The San Bernardino County Sentinel

News of Note from Around the Largest County in the Lower 48 States

Late Final Edition

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FBI Presence Pushes Skittish Rowe To Cross Up Australian Mining Company

San Bernardino County officials, who as recently as early this month appeared to be on a trajectory to give go-ahead to a massive mining operation in Music Valley, are now balking at that plan upon a wide public revelation that the principals behind the proposal to unify 1,026 mining claims on the property adjoining Riverside County in the central-east Mojave Desert are foreigners.

That action comes as one of the members of the county board of supervisors has fallen under the close scrutiny of the Federal Bureau of Investigation in part relating to his acceptance of money from foreign nationals and a company with ties to the mainland Chinese governments espionage and propaganda ministries.

Historically, mining in Music Valley, primarily for gold, was complicated in the main as a consequence of its remote location and relative inaccessability as well as its lack of plentiful water that would have allowed for the use of hydraulic mining. While the presence of gold in Music Valley resulted in the working of claims in the area during the 1880s and 1890s, by the early 20th century, most small-scale mining in the San Bernardino foothills, including Music Valley, had ended. The last significant gold production in the region ended in the 1930s when output had already peaked and was in decline, although sporadic prospecting in the area never fully ceased.

In the present context, gold is not the ore that is primarily being focused upon.

San Bernardino County's Mojave Desert, specifically the area of Mountain Pass, located some 102 miles distant from Music Valley, is host to some of the world's richest known deposits of rare earth minerals. From the early 1950s until 2002, the Mountain Pass Mine, located within the northeasternmost extension of San Bernardino County, some 14 miles from Nevada border, was the world's most productive rare earth element mine.

Rare earth metals, also referred to as lanthanides, are a See P 2

Despite CVUSD Board's Success, Liberal State Establishment Still Calling The Shots

Despite a series of stunning victories in its cultural war with the State of California's entrenched liberal political establishment, a committed core of conservative activists in Chino Valley yet face implacable opposition in the long twilight struggle to reestablish what they celebrate as traditional values in their educational system.

One of the more fascinating social and political phenomena at play in California at present first tangibly manifested in 2006, though it had been gestating prior to that, with the election of Sylvia Orozco to the Chino Valley Unified School District Board of Trustees.

Orozco was a harbinger of what was to come, as she was a parishioner of the Calvary Chapel Chino Hills Congregation. The pastor at Calvary Chapel Chino Hills is Jack Hibbs, a denominationalist, who holds that Christians have a duty to stand up for their beliefs by either running for election to public office themselves or supporting other Christians who do run, and then, upon taking office, Christianize public policy. Hibbs was deceptively sophisticated in his approach, as he realized that political change of the type he envisioned would need to be effectuated gradually and without shock to the existing social order, and he exhibited the disciplined patience to execute his strategy. Rather than zooming to the top of political hierarchy and targeting offices such as governor, U.S. See P 5 Senator, state legislators or city council members, he started at the low end of the political pecking order as well as within the area of his immediate reach, that being the school board.

In 2008, another Calvary Chapel congregant, James Na, was elected to the school board. Na relatively early on established himself as a notable Korean See P 4

Fontana Planning Commission Okays 16.2 Units Per Acre Townhome Project

The Fontana Planning Commission on August 4, 2026 approved the construction of a 108 townhome subdivision with a density of 16.12 units to the acre on property at the northwest corner of Baseline and Palmetto Avenues.

The project proponent was Monte Vista Homes, which has proven very aggressive in seeking from the City of Fontana entitlements to proceed with high density projects. In the subject case, the parcel on which the homes are to be built is 6.7 acres.

The planning blueprint under which the development is taking place – the Walnut Village Specific Plan – is 46 years old, having first been derived in 1980. Throughout that time, no serious proposals for the development of the 6.7 acres had been filed with the city's planning division. In 2024, the city adopted an updated version of the specific plan which upped the permissible density on the property to a range of 12 to 24 units to the acre.

In 1980 in Fontana, the average number of units permissible under its then-extant specific plans were See P 3

Two SB Men Arrested After Murderous Attack On Homeless Camp

Officers with the California Highway Patrol collared two suspects in the shooting death of a homeless man and the wounding of a homeless woman that occurred on Sunday, August 16. 5280

According to the San Bernardino Police Department, well into the midnight hour Sunday morning, there was audible gunfire in the area of the 210 Freeway and Del Rosa Avenue, some 1,500 feet or just over 0.28 of a mile from the campus of St. Thomas Aquinas High School and roughly 1,200 feet or almost 0.23 of a mile from an island of unincorporated county property surrounded by city property on San Bernardino's northeast side.

After a call to its dispatch center reporting those shots came in, San Bernardino Police Department patrol units were dispatched to the scene, arriving at around 1 a.m.

Officers arrived at a homeless encampment on the south side of the freeway near Del Rosa Avenue, where they encountered a woman who had been shot and a man who was pronounced dead shortly thereafter. The woman was trans-

92-Year-Old Man Driving Golf Cart On Twentynine Palms Highway Killed In Car Collision

A 92-year-old man, who has yet to be identified, was killed on Saturday, August 15, 2026 while he was operating a golf cart on Twentynine Palms Highway.

