

S. Tahoe optimistic League's case will be dismissed

By Kathryn Reed

It took about 45 minutes for both sides in the League to Save Lake Tahoe-South Lake Tahoe General Plan case to try to convince U.S. District Court Judge Garland Burrell of their opinions.

The city is asking the court to dismiss the case.

"The motion to dismiss is on the basis they are arguing that we need to get the TRPA's consent or approval prior to approving the General Plan," City Attorney Patrick Enright told *Lake Tahoe News*.

The city's contention all along is that segments that are inconsistent with the current Regional Plan used by the Tahoe Regional Planning Agency would not be valid until changes are made to the Regional Plan. It's anticipated when the TRPA plan is adopted in a year the city's document would be fully compliant at that time.

South Lake Tahoe's two city attorneys and Councilman Tom Davis attended the hearing this week in Sacramento. Attorney Michael Lozeau was the only person at the hearing on behalf of the League.

Enright said the line of questioning the judge asked encouraged him. He expects a ruling within 30 days.

Government groups figuring out a way to reimburse Incline taxpayers

By Susan Voyles, Reno Gazette-Journal

The North Lake Tahoe Fire Protection District has saved half of the \$6.5 million owed as its share of \$43 million tax refunds being paid to Incline Village residents.

But it may have to ask residents for a property tax increase – the very people who benefit from the tax refunds – or cut services to make up the rest in fiscal 2012.

Lawyers for the fire district as well as the Incline Village General Improvement District and the Washoe County School District are working behind the scenes to see if a deal can be cut over interest costs owed over the county's long, unsuccessful legal battle against issuing the refunds, officials said.

North Tahoe Fire Chief Mike Brown expects the fire district board on Dec. 21 to consider its legal options. He said it's not fair for the district to be liable for almost \$1 million in interest costs, given the board had no role in the county's handling of the Incline property values issue.

"We wholeheartedly agree we have to pay the money back," Brown said. "Our biggest question is on interest. From day one, we have had no say on this."

By a 3-2 vote, the Washoe County Commission in late August ordered the county treasurer to take property taxes from all

the other entities that benefitted from the overpayment of taxes as the tax refund checks are written. The \$43 million total includes \$6.2 million in interest, set by law at 6 percent a year.

Read the whole story

Tourism officials rebranding South Shore into Tahoe South

By Kathryn Reed

STATELINE – Tahoe South. It's a place. It's an attitude. It's a feeling. It's a people. It is the South Shore.

"We know who we are. Now everyone else will too." That was the tagline in a promotional video shown at Thursday's Lake Tahoe Visitors Authority board meeting.

The fast-moving segment touched on all things South Shore. Real people doing all the things people moved here to do. The same things tourists envy locals for being able to enjoy 365 days a year.



A new name for
the South
Shore -- Tahoe

South.

Gone are the mixed messages through various advertising and public relations campaigns through the multiple venues the word was delivered. In its place is a coordinated effort to deliver the same message, multiple ways, through an array of mediums. Bringing this promotional consistency means people will get used to seeing Tahoe South and hearing Tahoe South through online, television, radio, and social media outlets.

One cohesive brand is the outcome. While multiple components are involved to reflect the diversity of the region, it's not dominated by gaming and it's not some concept like "blue" that no one ever embraced.

When people say "Las Vegas" a variety of images emerge. That same idea, not the same images per se, are what marketing gurus are going after with "Tahoe South". As time goes by when people say Tahoe South the idea is it will evoke an image, feelings – ideally, a desire to plan a trip.

Expect to see it on T-shirts, tote bags, bandanas, stickers and other merchandise.

As people explore what Tahoe South is all about more in depth via the website – that Tahoe South logo will be there, the imagery will be familiar, but the content deeper, more rich.

Keeping with people's desire to be interactive online, the new website will allow people to blog about their experiences in Tahoe.

What started about 2.5 years ago will be complete on Monday when the tourism agency's website goes live.

To see the difference, go to the LTVA website between now and Sunday, and then go back after Monday.

"The complete reinvention of this brand will be done," Andy

Berkenfield said of the website being finalized. With a glass of Champagne in his hand, he toasted the board for its tenacity to go forward, and his staff and others involved for what is being called a leading edge site.

Berkenfield is general manager of Duncan/Channon, LTVA's ad firm. While Noble Studios built the website, the two companies worked in concert to make it a reality.

