

Final Final Final

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

**14 August 2021
Zoom Online Meeting**

CALL TO ORDER

The meeting was called to order by Chair, Ken MacDonald 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: Kristin Berry, Greer Dolby, Peter Woodman, Judy Hohman, Ken MacDonald, Cristina Jones, Maggie Fusari, Michael Tuma, Becky Jones, Joe Probst, Ed LaRue, Halle Kohn
Absent: Bruce Palmer, Michael Vamstad, Mari Quillman **Guests:** None.

A. Welcome/Announcements/Introductions:

B. Review Agenda: New issues were incorporated as needed.

C. Approval of Meeting Minutes of 1 May 2021: Ed LaRue prepared draft minutes of the most recent virtual Board meeting, which were distributed, reviewed, and approved today as final. **Motion made (Joe Probst), seconded (Kristin Berry), and unanimously approved to accept the draft minutes as amended to be final.**

D. Review of Board Actions since Last Board Meeting:

a. Finalize Draft Minutes of 2021 Annual Business Meeting: Since we neglected to approve the 2021 minutes of the Annual Business Meeting on 5/1/2021, Ed LaRue sent an email on that date asking for Board endorsement or revisions. **Motion made (Joe Probst) on 5/3/2021, seconded (Cristina Jones), and unanimously approved by seven members to accept the draft minutes as amended to be final.** Two additional members approved the minutes today to achieve a quorum.

b. 2022 Symposium: On 5/16/2021, with nine Board members in attendance, **Joe Probst made the motion to have a fully virtual Symposium in 2022, which was seconded by Cristina Jones, and unanimously approved by those in attendance.**

c. Contribution to Turtle Survival Alliance (TSA): On 7/14/2021, **Cristina Jones made a motion for the Council to be a Gold Sponsor at the \$1,000 level for the TSA-IUCN's 2021 virtual Symposium on the Conservation and Biology of Tortoises and Freshwater Turtles, seconded by Maggie Fusari, and passed with nine other Board members in support.** Joe Probst reported that the check was submitted, and the Council is highlighted as a sponsor in the program in several places as a sponsor. **Ken MacDonald will speak to a local student about creating a video about the Council that can be provided to TSA.**

E. Next Meeting Date: The next virtual meeting of the Board of Directors will be on Zoom, beginning at 10:00 a.m. (PST), on 23 October 2021.

OFFICER/COMMITTEE REPORTS

F. Annual Symposium Program Committee's Report: Kristin Berry recently shared a Basin and Range Watch video called "Desert Apocalypse" that focuses on solar development in the desert, which she would like to feature at the Symposium. She is planning to have sessions on climate change, translocation, raven management, etc. Since this is a virtual Symposium, she expects to garner international participation. There was a fair amount of discussion and input from the Board members to inform Kristin on some specific discussion items for these panels. The Symposium host committee will be meeting in Zoom on Monday, August 16, 2021.

G. Awards Committee's Reports: Kristin Berry reported that the committee is looking into a new kind of award. **Bruce Palmer is coordinating this effort and will update us at the next Board meeting.**

H. Agency Coordinating Committee's Report: Cristina Jones reported that she is now working for the U.S. Fish and Wildlife Service (USFWS). There is nothing to report on this committee.

I. Treasurer's Report: The Treasurer's Report dated 7/31/2021 was distributed by Joe Probst via email. Therein, he reports total expenses for the first half of 2021 to be \$51,209.89, an income of \$89,102.24, with total assets of \$209,950.97. The Edward Jones account increased by \$26,000 in the past year. **Motion made (Maggie Fusari), seconded (Kristin Berry), and unanimously approved to accept the Treasurer's Report as final.**

J. Corresponding Secretary's Report: Becky Jones reported we received a check for \$7,000 from the Van Nuys Chapter of the California Turtle and Tortoise Club (CTTC). Becky recommended that we identify this chapter of the CTTC as a Diamond Sponsor for the next Symposium, and Ed LaRue suggested that CTTC also be acknowledged or featured on social media. **Michael Tuma will contact leaders of the Van Nuys Chapter of CTTC and ask if they are okay with us featuring them on social media; Becky Jones will send them a thank you letter; and Halle Kohn will post an announcement on social media pending feedback from Michael Tuma.** Judy Hohman noted that a "Diamond Sponsor" is a new contribution level, which may need to be identified in the pertinent guidelines or policy. Our understanding (pending input from Mari Quillman) is that a Gold sponsor is \$1,000, Platinum is \$1,000 to \$5,000, and more than \$5,000 is now referred to as a Diamond sponsor.