While the man's name is known to authorities, as is his address in Yucca Valley, that information is yet being withheld as the Sentinel goes to press on Friday.

According to the sheriff's department at 05:47 p.m., the San Bernardino County Sherrif's Department responded to Twentynine Palms Highway and Mohave Trail in Yucca Valley to a report of a traffic collision.

According to the department, the man was severely injured when he drove the golf cart into oncoming traffic.

The speed limit on Twentynine Palms Highway, also known as State Route 62, at that point is 45 miles per hour. Moving vehicles at that point are potentially moving at rates reaching 50 to 55 miles per hour. See P 5

Chino Hills Officials Jettison Anti-Tax Ballot Argument That Decries High City Staff Salaries

After the Chino Hills City Council voted on July 14, 2026 to place a one-cent per dollar sales tax override before their constituents on the November 3 ballot, there was no shortage of residents ready to make an argument opposing the measure.

One of those Chino Hills residents aggressively challenged City Hall, stating See P 3

Air Resources Board Blocking Searles Valley Minerals' Last Survival Shot Via Bankruptcy & $20M Sale

The California Air Resources Board has strewn a major roadblock in the path of the effort to preserve the 153-year-old mining operation at the extreme northwest corner of San Bernardino County through a complicated bankruptcy protection ploy.

Searles Valley Minerals is the corporate successor to the San Bernardino Borax Mining Company that was created in 1873 by John Wemple Searles, who first arrived in the West Mojave Desert as a gold and silver prospector in the 1860s. He encountered copious quantities of white crystalline borax on the bed of what is today known as Searles Dry Lake near the town of Trona, which is located on the San Bernardino County side of where San Bernardino County, Inyo County and Kern County converge. John Searles initially used 20-mule teams to haul borax in wagons roughly 170 miles to San Pedro. In 1876, when the Southern Pacific reached the community of Boron, Searles was able to reduce the one-way distance of that delivery by 91 miles. In 1895, Searles sold the San Bernardino Borax Mining Company was sold by Searles to the Pacific Coast Borax Company, owned by the so-called "Borax King" – Francis Smith. Simth discontinued production at Searles Lake in 1896, but in 1913, the British-owned Consolidated Gold Firelds Company, which had extensive holdings in South Africa, See P 3

Board Of Supervisors Was Set To Let Australian Company Set Up Massive Rare Earth Mining Operation Until The FBI Started Snooping Around *from front page*

set of 17 minerals – specifically scandium, yttrium, lanthanum, cerium, praseodymium, neodymium, promethium, samarium, gadolinium, europium, terbium, dysprosium, holmium, erbium, thulium, lutetium and ytterbium. Prior to the late 19th Century, rare earth elements did not have a crucial or indispensable role in important applications. Early applications of rare earth metals included the use of cerium and thorium in the Welsbach gas mantle, which allowed for very bright gas-burning street lights, "mischmetal," an alloy of rare earths, widely used as flints in pocket cigarette lighters and europium in television tubes, for the creation of a bright red illumination in color television screens which came into vogue in the 1950s. Incidental to the extraction of europium from Mountain Pass was the derivation of multiple other rare earth elements, just as technical advancement in a number of fields throughout the 20th Century led to the identification of uses for them. Rare earths at present serve as niche ingredients in the components of high-tech devices, including mercury-vapor lamps, high-temperature superconductors, lasers, microwave filters, high refractive index glass, electrical vehicles, flint products, battery-electrodes, camera lenses, carbon arc lighting, didymium glass used in welding goggles, ceramic capacitors, nuclear batteries, specialized magnets, semi-conductors, red and blue phosphors, modern x-ray machines, infrared lasers and computer chips.

The Mountain Pass Mine was closed down in 2002 as a consequence of environmental pollution that accompanied the mine's operations, most notably the leaking of radioactive wastewater from the mine that was being conveyed by a faulty pipeline to a storage pond facility miles away from the mine. As a consequence of the Mountain Pass Mine's closure, the People's Republic of China moved aggressively to intensify the mining, refining and production of rare earth minerals at a number of mines it operates, to the point that within the last decade it has established a near monopoly on the production of rare earth minerals – meaning it controls approaching or in excess of 85 percent of the rare earths available throughout the world, even as scientific and industrial advancements have made lanthanides critical components in hundreds of modern devices that have come into existence over the last two to three decades. The Donald Trump Administration has prioritized domestic rare earth mining efforts as indispensible to both the national economy and maintaining national security.

Despite the growing importance of rare earth minerals, American investors, in large measure because of the treacherous regulatory and environmental pitfalls associated with rare earth mining, production and refining, over the last several decades have proven reluctant to become involved in such operations. Simultaneously, some foreign investors, including ones occasionally but not exclusively affiliated with what are considered governments hostile to the United States, have intrepidly moved forward with efforts to capitalize on establishing or re-establishing lanthanide mining operations in San Bernardino County.

