

High lake level closing Tahoe beaches

A sustained high lake level and added boat wake have started to cause erosion problems along the shoreline at Lake Tahoe.

The eroding beach at Lakeview Commons has already impacted the weekly concerts on Thursday.

Now the California Tahoe Conservancy, which owns that space and other beaches, is limiting public access and temporarily closing portions of some South Shore beaches for public safety and to protect sensitive habitat.

Locations include the Upper Truckee Marsh and other Conservancy ownership near Lakeview Commons.

Here is a **map** to the beaches.

– *Lake Tahoe News staff report*

Snippets about Lake Tahoe



Take note of this photo. Placer County isn't the only location with more restrictive rules for the week of July 4.

South Lake Tahoe City Council is having a special

meeting July 2 at 9am to discuss to cannabis related items. Here is the **agenda**.

- Beginning July 1, Truckee will provide free service on the Truckee TART Local Fixed Route, operating throughout Truckee, Monday-Saturday between 9am-5pm. Truckee TART Dial-a-Ride will also provide free service for ADA certified passengers as of July 1.

- Lisa Maloff donated \$25,000 to South Tahoe High School's Performing Arts Booster Association for the purchase of musical instruments for Lake Tahoe Unified School District.

- South Lake Tahoe Library will host In-Tune Tales on June 29. The free outdoor show starts at 2pm at 1000 Rufus Allen Blvd. in South Lake Tahoe. In-Tune Tales is a musical trio from Reno that uses vocals, sound effects and musical instruments as they tell traditional folk tales and modern storybook classics.

Kings Beach pier replacement moving forward



A new pier at Kings Beach would be designed to be used during high and low water years. Photo/Kathryn Reed

By Kathryn Reed

KINGS BEACH – One person doesn't want a dog use area, another longs for the days of his youth when there was better fish habitat and the beach went up to the road.

Those were the only two public comments during the June 27 Tahoe Regional Planning Agency meeting regarding the Kings Beach General Plan amendment and pier relocation presentation. The bi-state agency later this fall will vote on the pier, while State Parks has oversight on the General Plan.

The pier rebuild is expected to be the first project after the General Plan is approved. The environmental documents are being studied simultaneously. The California Tahoe Conservancy has a role in all of this as well because of land ownership.

The pier falls under TRPA's recreation threshold as well as scenic and fish resources.

"The focus is access to the water and off water to the town center," Tiffany Good, TRPA planner, told the board on

Wednesday.

Even though the regulatory agency is also going through the shorezone plan now, staff assured the board the Kings Beach plan has been designed to fit today's standards and the preferred action plan for the new shorezone document.

Three locations were studied for where to put the pier, with the east end being the preferred. In total it will be 488-feet long. Of that, 213 feet will be fixed, with an 80-foot-transition, and then 215 feet of floating pier. Some of it overlaps, which is why the numbers don't add up.

Most of it will be 12-feet-wide, with 36 feet being the widest.

Rails will be put on the fixed portion. The pier will be single pilings.

During high water 18 boats could be tied up to the floating section. At no time will there be overnight mooring.

Overall, State Parks wants to make this hub of Kings Beach more user friendly. Parking will be changed to flow better. According to State Parks, 20 percent of the park is dedicated to parking. That will be reduced by 11 percent. Drop-off areas within the parking area will be added.

The motorized boat ramp will be removed, the basketball court will be relocated, a non-motorized storage area will be added, more picnic facilities are coming.

June 29 is the last day to comment on the pier and General Plan environmental documents. State Parks Commission is expected to vote on the General Plan amendment in October, with TRPA taking action later in the fall.

Opinion: U.S. unfair to Central American refugees

By Susan Bibler Coutin

U.S. Attorney General Jeff Sessions' announcement on April 6 that all unauthorized border crossers will be federally prosecuted might sound like a reversal of U.S. policy. So might his June 11 decision that being a victim of domestic violence or gang violence generally will no longer be considered grounds for receiving asylum.

But, as someone who has been analyzing asylum since the 1980s, I look at these announcements and see continuity. Sessions' policies fit a pattern, going back decades, of excluding asylum seekers from Central America from the human rights protections afforded by U.S. and international law.

Central America should not be singled out in this way. After all, asylum law is supposed to be politically neutral. But the reality for decades has been anything but. Concerns about admitting asylees from Central American countries that are close to us, and who are fleeing from regimes that the United States supports, have led to disparate outcomes for citizens of these nations.