K. Membership Committee's Report: Mari Quillman provided an electronic copy of the report, which was not discussed in her absence. Her report shows we have 776 Total members, 297 Active members, and 473 Renewal Overdue members.

L. Nominating Committee's Report: Not discussed in Mari Quillman's absence.

M. Ecosystems Advisory Committee's (EAC) Report: Ed LaRue shared that during the reporting period between 5/1/2021 and 8/14/2021, there were 23 projects identified, 14 comment letters written, 2 that required no action, 1 where the deadline was missed, and 6 that are ongoing. Providing information for USFWS' five-year status review of Mojave desert tortoise, the proposed Fort Irwin expansion, opposition to establish a solar Development Focus Area

along the west side of the Highway 395, and our intent to be involved in the impending lawsuit by Center for Biological Diversity (CBD) for recent West Mojave route network decisions are among the more important actions taken. Desert Tortoise Preserve Committee (DTPC) has written two press releases anticipating the uplisting of Mojave desert tortoise. [Ed LaRue will contact Jeff Aardahl of Defenders of Wildlife about our participation and support of their press release.](#) Otherwise, Ed expressed the need for continued Board involvement, particularly with regards to the impending CBD lawsuit.

N. Media Committee's Report: Michael Tuma reported that he invited several people after the 2021 Symposium to support our media efforts. He has been very busy this summer and will soon be working with these volunteers to be more active with social media. Halle Kohn reported that she still needs Newsletter articles from Board members, and hopes to have a full-length Newsletter in October. She was not sure which Board members still need to be spotlighted, so we should let her know. She plans to pursue the topic of releasing balloons in the desert. The Symposium dates should appear on the back page.

O. Education and Outreach Committee's Report: Maggie Fusari reported we have no immediate plans for in-person events. Do we want to participate in a tortoise day celebration tentatively scheduled for October 4-8, 2021? [Michael Tuma and Ken MacDonald will talk to Maggie Fusari about their potential involvement, and Halle Kohn has a Power Point that she can provide to Maggie.](#) Ed LaRue suggested that Maggie talk to Bruce Palmer about presenting his Chair's report from several years ago, which is a good introduction to the Council that includes all current members. [Maggie Fusari will contact the event organizers to see if there is a theme and the types of presentations that may be appropriate.](#) • [Maggie Fusari needs to let the organizers know if the Council will participate by September 17.](#)

P. Grants Committee's Report: Michael Tuma reported that the Lockheed-Martin diversity grant is no longer available. [Michael Tuma will coordinate with Sylvia Morafka on the Morafka Award for the next Symposium.](#)

Q. Fundraising Committee Report: Greer Dolby reported the AmazonSmile account is still in force but not recently used. [Greer Dolby will work with Halle Kohn and Michael Tuma to inform our members through social media and the website about the AmazonSmile account.](#)

R. Mexico Coordination Committee. There was no discussion in Michael Vamstad's absence.

S. Training Program Committee Reports:

a. Introductory Training Course Committee's Report: Maggie Fusari provided a detailed report in a recent email. Registrations are open and we are approaching the 60-person limit on the two field workshops. There will be an online event on October 29 and 30, 2021 and two field courses on November 5 and 6, 2021. We will need to have COVID protocols in place, including a published COVID policy, which may include proof of vaccination or a negative test, that can be distributed to all students attending the field portion. If we need to cancel, we will need to be prepared to refund participants, and will provide individual refunds for students who are nervous about attending. Maggie needs help to produce a Kahoots quiz aspect for the Basic Course. [Maggie Fusari will work with Joe Probst to have prizes available, and Cristina Jones will help to develop the Kahoots quiz.](#) The instructors will need meet again with TSA beforehand to practice presentations.

b. Advanced Training Courses Committee's Report: Cristina Jones reported that she is working with USFWS biologists about upcoming training classes.

