

Lake Tahoe News: Thank you for a wonderful first year

Thank you.

Without all of you, *Lake Tahoe News* would not be celebrating its one-year anniversary today.

☒ The proverbial they say it takes a village to do just about anything. That sentiment is certainly true when it comes to operating a successful 24/7 news site.

It's readers, sources, writers, comment contributors, advertisers, financial donors, news tipsters, friends and family who make *LTN* what it is. It's a collaborative effort – even if your contribution is only to read stories. I use the word “only” lightly because if no one is reading the stories, then there is no point in what we do.

Lake Tahoe News has more than 25,000 readers a month in more than 50 countries and more than 1,000 cities. It's not just people living in Lake Tahoe who care about Lake Tahoe. This point is evident by the millions who visit each year, the thousands who have second homes, and the billions of dollars that are spent in keeping the water pristine and the mountains healthy.

Lake Tahoe isn't perfect. No place is. *Lake Tahoe News* isn't perfect. No media outlet is. But what the basin and *LTN* have in common are the desire and struggle to be better than we were the day before.

Our first major story was the parade through South Lake Tahoe celebrating the release of Jaycee Lee Dugard after 18 years of captivity. It's a story that is likely to be on the website for years to come. It's a story that touches the core of humanity.

We will continue to bring you a mix of stories that capture what is going on in the basin, along with articles involving issues that affect people connected to the basin.

We are always looking for contributors via guest columns, freelance writers or story ideas. Email info@LakeTahoeNews.net if you want to contribute.

We are also always looking for advertisers. With *Lake Tahoe News* being the only place to get news about Lake Tahoe seven days a week, and the readers near and far, it's the logical medium to reach your clients/customers. Rates are on the website – just hit the Advertise button.

We are always grateful for checks that arrive in the mail or cash via PayPal as a donation.

We will continue to offer free subscriptions. Just go to the Home page, near the bottom right add your email address. This will give you an email every morning listing what has been posted in the last 24 hours. Scan the headlines or click on one to get the full story.

Personally, the biggest story of the year was losing my Dad unexpectedly in April. He was a faithful reader of *LTN* – a subscriber. He and Mom made the first monetary donation to *LTN*. But it wasn't ever about the money. It was great to discuss stories with him. He was a retired construction consultant, an engineer – oh, the dialog we had about the stalled convention center. He read the whole operating agreement. I wonder how many council members or city employees have. He would call to say a link was broken. He would want to know stats about readers. He asked about ad sales. Sometimes I felt like he should have been the publisher. Mom brought a bottle of Champagne with her this past weekend to toast *Lake Tahoe News'* first year. Both of my parents have a lot to do with the success of *Lake Tahoe News*. I can't thank them enough.

I can't thank all of you enough. Here's to all of you!

Kathryn Reed, Lake Tahoe News publisher

5 lakes, lush flora make 12-mile hike memorable

By Kathryn Reed

MEEKS BAY – Only 172 more miles and we would have been in Tuolumne Meadows. It's a good thing we never intended to go to Yosemite National Park.

Plenty of people with the proper equipment were headed out of the wilderness with full packs. All ages, and many families had clearly spent at least one night under the stars.

Instead, this particular Sunday in August we spent the afternoon visiting the first five lakes out of Meeks Bay along the 180-mile Tahoe-Yosemite Trail. The entire trek ranges in elevation from 5,200 feet to 10,000 feet. Between the end points it crosses the Eldorado and Stanislaus national forests.



Stony Ridge
Lake along the
Tahoe-Yosemite

Trail.

Photos/Kathryn

Reed

What sets this apart from so many routes in Desolation Wilderness are the abundance of ferns and other lush vegetation. Many West Shore routes are best accessed later in the season because the snow lasts longer here.

A few wildflowers are still in bloom. (This was before last weekend's freezing temperatures.) It's the array of flora that is captivating.

With a good portion of the trail not being riddled with roots or rocks, it allows hikers to take in the beauty without worrying about tripping and falling.

Don't be fooled by how the trail starts. It's wide enough for a vehicle, flat and lulls one into believing this is an easy hike. I imagine the meadow is hiding a bevy of animal life that has taken cover with the plodding footsteps of humans.

Not far up, the trail juts to the right and becomes single-track. The hiking really begins. It's not hard – it's just not flat and wide.

Still, the mix of plant life in this section is mesmerizing. We are thankful for the tree canopy. Without it we would have created puddles of sweat.

Much of the time Meeks Creek can be heard rumbling nearby as it tumbles over rocks in its path. On occasion, it even comes into sight. It eventually flows into Lake Tahoe at Meeks Bay.

First stop is Lake Genevieve. The tranquil water beckons. Sue dips her hat to keep her head and therefore rest of her body cool as we carry on to the other lakes.