Such exclusions began during the civil wars of the 1980s when Central Americans immigrated to the United States in increased numbers, fleeing political violence in their homelands. Because the United States supported repressive right-wing governments in El Salvador and Guatemala, accepting refugees from those countries threatened to undermine U.S. foreign policy.

In this process, politics trumped reality. Central American civil wars were actually fought over such issues as access to land, a more equitable distribution of resources, and political repression, but the United States saw these wars as part of a Cold War fight against communism. So, for example, the United States provided more than \$1 million a day in military and economic assistance to El Salvador, despite its government committing widespread human rights abuses, including massacres of peasants and death squad activity.

In 1984, less than 3 percent of the asylum claims filed by Salvadorans and Guatemalans were granted, in contrast to approval rates in the range of 32 to 60 percent for applicants from Poland, Afghanistan, and Iran. U.S. detention centers also used coercive practices to pressure Salvadorans and Guatemalans to agree to depart the country voluntarily instead of filing asylum claims. Detainees generally were not informed of their right to apply for asylum, were threatened with lengthy detention, and were prevented from meeting with attorneys.

This discriminatory treatment gave rise to a community of advocates who, throughout the 1980s, pursued redress in the courts while also trying to sway public opinion. A class action suit, *Orantes Hernandez v. Meese*, resulted in a permanent injunction in 1988 preventing coercive tactics against detainees.

The process for Central Americans was so unfair that, beginning in the 1980s, religious congregations declared themselves to be "sanctuaries" for Salvadoran and Guatemalan refugees in order to draw attention to the need for asylum while also challenging U.S. aid to the Salvadoran and Guatemalan governments. Following the conviction of two priests, a minister, a nun and four lay workers on alien-smuggling and conspiracy charges, religious groups and Central American community organizations sued the U.S. government, charging that asylum processes were discriminatory.

This case, known as *American Baptist Churches v. Thornburgh* or “ABC” was settled out of court, enabling these asylum seekers to file claims under rules designed to ensure fair consideration of their cases. At the same time, the 1990 Immigration Act created Temporary Protected Status (TPS) and designated Salvadorans as the first group to receive it.

By joining forces across political divides, Salvadorans, Guatemalans, and Nicaraguans were able to secure passage of the Nicaraguan Adjustment and Central American Relief Act (NACARA) in 1997. To do so, they, their allies, and Central American leaders argued successfully that the U.S. government had granted these immigrants temporary documentation, and that they should be exempted from immigration restrictions adopted in 1996. Importantly, NACARA provides a precedent for creating a pathway to lawful permanent residency and eventually citizenship for TPS recipients.

During the post-war years, violence in Central American countries continued, but shifted from civil war to gangs and crime. The gang violence is the product of multiple factors: impunity granted to human rights abusers; an abundance of weapons; corruption; income inequality; the trauma of the war years; and the rise of drug cartels and U.S. deportation policies, which have sent U.S.-based gang members to Central American countries.

Central American families—particularly in the Northern triangle of Guatemala, Honduras, and El Salvador—experienced extreme insecurity including forcible gang recruitment, extortion, sexual violence, assault, and murder in the late 1990s and the 2000s. Yet, just as during the war years, the U.S. government is now arguing that the violence experienced by Central Americans is generally not grounds for political asylum. For example, in a 2008 Board of Immigration Appeals decision, three Salvadoran youth who had been beaten, harassed, and threatened with death and rape for refusing to join the MS-13 gang were denied asylum, despite widespread

evidence of such abuses, including the shooting and killing of another youth in their neighborhood who had also refused to join.

While obtaining asylum remained restricted, immigrants living in the United States were increasingly treated as suspects, a process of criminalization that increased their risk of being deported. Immigration reforms adopted in 1996 expanded the range of criminal convictions that incurred immigration penalties, restricted avenues for immigrants to legalize their status, and made detention mandatory for many. Secure Communities, a program launched under President George W. Bush and expanded under President Barack Obama, increased collaboration between police, prisons, and immigration authorities, with the result that for noncitizens, coming into contact with the criminal justice system could result in being deported from the United States.

