

Final                      Final                      Final

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

**7 January 2012  
Sam's Town, Las Vegas, Nevada**

The meeting was called to order by Maggie Fusari at 09:52 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:** Becky Jones, Mike Bailey, Tracy Bailey, Kristin Berry, Bruce Palmer, Dan Pearson, Glenn Stewart, Maggie Fusari, Sid Silliman, Ed LaRue. **Absent:** Pete Woodman. **Guests:** Joe Probst. Ray Saumure has resigned since the September board meeting.

**A. Introductions:** None.

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

**C. Meeting Minutes of 25 September 2011:** Ed produced minutes at the last board meeting, which were distributed and corrected as necessary. **Ed will provide Maggie with minutes of the Council's strategy workshop from 1990's. Ed will begin saving draft and final minutes in PDF format. Motion made (Kristin), seconded (Glenn), and approved to accept the draft minutes as amended to be final.**

**D. Brief Reports:**

**1. Treasurer's Report:** Mike has been looking at 2011 financial documents to be ready for audit at Symposium. He estimated \$5,000 to create the website and \$5,000 for scanning in documents, which can be amended. Mike moved \$25,434.52 into the Edward Jones account, for a current total of \$69,789.22. Several years ago, \$3,000 was approved for the Desert Report drafted every four years. **Board agreed that Treasurer will begin putting his/her name on future reports. Motion made (Glenn), seconded (Dan), and approved to accept the Treasurer's Report as final.**

**2. Corresponding Secretary's Report:** Tracy indicated the few things received in Ridgecrest have been forwarded to Sid: BLM proposal to fence Grass Valley Wilderness and several newsletters. Materials are forwarded by the Beaumont post office for one year, thereafter returned to sender.

**3. Awards Committee:** Glenn reported that he, Ken Nagy, and Bob Murphy considered Jennifer Germano, Mary Kotschwar, and Chava Weitzman for the Morafka Award, and chose Jennifer Germano of the Clark County Conservation Center for her proposed study of thermoregulatory and water loss properties of tortoise burrows in caliche caves versus dirt burrows. Awards committee agreed to present the "Robert Stebbins Research Award" to authors of the dazed and confused paper, including Robert Murphy, Kristin Berry, Taylor Edwards, Alan Leviton, Amy Lathrop, and Daren Riedle; the "Pat Von Helf Recognition Award" will go to Cheryl Pearson; Elliot Jacobson will receive the "Kristin Berry Annual Award;" a Service Award will go to Sid Silliman for his outstanding work on the EAC; the newly named "James St. Amant Special Award" will go to Western Watershed Project (received by Michael Connor); **(Becky will follow up on contacting Jim to present the award).** Board agreed that Council would pay for Jim and Evelyn's transportation costs.

**4. Nominating Committee:** Dan is incoming Chairperson, Maggie will become Past Chairperson, and, as of today, Bruce agreed to serve as Chairperson-elect. Given current even year of 2012, need to nominate Corresponding Secretary and Treasurer. **Motion made (Dan), seconded (Glenn), and unanimously approved to accept to following slate of officers to be considered at the Annual Business Meeting: Tracy Bailey as Corresponding Secretary, Mike Bailey as Treasurer, and Bruce Palmer as Chairperson-elect.**

**5. Board Reappointments:** Board members are appointed for three-year terms. Sid joined the board in October 2009, so would not need to be reappointed. Maggie suggested a global reappointment of Becky, Kristin, and Glenn as Members at Large; **Maggie will contact Pete to see if he wants to be reappointed. Separate motions were made and seconded by various members, and unanimously approved to reappoint Becky, Kristin, and Glenn as Board Members at Large. • Motion made (Kristin), seconded (in unison), and unanimously approved to elect Joe Probst as the newest Board member.**

**E. Bylaws Review of Final Draft:** Bruce is commended for his extensive work on the Bylaws. The version as of 4 January 2012 was discussed today. Bruce thanked Kristin, Glenn, Maggie, and Ed for extensive input. Final version needs to be posted on the website by 17 January 2012 in order to formally present proposed revisions to attendees at the Annual Business Meeting. Sean Daly is planning to announce the revisions in the newsletter. **Bruce will work with Tracy to ensure that the Bylaws revisions are posted as required to formally accept them by vote at the Annual Business Meeting.** Bruce then highlighted additions and significant changes, which are mostly not reiterated herein, except as follows.

