

MBCA BOARD MEETING APPROVED MINUTES
Thursday May 13, 2021 / 5:00 – 7:00 pm Via Zoom
Black Bold Italics = Board vote Blue Italics = action commitment

Regular Meeting Call to Order at 5:06 PM

<input checked="" type="checkbox"/> Steve Bardwell	<input checked="" type="checkbox"/> Brian Hammer	<input checked="" type="checkbox"/> Arch McCulloch
<input checked="" type="checkbox"/> David Fick	<input checked="" type="checkbox"/> Janet Johnston	<input checked="" type="checkbox"/> Ruth Rieman
<input checked="" type="checkbox"/> Pat Flanagan	<input checked="" type="checkbox"/> Sarah Kennington	<input checked="" type="checkbox"/> Laraine Turk
<input type="checkbox"/> Meg Foley	<input checked="" type="checkbox"/> Mike Lipsitz	<input checked="" type="checkbox"/> Cathy Zarakov

Social media consultants: ☐ Aimee Buyea ☒ Stacy Doolittle

Introduction of Guests and Board Directors

Breana Violanti via Janet; Chris Clarke of NPCA

Agenda approval

Ruth has something to share on the Flamingo Heights issue.

Pat asked to add #8 in Conservation issues, National Geographic “Solar in the Desert” upcoming content. ***Steve moved to approved the amended agenda. Laraine seconded, and all were in favor. (11-0)***

Minutes from April 8, 2021 BOD meeting

Steve moved to approved the April 8 minutes. Ruth seconded; all were in favor. (11-0)

Treasurer’s Report

Cathy asked for clarification on several expenditures. *Steve will provide a receipt for the donation to the Arts Connection and Stacy will do the same for a Facebook promotion expenditure.*

The April 30 CD balance was \$22,763.46. The CD matures tomorrow so we need to decide on an action. Cathy went over some possibilities:

- 1) Roll over to a new 9-month term at .05% interest.
- 2) Roll the amount into a Step-Up CD, with a 28-month term and interest rates increasing every 7 months (about a \$205 earning on a \$25,000 CD);
- 3) Roll over the 9-months/.05% CD but also invest \$25,000 from checking into the Step-Up CD, and we’d still have \$26K ready cash in checking.

Steve thinks the low interest and uncertain financial conditions mitigate against the 28-month plan and he’d rather not tie anything up that long. He suggests we reevaluate again in 9 months. Laraine reminded us that our cash-rich position is new, due to unexpectedly large donations last year, and we should give careful thought to investments. We only have to make a decision on the current CD. ***Laraine moved to roll over the current CD into the 9-month/.05% status. Cathy seconded, and all were in favor. (11-0)*** Mike asked Cathy to investigate what penalties would apply if we have to take money out early.

Cathy added that on the financial statement she sent us, there is \$51,217.42 in checking, and there has been one new couple membership. We accepted the treasurer’s report by consensus.

Outreach & Communications

1) Flamingo 640 Glamping

MBCA wrote a [letter](#) asking that a full EIR be prepared for this project. Chris reported he has talked with Jim Morrissey, the contract LUS planner. The comment period was

preliminary. The project is on an entire section and needs a conditional use permit because the proposed use is not in line with the Rural Living zoning. The County could respond in several ways. They could do a full EIR (ideally), or a less robust EA (environmental assessment), or they could produce a negative declaration. He's hopeful it will be the whole CEQA process, especially considering all the public comment so far. Chris continues to work with other groups to develop strategies, including MBCA, CNPS, CBD, and others. Community, organizational, and individual actions will hopefully at least slow it down and make sure there is a thorough environmental process, if not stop it. Volunteers will be needed and there may be fundraising.

Pat is concerned about the huge difference between an earlier tortoise survey and the one they're using. Perhaps funds could be raised for a better survey. Now that Joshua trees are in candidate-for-threatened-species status they'll need to attend to that. It's possible there are burrowing owls. Chris thanked David for doing a good job providing information about the project on Facebook. Steve Brown with Mojave Watch is also investigating.

MDLT had identified the parcel as a high priority MB acquisition, especially for wildlife. Other issues to be considered could be the legal definition of a campground, and zoning requirements. Chris said the CUP could allow them to do it without a change in zoning.

