Brown upsets environmentalists with critique of CEQA

By David Siders, Sacramento Bee

If the full extent of Gov. Jerry Brown's frustration with the California Environmental Quality Act was not already clear, it became so last week, when he said, "I've never seen a CEQA exemption that I don't like."

The remark, Brown's plainest yet about the state's landmark environmental protection, reflects his emerging record. Less than two years into office, Brown has signed three bills limiting the ability to challenge projects under the act, and he is openly supportive of at least one more.

Meanwhile, Brown's top political adviser, Steve Glazer, is quietly advising a group of business leaders on other ways to modify the law.

Environmentalists are dismayed: This is the Democratic governor and champion of environmental causes whose election they once cheered.

"We've got a Democratic governor who ran on a platform of being an environmentalist coming in and undermining fundamental environmental laws," said Kathryn Phillips, director of Sierra Club California. "In the past we've had to worry more about Republicans than we have about Democrats, and now we have to worry about the Democratic governor who ran on a pro-environment platform."

Read the whole story

Upper Truckee Marsh dog ban over; leashes mandatory

By Kathryn Reed

It's over. That would be the temporary dog ban in the Upper Truckee Marsh.

This popular meadow area that leads to a beach along Lake Tahoe and to the edge of Trout Creek had a three-month (May 1-July 31) dog ban imposed for the last two years. The reason is so many people were allowing their dogs off leash that it was impacting the wildlife in the area.

AJ and Rusty romp in the sand after a swim in Lake Tahoe. Photos/Kathryn Reed

This time period was picked because it's when birds are breeding, with the peak time, at least in 2011, being June 22-July 19. Studies continue to be conducted as to what the effects are on birds, if more are in the area without dogs and how many little ones are born.

Dogs were stressing out birds by chasing them, sniffing at nests – some of which are on ground level in bushes.

While there was a time when cows used this as pasture land, the area has returned to a more natural look with native species calling it home.

A survey in summer 2011 found that two willow flycatchers were in this marsh area as well as neighboring Cove East. This songbird was put on the federal endangered species list in 1997.

AECOM of Sacramento compiled the data for CTC that was presented to the board at its June meeting. Will Richardson with the Tahoe Institute for Natural Sciences based in Truckee collected point count data of avian species.

Rusty and AJ are thrilled to be in the Upper Truckee Marsh.

“We believe the very high waters, and perhaps more importantly the late timing of the peak water level, were actually quite problematic for the nesting of many species that do not regularly suspend their nests in emergent vegetation,” Richardson wrote in his report from the 2011 survey. “Among these are the ducks, coots, shorebirds, and terns. We suspect that many species and individuals either nested elsewhere,

possibly further (sic) upstream, or simply vacated the area completely in 2011.

Dogs on leashes are allowed in the Upper Truckee Marsh.

He went on to say the number of shorebirds in the surveys done by AECOM will be below normal because they skipped the beachfront because of how wet everything was and how high the water was a year ago.

“We cannot stress enough that the effects of 2011’s high water on shorebird distribution will completely overshadow any apparent effects of the seasonal dog closure, and thus 2011 will surely be a low outlier with regards to shorebird use at the site,” Richardson wrote.

Data from the most recent closure won’t be available for several months.

A slew of birds call this marsh home – from Canada goose to bald eagles to mourning doves to spotted sandpipers.

It’s possible the seasonal dog ban will be permanent. That’s up to the CTC board. It will occur every year until they vote

to do something else.

Several dogs of all sizes and breeds were enjoying the 80-plus degree weather on Aug. 1 – the first day the ban was lifted. Even though dogs are allowed on this acreage owned by the California Tahoe Conservancy, leashes are mandatory.

Of the nearly 5,000 CTC properties in the basin, this South Lake Tahoe parcel is the only one with this type of closure. The 311 acres were purchased about 11 years ago for $10 million. It is considered one of the most sensitive areas in the basin.

"It is the singular and most unique habitat in the Lake Tahoe Basin," CTC Deputy Director Ray Lacey has told *Lake Tahoe News*.

Think tank pursues separation-of-powers case in Nevada

By Sean Whaley, Nevada News Bureau

CARSON CITY – A libertarian think tank's legal team has filed an opening brief in a case before the state Supreme Court seeking to pursue its separation-of-powers lawsuit aimed at state lawmakers who also work in state government jobs.

The Nevada Policy Research Institute's Center for Justice and

Constitutional Litigation filed the brief Friday in its case Pojunis v. State of Nevada, et al. – a lawsuit brought to restore adherence to the separation-of-powers clause found in Article 3, Section 1 of Nevada's constitution. It named then-state employee and current state Sen. Mo Denis, D-Las Vegas.