Significantly, the following phrase was deleted from Article IV, Section 1: “No one may hold two positions on the Board simultaneously.” Also delete following redundant sentence from Article IV, Section 4, “Members of the Board who recuse themselves may participate in discussion but may not vote.” After extensive discussion, agreed to change Article IV, Section 5 as follows: (a) any agenda item must be posted at least 30 days prior to a meeting for consideration and (b) restrict decision to override to the Annual Business Meeting or Special Meeting (Glenn provided wording to Bruce). In Article V, eliminate Junior-Senior wording and Products Manager and add Membership Coordinator (**Tracy will contact Michael Connor about DTPC’s current database format**). Recording Secretary will begin maintaining multi-year Council archival materials, with Corresponding Secretary maintaining current-year materials, which will be forward to the Recording Secretary. Add “...or goals of the Council” to Section 5, Awards Committee. All agreed to eliminate Article VI, Section 6 from this final version. Add “...consistent with the goals and objectives of the Council” to Article IX, Section 1. **Motion made (Sid), seconded (Dan), and unanimously approved to forward edited Bylaws, with one final review by Glenn, to the Annual Business Meeting for formal adoption.**

**F. Guidelines for Grant Proposal Requests:** **Dan has asked that each Board member review the grant proposal wording and provide comments.** Appropriate to have a Board member administer this program and monitor effectiveness of how the money is used. Need to be sure that this grant proposal does not violate requirements of the Council’s section 501(c)(3) status; be sure that the proposal supports educational research, not political issues. Important that entities requesting grants know that the Council is limited by its financial capability to issue grants. Board should consider if there should be a budget line item identifying available funding. **Ed will send Dan a copy of the matching grant proposal document from the 1990’s.**

**G. 2012 Symposium:** Molly Peters, Par Singhaseni, and Katherine Gray are three students committed to help at the Symposium. Council will comp a room for Molly and Par, which would be provided by Sam's Town; Tracy will inform Sam's Town that room is in Molly Peters name. The deadline for current room rates in 16 January 2012. Glenn will send them an email advising them to register.

**1. Program Speakers and Needs for 2012:** Program is full, with posters offered to late-comers. Kristin will have the draft program posted on the web. Packet assembly will be at 19:00 on Thursday night. Annual Business Meeting is 08:00 on Friday morning, with Symposium ending at 16:00 on Sunday. Tracy will send registrant data to Maggie who will produce name tags. Translocation papers will be Sunday afternoon. Kristin needs to talk to Peter about the field trip. Sid suggested visiting one or more of the translocation sites, including the one in Ivanpah Valley. Kristin will contact Roy-Averill Murray about having USFWS personnel help with the local field trip, perhaps including the local head-starting facility. Field trip will be on Monday morning. **Motion made (Bruce), seconded (Becky), and unanimously approved to provide Kristin with necessary funds up to the limits identified in the budget for programs, abstracts, and other necessary items.** • **Motion made (Sid), seconded (Kristin), and unanimously approved to provide Dan (\$500) and Maggie (\$200) to purchase raffle and auction items.** • **Motion made (Sid), seconded (Dan), and unanimously approved to provide Tracy with \$1,500 for packets, chums, and miscellaneous Symposium items.**

**2. Annual Symposium Manual:** Tracy has been reviewing a 76-page manual of another group that identifies responsibilities for their Symposium. The manual would include, for example, guidelines for the photo contest, awards section, previous budgets, facility info, list of vendors, operations manual, etc., everything needed to coordinate the Symposium.

**3. Annual Business Meeting:** Will begin at 08:00 on Friday morning. Each committee chairperson is expected to provide a brief report for his/her committee. Bruce will report on Bylaws, followed by elections of officers. As Recording Secretary, Ed will ask for new nominations and run the voting process. Sid will report on EAC's activities this past year. Mike requested that he be first to report so he can attend to the registration table. There will be no official meeting on Thursday, 16 February 2012, which will serve as sorting work party.

**4. Future Locations:** Laughlin is too difficult to get to. Several places were considered in Phoenix and Tucson, but expensive. Joe will check into a few facilities in Palmdale and Lancaster, but air travel problematic. Las Vegas is the easiest of the cities discussed. Unless a better place is identified, expect that we will come back to Las Vegas in 2013, likely back to Sam's Town (avoid North Las Vegas). Tracy will contact Sam's Town about 2013 availability.

