



AGENDA: October 19, 2020 MEETING

3:00 p.m. at Johnson Valley Community Center, 50567-A Quailbush Rd.

All HVCC agendas, contact information and minutes are posted on www.hvccsite.org

Flag Salute

Roll Call/Delegate List

Approve Agenda

Approve Minutes of September meeting included in agenda packet.

Treasurer's Report: Floy Creveling

Oath of Office - HVCC Officers

1. **SB County Fire -**

2. **SB County Sheriffs Dept –**

3. **SB County 3rd District Supervisor Dawn Rowe**

4. **Illegal Marijuana Grow Farms –** Chuck Bell, Jim Harvey (see agenda materials)

5. **SB County Community Plans –** Chuck Bell, Jim Harvey (see agenda materials)

6. **Stagecoach Solar Notice of Preparation –** Chuck Bell, Jim Harvey (see agenda materials)

7. **SB 1263 Hauled Water Properties Building Permit Prohibition –** Chuck Bell, Jim Harvey

8. Committees:

1. *Standing:* Public Outreach (Betty Munson)

2. *Ad Hoc:* Scenic Highway 247 (Betty Munson)

9. President's Report

10. Community Reports List – Announcements

11. Review Action Items From This Meeting

Next HVCC meeting: Monday, November 16, 3:00 pm

Flamingo Heights Community Center, 55977 Perris St

Adjourn

HVCC DELEGATES / COMMITTEE LIST

COUNCIL MEMBERS

*Members appointed by the 4 HVCC Organizations, residing in the community they represent.
Up to 3 voting members from each community, plus alternate to vote in case of an absence.*

Kim Abramson JVIA alternate 760-792-4555 dojasmomdc@gmail.com
Adrienne Bishop Landers 760-364-2345
Floy Creveling Landers 714-309-8677 g.creveling@att.net
Toby Gramm FHCA 760-668-7774 outforblood74@hotmail.com
Jim Hanley JVIA 760-364-4829 jhaflame@aol.com
Jim Harvey JVIA 760-401-1015 johnsonvalley@gmail.com
Betty Munson JVIA 760-364-2646 ranchotaj@gmail.com
Chris Nichols YMIA 760-285-3560 chris@wb6cdf.com
Rick Sayers YMIA 760-574-6598 rick@ricksayers.com
Roxanna Shamay Landers 760-333-2707 shamay@inreach.com

OFFICERS

President: Jim Harvey
Vice President: Rick Sayers
Secretary: Betty Munson
Treasurer: Floy Creveling

STANDING COMMITTEE

Community Outreach: Chairperson: Betty Munson
Jim Hanley, Rick Sayers

AD HOC COMMITTEE

Scenic 247 Committee: Chairperson: Betty Munson
Phillip Brown, Barbara Harris, Jim Harvey, Sarah Kennington, Sara Fairchild, Chuck Bell

Committee members not required to be members of the Council

MINUTES SEPTEMBER 21, 2020 MEETING

3:00 p.m. at Landers Belfield Hall

Guests signed in: County 3rd District Supervisor Dawn Rowe; Mark Lundquist, 3rd District Field Rep; Chuck Bell, Lucerne Valley Economic Development Assn; Mike McClintock, SBCounty Fire; Homestead Valley H.E.L.P. Director Jason Hansen; Andres Castillo, US Census; Matthew Welsch, Morongo Basin Ambulance; Stale Louis-Floki Terranova Nakken, David Simmons, Digna Cassens

Flag Salute 3:10 p.m.

Roll Call/Delegate List - absent Adrienne Bishop, Rick Sayers

Agenda Approved with addition and change of order

Minutes of August meeting Approved

Treasurer's Report: Floy Creveling - approved

1. Guest Comments on items not on the agenda - none

7. Humanitarian Emergency Lifeline Project H.E.L.P. - Jason Hansen

Animal Rescue meeting reviewed success taking in 130 animals at YMIA during Apple Fire.

Held first meeting with ground operations team and triage unit. Volunteers include Jeep off-road group, some with fire, military and EMT training. Negotiating with drone companies for air operations including live 2-way audio visual, night sensing, for search and rescue.

