

This is a quick look, redlined copy, of the Feinstein Bill by Minerals and Mining Advisory Council

Feinsteins Bill is vague and leaves to much room to do whatever Feinstein or predecessors want to change. San Bernardino County Supervisors can vote NO and help to Kill this Bill. Right now San Bernardino County Supervisors are being bribed with more acreage for recreation, by Feinstein, trying to get the county supervisors to vote yes. Minerals and Mining already provides access and privilege to public lands, for recreation, under the 1872 Mining Law. This is definitely a NO vote after reading just 15 pages out of 152 pages.

114TH CONGRESS
1ST SESSION

S. ■ ■

To provide for conservation, enhanced recreation, Minerals and Mining was left out Cannot be left out under 30USC21-54 opportunities, and develop-ment of renewable energy in the California Desert Conservation Area, and for other purposes. See Congressional Letter stating CDDMC and MMAC must be recognized and included in this decision.

Since San Bernardino voted down the solar plant this is another way to get the job done without going through DRECP

IN THE SENATE OF THE UNITED STATES

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Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on

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A BILL

To provide for conservation, enhanced recreation Minerals and Mining, Left out opportuni- ties, and development of renewable energy in the Cali—fornia Desert Conservation Area, and for other purposes.

22—tives of the United States of America in Congress assembled, Congress is not going for this nor is the Congressional Resource Committee Under the Multi Use land act (30 USC 612(b), the Mining and Minerals Act (30USC21a-54) and the **Strategic and Critical Materials Stockpiling Act** 50 U.S.C. 98 et seq. & 98(c). Also the actual end users Off-roaders **not** the following lead organizations in prentices (American Sand Association, Off-Road Business Association, San Diego Off-Road Coalition, American Motorcyclist Association, American Motorcyclist Association - District 36, American Motorcyclist Association - District 37, BlueRibbon Coalition, California Association of Four-Wheel Drive Clubs, California/Nevada Snowmobile Association, California Off-Road Vehicle Association, Desert Vipers Motorcycle Club, Duners, American Motorcyclist Association District 37 Dual Sport, and United Four Wheel Drive Associations.)

want nothing to do with Feinsteins Bill polled by Minerals and Mining at public round tables. If you actually involved the riders they said they would vote NO. Recreational can use the mine roads and travel ways without this Bill. If you publicly hold proper hearings on this Feinsteins Bill it will never pass the Constituents vote and if the constituents find out that their San Bernardino County Supervisors, state and federal supervisors, Desert Advisory Council approved this it would surely be political suicide. Additionally Recreation is not Federal Public Land Stakeholders of the Public Lands. Only Minerals and Mining and BLM.

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This Act may be cited as the

5 “California Desert Conservation and Recreation Act of

6 ~~6~~—2015”. **Encompasses taking back and leaving open language to take back 100’s of thousands of acres we are already fighting.**

- Create two new national monuments:**We do not need anymore Monumntents. Part of the Mojave and Colorado Biosphere Project by United States and United Nations**
 - The Mojave Trails National Monument, which would encompass **965,000** acres of land, including former Catellus-owned lands that were donated to the U.S. government with the intention of preservation.
 - The Sand to Snow National Monument, which would encompass **135,000** acres of land from the desert floor in Coachella Valley to the peak of Mount San Gorgonio.
- Designate six new Bureau of Land Management (BLM) wilderness areas covering **250,000** acres.
- Designate **18,610** acres of BLM land in Inyo County as the Alabama Hills National Scenic Area, preserving it for continued recreational use. **Tell Congressman Cook NO WAY send Him a Letter and call Tim at his washington Office.**

- Designate **77 miles** of waterways as Wild and Scenic Rivers.
- Add acreage to Death Valley National Park (**39,000 acres**), Joshua Tree National Park (**4,500 acres**) and the Mojave National Preserve (**22,000 acres**).
- Designate five existing BLM Off-Highway Vehicle areas (covering approximately **142,000 acres** of California desert) as permanent Off-Highway Vehicle (OHV) recreation areas, providing off-highway enthusiasts certainty that these uses of the desert will be protected in a manner similar to conservation areas. **She is going to take this back and you cannot mine.**
- Provide a balanced approach to renewable energy development through several provisions. For example, the bill:
 - encourages the development of new renewable energy in solar zones established by the federal government, avoiding conflicts over lands long intended for conservation; **We are already fighting DRECP(22,000,000 acres)**
 - requires the exchange of hundreds of thousands of acres of isolated state parcels currently surrounded by national parks and wilderness, providing the state with lands that could be used for renewable energy, recreation or conservation; and **Part of the Mojave Colorado Biosphere reserve from the UNESCO**
 - allows for upgrades to transmission lines necessary to bring clean energy from new desert solar and wind farms to urban areas, while still protecting pristine landscapes **This is not even true**

7

7 (b) TABLE OF CONTENTS.—The table of contents of
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CALIFORNIA DESERT CONSERVATION AND RECREATION

Sec. 101. California Desert conservation and recreation.