**H. Ecosystems Advisory Committee Report:** The EAC report was distributed, covering all actions since the September board meeting. Ed contacted Jeff Aardahl of Defenders to provide technical information on the DRECP planning process, since DTC is not on the stakeholders list. Under Ivanpah ACEC, Western Lands Project is involved in a number of land acquisition projects. Sid will send related materials for "South of Kramer" to Dan for his input. Sid will send an electronic version of the EAC report to Ed to be attached to these minutes. **Motion made (Glenn), seconded (Dan), and unanimously approved to provide recent stock language describing the Council's mission to the webpage to replace the older message, and have Mike Connor make this change.**

**I. Ecosystems Advisory Committee Discussion:** Sid is concerned with the current function of the EAC and his current level of involvement. Sid is also concerned that our current focus and main representation are in California (which *does* have 78% of the tortoise critical habitat). Finally, the work has changed from advocacy to providing more technical expertise. Need to recruit people from other areas who are also capable of providing technical advice. The Desert Committee meets four times a year, comprised of activist groups, but is not a functional entity. One option is to hire a Council representative, perhaps a consulting firm. Perhaps Sid could serve as the central clearinghouse for information and distribute it to individual EAC members, spending less time reviewing and analyzing the information. Council needs to first recruit new members and could consider hiring people. Council may contact Scott Cashen, currently in Walnut Creek; maybe consider Tom Egan or Paula Kahn for specific projects; maybe contact Mary Kotschwar. Ed has agreed to help more with reviews and comments, with Sid still reviewing responses and signing documents. Sid will consider a budget amount, continue discussions with EAC members, and provide entire Board with a future proposal.

## **J. Miscellaneous Reports:**

**1. Betty Burge Contribution:** Kristin is planning to meet with several local biologists (Medica, Kahn) and Betty Burge's husband, Less Beck, on Thursday afternoon of the Symposium to consider a local memorial at the Springs Preserve. At 17:00 on Friday night of the Symposium, there will be a memorial service commemorating Pat Von Helf and Betty Burge.

**2. Archives Materials:** Ed's document of 1 January 2012 is considered a pilot study to show types of Council materials distributed between 1991 and 2004. Collections would require getting information from past board members. Sid has a list of all the materials in Council filing cabinets, which he will forward to Ed. Once scanned, the materials may be discarded. Kristin will contact Russell Beck for Betty Burge's Council materials. Sid indicated that he has both electronic and hard copy versions of environmental documents and comment letters. We would keep Council comment letters but not the environmental documents. Board members would bring both electronic and hard copy materials to Dan's house to sort through archival materials. Board members will gather on March 24 between 10:00 and 18:00 to sort materials. Maggie will contact Doug Duncan and Ted Cordery for their materials. Ed will contact Tom Dodson and Lisa Kegarice in Riverside.

**3. Handling Workshop:** Kristin currently has the evaluation forms, which she will mail to Maggie. Maggie will give us a full report on evaluation feedback. There were 220 people at two sessions, so both were full. Conversation session in the evening went over very well. For now, we will plan on the same facility and two sessions, accommodating about 110 people per session. We turned away about 50 people this year. Sharaih has indicated she will not return in 2012. Maybe Pete could do her session on environmental monitoring? Maggie will pursue an automatic registration method. Thanks to Maggie and Tracy for their work on this!

**4. Four Vacant Board Positions:** See above for Joe Probst election today.

**5. Varmint Hunting Decision at Mojave National Preserve:** This material has been forwarded to Board members; no discussion at this time.

**K. Next Meeting:** The next meeting of the board will be the Annual Business Meeting at Sam's Town Casino, Las Vegas, Nevada, which is scheduled for 08:00 a.m., 17 February 2012. Following the February Annual Business Meeting and the sorting exercise in March at Dan's, will plan to have a board meeting on 14 April 2012 at the Doubletree Hotel in Ontario, California.

**L. Adjourn:** Following a motion by Dan, seconded by Becky, the meeting was adjourned by Chairperson, Maggie Fusari, at 16:04.

These draft minutes were recorded and respectfully submitted by Ed LaRue, Recording Secretary.

A handwritten signature in blue ink, appearing to read 'Ed LaRue', is centered on the page. The signature is written in a cursive style with a large initial 'E'.