Prosecution of immigration violations escalated to the point that these now comprise a significant portion of the federal docket. Individuals who had spent most of their lives in the United States and who may even have acquired lawful permanent residency were being removed permanently, resulting in devastating family separations. Latinos—particularly Mexicans and Central Americans—are disproportionately targeted in these enforcement practices.

The current administration's policies toward Central Americans extend this history of criminalization and of restricting access to asylum—by defining the violence that is part of everyday lives as outside the boundaries of U.S. protection. President Trump has repeatedly associated Central Americans with crime and gangs, referring to their homelands as “shithole countries,” and suggesting that all who enter the country without authorization might be MS-13. Such statements fly in the face of criminologists' findings that the foreign-born commit fewer crimes on average than do people born in the United States.

Other Trump actions revisit the past. The administration rescinded TPS, or temporary protections, that had been issued to Salvadorans and Hondurans following natural disasters, despite ongoing violence in Honduras and El Salvador. Sessions also reversed progress that had been made in making the legal case for domestic violence and gang violence as a basis for asylum. It's true that even before Sessions overruled these rationales, asylum cases based on such violence were very difficult to win, with 75 to 80 percent of such claims being denied. But one impact of Sessions' ruling is that many asylum seekers will not even pass the first hurdle for asylum seekers—interviews at which they must demonstrate credible fear—and therefore will be unable to submit their claims.

Likewise, even though family separations have garnered attention since the Trump administration adopted a zero tolerance policy on unauthorized border crossings, immigrant families have had to contend with separations of various sorts for decades, if not longer. When legalization opportunities were restricted by the 1996 reforms, immigrant parents were unable to acquire lawful permanent residency, which would have enabled them to petition for children who were left behind in their countries of origin to immigrate legally. Temporary statuses such as TPS do not confer the right to leave the United States and reenter without permission from the U.S. government, so TPS recipients have been unable to visit family members in their countries of origin for years. Deportees are often separated from family members in the United States, and are unable to return legally for visits. Such separations are not as dramatic as those that have currently captured public attention, but they are nonetheless devastating. When I have interviewed immigrants who are seeking legalization opportunities, interviewees have broken down in tears describing their inability to visit their parents on their deathbeds to say goodbye.

This history of exclusion has not prevented immigration. On

the contrary, a study by the Pew Research Center found that between 2007 and 2015, the U.S. immigrant population from El Salvador, Guatemala, and Honduras rose by 25 percent, at a time when the immigrant population from Mexico declined by 6 percent. Perhaps this is because immigration is driven less by U.S. policies than by conditions in immigrants' countries of origin. If so, what is being accomplished by exclusionary policies?

Ending the repeated exclusion of Central American asylum seekers would require bringing asylum policies into alignment with the forms of violence that actually occur in the communities these individuals are fleeing. Then, protections must be zealously enforced, for example, by creating meaningful opportunities for individuals to apply for asylum, providing those who pass credible "fear interviews" with temporary permission to remain in the country instead of placing them in detention, allowing parents and children to remain together; in short, caring for victims of persecution instead of punishing them. Doing so would promote family integrity, support human rights, and alter the dynamics of the historic relationship between the United States and Central American nations.

Susan Bibler Coutin is professor of criminology, law and society and anthropology at UC Irvine. Her most recent book, "Exiled Home: Salvadoran Transnational Youth in the Aftermath of Violence," was published in 2016.

Real estate VHR initiative

doesn't make ballot

The vacation home rental initiative being backed by the South Lake Tahoe real estate community did not qualify for the ballot.

The effort was an attempt to counter what is a more Draconian measure that has qualified for the November election. That proposal would create a gradual ban on vacation home rentals in the city outside of the tourist core area.

The goal of the real estate group was to continue to allow VHRs in neighborhoods, but with constraints. They also wanted to create a commission that would have some oversight on the industry.

The real estate group submitted more than 1,800 to the county elections office. In the random, fractional count officials found a large number of those who signed were not actually registered voters in South Lake Tahoe. It would take 1,005 signatures to qualify.

Officials with the South Tahoe Association of Realtors could not immediately be reached for comment.

It is not known if they can push the county to count more signatures to see if there is the requisite number.

– *Lake Tahoe News staff report*

Nevada unions a beacon after

Supreme Court ruling

By Ruben J. Garcia, The Conversation

American labor unions have long been bracing for a “post-Janus” future in which collecting dues would be harder than ever.

