Highway 111. With the fence in place and maintained by the City of Rancho Mirage, no Peninsular bighorn sheep have perished in that area from urban-related causes. We are not aware of any functional equivalents to fencing at this time.

Unless a functional equivalent of fencing can be demonstrated to be effective, we expect CVCC and the City to meet the requirements identified in 8.2.4.1, item 14, of the CVMSHCP/NCCP within 2 years. We request CVCC and the City to involve the Wildlife Agencies in planning the location and type of fencing to be built, and regularly inform us of progress toward implementation. Accordingly, within 6 months of the date of this letter, please provide the Wildlife Agencies with a letter-report of actions taken to notify and work with the golf resort owners/managers to plan fence construction, including a preliminary map of fence locations, provisions for developing any CEQA analysis that may be required, and a timeline for construction.

If you have questions, please contact Jenness McBride of the Service at 760-322-2070 or Heather Pert of the Department at 858-395-9692.

Sincerely,



Jenness E. McBride
for
Kennon A. Corey
Assistant Field Supervisor
U.S. Fish and Wildlife Service



David Elms
Acting Regional Manager, Inland Deserts Region
California Department of Fish and Wildlife

Enclosures

Enclosure 1 -- Photo sources			
Date	Location	Source	Link
2008	PGA West Bob Hope Classic	Google	https://www.google.com/search?q=2008+bob+hope+classic+bighorn+sheep&espv=210&es_sm=122&tbm=isch&tbo=u&source=univ&sa=X&ei=jBvsUjDJMYT1oAT30IK4BQ&ved=0CD4QsAQ&biw=1280&bih=936
2008	PGA West Bob Hope Classic	USA Today	http://usatoday30.usatoday.com/sports/golf/2008-01-16-2927017214_x.htm "Players at PGA West had an unusual hazard on No. 15: a herd of Bighorn sheep grazing in the fairway under the elevated tee. The golfers simply hit the ball over their heads while they continued to munch. But when the players came down into the fairway, the sheep scampered back to the hills alongside the course."
2009	PGA West Bob Hope Classic	Google	https://www.google.com/search?q=2009+bob+hope+classic+bighorn+sheep&espv=210&es_sm=122&source=lnms&tbm=isch&sa=X&ei=fhvsUua3F8zpoASf6IDQAw&ved=0CAoQ_AUoAg&biw=1280&bih=936
2009	PGA West Bob Hope Classic	Getty Images	http://www.gettyimages.com/detail/news-photo/bighorn-sheep-is-seen-on-the-rocks-near-the-16th-hole-news-photo/84440670
2009	PGA West Bob Hope Classic	PGA Tour	http://www.pgatour.com/news/2009/01/20/approachshot.print.html "ON-COURSE OBSERVATIONS: PGA TOUR Network correspondent Brett Wright is on the scene at Kapalua for this week's satellite radio coverage (XM 146/SIRIUS 209). Reports Wright: "The PGA West Palmer Private Course exhibits an incredible contrast of every color in the spectrum, with flowers, blooming trees and lush green fairways set under the craggy, rock-strewn Santa Rosa Mountains, where you can watch wild big-horn sheep curiously staring at the golfers."
2009	PGA West Bob Hope Classic	Outdoors Forum	http://www.theoutdoorsforum.com/forums/topic/21618-san-bernardino-bighorn-sheep-survey/ "I watched it because of the location, and the because its one of the biggest events in golf. But the sheep there are always on the course. I forget the name of the sheep society there but they do a pretty good job for the sheep. I was working in that area a few years ago on a project and we had a couple ladies and a ram come down fairly close to us, but I didnt have my camera. He wasnt a stud, but was cool to see."
2010	PGA West Bob Hope Classic	Google	https://www.google.com/search?q=2010+bob+hope+classic+bighorn+sheep&espv=210&es_sm=122&source=lnms&tbm=isch&sa=X&ei=bxvsUt2HBYrroASs0oKQDw&ved=0CAsQ_AUoAw&biw=1280&bih=936
2010	PGA West Bob Hope Classic	LA Times	http://articles.latimes.com/2010/jan/25/sports/la-sp-hope-golf25-2010jan25 "After more than three inches of rain fell Wednesday and Thursday, the weather was desert perfect the last two days. The green grass at the Palmer PGA West course was good enough to eat, at least for a group of bighorn sheep who wandered out for some mid-afternoon munching near the 16th hole."
2010	PGA West Bob Hope Classic	GoHuskies	http://www.gohuskies.com/ViewArticle.dbml?DB_OEM_ID=30200&ATCLID=208038145 "The Hope Classic had its second straight day of postcard-perfect Palm Springs scoring weather, with no real breeze and ideal temperatures. The beautiful conditions even brought out a family of eight bighorn sheep, which moseyed out of the craggy cliffs and onto the 16th hole on the Palmer course to chew on some grass. The sheep ambled back up into the rocks before the group containing Parnevik, long-hitting former Jets quarterback Vinny Testaverde and "Burn Notice" actor Jeffrey Donovan reached the hole."
2011	PGA West Bob Hope Classic	Google	https://www.google.com/search?q=2011+bob+hope+classic+bighorn+sheep&espv=210&es_sm=122&tbm=isch&tbo=u&source=univ&sa=X&ei=UhvsUrx-lyT9oAT8y4HYDQ&ved=0CCoQsAQ&biw=1280&bih=936
2012	PGA West Bob Hope Classic	Google	https://www.google.com/search?q=2012+bob+hope+classic+bighorn+sheep&espv=210&es_sm=122&tbm=isch&tbo=u&source=univ&sa=X&ei=DbvsUpOkGcTj0AT6-oLACw&ved=0CEgQsAQ&biw=1280&bih=936
6/8/2012	SilverRock	Blaine Carian	Email with eight photos attached