Attachment 1. Ecosystem Advisory Committee report for 7 January 2012

Report of Ecosystems Advisory Committee  
DTC Board Meeting - January 7, 2012

Cadiz Pipeline

January 6 – Ed participated in a conference call among representatives of National Park Conservation Association, Center for Biological Diversity, California Native Plant Society, and Mojave Desert Land Trust. A primary concern is with the effects of groundwater discharge. Santa Margarita Water Agency is CEQA lead. February 13 is final date for public comment.

Call To Action For Energy Democracy

December 18 - Board of Directors voted (11 Yes, 1 abstention) to support a motion by Sid, seconded by Glenn to sign the Call To Action For Energy Democracy from Solar Done Right.

Desert Renewable Energy Conservation Plan (DRECP)

Ed and Sid attended the DRECP Stakeholders meeting of October 12. Sid joined the November 9 Stakeholders meeting via WebEx.

Ed and Sid attended the December 14-15 Stakeholder meetings focused on "potential alternative conservation strategy approaches" prepared by the REIT agencies and the consultants. Ed's minutes (distributed to EAC members) are available upon request.

January 6 – Sid joined environmental group on call to development proposal for phased development under DRECP

Hawes Compost Facility

September 30 – Joint DTC and CBD comments on Hawes Compost Facility Access Road Environmental Assessment (EA) sent to BLM. In December, Sid learned that the Hawes owner (Nursery Products) began to grade the access road, build fences, and install culverts even though BLM had not issued a ROD on the right-of-way application across BLM-administered lands. BLM Barstow issued a "cease and desist" letter on December 14, 2011.

Ivanpah ACEC

October 28 – DTC and Desert Protective Council joined Basin and Range Watch in submitting the Ivanpah Valley ACEC nomination to BLM Needles and BLM Las Vegas. EAC members edited the Basin and Range Watch draft, adding sections on desert tortoise connectivity, ACEC designation, and ACEC management. Western Lands Project endorsed the ACEC nomination via a separate letter to the respective BLM Offices.

November 23 -- John Evans of BLM Las Vegas responded that BLM will considering the nomination in its RMP process. The decision to accept or reject the nomination will be in the Draft RMP/EIS scheduled to be available to the public in the Spring of 2012.

December 16 – Basin and Range Watch met with BLM Nevada State Director Amy Leuders, NV Deputy State Director of Resources Raul Morales, and CA Deputy Director of Natural Resources Tom Pogacnik. Reportedly a positive meeting.

### Mountain Pass Lateral Project (MPLP)

October 31 – DTC submitted comments to FERC on the Environmental Assessment for the proposed MPLP, Kern River Gas Transmission Company (Docket Number CP11-46-000).

### Programmatic Environmental Impact Statement (Solar PEIS)

January 6 – EAC will assist Defenders of Wildlife in drafting comments on the supplemental solar PEIS regarding desert tortoise connectivity areas and Ivanpah Valley. Ed will serve as the DTC contact for the PEIS.

### San Bernardino County

January 4 (2012) – DTC requested that County Planning Commission postpone action on proposed General Plan Conservation Element Amendment to adopt Federal and State agency databases relative to biotic resources [DTC did not receive timely notification; posted maps are illegible]. In response to numerous requests, Commission postponed action until February.

### Silver State South (First Solar)

October 31 – DTC submitted scoping comments to BLM Las Vegas in response to its NOI to prepare a Supplemental EIS and a resource management plan amendment for the proposed First Solar South project near Primm in Clark County, Nevada.

### South of Kramer

A Southern California Edison proposed transmission system between Coolwater and Lugo. In the early stages of the planning and sighting process, SCE offered NGOs a WebEx overview of the project on September 28 and a site visit of the project study area on October 7, 2011. Sid joined the former but could not attend the latter.

## Action and Discussion Options

Glenn suggests that the description of "Who We Are" on the DTC website should have the second sentence reworded to correspond with the "Who We Are" statement routinely used by the EAC in DTC comment letters. The EAC description reads: "The Desert Tortoise Council is a private, non-profit organization comprised of hundreds of professionals and laypersons who share a common concern for wild desert tortoises and a commitment to advancing the public's understanding of this species. Established in 1976 to promote conservation of tortoises in the deserts of the southwestern United States and Mexico, the Council regularly provides information to individuals, organizations and regulatory agencies on matters potentially affecting the desert tortoise within its historical range."

Composition and Focus of Ecosystems Advisory Committee [see Board agenda]