If you only have time for a short hike, this is a perfect spot

to stop, have a bite to eat, even wade in to the alpine water.

Next up is Crag Lake. The rock island with a tree growing out of it makes me marvel at how Mother Nature works.

We skip Hidden Lake. It's a hike down. And what goes down must come up. We didn't want anything to do with that.

Shadow Lake is the least appealing of the five we came across. The plant life in it makes it seem unapproachable.

It was Stony Ridge Lake that called to us. After traipsing across downed logs we came to the east side. The manmade rock wall that looks like a dam of sorts is not crossable.

A slight breeze sends ripples across the lake. Sparkles of sunlight dance across the water. The clarity is stunning.

Perfect lunch boulders had us sprawled out as we soaked in the sun and scenery. The heat got the better of us and in the water we went. And I thought Lake Tahoe was cold. Sue was braver and went all the way under.

It was our secluded lake at least for one summer afternoon.

To get there:

From the South Shore, take Highway 89 to Meeks Bay. Just past the fire station that is on the right, there is parking on the left in the dirt. A small paved lot exists where the actual trailhead starts. Be sure to fill out the free Desolation Wilderness permit.

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Tahoe Queen – beauty of Tahoe mixed with history

By Kathryn Reed

A look of awe comes across people's faces as they glide across Lake Tahoe for the first time. Seeing why it's called the Jewel of the Sierra, with it's various shades of blue. Marveling that snow lingers in September on the higher peaks. Taken in by the other activity on the lake.

For 2.5 hours the Tahoe Queen churns across the water, which barely has a ripple on it from the gentle breeze. The sun beats down on us. Summer has returned to the basin – at least on Thursday and for this long weekend.

For my aunt Norma from Pennsylvania, this was her first time to Lake Tahoe. For my Mom, this was her first time on the renovated 27-year-old paddle-wheeler. For me, it was the first time in a few years to enjoy a scenic day cruise.



People relax and take in the views from the Tahoe Queen.

Photos/Kathryn Reed

None of us was disappointed.

Although Mark Twain, Joaquin Miller and Lillie Langtry were on board to dispense stories about Lake Tahoe from the 19th century, a bit of current day info was told. As the boat made its way out of the channel from Ski Run Marina it was pointed out how the shiny items in the water were clams – not the kind anyone wants to eat.

This invasive species turned up last week at Lake George in New York. They are destructive. Scientists are trying to eradicate them in Lake Tahoe.

Much of what Capt. Jerry Summers and the historical figures share dates to the 1800s when John Fremont and Kit Carson were the first white people to lay eyes on Lake Tahoe. Thousands of years before 1844, the lake had been home to the Washoe Indians. Though their presence is still at the lake, for the most part the white man did like he always did and ran the Indians off their land.

What makes this cruise more than just a ride across the lake into Emerald Bay is all the history that is given. It adds a depth that renting a boat for the day can't deliver.

Back to current history, on the port side the scar from the 2007 Angora Fire is pointed out. Gardner Mountain and its charred trees are clearly visible. Though no one mentions it, the remains of the 2002 Gondola Fire are more glaring. People started both fires.

"That ridge was an inferno three summers ago," Twain tells the guests. "It was an incredible site from the Tahoe Queen."

Most of the boat activity is in Emerald Bay, including kayakers and a paddleboarder. Kids are jumping off the rocks at Fannette Island. People are visiting Vikingsholm. A few of the boat-in campsites are occupied.

The high water mark on the granite proves California and Nevada continue to be in a drought.

Before entering the bay, an osprey flies in front of the bow. They, along with bald eagles, have nests in this area.

To give an example of just how much water is in Tahoe, which has a maximum depth of 1,645 feet, Twain explains if the alpine lake were drained it would cover the two states it calls home with 4.5 inches of water.

Details:

- The Tahoe Queen has a variety of cruises that change seasonally.
- Website
- Phone: (530) 543.6191
- Address: Ski Run Marina, 900 Ski Run Blvd., South Lake Tahoe
- Cost: \$46 adults, \$15 children

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CHP officer arrests Pop Warner coach after verbal spat

By Susan Wood

In an apparent show of testosterone, a confrontation at South Tahoe High School this week that led to an arrest of a Pop Warner coach by a California Highway Patrol officer has turned into a legal battle with opposing investigations.



Defensive coach Jim Durham was arrested and later released Tuesday evening after sharing a heated discussion about trespassing with CHP Officer Alton Randall, who removed Durham from the football field in front of many parents, players and other coaches.

Consequently, Durham and the Pop Warner league have retained an attorney, and the CHP South Lake Tahoe division will conduct an internal investigation of the incident.