Kawasaki will be donating 3 or 4 four-seater off-road vehicles.

Now have 57 volunteers from Lucerne Valley to Yucca Valley; talking to others all the way to Wonder Valley.

YMIA have taken H.E.L.P. under their 501(c) - to donate, make check to YMIA, memo: HELP.org.

2. SB County Fire - Battalion Chief Mike McClintock - Had Apple Fire in July, August burn 33,000 acres. Now have 20 units at El Dorado fire, started Sept 5, had a firefighter fatality. At west end of the County, the Bobcat Fire, burned 10,000 acres in wilderness and now about 10 miles from County line. Though resources are stressed to the limit, all stations still fully staffed. Now going into peak fire season; McClintock urged everyone to sign on to TENS "reverse 911" text or call warning system. Recreational fires allowed in the desert, up to 2x3 feet, under calm conditions; report larger fires of concern to you. Mountain recreational fires limited to propane only. Please, propane weed torches not allowed. Review FP-5 fire stations. Evacuation warning: prepare for evacuating seniors, those without transport, animals. Mandatory evacuation: leave.

Added. Morongo Basin Ambulance Service - Matthew Welsch - Last month Landers had eighteen 9-1-1 medical calls, including traffic accidents; 11 transported to hospital; traffic calls down 50% from 2019 due to COVID shutdown. Landers is exclusive MBA operating area which requires them to be on scene in fewer than 29 minutes, 59 seconds, but average response is 15 minutes in Landers; Johnson Valley and other outlying areas, 98% on scene in less than 30 minutes. Subscribe at MBAmbulance.org. Will be at HVCC meeting in Johnson Valley next month.

3. SB County Sheriffs Dept. - Roxanna Shamay report - Capt. Niles said 1800 calls last month, none too serious. Morongo Basin deputies have been assigned to the marijuana team. Ask public to keep calling in information and location of marijuana farms. The OHV team have their new vehicle will be patrolling in two weeks.

4. Cal Fire - unable to attend.

5. California Highway Patrol (CHP) - unable to attend

6. SB County 3rd District Supervisor Dawn Rowe - Non-profit community organizations with fixed address and "storefront" now can apply for Covid Compliant Partnership grant, formerly available to small businesses with fewer than 100 employees.

-Board of Supervisors discussing substantial fines for large illegal gatherings, raves, etc. spreading virus.

-Illegal marijuana cultivation occurring all over desert area; joint enforcement team working on this continuing problem.

Answer why this is considered a misdemeanor rather than a felony: because marijuana now recreational, allowed in CA. However, large-scale production of beer, wine and liquor for sale is heavily regulated with felony charges.

-Fish & Game Commission one-year study of protection for Joshua trees and their habitat under Endangered Species Act; as of Sep. 22, no more building if a Joshua grows anywhere nearby. A property owner may have to hire a biologist to certify there are none. Need to balance with property rights. Current County regulations say you must get a permit from Land Use Services before destroying or moving a Joshua. Agriculture Dept. to place a notice that trees available to adopt, however they use SB Sun, a paper nobody here reads.

-Reviewed conditions returning homeowners found when evacuation lifted around Forest Falls: fire burned power; to prevent explosions firefighters had shut off propane tanks, which propane service must turn back on; food left in refrigeration spoiled. Firefighters were preventing people from sneaking in before allowed, finding strayed animals such as chickens and cows, protecting houses from looting, assuring access for Sheriffs, CHP, and trash trucks. Chief Munsey said for the first time in twenty years he may have to revoke all time off because there are not enough resources statewide to service all the fires. Rowe thanked all the men and women involved in these efforts, and the meeting agreed.

8. US Census Bureau - Andres Castillo - urged us to spread the word: be sure census form goes in before Sep. 30, to be sure you will be counted for government representation and funding. Discussion receiving e-mails, mail, phone calls even after returning forms, and this waste of resources. All Census information based on address and who was there on Apr. 1.

9. Measures J and K on 2020 SB County Ballots - Registrar of Voters non-partisan analyses included in HVCC agenda packet this month.