T. Strategic Planning Committee Report: This discussion was tabled until Bruce Palmer is available.

NEW BUSINESS

There was no new business identified.

Adjourn: The meeting was adjourned by Chairperson, Ken MacDonald, at 12:00.

Draft minutes were recorded, later distributed and modified with board member review and input, then respectfully submitted as this final version by Ed LaRue, Recording Secretary.

A handwritten signature in blue ink, appearing to read 'Ed LaRue, Jr.', is written over a light blue rectangular background.

Edward L. LaRue, Jr.
Desert Tortoise Council, Recording Secretary

Ecosystems Advisory Committee Report DTC Board Meeting of 14 August 2021

Note: The table attached to this report on the last page follows the **bold red** numbered outline given below.

1. Commercial OHV touring in the Nelson Hills area of Eldorado Valley (Nevada)

4/9/2021 – On **4/9/2021**, we receive a notice on this commercial OHV tours project from a third party, which Ed LaRue distributed to the Board on **4/29/2021**, with comments due by **5/8/2021**. The draft letter is distributed to the Board on **5/6/2021**. In spite of several requests, no one submitted this letter by the deadline of 5/8/2021, so with six endorsements, upon returning from the field Ed submits it on **5/11/2021**, three days after deadline.

2. Sandy Valley Exploration Project (Mohave County, AZ)

4/12/2021 – On this date, we receive an announcement of this project from a third party. Maggie Fusari writes the letter, which is endorsed by five Board members, and submitted to the BLM on the deadline of **5/11/2021**.

3. Amargosa Wild and Scenic River Comprehensive River Management Plan (California)

4/30/2021 – A third party provided notice of this project on **4/30/2021**, which was distributed to the Board on **5/11/2021**, and is due to the BLM on **6/1/2021**. The draft letter is distributed to the Board for comment on **5/27/2021**. With seven endorsements, the final letter was submitted on **5/31/2021**.

4. Gap Wash Tank Right of Way Amendment Environmental Assessment (St George, UT)

5/6/2021 – A third party provided notice of this project on **5/6/2021**, which was distributed to the Board on **5/11/2021**, and is due to the BLM on **6/3/2021**. The draft letter is distributed to the Board for comment on **5/27/2021**. With eight endorsements, the final letter was submitted on **5/31/2021**.

5. Five-year status review of threatened and endangered species

5/20/2021 – On **5/20/2021**, we receive a notice from the USFWS that desert tortoise is among the T&E species that are undergoing a five-year status review. The notice is distributed to the Board on **6/14/2021** with a call for any new data, which are due on **7/19/2021**, although this is a soft date and data can be submitted at any time. Ed LaRue provides a baseline document of a dozen or more references on **6/30/2021** asking for substantially more input from the rest of the Board. The proposed draft letter is circulated to the Board on **7/16/2021**. With the minimum four endorsements and two recusals, Ed submits the final comment letter to USFWS on **7/18/2021**.

6. Draft Environmental Impact Statement (EIS) for Training and Public Land Withdrawal Extension (Fort Irwin, CA)

5/21/2021 – On **5/21/2021**, we receive the notice of a Draft EIS for the use of Fort Irwin lands for training, which was distributed to the Board for input on **6/14/2021**, with a due date of **7/6/2021**. Ed LaRue reviews and substantially revises a letter provided by Jeff Aardahl of Defenders of Wildlife on **6/29/2021**. With six endorsements, I let Jeff know that the Council is an official coauthor of the letter on **7/4/2021**.

7. Shivwits Plateau Landscape Restoration Project Environmental Assessment (St. George, UT)

6/3/2021 – On **6/3/2021**, BLM send us a 30-day notice of this EA, which was distributed on **6/14/2021**, with comments due by **7/3/2021**. A closer look at this project revealed that it is east of tortoise habitat.