Distinct winter and summer ad campaigns are part of the mix, too. This is the first winter LTVA has done a campaign beyond its participation in Ski Lake Tahoe material. Usually it relies on the ski resorts to bring people to town.

"Come to the Wild Side" is the message geared toward ages 25-54 and families. The idea is Tahoe South is more hip, more fun, more energetic than the North Shore. A billboard in San Francisco and one on Interstate 80 eight miles west of the Highway 50 split will target drivers.

Buses along main routes in The City – including Market Street and the Financial District – will also be covered in advertising to lure people to Tahoe South.

"We want to bring the vibrant energy of the destination to life," Jennifer Corrigan, account director with Duncan/Channon said.

While the ads will be up soon, they are not finalized so they can't be shown on *Lake Tahoe News* yet. It's abstract artistry of elements that when examined closely are crystal clear. They look more like murals than a traditional billboard.

At the Dec. 8 meeting it was also decided what direction to go with the \$1 million 2012 summer ad campaign. This is the same amount that was spent this year.

The goal is to increase awareness of Tahoe South and support key summer events.

Gone will be the television spots except on Comcast during Giants and A's games and what is contractually required with NBC for the celebrity golf tournament.

"Online is the most cost-efficient (advertising) out there," Laura Davis, associate communications planning director with Duncan/Channon said. "People are spending more time online."

Douglas County deputy in fatal shooting ID'd

Officers believe the call they received Dec. 7 about a body near a truck in the Gardnerville Cemetery came from the man who was eventually fatally shot by a Douglas County sheriff's deputy.

"Suspect David Pendleton's cell phone, which was later recovered at the scene, revealed that a call was made to the Douglas County Sheriff's Office dispatch center just minutes before the shooting incident occurred. Detectives believe it was this call that was received by the dispatcher, with the caller reporting a dead body lying in the open in the cemetery," sheriff's Sgt. Jim Halsey said in a statement.

It is believed Pendleton was visiting his family's plot. His wife had recently been buried in the cemetery.

Pendleton reportedly aimed a fully loaded gun at deputies. When he wouldn't put the weapon down he was shot.

Deputy Richard Koontz Jr., 29, has been with the department for six years. He is on administrative leave as is routine in an officer involved shooting.

DCSO was familiar with Pendleton because of his history of threatening to use weapons against civilians and law enforcement officers.

– *Lake Tahoe News staff report*

Scanio slapped with 6-month sentence for probation violations

By Kathryn Reed

Joseph Scanio, the South Lake Tahoe man who served more than three years in federal prison on child pornography charges, will be spending another six months behind bars.

U.S. District Court Judge Morrison England Jr. today in Sacramento sentenced Scanio for eight probation violations. Where he will serve his time has not been determined. He has been incarcerated in Sacramento County Superior Court since his last hearing on Nov. 17.



Joseph
Scanio

While Assistant U.S. Attorney Michelle Rodriguez told *Lake Tahoe News* she believes justice has been served, she is not convinced Scanio understands the severity of his actions.

“I do have my lingering doubts about Mr. Scanio, that he does not accept the basic conditions under which he is a sex offender – that he is allowed liberty,” Rodriguez said. “There are myriad additional conditions and further procedures that everyone involved with his supervision will be taking and that Mr. Scanio has agreed to to assure the community is protected.”

Specific conditions of his supervised release that will begin next spring have not been disclosed.

But on Dec. 8 the judge said a broad interpretation of the conditions must be followed.

Timothy Zindel, the federal defender representing Scanio, said he was happy the judge did not accept the prosecutor’s recommendation that his client serve nine months.

“People need to understand child pornographers are not child molesters. It’s an irrational fear,” Zindel said.

Scanio, 63, pleaded guilty to charges of child pornography in October 2006. He was released from prison in February 2010. He was arrested in May 2011 on a federal warrant for violating terms of his supervised release.

Some of the probation charges he was found guilty of violating include: use of a computer without permission from his

probation officer, not presenting truthful monthly reports to the probation officer, associating with a felon without permission, and contact with children under 18 without approval.

While Scanio must register as a sex offender under, based on when he was first convicted, his registry does not have to be made public.

Lake Tahoe Restoration Act moves out of committee

By KRNV-TV

WASHINGTON — Sen. Harry Reid today hailed passage of the Lake Tahoe Restoration Act of 2011 out of the Environment and Public Works Committee.

