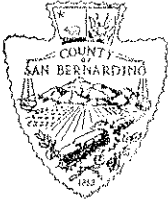


Board of Supervisors
County of San Bernardino

BRAD MITZELFELT
SUPERVISOR, FIRST DISTRICT



September 24, 2008

Mr. James Peterson, Deputy State Director
Office of Senator Dianne Feinstein
750 B Street, Suite 1030
San Diego, CA 92101

Dear Mr. Peterson:

Thank you very much for briefing my staff and me on the various proposals for wilderness designation in the California Desert. I appreciated the candid exchange of ideas and the very open approach that the Senator appears to be taking regarding evaluation of areas for potential inclusion in the National Wilderness Preservation System.

I particularly appreciate your expression that the Senator will integrate the views of the County in this assessment. I feel it is important to reiterate two important issues related to the proposal. First, the proposals for wilderness, while advocated by environmental interest groups, cannot be viewed in isolation. Concurrently with our dialogue, the County and its constituents also face the proposal by the U.S. Marine Corps to expand its training facilities at Twentynine Palms (MCAGCC). Further, the Fish and Wildlife Service has recently issued its Draft Revised Recovery Plan for Desert Tortoise. That document largely reaffirms the previously designated critical habitat units and recovery units as well as the network of redundant management units which BLM has adopted into quasi-wilderness conservation areas (formerly called Desert Wildlife Management Areas (DWMAs)). Put simply, the USMC expansion appears pointed toward a key public recreation area (Johnson Valley Open OHV Area), and its displacement or any possible substitution by another area of public land in the desert is precluded by desert tortoise critical habitat and existing wilderness.

All of the past restrictive designations have had a profound effect on the County, adding little or nothing to its economic base, but removing almost 800,000 acres from our tax base. The future designations and removal of additional lands from BLM multiple use administration and management will likely lead to both displacements of various recreational activities, restrictions on future mining, plus the loss of additional land from property tax rolls.

Underlying much of the advocacy for additional wilderness within the County appears to be a basic distrust among wilderness advocates that BLM's mandate to manage public lands for multiple uses is somehow less than adequate. I have a sense that some feel that unless additional lands are placed in congressionally designated wildernesses, the land and resources will lack protection. This is an unfortunate evolution, given the previous commitments given with the creation of the California Desert Conservation Area/Plan some 32 years ago. The subsequent California Desert Protection Act that Senator Feinstein successfully carried in 1994 created within San Bernardino County probably the greatest total acreage of wilderness preservation in any county within the United States. (We estimate approximately 2,300,000 acres of wilderness in the County, among BLM, NPS and USFS. That's more than one-quarter of the total federal acreage in the County. That is a greater acreage in Wilderness than all but 33 entire counties in the contiguous states.)

Second, and overlying the various competitive interests for land designation, is the current land rush to establish renewable energy within the desert southwest, with San Bernardino County being the focus of that interest and potential activity. I cannot help but feel that at least some of the wilderness proposals you are reviewing may be motivated to remove areas from potential wind and solar leasing consideration. We have noted that while renewables receive strong backing in principle from certain organizations, projects receive opposition as to siting within the desert. Concurrently we are faced with multiple transmission proposals which concern many of my constituents, and must be factored into the land designation mix.

The bottom line is simply that no proposal can be considered in isolation; all must be integrated into a cohesive, comprehensive, and publically supportable proposal that assures a balancing of equities, national priorities, proper resource management and full consideration of the broad public interest including affected desert residents. In addition, I believe that the national defense and training interests here must be accommodated and given high priority. Given the amount of Congressionally designated wilderness already in the County, a small adjustment, involving areas that likely should not have been placed in the System, can provide an appropriate area to meet the needs of the Marine Corps. The proposals described below will accomplish this, and do so with the least impact on constituents, residents, and public land users.

During our meeting we also spoke of including some innovative designations that might be included in any legislation that might or will emerge. Again, I appreciate the candid discussion we had. To this end, certainly some permanent and National recognition of Route 66 would be appropriate, and tie with the State and local promotions associated with the historic "Mother Road."

Based upon this assembly of competing interests, I offer the following initial recommendations and assessment regarding the proposals you brought to my attention:

1. Soda Mountains: I do not agree with this area becoming wilderness. First, it does not provide a buffer with Ft. Irwin, being separated from the Army boundary by the Boulder Transmission Corridor and the associated maintenance roads. Second, it contains numerous mines, with associated access roads, several of which remain active for a variety of minerals. Wilderness designation would prevent further exploration of minerals and probably limit future expansion of the current operations. "Cherry-stemming" roads and mines still allows non-conforming uses, but limits their extent and certainly places limits on future use. The area is important wildland, but the values associated with that can be adequately protected with management and compliance. Further, the proposal embraces Silver Lake, north of Baker, which is sometimes used as a remote filming location.
2. Avawatz Mountains: I can agree that this could be included as a wilderness unit, and agree that its designation would provide a buffer with the Army's training activity in Ft. Irwin. The limits of the wilderness designation should be the limits of the Wilderness Study Area (WSA). The inclusion of the creosote brush bajada lying between the base of the mountain and Highway 127 is likely not a benefit to the concept of wilderness, and is likely not required. We note that there are "cherry-stemmed" roads in the proposal, and we encourage their retention, particularly that going to Sheep Spring, an area under lease to the California State University System's Desert Studies Center.
3. Kingston Range Additions: While we see no reason for the addition of these areas to formal wilderness, we have no objection to inclusion. The area must exclude the Tidewater and Tonapah (T&T) Railroad grade. That feature has been used for back-country touring, and there have been plans to make it a formally designated trail.
4. Clipper Mountains: I see little reason for adding this area to wilderness, but with a special designation associated with Route 66, the inclusion of wilderness additions would assure the retention of the wildland vista experience which travelers associate with this stretch of highway.
5. Slate Range: I have no opposition to this area becoming wilderness. Since most of the area is within Inyo County, I defer to their recommendation.