Date	Location	Source	Link
9/13/2012	SilverRock	Bighorn Institute	Email with three photos attached
12/5/2012	PGA West	Desert Sun	http://www.mydesert.com/videonetwork/2014412122001
12/5/2012	PGA West	Desert Sun	http://www.mydesert.com/apps/pbcs.dll/gallery?Avis=J1&Dato=20121205&Kategori=NEWS01&Lopenr=212050803&Ref=PH
4/9/2013	The Quarry	Bighorn Institute	Email with one photo attached
2013	PGA West Humana Challenge	Google	https://www.google.com/search?q=2013+humana+challenge+bighorn+sheep&es_sm=122&tbm=isch&tbo=u&source=univ&sa=X&ei=2xrsUrXkE5D3oASdjlKoBA&ved=0CDkQsAQ&biw=1280&bih=936
12/28/2013	PGA West	Desert Sun	http://voices.mydesert.com/2013/12/28/2013-a-desert-sun-reporters-most-memorable-moments-of-the-year/
2014	PGA West Humana Challenge	Google	https://www.google.com/search?q=2014+humana+challenge+bighorn+sheep&es_sm=122&biw=1280&bih=936&tbm=isch&tbo=u&source=univ&sa=X&ei=OxnsUubBEIPhoAT-goHoAg&ved=0CC0QsAQ
1/15/2014	PGA West	Pantagraph	http://www.pantagraph.com/sports/golf/humana-challenge-evolves-for-well-being/image_c965efe0-9141-56b6-869e-555fc967b26f.html
1/15/2014	PGA West	Pantagraph	http://www.pantagraph.com/sports/golf/humana-challenge-evolves-for-well-being/image_638b851e-a673-5d46-8085-e649333551ee.html
2/18/2014	PGA West	Bighorn Institute	Email with one photo attached
			"... picture of 2 ewes on the golf course at PGA West from last week. on Friday after work, we got a call from PGA West about a sick bighorn trying to make it higher up the hill. They said Animal Control was going to respond and we weren't in a position to go there at that time as it would be dark by the time we arrived. We never heard back so we're not sure what happened. We assume the animal made it up the hill, but who knows."

