



Aug 19, 2008

Senator Boxer  
Senator Feinstein  
Representative McKeon  
Representative McCarthy  
Representative Bono Mack

Reg: Wilderness Proposed in The Heritage Bill

Dear Senators and Representatives:

National Public Lands News (NPLNEWS) is a non-profit California Corporation dedicated to providing citizens with a reliable source of federal land management information. Our sources are the Federal Register, the General Accounting Office (GAO), the Congressional Research Service (CRS) and other related publications. We mostly compile and web post information relating to public lands and forests managed by the U.S. Bureau of Land Management (BLM) and the U.S. Forest Service (Forest Service).

NPLNEWS does not take sides in the public land management debate or promote one use over another. But we do stand with the public's interest against special interest. We have never accepted financial contributions from any advocacy group on either side of the public lands management spectrum. Since 1999, we have provided citizens with a free, one-source website location, to obtain reliable and timely information on the status and future of their public lands (such as notices for public meetings/hearings and GAO reports on federal land management issues).

NPLNEWS was founded on the principle that we all have a shared responsibility, when it comes to the future of our public lands. And a fact-informed citizen is a more involved citizen – which would contribute positively to the agencies' decision-making process, under the National Environmental Policy Act of 1970 (NEPA), the Federal Land Policy Management Act of 1976 (FLPMA), and the National Forest Management Act of 1976 (NFMA), towards making better and balanced decisions.

We are aware that both of you have recently joined in drafting a bill for adding more wilderness acres to the current wilderness system in California's public lands, mostly on Forest Service and BLM public lands in Southern and Eastern California. In addition to Mono County, there is talk that you are considering adding hundreds of thousands of public land acres in Inyo, Riverside and San Bernardino counties.

NPLNEWS believes that, given the current energy and security situation additional wilderness areas/acreage in California is out of balance with our current and future needs and therefore, not in the public's interest for the following reasons:

- 1) Wilderness means closed to any access by the majority of the American people, except the few who can reach it. Prohibition on the use of any motorized or mechanized equipment of any kind (even to fight fires);
- 2) Wilderness designation would prohibit, restrict and limit any future minerals and energy planning and infrastructure development for our growing economy;
- 3) The negative affects on citizens' water rights; and
- 4) Impacts of such exclusionary legislation on access to private land and valid existing rights.

There are 79 wilderness areas administered by BLM in California totaling over 4.7 million acres, with 69 located in the California Desert National Conservation Area (CDCA). There are about 7 million acres under preservation or protective status. That does not leave much for development. Ironic since the CDCA represents the most promising future source of renewable energy and infrastructure corridors to support Southern California's growth.

Over 95% of the public lands in the CDCA is considered "closed" or under environmental restrictions imposed by CDCA land-use amendments (such as the West Mojave Plan and similar documents). In a practical sense, this creates an unfriendly environment for exploration and development for energy and minerals and public land users. By any yard stick that is not balanced allocation of our publicly-owned resources.

See CRS reports on wilderness:

<http://www.nplnews.com/toolbox/fedreports/fedreports-crs-98-848wilderness.htm>

<http://www.nplnews.com/toolbox/fedreports/fedreports-crs-94-976.htm>

I am sure you would agree that we could look at our public lands as: "publicly-owned assets that are managed on behalf of the American people by our government".

Many of the lands/acreage that are being proposed under this newest Heritage Wilderness Bill were considered under the previous effort that led to the passage of the 1994 California Desert Protection Act (CDPA). These lands were dropped from further consideration because they did not meet then, or now, the required wilderness criteria or federal land management regulations.

We believe adding them now is not in the public's interest and is excessive.

While legislating land-use (which is what wilderness designation is) maybe convenient and expedient, however, if it is not done right, it can run over people's valid existing rights.

It is also not clear what the impacts of such legislation will be on Native American tribes, local governments' general plans and uses, and other public land users. By legislating wilderness, these groups are basically shut out of this process.

Let us not forget that wilderness designation ties the hands of any future public land management in the area. It limits on-the-ground discretion and field options (due to minimum tool requirements) when balancing decisions affecting public land impacts/uses.

Anyone who has went thru the post 1994 CDDA drafting and implementation process knows full well the major problems & conflicts with delineating boundaries, reconciling private land access and valid existing rights, that resulted from that flawed process.

Please do not repeat the same mistakes again.

There is a better and more inclusive route to take. By using the processes of NEPA and the guidelines set up in FLPMA and NFMA, a balanced land management plan can be formulated. This plan would be evaluated under a Legislative Environmental Impact Statement (LEIS), as provided under NEPA Regulations at 40 CFR 1500, with full public involvement. This will assure the public's full support on the designation and management of any future wilderness areas.

We would be happy to assist you in providing any information regarding the subject lands under consideration for wilderness designation to avoid any future conflicts and legal challenges. Also we can help you to reach out to the rest of us that care and want a balanced approach to our public land management.

We all want the best for our public lands; we can only get there if we work together to reach a win-win outcome. Please be as inclusive as you can in this exclusive process.

Very truly yours,

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