The Janus case has been moving through the courts for two years and addresses the question of whether a public employee can be forced to pay dues to a union that represents him or her.

On June 27, the Supreme Court said no, which means the much-feared poorer future is now upon organized labor. While some pundits argue that this may “cripple” certain unions across the country, my research in Nevada suggests it doesn’t have to be that way.

Nevada unions have been operating under this very constraint for 65 years and yet have managed to thrive. As such, I believe they offer three important lessons for labor unions in other states as they grapple with an indisputably bleak legal environment.

Janus and right to work

The Supreme Court ruled in *Janus v. State, County and Municipal Employees* that employees who receive the benefits of union representation are not required to pay any fees for those services because that would be “compelled speech” in violation of the First Amendment to the U.S. Constitution.

Governments in every state are now constitutionally prevented from entering into agreements with their workers requiring the employees to pay for union expenses, such as collective bargaining and handling grievances. This creates the risk that more and more employees will become “free riders,” getting the

benefits of union representation but bearing none of the costs.

Janus is the latest success of the right-to-work movement, which has been involved in litigation, legislation and public advocacy against what it calls “forced unionism” since the first federal collective bargaining laws were enacted in the 1930s.

Those laws were modeled on the principle that larger units of workers have greater bargaining power than smaller, segmented ones. In addition, the idea was that employees should be required to pay for union representation to maintain collective strength. And that the union in return would owe those who disagreed with it a duty of fair treatment.

In 1947, federal law was changed to allow states to adopt so called right-to-work laws, which, like the Janus ruling, forbid compulsory payment of union dues by workers who are covered under a collective bargaining agreement. Currently, 28 states have right-to-work laws.

Nevada, the state where I live, adopted its right-to-work law in 1952.

The Nevada paradox

While union membership has declined in many states with right-to-work laws, Nevada is among a few where the labor movement has remained fairly robust. Its union membership rate of 12.7 percent in 2017 was the second-highest among right-to-work states.

That’s one reason Nevada’s unions offer important lessons for the rest of the labor movement on how to succeed in today’s more legally adverse environment.

My research has focused on private sector labor like the Culinary Workers and Bartenders Unions in Las Vegas, which are

separate entities but bargain as one. Known as “the Culinary,” together they are the largest union in Nevada, representing nearly 57,000 workers in Southern Nevada and some properties in the Reno area.

Although the Las Vegas hospitality industry is unique in its scale and need for trained workers, the Culinary has thrived for more than 80 years by balancing on three poles: an immigrant-focused organizing ethic, political engagement and delivering services to members both in the workplace and in the community.

Many of the strategies employed to successfully organize the Culinary workers, then, will be key to the survival and success of organized labor across the country in the post-Janus world.

Shoe-leather organizing

Most unions around the country are familiar with the kind of shoe-leather organizing that the Culinary has utilized over its lifetime, such as house visits, worker-to-worker contact and, increasingly, social media strategies. This has led to a nearly 90 percent unionization rate on the famous Las Vegas Strip.

But the Culinary stands out for the success of its efforts, which has included working hard to recruit immigrants and women. For example, it proudly calls itself Nevada’s largest immigrant organization, with members from 173 countries, more than half of them Latino.

In addition, about 55 percent of its members are women, which is higher than the national average of about 46 percent.

In a right-to-work world, this kind of contact and engagement with workers – especially those who have not traditionally courted by unions – are essential for the survival of the labor movement.

Political engagement

The political engagement of the union has enhanced its importance among the state's politicians because it supports their candidacies through get-out-the vote campaigns, election monitoring and social media outreach.

The Culinary's endorsement is coveted, and the get-out-the-vote campaigns they engage in have been successful in electing many of their preferred candidates and preventing the rise of some of the conservative candidates that have appeared in other states.

This political engagement can have an impact at the bargaining table, leading to community support for their recently successful efforts to organize new casinos outside of the Las Vegas Strip. This suggests that after Janus, public sector unions will have to get more political, rather than less.

Delivering for the rank and file

Finally, the success of two depend on and contribute to the third lesson: The Culinary is able to deliver the kinds of extra services and benefits for its members that ensure they keep paying their dues.

Others include efforts to help its many immigrant members, such as the Citizenship Project, which has aided in the naturalization of nearly 20,000 Nevadans since its inception in 2001. Another member benefit is the Housing Partnership Program, which the union won from employers to help workers buy their first homes. And the Culinary Training Academy, a nationally recognized joint labor management training program, showcases the union's role in training the workforce to the benefit of workers and the hospitality industry.