According to the CHP, Randall was on duty that night as he responded to motorists parking in an illegal parking zone and walked through the fencing where the teams practice. Durham approached the officer and allegedly told him he was “not allowed on the field,” CHP Lt. Tim Malone explained of the state agency’s investigation.

The two men were terse in their exchange until the coach became “animated, aggravated and approached the officer in an aggressive manner,” Malone added.

“(Randall) told him to stop and not approach any further,” Malone told *Lake Tahoe News*. From there, the uniformed officer pulled out his Taser stun gun but “he did not deploy the Taser.”

Durham was arrested on charges of obstructing, delaying and resisting an officer. He was released and not booked into custody. Malone would not say if Randall has a history of being in confrontations. He was not placed on any type of leave.

The case may end up with the El Dorado County District Attorney’s office, but Tahoe’s Assistant District Attorney Hans Uthe has not received it, he told *Lake Tahoe News* Friday.

No report was made by the South Lake Tahoe Police Department.

The highly charged incident stunned Lake Tahoe Unified School District Superintendent Jim Tarwater.

"I've never in all my years had that happen on school grounds," Tarwater said Friday.

CHP has jurisdiction to enforce the traffic laws. It's unclear how the traffic ended up on a football field.

"Going out on a field – that I don't know about," Tarwater said, characterizing the confrontation as "unconventional."

The incident has become a serious matter for Pop Warner, which issues its own local, regional and national codes of conduct. The question of a possible wrongful arrest arose.

South Tahoe Pop Warner President Chuck Leonard declined Friday to speak to the legal matter and deferred all questions to their attorney Al Villalobos.

Villalobos insisted that people on the field recall a different version of the exchange between the two men and hopes to get to the bottom of the matter after the league completes its interviews with witnesses.

"Pop Warner is investigating the incident between Officer Randall and coach Jim Durham, and (the youth athletic organization) is very concerned about allegations of inappropriate police conduct in front of 100 players, coaches and parents," he said.

He stopped short of saying whether the incident will lead to a suit against the state or the officer, but he didn't rule it out.

Villalobos declined to comment further while the matter is being investigated.

Keep Tahoe Litigated may be future League bumper sticker

By Joann Eisenbrandt

“Keep Tahoe Blue.” Locals and tourists see it everywhere – attached to the wrinkled bumpers of aging Subarus and the shiny chrome of sleek BMWs. Even on poster-pocked telephone poles. It’s a call to environmental action, a bumper sticker, a domain name, and the registered trademark of the League to Save Lake Tahoe.



The League, a private nonprofit membership organization formed in the late 1950s, has, according to its website, “advocated for strong protection of the Tahoe basin’s natural resources and the restoration of its famed clear water ... the League established itself as the primary watchdog of the Tahoe basin.”

The watchdog is showing its teeth.

In July, Chris Minnes, former general manager of 968 Park Hotel near Stateline and a bodybuilding and fitness professional, opened a South Shore fitness and age-management business named Keep Tahoe Fit. In mid-July, the League sent him a letter stating the use of Keep Tahoe Fit as a business name, in his logo, as his domain name, and on a Facebook page constituted trademark infringement.

In that letter, Rochelle Alpert of Morgan, Lewis & Bockius LLP, the San Francisco legal firm which represents the League in trademark matters, states Minnes’ “use of the name, domain name and your copycat use of the KEEP TAHOE BLUE© design mark and bumper sticker for your logo constitutes plain intentional

trademark infringement, dilution and unfair competition.” The letter demands that he, “stop all use of the name, domain name and logo immediately, and agree in writing not to use any confusingly similar name, domain, name, mark or logo in the future.”

There is no dispute over whether the League “owns” the easily-recognized “Keep Tahoe Blue” trademark. They registered it with the U.S. Patent and Trademark Office years ago. The issue is whether Minnes has infringed on the rights given the League by that registration by using the words “Keep Tahoe Fit.”

Minnes believes he has not. “As you can see on my website, there are dozens of variations of Keep Tahoe Blue. It’s like Delta Faucet and Delta Airlines – they are such different businesses that an intelligent consumer isn’t going to confuse them. They also wouldn’t confuse Keep Tahoe Fit with Keep Tahoe Blue. And there’s such a precedent of people using that sticker.”

According to the U.S. Patent and Trademark Office, “A trademark is a word, name, symbol or device which is used in trade with goods to indicate the source of the goods and to distinguish them from the goods of others.” Businesses obtain trademarks through a slow, detailed process, proving to the Patent and Trademark Office their name and identifying marks are truly unique. A firm does not have to “trademark” its name to do business, but once it has, those specific characteristics are protected by law from “infringement” by others.