Shortly after the complaint was filed in November 2011, Denis announced his resignation from his computer technician job with the Public Utilities Commission of Nevada.

Carson City District Court Judge James Russell then ruled the case was made moot by Denis' resignation.

The CJCL is seeking to have the case reinstated by the Nevada Supreme Court, citing other lawmakers working in state or even local government jobs that could be affected by a decision in the matter.

Joseph Becker, chief legal officer and director of CJCL, said: "NPRI's Center for Justice and Constitutional Litigation is appealing this case to the Nevada Supreme Court because the separation-of-powers clause at issue in this case is the same clause that the Nevada Supreme Court has written "is probably the most important single principle of government declaring and guaranteeing the liberties of the people."

While the interpretation of the separation-of-powers clause may be moot in Denis' case, Becker is arguing there is a compelling public interest in having the case resolved.

The separation-of-powers clause "makes it perfectly clear that a sitting legislator cannot hold a job in the executive or judicial branch of government, and yet, there are at least 14 conflicting attorney general's opinions on this issue and no fewer than six current legislators who also hold jobs in the executive or judicial branch of state government," Becker said.

Even Gov. Sandoval has asked the Supreme Court to "[s]ettle it

once and for all," he said.

"Upholding the Constitution's separation-of-powers clause is a fundamental and 'public' legal issue, and we urge the Nevada Supreme Court to let this case proceed," Becker said.

The lawsuit was filed by the CJCL on behalf of Las Vegas resident William Pojunis, who said at the time he was unemployed and was qualified for Denis' position and wanted to apply for the job.

In his District Court filing seeking dismissal, Denis' attorney said case law shows that Nevada courts only decide "cases that present live controversies."

"Courts will not retain jurisdiction where 'a live controversy becomes moot by the occurrence of subsequent events,' and 'will not make legal determinations that cannot affect the outcome of the case,' " said Denis attorney Bradley Schrager.

Pull invasive weeds from the Tahoe Keys canals

The League to Save Lake Tahoe, Tahoe Resource Conservation District, and Tahoe Keys Property Owners Association are sponsoring a community weed pull the evening of Aug. 7 in the Tahoe Keys.

Volunteers will be helping to remove invasive weeds that are threatening Tahoe's native plant species, wildlife habitat, and the surrounding watershed. Participants will learn about invasive weeds, how to properly remove them, and how to plant

a Tahoe friendly landscape.

Invasive weeds are plants that grow aggressively, spread quickly and choke out native and other desirable plants from the native landscape. They produce enormous amounts of seed, have spreading root systems, and lack natural predators. These traits enable them to dominate entire landscapes.

The following are some of the invasive weeds have been found in the Lake Tahoe Basin: bull thistle, oxeye daisy, scotch broom, yellow toadflax, and perennial pepperweed.

Volunteers should wear long pants, sturdy shoes, and bring a water bottle. Work gloves will be provided if volunteers do not have a pair. Bring a digging shovel if available, but not required.

If you would like more information on volunteering for this event, call (530) 541.5388, or email events@keeptahoeblue.org.

Meet at the corner of Emerald and Venice Drive next to the tennis courts. The event is from 5:30-7:30pm.

Utah ski resort offering free skiing to California residents

Southern Utah’s Eagle Point Resort near Beaver is offering free skiing and riding to residents of California for the 2012-13 season.

The free skiing declaration was made this month. Every Thursday in January 2013, Eagle Point Resort will offer

unlimited free access for skiing and snowboarding to any guest on all 600 acres of its terrain spanning all 1,500 vertical feet. California residents will enjoy free skiing and snowboarding for the entire 2012-13 season. There are no strings attached other than the requirement to provide a name and email address.

“What we have learned overwhelmingly from our guests during the first two seasons since reopening is that we have a truly exceptional mountain that people love to visit. Our goal is to be the premier ski resort in southern Utah,” Shane Gadbaw, CEO and co-owner of the resort, said in a statement. “We have spent millions to make the property and the service first class from the newly renovated Canyonside Lodge down to the friendly greeters in the parking lots.”

Wooden Boat Show returning to North Shore

Lake Tahoe Concours d’Elegance Wooden Boat Show is Aug. 10-11 at the Sierra Boat Co. docks in Carnelian Bay.

The boat show annually features about 100 antique boats and draws more than 5,000 participants. Proceeds raise money to provide educational opportunities in the Lake Tahoe area to enhance expertise or understanding of maritime skills.

Tickets for one day are $25 in advance or $30 the day of the show. Two-day tickets are $35 in advance or $40 when purchased

at the show. Children younger than 12 will be admitted free.