These are all examples of labor-community partnerships that show the importance of unions not just to their own members but to others as well.

Unions across the country will struggle somewhat in the short term to do these kinds of projects due to their diminished resources, but these are the kinds of priorities that will build the labor movement over the long haul.

The road forward

Now that the Janus decision is almost certain to cut into how much money unions can collect from the workers they represent, their survival will depend on how well they can learn from places like Nevada and do more in these three areas.

An unfortunate side effect of the Supreme Court ruling, however, is that “labor peace” – a good working relationship between a union and management, one of the main goals of any union when it makes a contract with a company – will be more elusive than ever. Instead core members are likely to become more energized, as we’ve seen in mass demonstrations by teachers in Arizona, Oklahoma, West Virginia and Arizona – all right-to-work states, in fact.

Without a doubt, Janus marks a milestone in the history of labor unions in the U.S. But to its right-to-work supporters’ chagrin, it might not be the future they wanted.

Ruben J. Garcia professor of law, co-director of UNLV Workplace Law Program, UNLV.

Toddler nearly drowns at Sand Harbor

A toddler is alive thanks to the quick actions of a school resource officer visiting Lake Tahoe on June 27.

Roy Mitchell Jr. with the Baltimore County Police Department said he noticed something unusual in the water approximately 10 feet from shore. Upon closer look, he determined it was a hand. Mitchell lifted a motionless female child, approximately 2 to 3 years old, from the lake at Sand Harbor.

He yelled for help and was met by the child's father, who took the child from Mitchell to the area of the beach where the rest of the family was.

Mitchell then told a lifeguard what happened. Mitchell said lifeguards assessed the child for about 10 minutes, determining no other emergency response was involved.

It is not known where the child was from or why she was in the water alone.

Mitchell was visiting the Incline Village park during a break from the National Association of School Resource Officers' (NASRO) School Safety Conference in Reno.

– Lake Tahoe News staff report

Letter: Community member hosts B&B dinner

To the community,

In honor of her hardworking and supportive parents, Janet McDougall hosted Bread & Broth's Monday Meal on June 18. Janet has been sponsoring Adopt A Day of Nourishments for several years and B&B truly appreciates her dedication to B&B's program and her devotion to helping the community.

“It’s always a privilege to work with the wonderful volunteers at Bread & Broth, and to serve our community in such a meaningful way,” commented Janet. With Janet’s donation, B&B fed 105 dinner guests sloppy Joes, coleslaw, potato salad, a beautiful fresh fruit salad and a variety of desserts. “Good food, good people and smiles on so many faces,” was Janet’s observation of the evening meal event. All of this was made possible by Janet’s generosity, many dedicated B&B volunteers and Janet’s sponsor crew members Flori Curran, Julie Kucinskis and Kathleen Maston.

Janet and her crew were so helpful during the meals setup wrapping utensils, packing food giveaway bags, serving the 105 dinner guests first and second servings and then ending their –three-hour shift with the meal’s cleanup. This dedication to helping others is a reflection of the spirit of giving that our donors like Janet, her crew members and B&B volunteers embrace.

Carol Gerard, Bread & Broth

Volunteers needed to clean Tahoe beaches

The League to Save Lake Tahoe’s largest shoreline cleanup of the year is July 5, 8:30am-noon.

The event is lakewide.

Hundreds of thousands of visitors celebrate Independence Day at Tahoe, leaving its beaches strewn with litter that harms wildlife and Lake Tahoe.

People don't understand the concept of pack out what you pack in.

Go **online** to register and to find a location to help clean.

Snippets about Lake Tahoe

- The annual Lake Tahoe Environmental Summit is Aug. 7 at 10am at San Harbor. Sen. Dean Heller, R-Nev., is the host this year.
- Controller Betty Yee this week announced an update to the Government Compensation in California **website**, which now includes 2017 self-reported payroll data for cities and counties.
- Tahoe Beach and Ski Club in South Lake Tahoe is now part of LaTour Hotels & Resorts.
- Tahoe Regional Planning Agency Governing Board expects to have a detailed discussion about affordable housing at its July or August meeting.
- Douglas County Parks and Recreation Commission's July 3 meeting has been canceled.