When Greenwood Village, Colorado-based Molycorp Minerals LLC., which had acquired the rights to the Mountain Pass Mine, sought to redress its contamination problems, reopen the facility in 2012 and modernize its accompanying refining and production capability, it ran into difficulties when Chinese companies, subsidized by the Communist Chinese government, increased the output of their mines and created a glut of rare earths on the world market, driving prices downward. By 2015, Molycorp was unable to sell its product at a price that matched or exceeded its production costs nor defray the interest let alone the principal on the debt it had taken on in the effort to modernize the mine and purchase accompanying processing equipment. Molycorp declared bankruptcy, and in July 2017, the mine and its equipment were acquired by a Chinese-led consortium. The mine remained shuttered as the Chinese solidified their dominance of the worldwide rare earth production industry. Despite the consideration that the Mountain Pass Mine during this time was not producing a profit, in moves that were motivated, perhaps, as much or more by patriotic sentiment than mercenary intent, Chicago based JHL Capital Group and New York City-based QVT Financial and its chief executive officer, James Litinsky, in late 2017 became involved in the holding company controlling the mine property, which was redubbed MP Materials. By 2021, QVT, JHL and Litinsky emerged as the three primary shareholders in MP Materials, such that the primary Chinese shareholder in the mine, Shenghe Resources, had its interest in the enterprise reduced to 7.7 percent.

Gina Rinehart, the only child of Australian mining magnate Lang Hancock, the executive chairman of Hancock Prospecting and in 2026 Australia's richest person, purchased an 8.4 percent interest in the Mountain Pass rare earths mine, making her the single largest non-governmental or non-institutional shareholder in that enterprise.

Another rare earth mining undertaking was initiated several years ago in San Bernardino County. Dubbed the Colosseum Gold and Rare Earths Project, it is located about six miles north of the Mountain Pass Mine, in the Clark Mountain/Walker Lane area and within the Mojave National Preserve near the Inyo County boundary. The owner of that operation is Dateline Resources Limited, an Australian company engaged in mining and exploration activities in the United States. More recently, Dateline has acquired 57 existing claims encompassing 1,140 acres or 1.78125 square miles and has staked another 969 claims, covering 19,380 acres or 30.28125 square miles in Music Valley. Dateline's stated intention is to make use of the "target area" to exploit its "strong potential for significant rare earth element mineralisation. The project sits within a recognized geological setting for heavy rare earth enrichment based on US Geological Service studies." According to Dateline, Music Valley "lies near established infrastructure including major highways and power. The region has a mining history and accessible terrain."

Opposition to Dateline's designs on Music Valley was forming among Morongo Valley and other Mojave Desert residents based upon the the ecological havoc that would result from pit mining or the use of hydraulicking that Dateline was inching toward unleashing at the expansive mining site. Hydraulicking, also called hydraulic mining, involves excavating alluvial or other mineral deposits by directing high-pressure water jets at the material to break it down and transport it for further processing. Hydraulicking can disturb the natural landscape. It can also liberate potentially hazardous materials, such as radioactive deposits, and expose them to the open environment.

There appeared to be little prospect that those opposed to the project would be able to prevent the San Bernardino County Board of Supervisors from allowing the project to proceed.

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That changed on July 28, when the Federal Bureau of Investigation and other federal agencies conducted raids at the home offices of San Bernardino County Fourth District Supervisor Curt Hagman. Among the items and materials being sought by federal agents was documentation to further confirm that Hagman has received money from foreign individuals, companies, entities and agents, including those of the People's Republic of China.

An elected governmental official at any level – including those holding municipal, county, state or federal office – are prohibited by 52 U.S.C. § 30121 from receiving campaign contributions from individuals who are not U.S. citizens. Knowing and willful violations of 52 U.S.C. § 30121 involving $25,000 or more in a calendar year are classified as felonies and carry penalties of up to five years in prison and civil fines of up to 200 percent of the amount involved.

Moreover, the Donald Trump Administration frowns on foreign companies seeking control over industries in the United States deemed critical to U.S. national security.

County officials at the staff level were preparing in late July and during the first two-and-a-half weeks of August to put together what the board of supervisors had previously hoped would be a relatively routine redrafting and reenactment of Chapter 88.03 of Division 8 of Title 8 of the San Bernardino County Code pertaining to the permitting of mining operations. Staff had been led to believe that the board of supervisors wanted to be relieved of the burden of having to closely examine mining operation proposals, such that the board could simply approve them as something that represented a boon to the county. The county's chief director of planning, Paul Gonzalez and San Bernardino County Chief Engineering Geologist Dan Walsh, along with Amy DeNinno, a contract planner retained by the county, functioning on signals they were given over the past several months, had prepared an item that would, essentially, facilitate the county's granting of permits to any entities that want to undertake mining operations around the county, be they at the 85 surface mines in various stages of development and reclamation throughout the county or any other sites that might emerge in the future. A primary consideration, at least previously, was that the county wanted to surrender to the federal government any authority or jurisdiction over mines or mining activity in the county by simply accepting the terms of the Surface Mining and Reclamation Act of 1975, known by its acronym, SMARA, and contained within the Public Resources Code § 2710.