To purchase tickets or learn more about the show and the activities surrounding it, call (775) 851.4444.

Placer County GOP invites locals to help with endorsements

By Ed Fletcher, Sacramento Bee

The Placer County Republican Party is taking a big-tent approach to the local candidate endorsement process by inviting the party members to a new one-day selection convention.

The Aug. 18 event replaces the normal process, which limited participation to the 27 elected members of the county's Republican central committee. The convention will be used to select the candidates the party will endorse for the Nov. 6 election. Those local races are officially nonpartisan, but endorsements are typical from Republicans and Democrats.

"It has never been done before, to my knowledge," Placer County Republican Central Committee Chairman Jeff Atteberry said of the event. "It will bring a whole bunch more people into the process."

But Jon Fleischman, a conservative blogger and former state Republican Party executive director, questioned whether the delegates will add new voices or simply be pawns of existing players.

Under the plan, each central committee member can appoint up to 10 delegates.

Read the whole story

What is your favorite part about the Olympics?

Conservation Landscape Tour on West Shore

The 5th annual Conservation Landscape Tour is Aug.19.

This year’s tour takes place in Tahoma and Homewood.

The event is from 1-5pm.

Pick up maps at 7360 West Lake Bvld., Tahoma.

For more information, call Courtney Walker at (530) 543.1501, ext. 118.

Lake Tahoe’s irreverent show ‘Guilty Pleasures’ returns

By Kathryn Reed

Going 50 on 50 has been a mantra of locals for years. But what isn’t known is if the phrase or song came first.

Dave Hamilton says he’d like to think he coined the phrase, “but I imagine that term was around before the song.” This is in reference to the song and skit about driving 50 mph on Highway 50.

"Guilty Pleasures" is at the Boathouse Theatre for five shows starting Aug. 1. Photo/Provided

Hamilton with Mark D. Williams (who is the music instructor at Lake Tahoe Community College) are the creative geniuses behind “Guilty Pleasures” – the totally Tahoe play that returns to the stage for five performances starting tonight.

This is the sixth version of the play that was first written and produced in 2002. The last time it was updated was in 2009. Hamilton writes the dialogue and lyrics, while Williams is responsible for the music. Hamilton said the second half has changed so much through the years that it doesn’t resemble the first rendition.

“There will be three completely new numbers and many of the bits have been updated as well,” Hamilton said of the 2012 show.

Songs include “Keep Tahoe Blues,” “Living on Tahoe Time” and the “TRPA”.

The play is about a progressive judge who allows several individuals to perform a show as part of their community service.

Hamilton and Williams came up with the idea for “Guilty Pleasures” after working on stage productions together and thinking they could do better than some of the material they had been working with.

“We had done two shows at the Boathouse – ‘Nunsense’ and ‘6 Women with Brain Death or Inquiring Minds Want to Know’. Both are comic skit musicals and in the pantheon of shows, not very well written. However, both have been wildly successful. People like goofy shows,” Hamilton told *Lake Tahoe News* as to how the idea for “Guilty Pleasures” came to life. “We figured we could write something that bad and not have to pay to do it. I was trying to think of an overarching idea to capture some of the song ideas I had come up with. Somehow I came up with the idea that these people, normal folks, were all doing the show as part of a community service project.”

Most of the shows in the past decade have sold out. This is attributed to locals, second homeowners and regular visitors being able to relate to the themes delivered in “Guilty Pleasures”.

Returning to the Boathouse Theatre are Kurt Munger, Chris and Pam Taylor. The three have been in each of the six shows. Stephanie Grigsby, Anita Jones, Mark Williams (not the music guy) and Matt Ault will be playing different parts than they have in the past. “Guilty Pleasures” newbies are Carrie Bauwens, Joanie San Agustin and April Foiles.

Whether there will be a future update Hamilton won’t commit to saying at this time.

“After six versions, it gets harder to find material that everyone will get. There is always something topical going on, but in general it gets more difficult,” Hamilton told *Lake Tahoe News*. “It is interesting because about when I think people are tired of it, I keep running into local people who have never seen it. We did feel that when we ran it three years in a row, that it lost some steam. But then look at ‘Beach Blanket Babylon’.”

—

Details:

• Dates: Aug. 1-4, 7:30pm; Aug. 5, 2pm

• Cost: $18 adults, $15 seniors-students-children, in advance; $20 at door

• Info or tickets: Go online or call (530) 541.4975.

•Location: The Boathouse Theatre is at the Tallac Historic Site, which is located two miles past the intersection of highways 50 and 89, just past Camp Richardson, on the lake side of Highway 89.