

Final Final Final

**Desert Tortoise Council,
Minutes of the Board of Directors Meeting**

**14 April 2012
DoubleTree Hilton, Ontario, California**

The meeting was called to order by Dan Pearson at 10:00 a.m. **Action items are in blue, with responsible parties in red. Motions made, seconded, and approved (or not) are shown in bold red font.**

Attendees: Maggie Fusari, Dan Pearson, Glenn Stewart, Peter Woodman, Sid Silliman, Bruce Palmer, Kristin Berry, Becky Jones, Joe Probst. **Absent:** Ed LaRue, Tracy Bailey, Mike Bailey. **Guests:** None.

A. Introductions: None.

B. Review Agenda: Several new issues were added and incorporated below.

C. Meeting Minutes of 7 January 2012: Ed prepared minutes at the last board meeting at Sam's Town in Las Vegas, Nevada, which were distributed and approved without any changes. **Motion made, seconded, and approved to accept the draft minutes as amended to be final.**

D. Brief Reports:

1. Treasurer's Report: The Treasurer's Report was distributed. During the sorting party in March 2012, Ray Butler, Mike Bailey, and Joe Probst performed the audit; an official audit report is being prepared. They recommend that the audit maintain a low profile and spend some money, with amounts discussed at future meetings. Joe suggested that we consult a non-profit expert for advice with regards to specific standards and thresholds affecting Council accounts. Mike will be at future meetings to specify amounts for certain tasks. **Motion made (Kristin), seconded (Joe), and approved to accept the Treasurer's Report as final.**

2. Corresponding Secretary's Report: There was no formal report in Tracey's absence.

3. Grants and Donations: Sid expressed his concern about accepting funding and grants from corporations. Might there be issues with accepting money from utilities/corporations (e.g., Southern California Edison - SCE) with whom the council may be at odds? **Kristin** agreed that discussing a "donation acceptance policy" is a good thing, and agreed to **submit Desert Tortoise Preserve Committee's policy to the Council board of directors**. After some discussion, it was agreed that DTC would submit a proposal to SCE. Donations have mostly been for specific events (e.g., Symposium or Workshop) with the donors being acknowledged in various ways. There was no consensus at this time on how the policy would be formulated.

4. Symposia: Kristin indicated the 2012 Symposium went very well, with 40 more registrants than anticipated, for a total of 250 registered, 240 pre-registered, so not many walkups. She had ordered 250 programs, so we just made it. No idea where the new people came from. There were a few more papers than could be accommodated, so Kristin had to deal with those issues.

2013 Symposium. The dates for the 2013 Symposium, which will be at Sam's Town in Las Vegas, are February 15 through 18, 2013. Kristin suggested that November 1st would be a better deadline for abstract submittals so that a speaker schedule could be published by mid-January. Some potential topics may include renewable energy issues, particularly with regards to golden eagle impacts by wind energy. May have members of TSA present to discuss law enforcement; perhaps Dr. Peter Praschag, TSA's president could speak. May have a session on predator management, including eagles, ravens, roadrunners, coyotes, dogs, ants, ground squirrels, numbers of adult female tortoises killed by ravens at Fort Irwin Translocation site, etc. It will be important to maintain a balance between invited papers and the usual participants including government, solar, student papers, *Gopherus morafkai*, connectivity, social science for all aspects, etc. Kristin may invite Emily Thorn to discuss management issues. Will also consider how to acknowledge Joe Truett's passing, and provide an update on Betty Burge's memorial.

2014 Symposium. Board members will need to further discuss pros and cons of meeting places other than Sam's Town and Las Vegas. It may be appropriate to have a student (e.g., winner of Morafka scholarship) serve as a session chair.

5. 2012 Handling Workshop: Maggie Fusari indicated that we will begin registration at the end of July, 2012. In the past there has been a 50-60% response rate from the potential attendees from the invitation list. Given overcrowding concerns mentioned in 2011 attendee comments we will restrict each session to 110 people. Attendees have asked for copies of the talks and we have provided those on line after the sessions were done. The PowerPoint presentations are generally too large to easily distribute and we need to work on that. A question was raised as to whether the Council should formally certify students. This has been discussed in the past but the usual issues of liability persist. The Council neither issues permits nor endorses particular individuals. It is best to remain at the status quo in which agencies review resumes and formally accepts monitors and authorized biologists.

There was much discussion about the test, including its applicability, what is being tested, level of effort to do well on the test, etc. No formal decisions were made, except to continue as in the recent past. At the very least the test engages the students to go thru the presentations and their notes and may reinforce some details and themes. Sean Daly and Jeremy Mack have devised a means using Acrobat to administer tests on line. Some students do not take the test (15-20%) so their test scores cannot be provided in the final letters of completion sent to the attendees.