Janet wants to research how this project can be viewed under both the old Community Plan and newer Community Action Guide for Homestead Valley. Pat suggested consulting with Jim Harvey. Sarah believes HVCC is opposing the project. Janet suggested she and Steve and Pat work together to analyze the County/Community documents, looking at old and new "plans." Other suggestions were made to review all desert sections of the development code. Laraine displayed the map that Ruth provided, created in 2011 for the Open Space Group, showing the wildlife corridor through the site and towards the flattops.

2) Cannabis cultivation in the Basin MAC resolution – SB, PF

This was the main topic of the recent MAC meeting. They approved a resolution asking for additional funding for code enforcement and the sheriff to address the issue and plan to present another resolution at their next meeting to ask the state to intervene due to the unexpected effects of Proposition 64 that made the grows a misdemeanor instead of felony. They also agreed to have monthly MAC meetings instead of every other month.

A related issue was criticism of the water agencies who provide water to the grows. Capt. Niles said very few were stealing utilities; they have water and electric service. Stacy described the recent Morongo Basin Democrats' program where several local water agency managers made presentations. At that event Bighorn Desert View Manager Marina West responded firmly that they are not law enforcement and can't go after the people. Brian described water theft issues from fire hydrants and company water lines, and from diesel generators to power wells. He said the Homestead Valley area problems are minor compared to some other urban/desert interface locations. Mike reported that BDVWA passed a resolution for a higher rate for customers using water for agricultural irrigation. There is a new California cannabis tip line: 833-WEEDTIP (833-933-3847).

Chris had a meeting with Congressman Obernolte's public lands staff, Reed Dagul, and reported it was a convivial and constructive meeting. They are interested in the cannabis issue to help influence action against these unintended consequences of Prop 64. Obernolte's Aide Reed Dagul's email is: reid.dagul@mail.house.gov.

3) Housing Short Term Rentals – JJ, SB

Janet introduced Breana, a fellow Friendly Hills parent who has been researching this issue with her, trying to come up with data. Air B&B says there are 1050 STRs in JT; if so, that's approximately one-third of all JT houses. Another issue is how many are locally owned vs. outside-owned. Breana believes that about 75% are owned by LLCs or other corporations. The County does not have good data and probably only half are permitted.

They are trying to consolidate data and go to the County to point out problems. Other communities have limited STRs or are working on it, e.g. Rancho Mirage, parts of San Diego, etc. There are 51 houses in Breana's neighborhood and 23 are STRs. Steve brought up the great shortage of rental housing.

We agreed that this topic falls within our mission as it relates to rural character and economic well-being. Breana started a petition to limit STRs and has met with Supervisor Rowe. Yesterday, Rowe agreed to consider a July 1 Emergency Ordinance. Breana has proposed an ordinance including these elements:

- 1) A successively higher fine structure starting with a violation, then fines and further warnings, and after a 4th offense their permit is rescinded with no renewal.
- 2) A cooling off period, both for buying and turning a property into a STR and for turning out tenants. Investors, LLCs, and corporations who buy a house cannot convert to a STR for one year. While Breana would like to see a stop to any permits not submitted by residents, this is the best the County might be willing to do. There should also be a tenant eviction ban; long-term tenants should have certain rights and be allowed to sue if they're evicted for a STR conversion. Even if a tenant leaves, the owner should have to wait a year.
- 3) Caps on LLCs for more than one property. To get a permit they have to identify the real owner's name, and they want to phase out LLCs with more than one property in the future. Grandfather in current ones but decline renewal if they have more than one.
- 4) Emergency ordinance preventing large corporations or investment firms from purchasing for STRs.

A yes vote from at least 4 or possibly all 5 Supervisors would be needed to pass this. It seems all but Rowe have real estate interests – wouldn't that be a conflict? It is believed that Supervisor Rutherford values property rights over all. Sarah suggested County Counsel should be consulted.

Breana encouraged us to get people to call Supervisors and go to meetings and comment within this month so they can sign the ordinance by July 1. The original STR ordinance was passed without review. Breana said they're working on a County app and website that is supposed to list all permitted or pending permits, maybe by the end of August.

Janet noted how school enrollment is going down specifically because of the housing shortage. She's also concerned about the Hicksville trailer park rental. It's illegal to have trailers, tents, teepees, etc. David said it's been around for about 10 years and is owned by the band B-52s.

Steve mentioned the [SerenitySentry](#) website set up by a Pioneertown resident. We should encourage people to complain about infractions, maybe mention on our Facebook page.

Supervisor Dawn Rowe also wants 29 Palms and Yucca Valley to be involved and they are interested. We asked Breana to send us information that we can post on the website and perhaps use for communication with the Supervisor's office.