Continued on Page 6

Chino Hills Officials Find Argument Against Sales Tax Measure That References Excessive Staff Salaries To Be Unsuitable For The City's Voters *from front page*

straight out that city employees are overpaid and that city residents should not be put into the position of subsidizing a bloated and profligate city workforce. Not surprisingly, city employees made a decision not to include that argument in the election materials to be considered by the city's voters before they make their decision on whether to approve the tax increase.

If approved, the initiative, which has now been provided with the label "Measure J," would raise the sales tax collected within the 44.7 square mile Chino Hills City Limits from its current 7.75 percent to 8.75 percent. In California, the state levies a 6 percent sales tax. Local governments are at liberty to ask their residents to voluntarily burden themselves with a levy beyond that tacked onto the cost of goods purchased within their jurisdictions.

In San Bernardino County, residents first in 1989 approved a half-cent sales tax, referred to as Measure I, to defray roadway improvements countywide, and renewed that taxing authority again in 2004 through 2040. In addition, Chino Hills, like all of the other cities in the county and the unincorporated county areas, is subject to a 1.25% mandated uniform local/transportation allocation. This means that throughout the county, the sales tax stands at no less than 7.75 percent. In a host of cities, such as Chino, Ontario, Fontana, San Bernardino, Victorville, Loma Linda, Rialto, Redlands and Grand Terrace, as well as the two towns of Yucca Valley and Apple Valley, add-ons have pushed the sales tax collected there to 875 percent. In Montclair, it has reached 9 percent.

In some cities, such as Upland, residents have repeatedly rejected city officials request that they approve a sales tax override.

When a measure is put on a ballot for approval by citizens, proponents of the initiative are given the opportunity to make an argument in its favor, which is then provided to the voters with the election materials, consisting of sample ballots and mail-in ballots that are sent to registered voters roughly six weeks before the election is to take place. In practical terms, that means the last week of September. Those opposed to a measure are also given an opportunity to make an argument against the initiative. That argument is included in the aforementioned election materials.

In the case of Measure J, all five members of the city council – Ray Marquez, Peter Rogers, Art Bennett, Brian Johsz and Cynthia Moran – drew up a polemic, asserting that the city's residents should up the tax they are to pay every time they buy something.

The council members collectively maintained that "generations of residents and city leaders have invested in public safety, streets, parks, open space and the neighborhood quality of life."

They assured residents that "Measure J maintains 911 emergency response and neighborhood police patrols, supports crime prevention and keeps public areas safe, repairs streets, potholes, and aging infrastructure, and maintains parks, open space and recreation programs."

The council members reasoned that the added tax will not be burdensome to city residents but rather a benefit because it will be borne to a greater degree by people who do not live in the city rather than Chino Hills residents. "An estimated 64 percent of Chino Hills' sales tax revenue is generated by visitors who shop, dine and seek entertainment here," the council wrote. "Visitors strengthen our economy, but they also use local roads, emergency response and public safety services. Measure J allows visitors to help pay for the services and infrastructure they use."

Moreover, the council propounded, "Measure J reinforces local control. 100 percent of Measure J would remain in Chino Hills to support local services and priorities. Neither San Bernardino County nor the State could take or redirect these funds. The money would be reinvested directly in our community to benefit Chino Hills residents and businesses."

In what was likely a typographical error that none of the five, apparently, caught, they also asserted that past generations had invested in "wildlife preparedness," rather than wildfire preparedness.

Reportedly, as many as 13 different people expressed an interest in making a rejoinder to the city council. Ultimately, however, just three finalized arguments in opposition to Measure j were submitted. The authors of one of those were Ann-Marie Gabel and Claudette Dain. Another argument was submitted by Doug McCormick. Bill Shannon also submitted his rationale for voting against the measure. Only one of those three arguments, which had to contain itself to 300 words or less, could be included in the election materials.

McCormick's missive was the most provocative of the three. It made an issue of excessive city spending, the blame for which he laid directly at the feet of the city council.

"The city blames the budget problems on rising costs for services," McCormick wrote, saying the council had "refused to address" the issues at the basis of the financial difficulties the city faces. "The real answer to the city's budget problems is not to raise taxes but fix the existing budget problems that have been a burden on the city's budget for years."

At the root of the problem, McCormick said, was the city council's generosity with tax dollars toward city employees, what he called "the unchecked spending on staff, consultants and sub-contractors whose wages, benefits and fee schedules far outpace what is paid in the private sector. This system has been running deficits for years, yet the city council will not show the courage to address the problem." McCormick recommended that the city's residents "Tell the 'stewards of our tax dollars' with your vote that they need to fix the problems they have created before they get more money."

Ultimately, the city rejected having McCormick's argument included with the election materials. The city also opted against using Gabel's and Dain's missive to their fellow and sister residents. In their

Continued on Page 12

Fontana To Cram Four Fourplexes To An Acre *from front page*

eight units to the acre.

The 108-townhome project, consisting of Spanish-style and New England cottage-style structures by Monte Vista Homes at the Baseline Avenue/Palmetto Avenue site is the first development approved under the specific plan since its 2024 update.