Enclosure 2 -- Meetings			
Date	Participants	Location	What
5/24/2012	Bighorn Institute	SilverRock	<p>Email from BI on 6/1/2012:</p> <p>"We just received a report that a gentleman (Perry King 909-797-1400) was golfing on SilverRock Golf Course in La Quinta last Thursday May 24th when he saw 2 large groups of bighorn sheep on the golf course. There was a group of 18 sheep with 8 lambs and a group of 11 sheep with 5-6 lambs. Mr. King said the groundskeepers and Marshals were chasing the bighorn sheep off of the course with their riding mowers and he talked to them and suggested they shouldn't do that since the sheep are endangered, but they told him that they do it every day and it's not a big deal. Mr. King then went to talk to the course superintendent who also blew him off and said they want the sheep off the course and have to chase them off daily. Mr. King asked if he should talk to Fish & Game and the superintendent told him not to.</p> <p>We did not know that ewes and lambs (or any sheep) were regularly coming down to SilverRock. This is obviously a very bad situation, on several levels, and should be addressed."</p>
5/30/2012	Wildlife Coordination Meeting	CVAG	La Quinta bighorn sheep fencing not on agenda, but discussed
6/5/2012	Blaine Carrian	SilverRock	<p>Email from BC on 6/8/12:</p> <p>"A friend of mine played golf Tuesday at Silver Rock in La Quinta and ran into this group of bighorn. He spent 15 minutes wandering among them and taking pictures."</p> <p>Forwarded pictures (taken by his friend a few days earlier) of bighorn sheep, presumably on 5th hole.</p>
6/12/2012	Katie Barrows, Edie Hylton, Eddy Konno, Heather Pert, Jenness McBride, Chris Gregory, SilverRock staff	SilverRock	<p>"Representatives of the Wildlife Agencies and CVCC subsequently met at the City-owned SilverRock Resort on June 12, 2012, with representatives of the City and Landmark Golf Management, which manages SilverRock Resort for the City."</p> <p>Meeting regarding sheep on golf course and options to prevent further entry (predator calls & smells; fencing).</p>
8/?/2012	Ben Gonzales	La Quinta	<p>Email from BG on 9/17/2012:</p> <p>Ram #1 was reported to have died Wednesday, August 8th, 2012 in the 59500 block of Riviera in La Quinta (Map 1). The ram was observed "behaving lethargic" before it "keeled over". Cause of death for this ram was confirmed to be myocardial necrosis as a result of oleander poisoning (CAHFS Report S1206966). Oleander glycosides were confirmed in the rumen and colon.</p> <p>Ram #2 was pulled out of the canal in the vicinity of Madison and 52nd (precise location not defined: Map 2). Cause of death was determined to be drowning. This animal was negative for the presence of oleander glycosides in the rumen (CAHFS Report S1206969).</p>
8/20/2012	Various	PSFWD	"Representatives of CVCC and the Wildlife Agencies met again to discuss the issue on August 20, 2012, at the Service's Palm Springs office."
9/11/2012	Katie Barrows, Edie Hylton, Jenness McBride, Chris Gregory, Aimee Byard, Jim DeForge, others	SilverRock	<p>"These parties and representatives of the Bighorn Institute met again at SilverRock Resort on September 11, 2012. Although the Service continued to remind CVCC informally that Peninsular bighorn sheep were continuing to use the above areas for forage and water, no further meetings on this issue occurred."</p> <p>Meeting regarding bighorn sheep on golf course and options to prevent further entry (predator calls & smells; fencing). This may have been the meeting where, on the 5th(?) hole, JDF and CG walked toward the only bighorn sheep present (1 ewe and 1 lamb). Bighorn sheep moved once we were within ~10m.</p>

Date	Participants	Location	What
3/27/2013	Wildlife Coordination Meeting	CVAG	La Quinta bighorn sheep fencing on agenda
			Phone call with BC on 1/30/2014:
5/3/2013	Blaine Carrian	SilverRock	As part of golf tournament on Cinco De Mayo weekend, BC and friends saw ~30 sheep at 5th teebox. Sheep unafraid of humans (walked up to/toward people on golf carts). Saw additional bighorn sheep on 16th teebox. Believes sheep fence will have negative repercussions on bighorn sheep accustomed to golf course water/grass.
5/3/2013	USFWS/CDFW Joint Coordination Meeting	CDFW	Discussion/Action Items: 2. PBS – Fencing, Monitoring, and Research a. Fencing – Set up a meeting for Ken and other interested parties to tour golf courses and meet with golf course managers as well as City staff: Chris Gregory. (Update: told by KB that was her job to do)
5/22/2013	Wildlife Coordination Meeting	CVAG	La Quinta bighorn sheep fencing on agenda
6/26/2013	Wildlife Coordination Meeting	CVAG	La Quinta bighorn sheep fencing on agenda
7/24/2013	Wildlife Coordination Meeting: Michael Flores, Jim Foote, Chris Gregory, Steve Harris, Jenness McBride, Jennifer Prado (for item IIIA), Ilima Segoviano, Jim Sullivan, Katie Barrows (scribe)	CVAG	Katie described plans for field trip to PGA West, SilverRock and other golf courses in La Quinta to look at areas where bighorn sheep are coming onto golf courses. Field trip is to look at options for fencing in this area. - Action items to be determined after PGA West field trip (one action item is meeting with City of La Quinta to discuss funding options).
7/26/2013	Katie Barrows, Jenness McBride, Chris Gregory, Jim Foote, Ken Corey, Todd Keefer (PGAW), Dean Miller (PGAW), Randy Duncan (SR), others	PGA West & SilverRock	Meeting regarding bighorn sheep on golf course and options to prevent further entry (predator calls & smells; fencing). On the 5th(?) hole, JDF and CG walked toward the ewe and lamb present. Bighorn sheep moved once we were within ~10m.
1/9/2014	Katie Barrows, Edie Hylton, Steve Howlette (LQ), Michael Flores, Jenness McBride	La Quinta	Sheep fence meeting