Other discussion items included: Should there be a testing mechanism for the field portion, efficacy, how to measure, what to measure, especially the survey plot? Should the comments form be modified; what are our expectations for the form? Are the expectations of the attendees being met? Based on the comments, most students are satisfied with the workshop and the price.

Maggie has been in touch with Mary who can develop the Workshop portion of the Council's website at \$40/hour. Maggie estimates it will take 30 hours to upgrade the site for Workshop registration, at \$30/hr. It will take approximately three hours/month to maintain the Workshop portion of the site. A general estimate to upgrade the entire site including the Workshop pages would be 50-60 hours to upgrade the entire site at \$40/hour and 7-10 hours at \$30/hour for each month.

Dan would like to see estimated budgets from Mary, including one for the entire site and a second budget for the Workshop registration, including both development and maintenance costs. We would also like to get specific recommendations from Mary on how the website should be upgraded. Various board members indicated it should have links to other sites and papers, notices for board functions, notices required thru the Bylaws, photo contest, workshop registration form, newsletter, etc.

Several board members are having a tough time getting their newsletters. Sid recommended further discussion on how materials are placed in the newsletter and any issues with content. Also, how can we guarantee distribution to all members, including the board? Board members and others need to provide more input regarding potential articles and new sources of information.

E. Sorting Party: Another follow-up sorting party has been scheduled for 2 June 2012 at 09:00 a.m. at Kristin's office to go through previous materials and any others available. We really need to get Glenn's materials sorted out.

F. Potential Board Members: The board requests that a letter of introduction/resume/goal be submitted to assess individual levels of commitment/availability. The board needs to make their expectations known: requirements are primarily to recruit people with time, ability, commitment, energy to serve, particularly with the Ecosystems Advisory Committee. Need both new board members and general membership who can assist with various tasks as non-board members. We also need good geographical representation. How can new board members contribute to advocacy, geographical representation, specific functions, minimal job conflicts, and preferably be younger?

Prospective board members have included *Mickey Quillman*, who submitted an amended letter, but there was concern that his position with the BLM would create conflicts. *Mari Schroeder* has great skills with projects, much energy, and may be willing to review projects and draft letters. Joe indicated she is interested in the EAC and fundraising. *Heidi McMaster* has indicated her interest, but no one on the board really knows her. She needs to submit more information to see if she has enough experience to draft letters and have knowledge of ongoing projects and issues. Would any of these people be willing to research and draft advocacy letters? *Sue Waincott* (Clark County Desert Conservation Program - CCDCP) has indicated a willingness to assist with unspecified tasks. *Jodi Bechtel* (also with CCDCP) has expressed an interest, though has not sent a letter of interest). *David Grandmaison* and *Cristina Jones* (both AGFD) are very interested but unavailable at the moment.

Dan will prepare a memorandum detailing requirements needed from potential board members and non-board members who, for example, may serve as liaisons with agencies [Desert Tortoise Recovery Office (DTRO) in particular]. • He will make specific inquiries of Mari and Heidi, and see if Mickey is willing to participate as a non-board member.

G. Ecosystems Advisory Committee Report: (The formal report was not made available to be included as an attachment). The following specific topics were discussed:

1. Don Ashe Letter. DTRO recently published a white paper regarding connectivity. A Council letter should be drafted encouraging good science with regards to connectivity. This letter should be sent to the four BLM offices, but probably not state agencies, as they have had little input in the past.

2. Digital 395. This project is so far along that letters will not be useful. The persisting concern is that the Council be better informed about projects with adequate time to make comments. Although DTC has intervened, there has been no mitigation required for the 115 acres of critical habitat impacted. This is a poor precedent, as other projects have been required to provide compensation and mitigation for the affected habitat.

3. Ivanpah Valley ACEC. There was a meeting the week of April 16, but the proposal is currently at a standstill. Interested members should check Battle Mountain website, as three ACEC's are proposed under their Resource Management Plan and might be used as a template for Ivanpah Valley in how the proposal may be drafted.

4. Searchlight. Mitigation in California comes thru California Environmental Quality Act, which Nevada does not follow. Thus compensation may not be required. The site has 45 tortoises per square mile, which represents high densities!

The **function and goals** of the EAC were then discussed following the outline given below. The EAC:

1. Comments on threats to tortoise habitat as individual members hear about and report them.
2. Needs to consider the threats of wind projects to tortoises (see Lovich *et al.*).
3. Must be proactive based on areas of priority, which have historically been based on critical habitat, tortoise densities, and the degree of threat to these and other factors.
4. Should consider raven management a priority.
5. DTRNA has been withdrawn for mineral entry, grazing, and other land uses. DTPC needs to write a letter to the BLM as withdrawal must be reapplied every 20 years and is currently 12 years past the due date.