8. Makayla 2 Pumice Mine Environmental Assessment (Inyo Co, CA)

6/8/2021 – On **6/8/2021**, we receive notice of this proposed mine, which is distributed on **6/14/2021**, with comments due on **6/23/2021**. With 10 endorsements, the approved comment letter is submitted to CDFW and BLM on **6/22/2021**.

9. Whitewater River Groundwater Replenishment Facility Project (Riverside Co, CA)

6/10/2021 – On **6/10/2021**, we receive notice of this EIS, which is distributed on **6/14/2021**, with comments due on **7/27/2021**. The draft comment letter was distributed on **7/24/2021**, and submitted with five endorsements and one recusal on **7/26/2021**.

10. Draft Management Plan for the Piute-Eldorado Valley Area of Critical Environmental Concern (Nevada)

6/13/2021 – On **6/13/2021**, we receive notice of this draft management plan, which is distributed on **6/14/2021**, with comments due on **7/11/2021**. The draft comment letter is distributed to the Board on **6/30/2021**. With seven endorsements and one recusal, the final comment letter was submitted on **7/9/2021**.

11. Sign-on letter to protect CA ratepayers and wildlands, and preserve rooftop solar (California)

6/22/2021 – On **6/22/2021**, we receive a request from National Parks Conservation Association (NPCA) to cosign a letter promoting rooftop solar to protect wildlands, with a request that we respond by **6/23/2021**. With seven endorsements, Ed lets NPCA know on **6/23/2021** that the Council is willing to cosign the letter.

12. Removal of the North of Edwards region from the DRECP as a DFA (California)

6/22/2021 – This unsolicited letter intended for BLM and CDFW is intended to provide information and a request that the area between Highway 395 and the Kern County line be withdrawn from consideration as a Development Focus Area (DFA) from the Desert Renewable Energy Conservation Plan (DRECP). Authored by Ed LaRue, Jeff Aardahl representing Defenders of Wildlife (Defenders) was invited to coauthor the letter. Ed received comments from Jeff on **7/21/2021**, at which time he distributed it to the Board for approval. Since BLM and CDFW are likely to make this decision in September 2021, this letter that received six endorsements and one recusal was submitted on **8/5/2021**.

13. Oppose Large Scale Pumped Storage Budget Proposal for Eagle Crest (Riverside Co, CA)

6/25/2021 – On **6/25/2021**, Ed LaRue receives a request from National Parks Conservation Association (NPCA) asking the Council to endorse this letter by 3 pm in the afternoon. With six endorsements, Ed leaves a voice message and responds with an email in support of the letter at 3:20 pm on **6/25/2021**, and gets confirmation from Chris Clarke at 4 pm that we were timely enough to be included.

14. Expand Critical Habitat for the Threatened Mojave Population of the Desert Tortoise (4 states)

6/14/2021 – On this date, Ed LaRue receives a draft petition to revise/expand critical habitat as given above with a request for personal review, to which Ed responds with comments on **6/29/2021**.

15a. OHV Division of State Parks on proposed amendments to the grants regulations (California deserts)

7/16/2021 – On **7/16/2021**, Ed LaRue receives a draft letter from Jeff Aardahl of Defenders of Wildlife suggesting amendments to grant regulations, and immediately provides comments to Aardahl. The draft comment letter is distributed to the Board on **7/20/2021**. With five endorsements, Ed lets Tom Egan of Defenders know that we have approved the letter, with a few comments from Judy on **7/21/2021**. On **7/26/2021**, Ed receives final copy of this letter, submitted to BLM on this date.

15b. OHV Division of State Parks on proposed amendments to the grants regulations - Supplemental information

7/26/2021 – Although we coauthored a letter with Defenders (15a above) and submitted the letter earlier on **7/26/2021**, Kristin Berry provides supplemental information that was not included in that letter. Ed LaRue edits Kristin’s notes and puts them into a draft letter asking for endorsements and comments to make the 5 pm deadline. With five endorsements, the approved letter was submitted at 4:40 on **7/26/2021**.