Sec. 102. Visitor center.

Sec. 103. California State school land.

Sec. 104. Designation of wild and scenic rivers.

Sec. 105. Conforming amendments.

TITLE II—DEVELOPMENT OF RENEWABLE ENERGY ON PUBLIC
LAND

Sec. 201. Definitions.

Sec. 202. Disposition of revenues.

1 **TITLE I—CALIFORNIA DESERT**
 2 **CONSERVATION AND RECRE-**
 3 **ATION**

4 **SEC. 101. CALIFORNIA DESERT CONSERVATION AND**
 5 **RECREATION.**

6 Public Law 103–433 (16 U.S.C. 410aaa et seq.) is
 7 amended by adding at the end the following:

8 **“TITLE XIII—MOJAVE TRAILS**
 9 **NATIONAL MONUMENT**

10 **“SEC. 1301. DEFINITIONS.**

11 “In this title:

12 “(1) ENERGY TRANSPORT FACILITY.—

13 “(A) IN GENERAL.—The term ‘energy
 14 transport facility’ means any facility used for
 15 the operation, maintenance, transmission, dis-
 16 tribution, or transportation of electricity or nat-
 17 ural gas. [The transmission and distribution lines are not
 adequate that exist and there is no way they can be implemented for
 years.](#)

18 “(B) INCLUSIONS.—The term ‘energy
 19 transport facility’ includes—

1 “(i) electric and gas transmission and
2 distribution facilities;

3 “(ii) telecommunications facilities; and

4 “(iii) appurtenant equipment owned
5 or used by a public or municipal utility
6 company or water district.

7 “(2) MAP.—The term ‘map’ means the map en-
8 titled ‘Proposed Mojave Trails National Monument’
9 and dated January 14, 2015.

10 “(3) MECHANIZED VEHICLE.—The term
11 ‘mechanized vehicle’ means a motorized or mecha-
12 nized vehicle or equipment used by a public or mu-
13 nicipal utility company or water district to construct,
14 operate, maintain, repair, or upgrade electricity, nat-
15 ural gas, telecommunications, or water infrastruc-
16 ture.

17 “(4) MONUMENT.—The term ‘Monument’
18 means the Mojave Trails National Monument estab-
19 lished by section 1302(a).

20 “(5) PUBLIC-UTILITY COMPANY.—The term
21 ‘public-utility company’ has the meaning given the
22 term in section 1262 of the Public Utility Holding
23 Company Act of 2005 (42 U.S.C. 16451).

1 “SEC. 1302. MOJAVE TRAILS NATIONAL MONUMENT.

2 “(a) ESTABLISHMENT.—There is established in the
3 State the Mojave Trails National Monument.

4 “(b) PURPOSES.—The purposes of the Monument
5 are—

6 “(1) to preserve the nationally significant bio-
7 logical, cultural, recreational, geological, educational,
8 historic, scenic, and scientific values— There is historic
values for training in the historic mining districts and current mining
districts. Recreational can use the mine roads and travel ways with
out this Bill. And in working with Minerals and Mining we help
preserve for use lines 7 and 8. If Feinsteins Bill passes it is not for
use.

9 “(A) in the Central and Eastern Mojave
10 Desert; and

11 “(B) along historic Route 66; and

12 “(2) to secure the opportunity for present and
13 future generations to experience and enjoy the mag-
14 nificent vistas, wildlife, land forms, and natural and

15 cultural resources of the Monument. And for the United States
Government All Agencies, Committees and Entities Involved in Public Land
Use Restrictions As It Effects Minerals and Mining Access In Accordance With
the 1872 Mining Law 30USC22-54, Federal Land Policy Management Act
(FLPMA) 43 USC1701 et seq. and Multiple Use 30 USC 612(b)Codes must consult with
Minerals and Mining Federal Land Stakeholders. And on the military (DOD) side Notify”
all parties concerned of State & Federal Administrative Actions that they have over-
stepped Federal Mining Laws and are ignoring the Rule of Law, to include National
Security Interests (DOD) that may exist in SCMSA 50 U.S.C. 98 et seq. & 98(c),-

16 “(c) BOUNDARIES.—The Monument shall consist of
17 the Federal land and Federal interests in land within the
18 boundaries depicted on the map. There will be no more
monuments if congress does not vote them in and they are not on
Feinsteins side. Tell you Congressman and Senators NO MORE
LAND DESIGNATIONS.