Trademark law is complex – and is outlined in pages of technical language in the Lanham Act, also known as the Trademark Act of 1946 (ch. 540, 60 Stat. 427 (15 U.S.C. 1051 et seq.)). Under that law, infringement occurs when another person, “shall, without the consent of the registrant– (a) use in commerce any reproduction, counterfeit, copy, or colorable imitation of a registered mark in connection with the sale,

offering for sale, distribution, or advertising of any goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive.” (15 U.S.C. § 1114).

The Berkman Center for Internet Society at Harvard University puts it into layman’s terms: “The standard is ‘likelihood of confusion.’” In other words, will someone mistakenly assume Keep Tahoe Fit is associated with or sponsored by the League? To determine this, the courts weigh a number of factors such as “the strength of the mark, the proximity of the goods, the similarity of the marks, evidence of actual confusion, the similarity of marketing channels, the degree of caution exercised by the typical consumer and the defendant’s intent.”

Minnes chose Keep Tahoe Fit because, “It has a great ring to it. No, I didn’t expect a problem.” Using Tahoe in the name reflects the fact that a connection to Tahoe is central to his business. “It’s essentially a personal training business, but it is oriented to the Lake Tahoe resident, with sports-specific training and an understanding of how a Tahoe person thinks.”

Minnes has not attempted to trademark Keep Tahoe Fit, citing the cost and lengthy process as reasons. He has not produced any business collateral for sale, such as shirts, bumper stickers or other logo products.

Minnes recently changed his original logo, replacing the image of the lake with a woman running.

“They seem to think they own the image of the lake,” he said.

The League had also complained to Facebook about the Keep Tahoe Fit page. It was taken it down, but it was later reinstated.

As for the League’s other demands, “I think they are wildly unfair. Why go after me after years of people using versions

of the sticker, without going after everyone? I can't imagine someone who is supposed to be a steward of Lake Tahoe attacking local businesses. I have no money to hire an attorney. If they want to go down that road, I'll let them deal with the negative PR."

Keep Tahoe Fit is only the latest in a veritable bumper crop of Keep Tahoe Blue permutations, among them: Keep Tahoe Local, Keep Tahoe Fed, Keep Tahoe Jew, Keep Tahoe Bomb, Keep Tahoe Culture, Keep Tahoe Seductive, Keep Tahoe Kind, Keep Tahoe Educated, Keep Tahoe Brew and Keep Tahoe Washo.

Lake Tahoe News contacted the League regarding the Keep Tahoe Fit dispute, but also wanted to know if it had undertaken past legal action against other businesses with "Keep Tahoe" in their business name or on promotional materials, what the guidelines were for taking action, and their reaction in general to the proliferation of "Keep Tahoe XXX" images. Their attorney's July 16 letter to Minnes indicated the League had, "successfully enforced its rights against other infringers" but gave no names or details.

Amanda Royal, communications coordinator for the League, told *LTN* neither she, nor any other League spokesperson could comment directly or answer any of our questions because it was "a legal matter."

The League later provided *LTN* with a written statement, which does include answers to some of those questions. In part it says, "We believe Keep Tahoe Blue® is the most recognized brand at Tahoe and must be safeguarded accordingly... We are particularly concerned about commercial uses because of how they mislead the public and potentially harm the integrity of our long-established brand... Third parties have always been reasonable, recognizing our rights and taking action to address our concerns. The League has made informal inquiries of others, as it did with Mr. Minnes, and others have complied with our reasonable requests. The US Trademark office has not

authorized anyone to use our mark. Third-party sites have frequently taken down infringing content when requested to do so.... We are not aware of any other entity currently attempting to do business that is using our trademark as their sole business name and brand.”

LTN contacted a number of businesses using logos or business names which in some way include the words “Keep Tahoe.”

- Keep Tahoe Fed – Project MANA, an Incline Village nonprofit providing hunger relief programs on the North and West shores of Lake Tahoe and Truckee, has the image of their “Keep Tahoe Fed” bumper sticker on their website. George LeBard, current executive director, told *LTN*, “We checked with (the League) before we did it. And they cleared it.” LeBard noted they no longer sell that bumper sticker.

- Keep Tahoe Culture – Tahoe Arts and Mountain Culture, a website showcasing the Tahoe-Truckee region’s artistic culture has a bumper sticker “Keep Tahoe Culture” on its site. Creator and owner Becky Bell told *LTN*, “I was proactive. I went through the proper channels. I wrote a proposal (to the League) on my program, which is community-based. I changed my colors on purpose to be natural colors. I made sure it was different, because my website is different.”