-Detailed two measures now on SB County ballot, initiated by The Red Brennan Group (discussed last month). Measure J, in the works for over a year, modernizes County Charter written in 1853 and not amended in 100 years.

Measure J stipulates:

a County Supervisor may be elected for only three terms of four years;

Supervisor salaries would be an average of salaries in surrounding counties, but not to exceed 80% of the salary of a Superior Court judge;

other updates on filling Board vacancies, review of health policies, an independent redistricting commission, and lobbyist transparency, modernizing language.

Measure K creates a part-time Board of Supervisors serving one 5-year term, and reduce salaries and benefits to 60,000.00 a year. If a measure gets 50%+ one vote, it passes. If both pass, but J has more votes, K goes away. If K has more votes, the new Charter would go into effect, but with 60,000.00 annual salary and one 5-year term, ineligible for retirement benefits.

HVCC voted to support Measure J Charter amendment, but did not see how a County Supervisor serving on 12 different boards, with 3-hr. drive time to San Bernardino, could represent our interests, Council voted to state our opposition to Measure K.

10. Committees:

1. Standing: Public Outreach (Betty Munson) meeting announcements; still no newsletters,

2. Ad Hoc: Scenic Highway 247 (Betty Munson) Visual Assessment sample printed to send to Caltrans in Sacramento; second sample printed to show this meeting. Chuck Bell repeated LVEDA can help with printing expenses. Committee has made addition and clarifications to County's draft Letter of Intent to Caltrans; will be working on Committee's suggestions for Scenic Corridor Protection Plan.

11. President's Report - HVCC approved for the COVID Business Partner Program.

-Need to buy one more screen for audio-visual in Johnson Valley. Agreed 60.00 expenditure.

-Attended LVEDA meeting on illegal pot farms, not controlled even if it is illegally produced. Non-taxable.

-Jim read update from Dominic Heiden, Sen. Shannon Grove's field rep, on last-minute State legislation. One member Senate Republican caucus tested positive, entire caucus quarantined. Bills were rewritten without sending to committees; majority limited speech and debate (reversed about halfway through last day of session).

Majority rushed to get bills through before constitutional deadline, one passed illegally after midnight.

Worst bill SB145, supposed to protect LGBTQ, but could allow a person ten years older to interact with a minor, without having to register as a sex offender. Passed by one vote, signed by Gov. Newsom.

70% increase in unemployment compensation cases with no payments since government shutdown. We have called for audit.

Sen. Grove continues to fight for regional variance in COVID19 response.

-Howard Jarvis Taxpayer Association has lost its final case in court to get refunds on the illegal SRA tax we paid for four years, even though we filed protests.

12. Community Reports List – Announcements

No events. Landers Thrift Store in operation, FDA food giveaway in boxes this Thursday 10:00 a.m. includes dairy;

Johnson Valley still serving outdoor Saturday Breakfast-To-Go, may have Tailgate Swap Meet in November.

Flamingo Heights Community Center floor remodel finished, planning cleanup and repairs for reopening;

Yucca Mesa took in 294 animals from Morongo Valley during Apple Fire evacuation warning; Supervisor Rowe says to expect reimbursement for rental of portable restrooms.

13. Review Action Items From This Meeting -

1) Statement of HVCC support for Measure J, opposition to Measure K.

**Next HVCC meeting: Monday, October 19, 3:00 p.m.
Johnson Valley Community Center, 50567 Quailbush Rd.**

Adjourn 5:23 p.m.

Betty Munson, Secretary

Homestead Valley Community Council, Inc.

Treasurer's Report

For the month of September 2020

Checking Account:

Beginning Balance 09/01/2020.....	\$ 7,406.35
Income.....	\$ 0.00
Expense.....	\$ 100.05
CK#694 - Reimburse Betty Munson for Hwy 247 Scenic Highway Visual Assessment Booklet	
Ending Balance 09/30/2020.....	\$ 7,306.30

Total HVCC Assets in Bank 09/30/2020..... \$ 7,306.30

Legend:

CK – Check DC– Debit Card DEP-Deposit EFT– Electronic Funds Transfer

Floy Creveling

Treasurer

Adult Use of Marijuana Act
Proposition 64 - Voter Approved Nov 2016 / Enacted Jan 2018
(Relevant sections)