4) Request from Jen Kolm of JTNP for possible assistance – PF - Nothing new.

5) Support for other non-profits.

Laraine displayed a long list (28) of local, regional, and a few national like-minded non-profits from our Recommended Websites page; this will be a future conversation.

6) Climate change. Include topic our website. – All - More to come.

7) CDC webinar Tools for advocacy 5-20-21 6:00-7:00pm

Conservation Issues

1) Update on JT listing as candidacy for threatened – DF

David reported that about 2 months ago Yucca Valley enforced the rules on 2 dozen trees taken down illegally.

2) Air Quality Monitoring: Location of Purple Air units – SK, AM
Nothing new.

3) Light Trespass ordinance update –SB

The Workshop for the Planning Commission will be Thursday, May 27. Steve and a number of others are working with Magda Gonzalez of LUS to prepare a significant presentation. Online or in person comments will be allowed.

4) Carbon sequestration in the desert. – PF. BH

Pat reported that the science briefs have been completed, a cooperative product of MBCA, MDLT, Sierra Club, and Defenders of Wildlife. *She will send them out and Laraine will post.* The desert holds probably 10% of the state's current carbon sequestration. This is also Project 30/30-related.

5) Big Morongo Canyon Preserve – MF
Meg not available.

6) AB 1139 Rooftop Solar

A push is on to defeat this bill with its reduction of Net Metering value to customers. Steve talked with Joan Taylor, who had concern about our Eblast mention of prevailing wage issues. She said most of the installation cost is materials, not labor. Steve would like to find out how to be assured your local installer is paying a prevailing wage. We should each oppose this on a personal level as well. Sierra Club is now completely against it. Chad Mayes is on Z107.7 tomorrow at 10 to address it among other issues.

7) AB 1183 Desert Conservation Fund – no discussion.

8) Solar in the Desert – Pat

Pat connected with an old friend who works with *National Geographic* and after her explanations of the desert's many environmental woes, her friend connected with a Nat. Geo. person working on environment issues. They may do an article (unknown timing) with the theme that everybody thinks it's a wasteland but it's not and should be protected, including from industrial scale solar. Pat also communicated about these issues with a writer for the *Wall Street Journal* but hasn't heard back from him yet with a final version.

Capacity Building & Organizational Issues

1) mbconservation.org /

Social Media update– Stacy and Aimee

Stacy reported that 245 people saw the virtual tour on Facebook. She reported good numbers for views of our newly published pages, following the Eblast. [MBCA Takes a Stand](#) and [Top Ten Tips for Desert-Wise Living](#) were highest. Our bounce rate is down to 39%, meaning they stay longer on the site before leaving, so we're holding peoples' attention. The average viewing duration is 5 minutes, and there were 900 users in April.

Website – LT, CZ, ML, SB

Laraine thanked Nora and Stacy especially for all their time and work moving forward with the new Website features. We've made great progress.

2) Events Committee reports:

2021 virtual landscape tour -- Update on videography of sites

Things are moving ahead and the results are great. Stacy said we're on target for May 31 but asks Board members to please give feedback when she sends out the first draft of each video.

Thank yous to water agencies

Steve reached out to 29 Palms; *Stacy will advise Steve about who to contact at JBWD.*

3) Educational support

Denison Scholarship, Karin Messaros grant – SB, LT, PF

We received through Cindy Zacks a belated application after the deadline extension. We discussed the fairness of giving the scholarship after the deadline, but since it's the only applicant (as in previous years), and she meets all the criteria, Steve suggests we go ahead and give Kahlena Alcantar the scholarship. Several people expressed reluctant support, at the same time with admiration for her accomplishments and overcoming challenges.

Laraine moved to give the Ruth Denison Conservation and Environmental Scholarship for the 2021-22 academic year to Kahlena Alcantar. Brian seconded, and all were in favor.

Regarding Karin Messaros, Laraine briefly described a meeting held with her some weeks ago, and her willingness to financially support both scholarships and field trips. We'll probably set a summer meeting. Laraine is interested in considering a community college scholarship, and if so we should consider Victor Valley College as well. Brian strongly agreed, noting their Natural resources classes. We'll add Brian to the Committee.

Letters signed onto:

Letter in support of Science based fire funding; Letter in opposition to AB 1139

Next Regular Meeting: Thursday, June 10, 2021 - 5:00 – 7:00 PM - ZOOM **stay tuned!**