6. Trilobite addition: Like the Clipper additions, this is an area where I have no objection, and do see that its designation would enhance the Route 66 experience.
7. Golden Valley additions: Relative to the north portion, I see no reason for the addition. The proposal is already within a designated Area of Critical Environmental Concern (ACEC). Further, the area has little wilderness value, and was not deemed of wilderness value when Golden Valley (Lava Mountains) was designated. In addition, the area would shrink the Spangler Hills Open OHV Area, a public recreation area, at a time when the Johnson Valley Open Area is being seriously considered by the Marines for their expansion.

Relative to the south portion, I cannot agree the area merits wilderness protection. It is desert tortoise habitat and already has use and access restricted and managed. There are well-developed routes in the area, however, that provide back-country touring opportunity, and little or no evidence of abuse or resource deterioration from that use. While "cherry-stemming" would continue to allow that use to continue, I see no reason for expanding wilderness designation to the land beyond.

8. Cady Mountains: I do not concur with the designation of this area as wilderness. The area contains no unique or special resources or ecosystems which merit inclusion in the National Wilderness Preservation System. Further, because of the size of the area (111,000 acres), such designation will assure that no human activity ever will occur within the designated area. The area does have value for remote back country touring and has had extensive recreational activity by rockhounds in the north portion. We do not know if rockhounding features exist elsewhere, but reasonable opportunity to explore could be provided.

What I do propose for the area is a special designation, such as Back Country, which would provide for vehicular access based recreational experience, not OHV open area type use, but continued use by rockhounds and other back country explorers in a setting that is both remote and not far removed from the urban setting of the Mojave Valley. While the map proposal does contain a few "cherry-stemmed" roads, I believe additional access is available on routes that remain from the historic ranching and other past activity, even if those roads did not qualify under wilderness inventory maintenance requirements.

9. Sleeping Beauty: I do not concur in designating this area as wilderness. We discussed this area in some detail in our meeting, and I think you would agree it is particularly unremarkable piece of real estate lying between the SCE transmission line and Interstate 40. If anything, I believe it is yet another area where solar energy could be permitted, or at

least considered, in that there would be minimum human impact, or even visual impact, plus easily accessible transmission infrastructure. Barring that alternative use, it logically could be added to the Cady Mountains Back Country, proposed above.

I also offer the following proposal for consideration by the Senator as a means of facilitating the Marine Corps expansion. It would serve multiple purposes. First, it would facilitate the expansion toward an area with little conflict with desert residents. Second, it would save the BLM's largest public OHV area for continued use, thus not displacing it to areas that should not be so used and preventing trespass. Third, if adjusted to a realistic extent, it could potentially provide a largely suitable training area, plus an energy production area, remote from both sensitive resources and population, plus reduce potential conflict with public recreational use of public lands. The proposal described below, at its maximum extent, would remove less than 170,000 acres from wilderness, and as I have indicated elsewhere, would not sacrifice any land or resources that truly have wilderness values.

1. Adjust and de-designate portions of the Sheephole Mountains (Area #21). In an (A) configuration, eliminate the northern portion, north of the township line between 2 North and 3 North. In a (B) configuration the eastern two-thirds could be removed, leaving in the Sheephole Mountains as Wilderness. A line drawn southeasterly from the corner of T2N R12E, T2N R13E, T3N R12E and T3N R13E, to State Highway 62 at its northern point corner would accommodate both the Marine Corps expansion and renewable energy development siting.

Except for the mountainous area to the southwest side, the area likely should never have been included in the National Wilderness System. While technically roadless, it was a tank training area during World War II (near the Iron Mountain Divisional Camp), and again, I believe, during Operation Desert Strike in 1964. The impacts from past activity had rendered the area "not suitable" in the published Wilderness Reports, but for reasons known only to the CDPA authors, it was included as Wilderness.

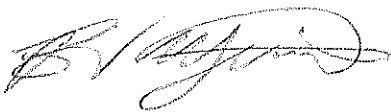
2. De-designate the Cadiz Dunes (Area #24). This small dune system, if removed from wilderness, in lieu of some of the new areas to be included, there would be a balancing, which would also facilitate the USMC expansion to the east, and create a "whole" area for their training activity.

This area, like the eastern part of the Sheephole Wilderness, was never recommended suitable by BLM's inventory, and more importantly, was not deemed of sufficient value or naturalness to be recommended over other dune systems in the region such as Kelso. In fact, when wilderness inventory was done, it was not deemed to have any wilderness character

and thus was not even a Wilderness Study Area (WSA), and thus was not even addressed as part of the formal and published Wilderness Report. t, too, was part of the general military training in WW II and probably again in the 1960s. I cannot speculate why it was even included in the 1994 CDPA, and its de-designation now, to provide an appropriate eastern boundary for the Marine Corps training, seems appropriately in the National interest.

Again, thank you for meeting with us, and I hope that you and the Senator will carefully consider our positions. I believe they reflect the global aspect of the new and complex issues facing the desert, provide resource protection, and minimize impacts to the County and its constituents.

Sincerely,



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Supervisor, First District
San Bernardino County

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