During the presentation for the project, Fontana Associate Planner Cecily Session-Goins said, "This specific plan has been in place since 1980, but back in 2024, we rescinded the original specific plan and adopted a new one with a new land use plan for the areas that were underdeveloped in the specific plan."

In order for the project to proceed, two existing single-family homes on the 6.7 acres will be razed.

In essence, the residential units will be attached, four to a group, making them fourplexes. There will be no yards to speak of for the homes, although the project is to include a so-called tot lot next to a 20-foot-by-30-foot grassy area. Access into the neighborhood will be made from both Baseline and Palmetto.

The Fontana Planning Commission's chairman, Joe Armendarez, joined with the four other commissioners – Ricardo Quintana, Torrie Lozano, Dylan Keetle and Gilbert Roldan – in giving the project a unani-

Trona Mining Operation Was An American Asset During The Two World Wars *from front page*

founded the American Trona Company. In 1914, the company completed the Trona Railway line from Searles Station south to a junction with the Southern Pacific Railroad, simultaneously establishing the company-owned town of Trona, named for crystals of soda ash formed by the evaporation of chemical-rich water commonly found in the lake bed in combination with borax. The American Trona Company began production of potash, an ingredient in gunpowder, in 1915 as the First World War, then referred to as the Great War, was intensifying. In 1926, after the American Trona Company became the American Potash & Chemical Corporation, it began producing borax, soda ash, and sodium sulfate. During the Second World War, the productions of those chemicals was crucial to the U.S. military and with the expansion of the operations at Trona, the town grew in population to over 4,000. Trona existed as a self-contained company town, wholly operated by its resident mining company to house employees. The company had housing tracts constructed for its employees. Employees were paid in company scrip rather than U.S. currency. The mining company also a scrip-accepting for-profit grocery store, a school, a library, a bowling alley, and other recreation facilities. Multiple restaurants set up operations in the town.

Following the war, American Potash made several strides in the production of chemicals from the dry lake. In 1962 the company received industrial recognition for its groundbreaking solvent extraction process, entailing the the evaporation of chemical-rich water, to recover boric acid and potassium sulfate from weak brines. In 1974 American Potash and Chemical was acquired by Kerr-McGee. Under Kerr-McGee, production of chemicals out of Searles Dry Lake reduced. Kerr-McGee sold the Searles Valley production facilities in 1990, to capital investors D. George Harris and Associates, which formed the North American Chemical Company. North American sold the operation to the IMC Global Corporation in 1998. In 2004, Sun Capital, LLC purchased IMC Global corporation and the facilities at Trona and the historic Westend Chemical Plant on Searles Lake were renamed Searles Valley Minerals, Inc.

In November 2007, Karnavati Holdings, a subsidiary of the Indian corporation Nirma Limited based in Ahmedabadd, India, purchased Searles Valley Minerals Corporation from Sun Capital Partners.

The Argus Cogeneration Plant is part of the Searles Valley Minerals Corporation operation. It is the last coal-fired power station still operating in California. Unit 1 was commissioned in 1978 and has a capacity of 63 megawatts. Unit 2 was commissioned in January 1991 and had a capacity of 103 megawatts before ceasing operations on October 2, 2014.

Searles Valley Min-

Continued on Page 5

Against Daunting Odds, The Chino Valley Unified School District Board Stood By Its Philosophy And Policy *from front page*

from front page

American elected official in Southern California with a virulent anti-communist streak. As a local official with little direct impact on international, national or even state policies, Na avoided focusing on anti-communist rhetoric instead establishing a record that centered on conservative Christian activism and local education policies.

In 2012, Andrew Cruz, another member of the Calvary Chapel Chino Hills Congregation, was elected to the school board. With the religious trifecta of Orozco, Na and Cruz in place and in control of the district, there followed increasingly bold efforts to make significant inroads on the district's policies.

Milestones in this regard were achieved with making Bible study part of the district curriculum, as well as including benedictions at the beginning of the school board meetings.

This religiosity in a public forum was challenged by two individuals, Larry Maldonado and Mike Anderson, and 21 unnamed plaintiffs who were represented by the Freedom From Religion Foundation of Madison, Wisconsin in 2014 in a suit filed in Federal Court in Riverside against the district. The suit resulted in a U.S. District Court Judge Jesus Bernal in 2016 issuing a ruling, later upheld on appeal, that the district desist in evangelism, extending to so-called Christian witnessing as well as "prayers, Bible readings and proselytizing" in school settings.

In the years since, Orozco left the school board but two others of like mind, Sonja Shaw, another member of the Calvary Chapel congregation, and Jon Monroe were elected to the board in 2022. With the school board under the tight grip of Na, Cruz, Monroe and Shaw, who was established shortly after her election as the school board president, the district contemplated taking up once more an effort to acculturate public education in Chino Valley in accordance with Christian principles.

With much fanfare, the Shaw-led school board at its July 20, 2023 school board meeting, with State Superintendent of Schools Tony Thurmond in attendance to express his opposition, adopted a parental notification policy requiring teachers to inform parents of any student who reidentified his or her gender at school from the gender indicated on his or her birth certificate in a classroom setting. This ran counter to the advisal and recommended policy advocated by the California Department of Education and the state's prevailing political establishment, which held that minor children in middle school and high school settings be allowed to assume a gender identity of their choosing without any interference.