- Keep Tahoe Local – Sells “Keep Tahoe Local” branded merchandise, including sweat shirts, T-shirts, tank tops, hats and car decals. *LTN* spoke briefly with owner Casey Eberhart, who declined to answer questions. Keep Tahoe Local attempted to trademark its logo (a sweat shirt with an image of the lake and the words “Keep Tahoe Local” next to it) with the U.S. Patent and Trademark office in 2006. The League contested the registration and it was denied. The application was marked as “abandoned” in October 2006 because Eberhart did not respond to the denial within six months. Merchandise continues to be sold on its site.

- Keep Tahoe Kind – Lake Tahoe Humane Society and SPCA. Nonprofit using the words “Keep Tahoe Kind” and a pawprint. According to Dawn Armstrong, executive director, “We did that many, many years ago, around 1992. That’s our signature; we have it all over, on our website, our letterhead, the bumper sticker. Before we did I called the League and talked to them about it. They said they appreciated that I had the courtesy to call them and they said it would be OK.”

- Keep Tahoe Clean – The Clean Tahoe Program, a South Lake Tahoe and El Dorado County-funded litter and nuisance abatement nonprofit, uses an image of the lake and the words, “Keep Tahoe Clean” in many of its promotional materials. Ellen Nunes, program manager, told *LTN*, “Clean Tahoe has never been contacted by the League in any way regarding our use of those words.”

- Keep Tahoe Green – Tahoe Hemp Company. Sells merchandise and bumper stickers bearing a logo with an image of the lake filled with hemp next to the slogan “Keep Tahoe Green.” Owner Rick Krantz told *LTN*, “I’ve always displayed the League’s stickers in the store next to mine. I’m sure they’ve seen them and know that. I give the donations (for League stickers) back to the League. I’ve had Keep Tahoe Green for 10 years. It’s on my business card and everything.” Asked if anyone from the League had expressed concerns regarding his slogan, Krantz replied, “No. No one has expressed concern.”

- Keep Tahoe Seductive – Blue Turtle Seduction band. Sells “Keep Tahoe Seductive” Sticker. Web text describes it as, “Blue Bumper Sticker with the ‘Keep Tahoe Seductive’ design in Light Blue. This sticker mimicks (sic) the famous League to Save Lake Tahoe’s ‘Keep Tahoe Blue’ sticker seen all over Tahoe and the country.” No response received to inquiries prior to deadline.

- Keep Tahoe Washo – The Washoe Tribe of California and Nevada. According to the League’s written statement, “We are

open to talking to nonprofits about the use of our logo. 'Keep Tahoe Washoe' is an example of one that approached us and that we approved."

- Building Green to Keep Tahoe Blue – Advance Design & Construction, Incline Village. They attempted to trademark "Building Green to Keep Tahoe Blue," but were denied by the U.S. Patent and Trademark Office due to the similarity with the League's Keep Tahoe Blue trademark in April 2010. Owner Jeff Miller told *LTN*, "Two days after the denial, the League contacted me to say they didn't want people to assume our two organizations were connected in any way. They didn't want anybody to confuse their goals with my goals. I tried to explain that what I'm doing went along with their goals. (The firm is building a LEED-certified home in Incline.) I invited them to come and see the project and what it was I was trying to do and to look at our website. I spoke with their attorney, who was very pleasant. We agreed I could use 'Building Green to Keep Tahoe Beautiful' on the site." (Miller is in the process of having references to "Building Green to Keep Tahoe Blue" removed.) "I was very surprised by the League's reaction, but we're abiding by it."

- Keep Tahoe Real – Domain name of an action sports culture website featuring film, art and photography. No response to *LTN*'s inquiry before deadline.

These are just the tip of the trademark, so to speak, but they illustrate how complex the issue is. As of late Sept.2, the League had not filed a formal "trademark infringement" action against Keep Tahoe Fit. In the written statement, the League responded to Keep Tahoe Fit's change of logo, "We only learned of his recent change on Aug. 31, but we remain concerned that his new logo trades off our long-established, iconic logo and that it remains a copy of the sticker that has long identified the League."

Minnes told *LTN* Thursday afternoon that the League has again

protested to Facebook that the Keep Tahoe Fit page is “abusive.” The logo has been removed, and replaced with a photo, but the page remains up. Minnes has contacted Facebook requesting that the logo be reinstated. He has not received any additional communications from the League’s attorney.

Lake Tahoe Basin’s forest supervisor moving to Alaska

By Kathryn Reed

Being connected to the land, walking it, seeing what her employees are working on – these are things Terri Marceron likes about being forest supervisor of Lake Tahoe Basin Management Unit.

She might not have the same luxury when she takes over as forest supervisor of the Chugach Forest in Alaska in October.



Terri
Marceron

After close to five years at the helm of the office based in South Lake Tahoe and managing about 153,000 acres, Marceron is headed to Anchorage to manage 5.4 million acres. It’s the second largest national forest behind Tsongas, which is also in Alaska.