16. Online Summer Land Sale in Las Vegas Valley (Las Vegas, NV)

7/1/2021 – On this date, Ed LaRue receives a link from a third party that this project is forthcoming, which Ed forwards to the Board for participation on **7/29/2021**, with a due date of **9/1/2021**. After reading the supporting documents and discovering the project consists of several parcels totaling 75 in the Las Vegas Valley, Ed decides there’s no need to comment on this project.

17. Bellefield Solar Project (Kern Co, CA)

7/8/2021 – On this date, Ed LaRue receives a link from Becky Jones that this project is forthcoming, which Ed forwards to the Board for participation on **7/29/2021**, with a due date of **8/16/2021**.

18. Formal complaint letter for West Mojave Route Designation decision (West Mojave, CA)

3/9/2021 to 4/11/2021 – Please see the EAC report dated 5/1/2021 for all actions taken between 3/9 and 4/11/2021, which among other things, includes our decision to support Center for Biological Diversity (CBD) intent to sue BLM for their recent decisions on the West Mojave Plan. On **8/11/2021**, Matthew Sanders, Clinical Supervising Attorney, Lecturer in Law, Stanford Law School representing CBD sends the draft formal complaint letter, asking the Council to provide comments by **9/3/2021**.

19. Ajo/Sentinel Complex Land Health Evaluation and Draft Permit Renewal EA (Arizona)

7/17/2021 – On this date, Becky Jones provides a link to the draft EA, with comments due on **8/8/2021**. Ed LaRue is unable to comment on this letter due to other work responsibilities.

20. Draft EIR for Arica Solar and Victory Pass Solar Projects (Riverside Co, CA)

8/11/2021 – On this date, Becky Jones provided a link to the draft EIR for the projects, which encompass about 2,724 acres on BLM lands in Riverside County, north of I-10, about 5.5 miles east of Desert Center, with comments due **9/20/21**. EIR can be found at www.wildlife.ca.gov/Notices.

21. Interstate 11 Final Tier 1 Environmental Impact Statement (Arizona)

8/12/2021 – When Ed LaRue receives the link to this EIS on **8/12/2021**, he forwards it to Maggie Fusari who said she would work on a comment letter, which is due **8/16/2021**.

22. Draft Environmental Impact Report (EIR) for Oberon Renewable Energy Project (Riverside Co, CA)

8/13/2021 – On this date, Aspen Environmental provides links to the environmental documents, which is distributed to the Board on the same date, with comments due on **9/27/2021**.

23. Aratina Solar Project (Kern Co, CA)

7/12/2021 – On **7/12/2021**, Jeff Aardahl of Defenders of Wildlife asks the Council if we would like to cosign this letter, which is due later the same day. Ed LaRue responds that there is insufficient time to garner enough endorsements to serve as cosigners, so we decline the opportunity.