A month later, just as the 2023-24 academic year was about to begin, California Attorney General Rob Bonta filed suit in San Bernardino County Superior Court a civil suit to enjoin the Chino Valley Unified School District from enforcing its parental notification policy.

Bonta asserted that the policy "puts transgender and gender nonconforming students in danger of imminent, irreparable harm from the consequences of forced disclosures" and that as a consequence of the school district action, such students were "under threat'' and "in fear," facing "the risk of emotional, physical, and psychological harm from non-affirming or unaccepting parents or guardians." The policy, according to the attorney general "unlawfully discriminates against transgender and gender nonconforming students, subjecting them to disparate treatment, harassment, and abuse, mental, emotional, and physical."

In justifying his action, Bonta said, "This policy is destructive," he said. "It's discriminatory and it's downright dangerous. It has no place in California, which is why we have moved in court to strike it down."

Bonta asserted that the need to prevent "mental harm, emotional harm and physical harm" to those students who are products of families who are not accepting of their choice to deviate from their birth or biological gender trumps the right of all parents to be informed of their children's sexual identity choice.

Bonta's filing put the new policy on hold, as the court granted the State of California a temporary restraining order prohibiting the Chino Valley Unified School District from enforcing the policy.

Ultimately, San Bernardino County Superior Court Judge Michael Sachs. Judge Sachs ruled that the district policy "singled out" transgender students for disparate treatment by requiring that faculty members in essence "out" transgender students to their parents. This, Sachs found, ran afoul of California Education Code Sections 200 and 220 and Government Code section 11135 meant to ensure equal rights and opportunities for every student and prohibit discrimination on the basis of gender identity and gender expression. His ruling disallowed the policy's enforcement.

The Chino Valley Unified School District Board of Trustees in March 2024 passed a redrafted parental notification requirement that was more general and did not make any specific mention of sexuality or gender, instead requiring that parents be told if the students made any alteration of their school registration records, such as altering their names. As most students engaging in "gender transition" adopt a name traditionally associated with the gender they are adopting, the revamped policy was inclusive of the intent contained in the policy adopted in July 2023 but maneuvered around the legal constraints Bonta, who was working in conjunction with Thurmond, California Governor Gavin Newsom and a cross section of the California legislature's Democratic members, was attempting to construct.

Judge Sachs, in considering the district's revamped policy, which was passed in March 2024, ruled that it was constitutionally valid and enforceable since it was not specific to sexuality or gender identification. Among the advocates of parental disclosure, this was considered a major victory.

State officials then moved to preempt parental disclosure altogether by having Assembly Member Chris Ward, D-San Diego, author AB 1955, prohibiting schools from making a practice of notifying parents if their children are assuming a gender different from the one assigned them at birth. The bill was passed by both of California's legislative houses and was signed into law by Governor Newsom on Monday, July 15, 2024.

The Chino Valley Unified School District and parents Oscar Avila, Monica Botts, Jason Craig, Kristi Hays, Cole Mann, Victor Romero, Gheorghe Rosca, Jr. and Leslie Sawyer, represented by attorney Emily Ray of the Austin, Texas-based Liberty Justice Center, sued Newsom, California Attorney General Rob Bonta and California Superintendent of Public Instruction Tony Thurmond in an effort to prevent the enforcement of AB 1955.

As this legal back-and-forth was raging in

Board Of Supervisors Rethinking Sweetheart Deal With Aussie Mining Company

from page 2

It had been the intent of the county board of supervisors to Defer to the federal government regulatory authority over mining operations to the federal government. The language that Gonzalez, Walsh and DeNinno had thrown together for the board of supervisors to approve on August 18 laid out that if a proposed surface mine is located in part or in whole on federal land, the county could simply internalize and whatever environmental study had been prepared by as many or as few federal agencies involved in examining the proposed mining operation and deem that study or studies as a substitution for the county's environmental certification of the project.

"A permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization, to conduct surface mining operation," the ordinance prepared by Gonzalez, Walsh and DeNinno read.

The document prepared by Gonzalez, Walsh and DeNinno identified the board of supervisors' goals as be being "consistent with the State Surface Mining and Reclamation Act of 1975 (SMARA)" to ensure the continuing availability of sand, gravel, and crushed stone to be used in future construction projects throughout the county and to "encourage the continued operation of existing mining facilities and streamline the permitting of new mining facilities" and result in "increased business investment in land and facilities and job growth in key unincorporated areas." The listing of goals outlined by Gonzalez, Walsh and DeNinno to be embraced by the board of supervisors in the new ordinance included the statement, "We support the extraction of mineral resources in unincorporated areas and the establishment and operation of supporting businesses throughout the county."

While the development code amendment relating to surface mining and reclamation that was to be codified through the rescinding of the county's previous ordinance and its reformulation and adoption did not deal directly with Dateline's proposed mining operation in Music Valley, it was recognized by all as clearing the way for the board of supervisors to simply stand aside and let the Australian company do as it pleases without county interference.