“It’s similar in that what they try to do is maintain quality habitat and recreation experiences,” Marceron said of Chugach compared to Tahoe.

The Exxon Valdez oil spill of 1989 impacted islands she will be responsible for. Her experience dealing with Tahoe’s lake clarity issues should benefit her there.

She will also be taking over at a time when money for restoring the damage done by the spill is drying up, much like she and others here are contending with fewer dollars from the Southern Nevada Public Lands Management Act.

Tahoe was always a draw for the 50-year-old. In her youth she spent time backpacking and hiking in the Sierra Nevada. This was one forest she always wanted to work in.

“The basin is such a unique forest. It’s political, has a lot of stakeholder interest, is a small area, has enormous recreation use, some conflicting values and activist people who want in on it,” Marceron said. “On the one hand I am really sad to leave, and on the other I am really excited to apply what I learned here in Alaska.”

As special as the Sierra is to Marceron, Alaska has that same draw for her husband. But she expects to one day again call Tahoe home – once she’s retired.

Her replacement has not been named.

In Alaska, Marceron will oversee the Copper River Delta, one of the largest wetlands in the United States. It provides critical habitat for the Pacific Flyway for migratory birds. The forest is home to all five species of Pacific salmon.

Marceron is proud of the work she has accomplished since arriving here in 2005.

“It’s the employees who deserve the credit. It’s a really special place for that. There are a lot of employees who are

really good at what they do. I'm glad I could support them," Marceron said.

For many locals, the nearly 3,100-acre Angora Fire of 2007, which burned mostly Forest Service land, is one of the more visible issues Marceron had to deal with during her tenure.

"Angora to me was probably the hardest thing I had to go through on this unit. The loss of homes. The whole magnitude of that event was distressing," Marceron said.

Other significant accomplishments Marceron points to include: resolution to the Meyers Landfill lawsuit, acquiring Incline and Quail lakes for public access, creation of Generation Green Program, completion of Heavenly Mountain Resort's master plan, improving recreation via things like the Van Sickle Bi-state Park and Daggett Summit decision.

One thing she won't be able to complete before the end of October is the new Forest Plan.

"There will be things I wish I could have finished before I left, but I'm going to work my tail off the next two months," Marceron said.

Court: Lakeview Commons construction work must stop

By Kathryn Reed

South Lake Tahoe's second stalled hole in the ground became a reality this week when a judge granted a construction firm's injunction request to bring work at the Lakeview Commons project to a halt.

“What we’re seeking is to have the job awarded to us and we complete the work,” BJ Sullivan, president of Clark & Sullivan Construction, told *Lake Tahoe News*. In support of the Sparks company writ is the local Carpenters Union.



The dilapidated wall at El Dorado Beach will be destroyed and rebuilt.

Photo/Kathryn Reed

El Dorado County Superior Court Judge Steve Bailey signed the injunction Aug. 30 at 4pm. A hearing is scheduled for Sept. 17. It is not known if Bailey will make a decision that day.

Work may continue at the site through Friday to shore up erosion issues. Essentially, it is being winterized. Even though it was never going to be available to Labor Day crowds, the minimum three-week delay could affect locals and visitors next year. With it being directly across from Campground by the Lake, this beach and picnic area is a huge draw for campers.

“If it doesn’t go our way, I don’t know how it will play out,” Jim Marino, South Lake Tahoe assistant engineer, said. “July 15, 2011, it was supposed to be done. We were hoping to have it a little in advance for the July 4 weekend. The longer this

plays out, the worse this is going to get (to meet the deadline.)”

It will be South Lake Tahoe’s responsibility to defend the bid process in court. It will be up to Clark & Sullivan’s attorney to prove the bid process for the multi-million project at El Dorado Beach was not fair.

The bid process became a bit convoluted this summer. On Aug. 3, the City Council voted 4-1 to award the nearly \$4.5 million project to Reeve-Knight Construction out of Roseville. At that meeting Clark & Sullivan petitioned the bid award, saying their competitor’s numbers for subcontractor work v. in-house work were wrong. The Sparks firm was picked as the lower bidder in the first round that was subsequently quashed by the council in June.

The difference between the two firms’ bids the second time around was close to a half million dollars. Legally, the city has to pick the lowest responsive bidder. Responsive is the key word because even though Clark & Sullivan was not the low bidder, the company believes it was the most responsive.

(Calls to Reeve Knight’s CEO, president and VP of operations were not returned.)

Sullivan said the city “over-stepped” its responsibility by allowing Reeve Knight to adjust figures to meet the bid criteria.

To that, the city has repeatedly said, the clarifications being sought by the low bidder were minor.