SECTION 3. PURPOSE AND INTENT. (Page 2 of 72)

The purpose of the Adult Use of Marijuana Act is to establish a comprehensive system to legalize, control and regulate the cultivation, processing, manufacture, distribution, testing, and sale of nonmedical marijuana, including marijuana products, for use by adults 21 years and older, and to tax the commercial growth and retail sale of marijuana. It is the intent of the People in enacting this Act to accomplish the following:

- (a) Take nonmedical marijuana production and sales out of the hands of the illegal market and bring them under a regulatory structure that prevents access by minors and protects public safety, public health, and the environment.
- (b) Strictly control the cultivation, processing, manufacture, distribution, testing and sale of nonmedical marijuana through a system of state licensing, regulation, and enforcement. (e) Require track and trace management procedures to track nonmedical marijuana from cultivation to sale.
- (f) Require nonmedical marijuana to be comprehensively tested by independent testing services for the presence of contaminants, including mold and pesticides, before it can be sold by licensed businesses.
- (m) Allow local governments to reasonably regulate the cultivation of nonmedical marijuana for personal use by adults 21 years and older through zoning and other local laws, and only to ban outdoor cultivation as set forth in this act.
- (s) Tax the growth and sale of marijuana in a way that drives out the illicit market for marijuana and discourages use by minors, and abuse by adults.
- (t) Generate hundreds of millions of dollars in new state revenue annually for restoring and repairing the environment, youth treatment and prevention, community investment, and law enforcement.
- (u) Prevent illegal production or distribution of marijuana.
- (v) Prevent the illegal diversion of marijuana from California to other states or countries or to the illegal market.

SECTION 8.2. (Page 61 of 72)

Section 11358 of the Health and Safety Code is amended to read:

- (c) Every person 18 years of age or over who plants, cultivates, harvests, dries, or processes more than six living marijuana plants shall be punished by imprisonment in a county jail for a period of not more than six months or by a fine of not more than five hundred dollars (\$500), or by both such fine and imprisonment.

California Marijuana Crime	Code Section	Before Prop 64	After Prop 64
Possession of up to 28.5 grams of marijuana	HS 11357	Infraction (\$100 ticket)	Legal
Possession of up to 8 grams of concentrated cannabis	HS 11357	Misdemeanor	Legal
Cultivation of up to 6 marijuana plants	HS 11358	Felony	Legal for ages 21 and up (infraction for minors under 21)
Cultivation of more than 6 marijuana plants	HS 11358	Felony	Misdemeanor
Possession of marijuana for sale without a license	HS 11359	Felony	Misdemeanor for most defendants (1 st and 2 nd offense)
Sale/transportation for sale of marijuana without a license	HS 11360	Felony	Misdemeanor for most defendants (1 st and 2 nd offense)

Currently there are five Western States that have laws making recreational marijuana use and cultivation for personal use legal. Of the five, CA is the only state that does not make illegal cultivation for sale and distribution a felony with punitive fines, and this is where we see the problem lies.

For example: (source: <https://norml.org/laws>)

OR

Cultivation - FELONY 5 yrs \$125,000 fine. If near school 20 yrs \$375,000

WA

Cultivation - FELONY 5yrs \$10,000 fine - DOUBLED if near school, bus stop, or public park

NV

Cultivation - FELONY WITH MANDATORY MINIMUM SENTENCE from 1 yr to life depending on quantities. Fines \$5000 to \$200,000

CO

Cultivation - FELONY 6-30 plants 6mo to 2yrs jail and \$100,000 fine. 30 up plants FELONY 2-6 yrs

----- Forwarded Message -----

Subject: FW: Countywide/Community Plans

Date: Wed, 14 Oct 2020 15:45:17 -0700

From: Chuck Bell <chuckb@sisp.net>

To: 'Rowe, Dawn' <dawn.rowe@bos.sbcounty.gov>, 'Knox, Matt' <Matt.Knox@bos.sbcounty.gov>, 'Lundquist, Mark' <Mark.Lundquist@bos.sbcounty.gov>

Dawn/Matt/Mark:

The Countywide/Com. Plans are going to the BOS (I think) Oct. 27.