The act, which Reid sponsored in 2009, would restore and protect the ecological integrity of Lake Tahoe and the Tahoe Basin. This year, the Nevada Democrat is co-sponsoring the bill with California Sens. Dianne Feinstein and Barbara Boxer. The LTRA will protect Lake Tahoe's exceptional natural resources and ensure that the area remains a premier tourist destination.



The Lake Tahoe
Restoration
Act would
bring millions
of dollars to
the basin.
Photo/LTN file

“We must take every step possible to protect the international treasure that is Lake Tahoe,” Reid said. “Over the past decade, we’ve made progress by reversing the declining water clarity of Lake Tahoe, but we cannot let up. This legislation will protect Lake Tahoe’s unique ecosystem and ensure that it remains a top-notch tourist destination for years to come. I look forward to taking the next step that will boost our economy and improve our environment.”

The Lake Tahoe Restoration Act builds on successful restoration work already happening in the Tahoe Basin by authorizing \$415 million over ten years to improve water clarity, reduce the threat of wildfire, and restore the natural landscape. The LTRA would specifically fund high-priority projects focused on aquatic invasive species prevention, storm water management, watershed restoration, Lahontan cutthroat trout reintroduction, and hazardous fuels reduction.

Read the whole story

JMA Ventures acquires residences from Ritz-Carlton at Northstar

By Sarah Duxbury, San Francisco Business Times

Days after saying that the \$70 million JMA deal to buy Great America was off, the San Francisco real estate company announced that it has closed a deal to buy the luxury residences at the Northstar ski resort directly from Ritz-Carlton Development Co.

Terms of the deal were not disclosed, but JMA President and Todd Chapman said there are two phases to the deal. First, JMA has bought 17 fully-furnished two-, three- and four-bedroom townhouses from Ritz-Carlton, and it plans to sell those as full-ownership homes. Chapman said JMA has not determined pricing on the units, but that it will be less than a similar offering would have cost in 2006-2007.

The residences were completed in 2009, along with the Ritz-Carlton Hotel at Northstar, and they are the only true ski-in, ski-out residences on the mountain. Ritz-Carlton was selling them as fractional residences, and it retains control of 11 of the units, which have sold fractional shares. The property opened in 2009, at the height of the recession, and East West Partners, the hotel owner, declared bankruptcy protection last year.

The residences were always separate, Chapman said, and the current deal is not a distressed real estate transaction and there was no debt on the property. Chapman said JMA's relationship with Ritz-Carlton made the deal possible.

Phase 2 includes the rights to build 50 units adjacent to the current residence, Chapman said, and JMA intends to build

those some time in the next few years.

Read the whole story

Homewood plan clears hurdle; TRPA next

Placer County Board of Supervisors on Tuesday unanimously approved the plans to overhaul Homewood ski resort.

Next up is for the Tahoe Regional Planning Agency Governing Board to hear the matter Dec. 14 at 9:30am at Granlibakken in Tahoe City.

The project proposal by owners JMA Ventures includes new ski lodges, residences, lifts and a complete change to what the West Shore area looks like now.

This week's hearing was to hear an appeal by the Friends of the West Shore, League to Save Lake Tahoe and Tahoe Area Sierra Club regarding the supervisors' earlier approval of the project.

– Lake Tahoe News staff report

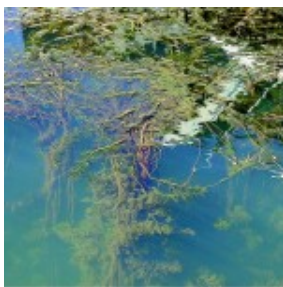
Mixed reaction to Lahontan OKing chemicals in Tahoe

By Kathryn Reed

Public health is one of two reasons the Lahontan Regional Water Quality board on Wednesday voted to allow chemicals to be used to rid Lake Tahoe of invasive species – plant or animal. Public safety is the reason people who supply drinking water to thousands of people in the basin spoke against the decision.

Allowing pesticide use at Tahoe is practically revolutionary for the water board. The decision is a 180-degree turnaround from years of not allowing anything potentially harmful from being added to the pristine water.

Staff told the board that the long-term benefits of applying chemicals would outweigh any short-term degradation to the lake.



Tahoe Keys homeowners association is excited to be able to use herbicides to get rid of milfoil.

Photo/TRPA

County vector control units have been using chemicals for years with Lahontan's knowledge, but also in violation of its rules.

Vector control is also a health and safety issue.