Neither the city nor Clark & Sullivan has been in this predicament before, so authorities aren’t sure what to expect next. If the city prevails in court, it would like to use the remainder of the grading season, which ends Oct. 15, to get the foundation of the non-motorized boathouse in. If the city loses, it’s likely the site will be closed until May 1, when

dirt can be moved again.

It's possible the bid process could have to start from scratch, or one of the two firms involved will prevail.

(Whatever the outcome, the project is not destined to go the route of the stalled convention center – which hasn't seen a construction worker on that property in years and remains mired in bankruptcy court for at least another 120 days per the judge's ruling last week.)

Funding for the project is coming from the California Tahoe Conservancy. The state agency isn't about to take sides as to which firm should do the work.

"This is a large project. The important thing is to do it right, do it well, on time and on budget," said Peter Eichar, CTC associate environmental planner. "This (injunction) does not jeopardize Conservancy funding."

Stopping work will hit the local economy. A number of the subcontractors were local. Supplies were being bought locally. Clark & Sullivan had not proposed to use the number of local subs that Reeve Knight is using.

Before *Lake Tahoe News* or Andrew Galicia knew about the injunction, he said the project was ahead of schedule. He runs GB General, an excavating firm based in South Tahoe since the 1950s.

It took less than two days to fell 52 trees. His company was supposed to do all the site work. Now his employees are without work.



What El
Dorado
Beach area
will look
like in
summer
2011.

Plans call for creating a terraced sitting area, revamped picnic/barbecue sites, access for all, storage for canoes/kayaks, rest rooms and overall upgrades of this stretch of shoreline. The rest of what once was called the 56-acre project will be built in phases.

"If it turns out the way it's supposed to, you really can use it," Galicia said of the beach and barbecue areas.

Cousteau links world water troubles in forum at Tahoe

By Stephen Ward

INCLINE VILLAGE – Twelve years ago, the body of water that shaped the geography of the Western United States for more than 200 years stopped reaching the Sea of Cortez.

The Colorado River, still of cardinal importance to the 30 million people in its surrounding region, is facing collapse because of the harsh conditions of a climate change that's only expected to get worse. Alexandra Cousteau was quick to point out it's a frightening myth to think North America will never face a water issue similar to those in other parts of the world.



Alexandra
Cousteau

This was one of several daunting issues addressed at the 2010 Siebens Binz Tahoe Forum at Sierra Nevada College's Patterson Lawn, which featured environmental conservation luminary Cousteau, granddaughter of world-famous French explorer Jacques-Yves Cousteau.

Cousteau provided 10 suggestions on how to conserve water in the Lake Tahoe area, such as paving driveways with permeable material to prevent the numerous environmental issues resulting from water runoff, or choosing low-impact recreational activities to reduce carbon footprints.

Many attendees praised the Aug. 28 event for its substance and considerations.

"I like how she shared with us the impacts, not only in other parts of the world, but in Lake Tahoe as well," David Cummings of Incline said.

Julie Hernandez, also of Incline, said, "It forced us to see what industrialization and contamination (are) doing to our water supply."

The forum underscored the work of Cousteau from the last few years, including her journey to India where she discovered the sacred nature of the Ganges River, and to Palestine and Jordan in the Middle East where water is scarce and is one of many crises being considered by the war-torn countries.

Cousteau discussed her childhood and the memories she had of

her late grandfather. One memory involved her and her grandfather making believe they were “steward kings of the underwater world,” where they would talk to each species as a subject and honor the “biodiversity of their kingdom.” This evocative recollection reminded her of an important lesson she learned from her decorated grandfather; we don’t live this life because of how it will end, but for all the reasons we live for.

Despite the immense catalog of stories and lessons being delivered by the speaker, one broad message oscillated throughout the entire segment; the systems people rely on have a limit to growth, and opportunities are steadily reshaping themselves into obstacles.

Another delicate subject explored at the forum was the Gulf of Mexico oil spill, where Cousteau has been spending much of her time. The speaker had little good news to say in regard to the area, saying the community is broken and the environment is ruined. She elaborated by describing the turmoil of the fishermen who have lost their pride and ability to provide for their families. When asked about the area and the spill, the fishermen soberly tell her “this isn’t our water anymore.”

Social networking firm does the online work for businesses

By Kathryn Reed

FB friends, tweeting, linking. LOL without making noise. Emots with keyboard strokes.

Lost?

The Information Age can be mindboggling. Missy Potalivo, owner of Social Sense Marketing, is helping businesses make sense of it. Her business is all about creating an online social network for businesses.

“If you are stale for a week, you lose out. People don’t find you,” Potalivo said. “You have to constantly update posts.”



Missy Potalivo
explains how
social media
helps
businesses.