19 “(d) MAP; LEGAL DESCRIPTIONS.—

20 “(1) LEGAL DESCRIPTION.—As soon as prac-
21 ticable after the date of enactment of this title, the
22 Secretary shall submit to the Committee on Natural
23 Resources of the House of Representatives and the
24 Committee on Energy and Natural Resources of the
25 Senate legal descriptions of the Monument, based on
26 the map.

As we are in direct contact with Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources they are for Minerals and Mining and for Minerals and Mining working with Recreation to accomplish there needs.

1 “(2) CORRECTIONS.—The map and legal de-
2 scriptions of the Monument shall have the same
3 force and effect as if included in this title, except
4 that the Secretary may correct clerical and typo-
5 graphical errors in the map and legal descriptions.

6 “(3) AVAILABILITY OF MAP.—The map shall be
7 on file and available for public inspection in the ap-
8 propriate offices of the Bureau of Land Manage-
9 ment. It has not been up for review at our BLM Office nor
has Minerals and Mining, the public and the actual off-roading
public not the Recreational Organizations listed in section 2 page 1
herein have been consulted on this.

10 “SEC. 1303. MANAGEMENT OF MONUMENT.

11 “(a) IN GENERAL.—The Secretary shall—

12 “(1) only allow uses of the Monument that—

13 “(A) further the purposes described in sec-
14 tion 1302(b);

15 “(B) are included in the management plan
16 developed under subsection (g); and

17 “(C) do not interfere with the energy
18 transport facility rights-of-way or corridors au-
19 thorized under section 1304(f); and

20 “(2) subject to valid rights, manage the Monu-
21 ment to protect the resources of the Monument, in
22 accordance with—

23 “(A) this Act;

1 “(B) the Federal Land Policy and Man-
2 agement Act of 1976 (43 U.S.C. 1701 et seq.);
3 and

4 “(C) any other applicable provisions of law.

5 “(b) COOPERATION AGREEMENTS; GENERAL AU-
6 THORITY.—Consistent with the management plan and au-
7 thorities applicable to the Monument, the Secretary may
8 enter into cooperative agreements (including special use
9 permits with any person (including educational institu-
10 tions and Indian tribes)), for the purposes of interpreting,
11 researching, and providing education on the resources of
12 the Monument.

13 “(c) ADMINISTRATION OF SUBSEQUENTLY AC-
14 QUIRED LAND.—Any land or interest in land within the
15 boundaries of the Monument that is acquired by the Sec-
16 retary after the date of enactment of this title shall be
17 managed by the Secretary in accordance with this title.

18 “(d) LIMITATIONS.—

19 “(1) PROPERTY RIGHTS.—

20 “(A) IN GENERAL.—The establishment of
21 the Monument does not—

22 “(i) affect—

23 “(I) any land or interests in land
24 held by the State, political subdivision
25 of the State, or special district;

This is all part of the Mojave and Colorado Biosphere Reserve Project A land takeover orchestrated by United Nations and the United States in 1971 all culminating in the next 2 years under UNESCO. (See attached Paper)

1 “(II) any private property right
2 (including a water development right)
3 within the boundaries of the Monu-
4 ment; or

5 “(III) any land or interests in
6 land or customary operation, mainte-
7 nance, repair, or replacement activity
8 carried out on, over, or under land or
9 within a right-of-way granted to,
10 owned by, or controlled by the Metro-
11 politan Water District, Southern Cali-
12 fornia Edison Company, or Pacific
13 Gas and Electric Company pursuant
14 to law or legal right (including the
15 Act of June 18, 1932 (47 Stat. 324,
16 chapter 270)) that is included in the
17 Monument and conducted in a man-
18 ner that minimizes the impact on re-
19 sources of the Monument; or

20 “(ii) grant to the Secretary any au-
21 thority on or over non-Federal land not al-
22 ready provided by law.

23 “(B) PUBLICATION OF PLANS.—Not later
24 than 1 year after the date of enactment of this
25 title, the Secretary, in consultation with the

This is another part of DRECP because it is going to fail the California vote and currently is going to be reviewed with Congress and Minerals and Mining.

1 utility companies and district referred to in sub-
2 paragraph (A)(i)(III), shall publish plans for
3 regular and emergency access to the land and
4 rights-of-way within the ownership or control of
5 the applicable utility company or district.