Karen Bender with the El Dorado County Environmental Management Agency told *Lake Tahoe News* vector control rarely sprays in the Lake Tahoe Basin; it's mostly larvae sites that are treated. She has volumes of records Lahontan could have checked at anytime. The board's decision likely means Lahontan staff will be getting reports of all future chemical applications assuming pesticide use passes state and federal boards.

While water purveyors lost the battle to keep dangerous chemicals from the drinking supply of thousands, they did get the board to agree to notify all of them when an application will take place so all could comment on the proposed project.

There are 18 water purveyors around the lake, with 21 intakes between them. There are other water purveyors in the Lake Tahoe Basin, like South Tahoe Public Utility District, that use groundwater.

An issue for water purveyors is if the chemical is detected in the drinking water supply it must be mitigated. That can create problems downstream, so to speak. None of those concerns, though, were brought up at Wednesday's meeting.

Nor was it discussed how one chemical might react with another.

In passing it was acknowledged the chemical to treat the problem could create problems for other aspects of the ecosystem. For instance if milfoil is eliminated, it could impact any species that uses it for habitat.

Besides public health, the other reason chemicals could be put

into Lake Tahoe is for ecological preservation.

Three Tahoe Keys representatives spoke at the three-hour meeting at Embassy Suites on Dec. 7 – citing the need for chemicals to eradicate milfoil that is clogging the canals. The South Shore homeowners' group years ago asked Lahontan for exemptions and was denied each time.

It may still be years before any herbicides are applied. This is because more boards need to approve the Pesticide Basin Plan Amendment. The final overseer to vote will be the federal EPA – maybe in July 2012.

An environmental impact report will need to be done by the Tahoe Keys Property Owners Association before Lahontan votes on that specific project.

All potential projects will undergo a rigorous vetting process, according to Lahontan staff.

"If the project qualifies, then the applicant takes their case to the board," Mary Fiore-Wagner, Lahontan environmental scientist, told the board. "There will be robust monitoring, and tracking and recovery of species."

All projects must also meet California Environmental Quality Act requirements.

One issue the board had some problems with was that chemicals under rare circumstances might be used without board approval. They understood emergency criteria – as in if the governor of California issues a mandate to do something. But what took some understanding was the "time sensitive" project that the executive director could approve on behalf of the board.

Staff explained "time-sensitive" could be the introduction of an invasive species to Lake Tahoe that would not reach the level of a state emergency. There are 36 species that have been identified as being a threat to Lake Tahoe, with 20 of

them already in the water.

Another issue that changed from earlier versions of the amendment is chemical detection will be allowed to last for more than a week. This is based on how some chemicals are released.

Dan Sussman, Lahontan environmental scientist, said monitoring still must begin one week after the initial application of the chemical.

Any treatment could mean temporary prohibition of swimming, boating and fishing or other recreational activities.

Lauri Kemper, second in charge at Lahontan, after the meeting told *Lake Tahoe News*, that via CEQA, project applicants are supposed to document past, current and future projects that could impact theirs. Kemper said even if that does not take place, her agency would be aware of what is going on in Tahoe to know if application of one chemical could interfere/conflict with another.

While the decision by Lahontan affects the whole lake – because water moves – the agency only has oversight of California's portion of the lake.

It is the Nevada Division of Environmental Protection that oversees what goes into Lake Tahoe in the Silver State. They follow requirements outlined by the National Pollutant Discharge Elimination System.

Bob Loding, water-wastewater specialist with Tri-state Water Operations in Zephyr Cove, told *Lake Tahoe News* that water purveyors are told by NDEP of anything going on with water – including being consulted before the rubber mats were put down to study the Asian clams.

He does not know of any time when chemicals have been allowed to be used in Lake Tahoe originating in Nevada.

Al Tinney, chief of water pollution control for NDEP, was not available for comment.

Douglas County sheriff's deputy kills suspect

By Reno Gazette-Journal

A Douglas County Sheriff's deputy fatally shot a man who allegedly pointed a shotgun at him Wednesday.

At around 2:10pm, deputies were called to the Gardnerville Cemetery on a report of a dead body, Sheriff's spokesman Jim Halsey said. When deputies arrived, they found David Pendleton, 77, standing next to a truck holding a shotgun, Halsey said.

Deputies attempted to get Pendleton to put the gun on the ground, but he refused and at some point he aimed it at a deputy, Halsey said. The deputy fired his gun at Pendleton, killing him instantly, Halsey said.

Read the whole story