Mechanisms of EAC:

Much of the afternoon was spent discussing the role of the Council in influencing the decision-making process. A big issue is the sheer number of projects in the permitting/construction process. How may board members best use our time and resources to achieve successful impact? No consensus or votes taken but the topic should be revisited in August. Some recommendations included:

1. There should be one lead person to coordinate comment letters as projects come to our attention.
2. The board could hire someone to assist with responses to various actions.
3. Ask other advocacy groups who is available and competent to prepare responses.
4. The EAC needs to identify and prioritize actions requiring responses.
5. The purpose of the EAC is to provide letters that require a response, that lay groundwork for potential litigation, and future actions in the long run.

6. We should look for the causes and effects (e.g., fence roads, eliminate ravens,) and cumulative impacts.
7. Letters may also support appropriate actions and requirements of agency personnel.
8. As required by NEPA and CEQA, the EAC must become part of the process early so the Council may have standing later when needed.
9. The Council must be cognizant of relationships with outside groups, and maintain independence with regards to advocacy.
10. Should the Council serve as an advocate or in an advisory capacity? The recently revised Bylaws specifically state that the Council's role is one of advocacy. We should advocate the use of science and practice good science to support informed decisions.

The following action items were identified (though no board members assigned):

1. Seek individuals that would be useful to assist with position letters.
2. Determine their fees and identify their tasks
3. Determine how we may better find out what is happening (e.g., NEPA Calendar). We are already on BLM's mailing list for projects under review.
4. Ask the general membership to notify the Council of projects as they arise.
5. May be able to go through USFWS biological opinions to determine utility and if mitigation and minimization measures have been performed.
6. Insure we focus on critical habitat (with Ivanpah and Stateline as exceptions).

Kristin suggested the following tasks should be completed (though no one was identified):

1. Prioritize a list of action items.
2. Select a list of potential firms.
3. Prepare a Statement of Work.
4. Provide a budget.

Sid recommends that a single name and address appear on Council letters, regardless who writes the letter. For now, Sid or Glenn are the best candidates due to lack of conflict of interest with jobs.


H. Operations Manual: Kristin completed a draft symposium operations manual in 1995 that Tracy has recently revised. Bruce is working on the Council's general operations manual.

I. Dan's Task List: Dan identified the following action items for himself: [Complete grants and funding policy statement.](#) • [Assign tasks for various individuals.](#) • [Draft an announcement for the newsletter to determine contracted Council advocate.](#)

J. Next Meeting: The next business meeting of the board will be at the DoubleTree Hilton, Ontario, California, between 10:00 a.m. and approximately 4:00 p.m., 25 August 2012. A second sorting party is scheduled for 2 June 2012 at Kristin's office in Riverside, California.

K. Adjourn: The meeting was adjourned by Chairperson, Dan Pearson, at 16:00.

These draft minutes were recorded by Peter Woodman, later edited, and respectfully submitted by Ed LaRue, Recording Secretary.

A handwritten signature in blue ink, appearing to read "Ed LaRue", is centered on a light blue rectangular background.

Ecosystems Advisory Committee Report
DTC Board Meeting – April 14, 2012

Cadiz Pipeline

A total of fourteen organizations, including DTC, signed the March 13, 2012 comment letter on the Cadiz Valley Water Project DEIR. Extensive documentation was attached.

Digital 395 (California Broadband Cooperative)

March 30 - DTC letter to CDFG Region 6 regarding the environmental documentation for Digital 395; two key documents referenced in the EA-IS are not part of the public record. See the web site at <http://digital395.com/index.html> for information on the project. Digital 395 will impact at least 400 acres of DT/MGS habitat (including as much as 115 acres of DT critical habitat).

Sid requested the Biological Technical Report and BA from NTIA, and the BO from USFWS.

DTC engaged this project too late to accomplish much.

Ivanpah Valley ACEC

February 11 - Sid cooperated with other activists to secure California/Nevada Desert Committee endorsement of the Ivanpah Valley ACEC design by Basin and Range Watch (DTC and Vegas and BLM Needles). The endorsement is working its way through Sierra Club California decision process as a resolution to the California/Nevada Conservation Committee.

Searchlight Wind Energy Project

April 13 – Thanks to Joe’s good work, DTC comment letter on DEIS sent to BLM Las Vegas.

Solar Programmatic Environmental Impact Statement (PEIS)

April 15 – Letter re connectivity of DT conservation areas mailed to USFWS Director Dan Ashe

South of Kramer Transmission Project

March 23 – Comment letter on proposed transmission line by SCE, a project that should be labeled “South of Barstow.” Ed attended the March 12 public meeting and then crafted a detailed set of observations and recommendations on behalf of DTC.

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