6 “(2) AUTHORITY.—The authority of the Sec-
7 retary under this title extends only to Federal land
8 and Federal interests in land included in the Monu-
9 ment.

10 “(e) ADJACENT MANAGEMENT.—

11 “(1) IN GENERAL.—Nothing in this title creates
12 any protective perimeter or buffer zone around the
13 Monument.

14 “(2) ACTIVITIES OUTSIDE MONUMENT.—The
15 fact that an activity or use on land outside the
16 Monument can be seen or heard within the Monu-
17 ment shall not preclude the activity or use outside
18 the boundary of the Monument.

19 “(3) NO ADDITIONAL REGULATION.—Nothing
20 in this title requires additional regulation of activi-
21 ties on land outside the boundary of the Monument.

22 “(f) AIR AND WATER QUALITY.—Nothing in this title
23 affects the standards governing air or water quality out-
24 side the boundary of the Monument.

25 “(g) MANAGEMENT PLAN.—

1 “(1) IN GENERAL.—The Secretary shall—

2 “(A) not later than 3 years after the date
3 of enactment of this title, complete a manage-
4 ment plan for the conservation and protection
5 of the Monument; and **Look they do not even have a
plan yet. They want the Bill passed first then create a plan and of
course it cuts out Public Land Use**

6 “(B) on completion of the management
7 plan—

8 “(i) submit the management plan
9 to—

10 “(I) the Committee on Natural
11 Resources of the House of Represent-
12 atives; and

13 “(II) the Committee on Energy
14 and Natural Resources of the Senate;
15 and

16 “(ii) make the management plan
17 available to the public.

18 “(2) INCLUSIONS.—The management plan shall
19 include provisions that—

20 “(A) provide for the conservation and pro-
21 tection of the Monument;

22 “(B) authorize the continued recreational
23 uses of the Monument (including hiking, camp-
24 ing, hunting, mountain biking, sightseeing, off-
25 highway vehicle recreation on designated routes,

1 rockhounding is not mining it is recreation in this
 2 Bill. Rockhounding is actual Minerals and Mining under the
 3 1872 Mining Law Prospecting, and horseback riding), if the
 4 rec-

5 reational uses are consistent with this section

6 and any other applicable law; they can change it at
 7 any time with the word if. This means if people complain about
 8 too much dust in the air by the riders, then AQMD would likely take
 9 over and somehow restrict recreational use in the area. This would
 10 probably be accomplished by restricting the number of permit stickers
 11 issued to off road vehicles. The BLMRTC already had a complaint
 12 exactly about this issue two meetings ago. There are several other
 13 spots Feinstein uses special legal wording that would allow for
 14 changes as well.

15 “(C) address the need for and, as nec-
 16 essary, establish plans for, the installation, con-
 17 struction, and maintenance of energy transport
 18 facility rights-of-way within the Monument, in-
 19 cluding provisions that require that the activi-
 20 ties be conducted in a manner that minimizes
 21 the impact on Monument resources (including
 22 resources relating to the ecological, cultural,
 23 historic, and scenic viewshed of the Monument),
 24 in accordance with any other applicable law;

25 “(D) address the designation and mainte-
 26 nance of roads, trails, and paths in the Monu-
 27 ment;

28 “(E) address regional fire management
 29 planning and coordination between the Director
 30 of the Bureau of Land Management, the Direc-
 31 tor of the National Park Service, and San

21 Bernardino County;

22 “(F) address the establishment of a visitor

23 center to serve the Monument and adjacent

24 public land; and

1 “(G) provide for the maintenance of, and
2 access to, energy transport facilities and rights-
3 of-way within the Monument. [DRECP is part of this and
not legal going up for extension and then Congressional revue in
conjunction with Minerals and Mining.](#)

4 “(3) PREPARATION AND IMPLEMENTATION.—

5 “(A) APPLICABLE LAW.—The Secretary
6 shall prepare and implement the management
7 plan in accordance with the National Environ-
8 mental Policy Act of 1969 (42 U.S.C. 4321 et
9 seq.) and any other applicable laws. [NEPA actually
circumvents Mining so it cannot be used according to 30USC612b](#)

10 “(B) CONSULTATION.—In preparing and
11 implementing the management plan, the Sec-
12 retary shall periodically consult with—

13 “(i) the advisory committee estab-
14 lished under section 1306;

15 “(ii) interested private property own-
16 ers and holders of valid rights located
17 within the boundaries of the Monument;
18 and

19 “(iii) representatives of the Fort Mo-
20 jave Indian Tribe, the Colorado River In-
21 dian Tribes, the Chemehuevi Indian Tribe,
22 and other Indian tribes with historic or
23 cultural ties to land within, or adjacent to,
24 the Monument regarding the management
25 of portions of the Monument containing

1 sacred sites or cultural importance to the
2 Indian tribes.