Mark is aware of the history and issues over the past 3 or so years. Every community just wanted their functional 2007 Com. Plans updated – not the stupid “Action Guides” County Planning has forced on us. Would have been a hell of a lot cheaper and quicker. This new system was destined from the start – probably due to the consultants’ infatuation with something it learned in Planning 101. Planning staff made some very minor concessions over the years – with the Planning Commission falling in line – ignoring all the input from communities - and telling staff what a ‘wonderful job it did’ – not really reading or knowing what it did. Watching the hearing on the computer – I wonder how many barfed on their key boards.

It’s a done deal – the fight is over – we lost. Another example of city/urban resident staff and commissioners, etc. not understanding the needs and issues of rural, unincorporated communities – living in a totally different environment than us - not asking the right questions.

The BOS has little chance at this stage to dismantle what’s taken years to ferment into a bad brew.

However – at least in my opinion and supported by LVEDA – there are 2 options the BOS could adopt that would at least be a last ditch effort to somewhat ameliorate dissatisfaction and slightly satisfy the community participants (especially Third Dist. communities) that were heavily involved in this long process – requiring only minor changes – easy and relatively painless for staff to implement:

Incorporate into the new system our 2007 Community Plans ‘by reference’ – keep them as an addendum or something – to have in one document our goals/policies/objectives we wanted to keep – at least for us if not Planning.

Insert into our so-called “Action Guides” the measures the County will use – and how - to help us “achieve” them.

Beyond that – I can’t see any other recourse for BOS action. As of now - I don’t plan to chime in at the hearing.

Maybe a conf. call if you want to talk?

Thanks,

Chuck – LVEDA

Subject: Stagecoach Solar Project Notice of Preparation
From: "Mongano, Sarah@SLC" <Sarah.Mongano@slc.ca.gov>
Date: 10/14/2020, 11:19 AM
To: "Mongano, Sarah@SLC" <Sarah.Mongano@slc.ca.gov>

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF PUBLIC SCOPING MEETING FOR THE STAGECOACH SOLAR PROJECT

File Ref: SCH No. 2020100234 CSLC EIR No. 763; W30213; W26868

NOTICE IS HEREBY GIVEN that the California State Lands Commission (CSLC), as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR), and that CSLC staff will hold two sessions of a virtual public scoping meeting pursuant to CEQA and the State CEQA Guidelines for the Stagecoach Solar Project. The CSLC staff has prepared this Notice of Preparation (NOP) to solicit public and agency comments, in writing or at the public meeting, as to the scope and content of the environmental analysis, including the significant environmental issues, reasonable range of alternatives, and mitigation measures to include in the EIR.

The NOP with virtual public scoping meeting dates and details and instructions on how to submit comments is available on the CSLC website. The NOP also includes the Project Location, Project Description, and Currently Identified Potential Environmental Impacts. <https://www.slc.ca.gov/ceqa/stagecoach-solar-project/>

Verbal comments made at the public scoping meetings will be recorded and transcribed. Written comments must be received or postmarked by November 13, 2020. Use of the email address below is preferred over replying to this email.

Sarah Mongano Senior Environmental Scientist California State Lands Commission 100 Howe Avenue, Suite 100-South Sacramento, CA 95825	Email: CEQA.comments@slc.ca.gov (Subject Line: Stagecoach Solar Project NOP Comments)
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Sarah Mongano

*Senior Environmental Scientist, Division of Environmental Planning and Management
California State Lands Commission
100 Howe Ave, Suite 100-South, Sacramento, CA 95825-8202
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Office: 916-574-1889*

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The CSLC staff has prepared this Notice of Preparation (NOP) to solicit public and agency comments, in writing or at the public meeting, as to the scope and content of the environmental analysis, including the significant environmental issues, reasonable range of alternatives, and mitigation measures to include in the EIR. Applicable agencies will need to use the EIR when considering related permits or other Project approvals. This NOP, along with additional background information and the Project Description included in the Attachment, is also available online at www.slc.ca.gov (under the "Information" tab and "CEQA" link).