**Ecosystems Advisory Committee
Summary Table from 5/1/2021 to 8/14/2021**

Current date for this latest table revision is: 8/14/2021

		Dates (2021)				Board Member Responses														
						Codes: Y = Vote of Yes; N = Vote of No; PI = Provided input; Blank = No Response; R = Recused; A = Authors/Lead Board member; NA – Replied they were not able to respond by indicated date														
No.	Title	Rec'd	Dist	Due	Sent	BJ	BP	CJ	EL	GD	HK	JH	JP	KB	KM	MF	MQ	MT	MV	PW
1	Nelson Hills OHV touring	4/9	5/6	5/8	5/11*				Y/A 5/7			Y 5/8	Y 5/9			Y 5/7	Y 5/8	Y/PI 5/8	Y 5/17	
2	Sandy Valley Exploration	4/12	5/8	5/11	5/11				Y 5/11			Y 5/11	Y 5/9			Y/A 5/7	Y 5/10			
3	Amargosa Wild and Scenic River	4/30	5/11	6/1	5/31	Y 5/28			Y/A 5/27			Y/PI 5/29	Y 5/30			Y 5/28	Y 5/28	Y 5/29	Y 6/11	
4	Gap Wash Tank	5/6	5/11	6/3	5/31	Y 5/28			Y/A 5/27		Y 5/28	Y/PI 5/29	Y 5/30			Y 5/28	Y 5/28	Y 5/29	Y 6/11	
5	5-year status review by USFWS	5/20	7/15	7/19	7/18		Y/PI 7/16	R 7/15	Y/A 7/15	R 7/16		Y 7/18	Y 7/16	Y/PI 7/16						
6	Fort Irwin Expansion	5/21	7/4	7/6	7/4	Y 7/5			Y/A 6/29		Y 7/4	Y 7/4	Y 7/5	Y 7/4		Y 7/4	Y 7/4	Y 7/5	Y 7/6	
7	Shivwits Plateau EA	6/3	6/14	7/3		Not applicable, as the area is east of tortoise habitat														
8	Makayla 2 Pumice Mine	6/8	6/14	6/23	6/22	Y 6/14			Y/A 6/14		Y 6/20	Y/PI 6/16	Y 6/15		Y 6/20	Y 6/14	Y 6/21		Y/PI 6/15	Y 6/20
9	Whitewater River Replenishment	6/10	7/24	7/26	7/26	Y 7/26			Y/A 7/24			Y/PI 7/25	Y 7/26			Y 7/24	R 7/26			
10	Piute-Eldorado Valley RMP	6/13	6/14	7/11	7/9	Y 7/5			Y/A 6/30		Y 7/2	Y/PI 7/5	Y 6/30		R 7/2	Y 7/2	Y 7/4			
11	NPCA letter on rooftop solar	6/22	6/22	6/23	6/23	Y 6/23			Y 6/22			Y 6/23	Y 6/22	Y 6/22		Y 6/22	Y 6/23			
12	North of Edwards DFA removal	N/A	7/21	N/A	8/5	Y/PI 7/23			Y/A 7/22			Y/PI 7/22	Y 7/22	R 7/29	Y 7/22	Y/PI 7/26				
13	Eagle Crest opposition	6/25	6/25	6/25	6/25				Y 6/25		Y 6/25	Y 6/26		Y 6/27	Y 6/25	Y/PI 6/25	Y/PI 6/25	Y 6/25	R 6/28	
14	Expand critical habitat	N/A		N/A					Y/A 6/29											
15a	OHV grants regulations	7/16	7/20	7/26	7/21	Y 7/23			Y/A 7/16			Y/PI 7/21	Y 7/21	Y 7/21		Y 7/21				
15b	OHV grants – supplement	7/26	7/26	7/26	7/26				Y/PI 7/26			Y 7/26	Y 7/26	Y/A 7/26		Y 7/26	Y 7/26			
16	Las Vegas land sales	7/1	7/29	9/1		Upon reviewing this project, it involves 74 acres in the Vegas Valley, so Ed LaRue judges there's no need to comment														
17	Bellefield Solar	7/8	8/13	8/16					Y/A 8/13			Y/PI 8/14			R 8/14					
18	CBD WEMO	8/11	8/13	9/3																

	lawsuit																		
19	Ajo/Sentinel Complex	8/17	N/A	8/8	N/A	Unable to comment on this Arizona project due to Ed LaRue's workload													
20	Arica and Victory Pass Solar	8/11	8/13	9/20															
21	Interstate 11 EIS	8/12	8/12	8/16															
22	Oberon Solar Project	8/13	8/13	9/27															
23	Aratina Solar Project	7/12	7/12	7/12	N/A	Having received the Defenders letter on the day it is due, Ed LaRue informs Aardahl that the Council is unable to cosign the letter													

*The letter was submitted three days after the deadline due to fieldwork and failure of a second Board members to submit it. A response was received later that, although late, BLM formally accepted our comments and will address them in environmental documents.

BJ = Becky Jones, **BP** = Bruce Palmer, **CJ** = Cristina Jones, **EL** = Ed LaRue, **GD** = Greer Dolby, **HK** = Halle Kohn, **JH** = Judy Hohman, **JP** = Joe Probst, **KB** = Kristin Berry, **KM** = Ken MacDonald, **MF** = Maggie Fusari, **MQ** = Mari Quillman, **MT** = Michael Tuma, **MV** = Michel Vamstad, **PW** = Pete Woodman