3 “(4) INTERIM MANAGEMENT.—Except as other-
4 wise provided in this Act, pending completion of the
5 management plan for the Monument, the Secretary
6 shall manage any Federal land and Federal interests
7 in land within the boundary of the Monument—

8 “(A) in accordance with section 1.6D of
9 the Bureau of Land Management manual num-
10 bered 6220, dated July 13, 2012, and entitled
11 ‘National Monuments, National Conservation
12 Areas, and Similar Designations’; and

13 “(B) consistent with the purposes of the
14 Monument described in section 1302(b).

15 **“SEC. 1304. USES OF MONUMENT.**

16 “(a) USE OF OFF-HIGHWAY MOTORIZED VEHI-
17 CLES.—

18 “(1) IN GENERAL.—Except as necessary for ad-
19 ministrative purposes or to respond to an emer-
20 gency, the use of off-highway motorized vehicles in
21 the Monument (including the use of off-highway mo-
22 torized vehicles for commercial touring) shall be per-
23 mitted only on designated routes, subject to all ap-
24 plicable law and as authorized by the management
25 plan.

1 “(2) INVENTORY.—Not later than 2 years after
2 the date of enactment of this title, the Director of
3 the Bureau of Land Management shall—

4 “(A) complete an inventory of all existing
5 routes in the Monument; and

6 “(B) designate routes concurrently with
7 completion of the management plan.

8 “(b) HUNTING, TRAPPING, AND FISHING.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), the Secretary shall permit hunting, trap-
11 ping, and fishing within the Monument in accord-
12 ance with applicable Federal and State laws (includ-
13 ing regulations) in effect as of the date of enactment
14 of this title.

15 “(2) TRAPPING.—No amphibians or reptiles
16 may be collected within the Monument, except for—

17 “(A) scientific purposes; or

18 “(B) the removal of an invasive species.

19 “(3) REGULATIONS.—The Secretary, after con-
20 sultation with the California Department of Fish
21 and Wildlife, may designate zones in which, and es-
22 tablish periods during which, hunting, trapping, and
23 fishing shall not be allowed in the Monument for
24 reasons of public safety, administration, resource
25 protection, or public use and enjoyment.

1 “(c) GRAZING.—

2 “(1) IN GENERAL.—Nothing in this title termi-
3 nates any valid existing grazing permit within the
4 Monument.

5 “(2) EFFECT ON BLAIR PERMIT.—Nothing in
6 this title affects the Lazy Daisy grazing permit (per-
7 mittee number 9076) on land included in the Monu-
8 ment including the transfer of title to the grazing
9 permit to the Secretary or to a private party.

10 “(3) PERMIT RETIREMENT.—The Secretary
11 may acquire base property and associated grazing
12 permits within the Monument for purposes of per-
13 manently retiring the permit if—

14 “(A) the permittee is a willing seller;

15 “(B) the permittee and Secretary reach an
16 agreement concerning the terms and conditions
17 of the acquisition; and

18 “(C) termination of the allotment would
19 further the purposes of the Monument de-
20 scribed in section 1302(b).

21 “(d) ACCESS TO STATE AND PRIVATE LAND.—The
22 Secretary shall provide adequate access to each owner of
23 non-Federal land or interests in non-Federal land within
24 the boundary of the Monument to ensure the reasonable

1 maintenance, use, and enjoyment of the land or interest
2 by the owner.

3 “(e) LIMITATIONS.—

4 “(1) COMMERCIAL ENTERPRISES.—Except as
5 provided in paragraphs (2) and (3), or as required
6 for the customary operation, maintenance, upgrade,
7 expansion, or development of energy transport facili-
8 ties within corridors or rights-of-way described in
9 subsection (f), no commercial enterprises shall be
10 authorized within the boundary of the Monument
11 after the date of enactment of this title.

12 “(2) AUTHORIZED EXCEPTIONS.—The Sec-
13 retary may authorize exceptions to paragraph (1) if
14 the Secretary determines that the commercial enter-
15 prise would further the purposes described in section
16 1302(b).

17 “(3) APPLICABILITY.—This subsection does not
18 apply to—

19 “(A) energy transport facilities that are
20 owned or operated by a utility subject to regula-
21 tion by the Federal Government or a State gov-
22 ernment or a State utility with a service obliga-
23 tion (as those terms may be defined in section
24 217 of the Federal Power Act (16 U.S.C.
25 824q)); or