Written comments must be received or postmarked by November 13, 2020.² Please send your comments at the earliest possible date to:

Sarah Mongano
Senior Environmental Scientist
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

E-mail: CEQA.comments@slc.ca.gov
(Subject Line: Stagecoach Solar Project
NOP Comments)
Phone: (916) 574-1889

PROJECT SUMMARY

Aurora Solar LLC, a wholly-owned subsidiary of Avangrid Renewables, has applied to the CSLC for lease of lands owned by the CSLC on which to construct and operate a solar generation project, called the Stagecoach Solar Project (Project). The proposed Project would produce up to 200 megawatts (MW) of solar energy using photovoltaic (PV) technology. The proposed Project area encompasses approximately 3,000 acres, with PV modules and the following associated infrastructure to be constructed on approximately 1,950 acres:

- 5-acre 34.5/220 kilovolt (kV) onsite electric substation and a 5,000-square-foot operations and maintenance (O&M) building.
- Direct current (DC) underground electricity collection system and a 34.5 kV collection system linking the PV modules to the onsite substation.
- Battery storage facility up to 200 MW and 100 acres in size.
- Solar resource and meteorological measurement stations.
- Newly constructed access roads throughout the interior of the proposed Project limits.
- Perimeter fencing and site security systems.
- Septic tank system and leach field serving the O&M building.
- Permanent groundwater wells, or an onsite water tank using water transported from offsite, providing water for the O&M building and to wash the PV panels.

² Pursuant to State CEQA Guidelines section 15103, Responsible and Trustee Agencies shall provide a response to a NOP within 30 days after receipt of the notice.

The proposed Project also includes construction of a 9.1-mile-long 220 kV generation intertie (gen-tie) transmission line to carry the electricity generated by the solar facility to the regional transmission system interconnecting at a proposed 7-acre Southern California Edison Calcite Substation. More details of the background and Project Description are provided in the Attachment to this NOP.

VIRTUAL PUBLIC SCOPING MEETING

Each session of the virtual public scoping meeting will be conducted using the online meeting platform Zoom. You may join by entering the web link listed above for the session you would like to join, or by dialing in by telephone at the number listed above. The Zoom meeting links will also be available on the CSLC's website at www.slc.ca.gov (under the "Information" tab and "CEQA" link). You may join from a desktop computer, laptop, mobile device, or telephone. Staff recommends that you test out your device, internet connection, and Zoom app compatibility well before attempting to join the meeting.

The CSLC staff will begin each session of the scoping meeting noticed above with a brief presentation on the proposed Project. The material presented at both sessions will be the same, two sessions are scheduled for the convenience of the attendees. After each presentation, staff will receive comments on the potential significant environmental issues, Project alternatives, and mitigation measures that should be included in the EIR, until all persons present who wish to provide oral comments have done so, at which time staff will close the session. Each session will be recorded and all oral comments will be summarized in a scoping memo. A 3-minute time limit on oral comments may be imposed. No Commission action on the EIR or Project will occur at this time; any such action will occur at a separate noticed public meeting after the EIR is finalized.

IMPORTANT NOTES TO COMMENTERS

1. If you submit written comments, you are encouraged to submit electronic copies by email to CEQA.comments@slc.ca.gov and write "**Stagecoach Solar Project NOP Comments**" in the subject line of your email.
2. Before including your mailing or email address, telephone number, or other personal identifying information in your comment, please be aware that the entire comment—including personal identifying information—may become publicly available, including in the EIR and posted on the Internet. The CSLC will make available for inspection, in their entirety, all comments submitted by organizations, businesses, or individuals identifying themselves as representatives of organizations or businesses.
3. If you represent a public agency, please provide the name, email address, and telephone number for the contact person in your agency for this EIR.
4. If you require a sign language interpreter, or other reasonable accommodation for a disability, as defined by the Federal Americans with Disabilities Act and California Fair Employment and Housing Act, in order to participate in the scoping meeting, please contact the CSLC staff person listed in this NOP at Sarah.Mongano@slc.ca.gov or

Figure 1. Project Location