Photo/Kathryn
Reed

With print nearly dead when it comes to phonebooks and newspapers, it’s online where people are searching for businesses. Facebook isn’t just about finding out what friends did last night. People are using it to find businesses.

“Most people don’t want to buy a newspaper. They want to go online whenever they want something,” Potalivo said.

That is why the more places a business has an online presence, the greater likelihood there is of it popping up several times on the first page of a search.

Potalivo’s background is marketing. She worked for Pro Growth for seven years, where she became an expert in social media.

Now the company is a client of hers.

She believes social media marketing is good for most businesses. The only one that hasn't been a fit is a law firm because the lawyers kept fretting over legal issues.

Potalivo is also working with South Lake Tahoe's program called TIES. It provides consulting and coaching to businesses.

What Potalivo finds is most small business owners don't have the time or desire to put in the online work. They are too busy with day-to-day operation of the main business.

Many business owners may not like to be so connected personally, but it comes down to attracting customers and retaining them – the same principles of good business that have been used for generations.

Social media is a different way of marketing and advertising. All indicators point to online being the future of businesses and how people conduct business.

For a fee, which depends on how much work she does per month, Potalivo will create and maintain that online presence for businesses. Facebook, Twitter, Linked-In, Blogspot and online newsletters are where she focuses her attention because that is where the public is mostly going.

She links a business' FB account to the other sites to create a seamless flow of information.

"Social media marketing is not instant gratification," Potalivo warns. "It can take six months. You have to be patient."

The purpose is to drive clients/customers to a business' website. It's up to the business owner to have a viable website the public will use, or where they can find the information they seek, or see what they want that prompts a

call or visit to the business.

For one of her real estate clients she takes the broker's newsletter and pulls information from that to post online. It could be new listings or events in the area.

She likes her clients to have an ad on Facebook because they can be targeted to specific ages, cities or states, and interests. The cost is based on criteria selected for who could see the ad and then totaled per click. A maximum daily amount can be set.

Potalivo says this is much more cost-effective than adwords.

Analytics through FB show the number of clicks and impressions the ad has received. This, like advertising stats *Lake Tahoe News* and other online businesses can provide advertisers, is tangible feedback compared to old-school print.

For more information about Social Sense Marketing, email missy@SocialSenseMarketing.com.

Parton impersonators from Tahoe share stage with singer

By Kathryn Reed

It's one thing to impersonate a living star; it's another to share a stage with that person.

That is exactly what two veterans of Carnival Cabaret did Saturday night. Sean Paul, who is the current Dolly Parton in the female impersonation show at Horizon in Stateline, and Kevin Wiley, who has had that role in the past, was part of

the 25th anniversary celebration of Dollywood.



Sean Paul as
Dolly Parton
in Carnival
Cabaret.

Photo/Yon Ju
Kim

“It’s a great opportunity to work with a country legend. I’m still kind of speechless over the whole thing,” Paul said before the Aug. 28 event. “This will be the first time I will have met her. She has seen me before. I have gone to her concerts dressed like her.”

News about Paul and Wiley’s trek to the Nashville Performing Arts Center could not be released beforehand because they were part of the surprise for the guests.

The event is one of many Parton is having to commemorate this being the 25th year of Dollywood, which is a theme park in Pigeon Forge, Tenn. Through her nonprofit she has a literacy program that this year coincidentally gave out 25 million books to a youngster. The program started as a tribute to her father who could not read and write.

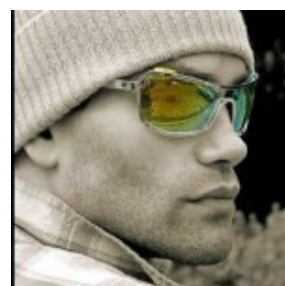
Miley Cyrus and her dad, Billy Ray, were expected to be in the audience. After all, Parton is Miley’s “fairy godmother”. They, with Kenny Rogers and other country stars, were part of an hour-long television show with Parton celebrating Dollywood that aired earlier this summer.

Before Saturday's event Paul was fretting about how he would hold up in 4-inch heels for eight hours. After rock climbing Tuesday, blisters covered a good portion of his feet.

Thousands of people impersonate the buxom country star. The men with ties to Lake Tahoe and Sandy Anderson, a woman who impersonates Parton with Legends in Concert, are the three who performed "9 to 5" with the real Parton on stage last night.

Paul took one of the outfits his mom, Kris Scheramann, made for him. She makes most of his costumes.

He has been performing Parton in shows for almost 20 years, having started in Las Vegas.



Sean Paul

"I've always had a fondness for Dolly Parton music," Paul said.

Wiley now lives in Los Angeles where he is an executive for Magic Castle in Hollywood. He was Carnival Cabaret's Parton before Paul took over.