The board of supervisors, suddenly sensitized to the legal implication of doing the bidding of a foreign corporation, flipped on Gonzalez, Walsh and DeNinno.

When a few desert residents at the August 18 meeting pointed out that the proposed changes in the ordinance entailed language stating no county permit for a mining project was required, the board took that as a cue to hold off on jettisoning the old ordinance pertaining to development code amendment relating to surface mining and reclamation and putting a less exacting set of regulations on mining activity into place.

Board of Supervisors Chairwoman Dawn Rowe, one of Hagman's closest allies and a recipient of money from dozens of donors who were vectored to her by Hagman since she has been on the board since 2018, led the board to reject rubberstamping the redrafting of mining activity regulation in the county on Tuesday. She called for the matter to be brought back to the board at its October 20, 2026 meeting.

California Air Resources Board's Insistence On Getting Payment For Past Air Pollution Impacts Is Holding Up Sale Of Trona Mining Operation *from page 2*

erals, based upon its extraction of boron and other other minerals like lithium carbonate from brines at Searles Lake, was consistently profitable.

In 2019, on July 4 and July 5, there were a series of seismic disturbances in the northwest Mojave Desert, a magnitude 6.4 event, occurred on the morning of July 4 at 10:33 a.m. about 8 miles west-southwest of Trona, along a previously unnoticed northeast to southwest trending fault. This was followed by a magnitude 5.4 quake on July 5 at 4:08 a.m. and a magnitude 7.1 quake later that same day at 8:19 p.m., which became the mainshock and the strongest in California in 20 years. The quakes caused significant damage to homes, businesses, and infrastructure.

The following year, with the advent of the COVID-19 pandemic, there was significant impact to the economy in Trona as well as to the operations of Searles Valley Minerals.

Before the earthquakes, Searles Valley Minerals reported reported an operating profit of $56 million in 17, $46 million in 2018 and $52 million in 2019. Shortly thereafter, the company moved into the red.

According to the company, it was hit with a five-way whammy: the impact of the earthquakes, sales slowdowns brought on by the COVID-19 crisis, soda ash market oversupply brought on by China dumping lower cost synthetic soda ash on the market, regulatory pinching by the State of California and IRS interpretations that has left it owing Uncle Sam nearly $2.2 million in current and back taxes.

Instead of turning a profit, the company and its two affiliates, the Trona Railway Company and Searles Domestic Water Company, were losing between $3 million and $4million per month – an approximate annual operating deficit of $42 million per years.

In recent months, the company reduced its production even further – entailing the termination of 46 percent of its personnel – consisting of 240 employees and independent contractors – thereby depriving itself of income needed to pay down its crushing debt.

On June 15 the company filed for Chapter 11 bankruptcy protection, stating it needed to hold all of its creditors at bay while it pursues a "free and clear" sale of its entire operation to one of its customers, TATA Chemicals North America Inc. pursuant to a document titled The Debtors seek entry of interim and final orders authorizing Soda Ash Supply and Liquidity Agreement for $20 million, which would be used to satisfy a portion of the company's outstanding debt. Under the arrangement with TATA Chemicals North America Inc., Searles Valley Minerals would be provided with an immediate $7 million initial liquidity advance upon U.S. Federal Bankruptcy Judge Brendan L. Shannon's say-so. In addition, TATA would take over the production operations and meet Searles Valley Mineral's outstanding commitments to deliver soda ash to its existing customers at a set price per metric ton plus freight. TATA would make an infusion of cash into the operation consisting of cash advances to suppliers of services and goods needed to sustain the chemical production operation.

The plan was that with Judge Shannon's entry of an interim order, by which Nirma was to make a guarantee of the funding being distributed to the key entities sustaining the operation and a plan prioritizing payments to existing creditors would be followed by an final liquidity advance of $13 million when Judge Shannon issued his final order. TATA would then walk away with the assets now in the hands of Searles Valley Minerals and its corporate parent Nirma.

In its past operations, however, Searles Valley Minerals had relied upon the coal -fired Argus Cogeneration Plant, which was subject to a cap-and-trade agreement with the California Air Resources Board. Under that agreement, Nirma/ Searles Valley Minerals were allowed to use coal, which upon being burned releases smoke into the atmosphere that contains carbon dioxide, sulfur dioxide, nitrogen oxides, carbon monoxide, particulate matter fly ash and bottom ash, mercury, arsenic, lead and volatile organic compounds. For the California Air Resources Board to tolerate those pollutants being released, Searles Valley Minerals was subject to having to purchase offsetting pollution credits. Searles Valley Mineral's running tab on the purchase of those credits stands at $76,318,424.00.

The California Air Resources Board has petitioned Judge Shannon, whose court is located in Wilmington, Delaware, to structure his order such that the purchaser of Searles Valley Minerals' assets in the Chapter 11 sale also takes on responsibility for the $76,318,424 in cap-and-trade debt the company has accumulated.

In its Chapter 11 filing, which is on the Federal Bankruptcy Court's books as Case No. 26-10966, Searles Valley Minerals sought an expedited dispossession process, known as a court-supervised Section 363 sale, with an auction of the company's complete assets scheduled for next Monday, August 24, 2026 and a sale hearing on Wednesday, August 26, 2026. The California Air Resources Board's petition is to be heard by Judge Shannon at that time. Judge Shannon has discretion over whether saddling TATA or the entity that outbids it will have to take on Searles Valley Minerals' liabilities in order to assume its assets. If Judge Shannon ascertains that the California Air Resources Board's demand that Searles Valley Minerals' cap-and-trade debt be paid by the entity purchases the mining operation, the buyer would see its cost on the purchase – now set at $20 million – escalate by $76,318,424 to $96,318,424, to be paid up front or over time from the income of the mining operation at a rate to be set by the court.

For TATA, which was already calculating that it would need to make hefty investments to create a powerplant to produce heat and electricity without relying on coal, this appears to be a deal-breaker.

Nirma falls among the top 200 of India's corporations and within the top ten in the country's industrial/manufacturing segment. Nirma controls Searles Valley Minerals through Karnavati Holdings, Inc., which is wholly owned by Nirma. According to the totality of entries in Case No. 26-10966, Aearles Valley Minerals, Searles Domestic Water Company, LLC, and Trona Railway Company, LLC have liabilities totaling more than $431.

The City Group/Capital Finance has a claim for 1,329,183.55.

Trona Railway Company has a claim for $83,628,022.95

Southern California Edison has a claim for $1,343,112.82.

San Bernardino County has a claim for $3,636,073.12.

Process Equipment, Inc., doing business as Process Barron, has a claim for $3,178,916.26 and another for $2,541,948.00.

Pacific Gas & Electric (PG&E) has a claim for $1,014,206.30 and another for $2,020,367.83.

The Port of San Diego has a claim for $309,984.00 and another for $884,522.40.

Nirma Limited has a claim for $1,574,100.00.

Navin Overseas Fzc has a claim for $1,423,941.00.

Metropolitan Stevedore Company has a claim for $4,020,670.87.

Karnavati Holdings, Inc. has a claim for $135,198,062.90.

Infinity Asset Holdings has a claim for $808,700.00.

Haynes Building Service, L.L.C. has a claim for $205,657.40 and one for $300,113.32.

HPC Industrial Services, LLC has two claims for $321,237.70.

HSBC Bank USA, National Association has a claim for $25,989,612.00.

GATX Corporation has a claim for $11,818,368.00.

Gatx Rail,A, a division of Gatx Financial, has a claim for $368,775.00.

Bank & Trust Company (as successor by merger to CIT Bank, N.A.) filed a claim for $1,082,537.50.

First-Citizens Bank & Trust Company (as successor by merger to CIT Bank, N.A.) filed a claim for $85,628.64.

The Department of Treasury and the Internal Revenue Service filed a claim for $2,190,773.87.

Delta Pump Systems Inc., als known as Delta Pumps & Systems, filed a claim for $218,763.64 and a claim for $209,510.24.

D2, known as D Squared Industrial Services LLC, filed a claim for $1,444,838.16

Constellation NewEnergy - Gas Division, LLC filed a claim for $3,518,795.89 and another for $2,639,006.28

Continental Labor Resources filed a claim for $266,870.08 and another for $311,250.70

CIT Equipment Financing, LLC, also known as the CIT Group/ Equipment Financing, Inc., filed a claim for $3,942,031.00 and another for $651,686.92.

The Bakersfield Machine Company filed a claim for $748,427.71.

Best Best and Krieger LLP, which represented Searles Valley Minerals in its legal effort to preserve its water rights, filed a claim for $1,037,304.65.

Applied Industrial Technology filed a claim for $978,763.15.

XL Specialty Insurance Company has a claim for $3,472,037.00.

Walter's Wholesale Electric Company has a claim for $442,280.46.

The Union Pacific Railroad Company has a claim for $472,373.86, another for $3,482,798.86 and a third for $3,019,913.30.

There were claims for no specified amount of money, i.e., $0.00, by the states of New York, North Carolina and Michigan, as well as the California State Water Resources Board, the San Bernardino County Fire Department, the Wyoming Department of Revenue, the Oregon Department of Revenue and the Montana Department of Revenue. Those claims are made as "place-holders," meaning the amounts are to be filled in when Judge Shannon reaches the stage where repayment prioritization takes place, if ever.

Man Killed Driving Golf Cart On Highway *from front page*

The man was transported to Hi-Desert Medical Center in Joshua Tree and pronounced deceased at 8:02 p.m.

Two Men Thought Involved In Murder Arrested *from front page*

ported to a hospital. The California Highway Patrol became involved in the investigation into the incident because the shooting apparently took place on state property.

Statements from witness resulted in investigators going combing the area and neighborhoods in and around Garner and 5th Street in San Bernardino on Monday, August 17, where they arrested 29-year-old Isaac Miguel Martinez, 21 and 37-year-old David Antonio Carrillo at a home located at 1250 West 6th Street.

The five-foot-six inch 210 pound Martinez was booked at the San Bernardino County Sheriff's Department's Central Jail on suspicion of