# Both sides agree TRPA dysfunctional; SB271's future uncertain

**By Anne Knowles**

CARSON CITY – A hearing on the bill to withdraw Nevada from the Tahoe Regional Planning Agency closed today with opponents and supporters of the legislation agreeing the agency is dysfunctional and in need of reform, but differing on how to overhaul it.

The Assembly Government Affairs committee ended two days of testimony and will consider Senate Bill 271 during a work session at its next meeting. If the bill passes out of the committee, it moves to the full Assembly for a vote before the end of the legislative session on June 6. If it passes there, SB271 will go to the desk of Gov. Brian Sandoval, who is expected to sign the legislation.

The biggest sticking point seemed to be the bill's provision to withdraw from the TRPA if reforms outlined in the legislation do not occur, with proponents saying nothing will change if there aren't consequences to inaction and critics saying that such a threat kills any chance of negotiating with California legislators to fix problems at the bi-state regulatory body.

"Secretary of State (Ross) Miller said withdrawing from the TRPA would be irresponsible," said Joe Johnson, co-chair of the legislative committee at the Sierra Club Toiyabe Chapter in Reno, referring to testimony from Miller, who introduced an amendment to the bill at Wednesday's meeting. "We think the threat of withdrawal is irresponsible as well."

The bill has sparked useful discussion between California and

Nevada, said Kyle Davis, political and policy director, Nevada Conservation League & Education Fund in Reno.

“Let’s let the negotiations between the two states continue,” he said before the committee. “The deadline to withdraw removes any incentive for those opposed to the TRPA to negotiate. They’ll just wait out the clock.”

But Assemblywoman Marilyn Kirkpatrick, D-North Las Vegas, chairwoman of the committee, said if the bill helped jumpstart a discussion between the two states, then the threat of withdrawal played an important part.

“What’s a different hammer than withdrawal,” that would be effective, asked Kirkpatrick.

Supporters of the bill believe it will hasten change at the agency instead of force Nevada out.

“When this bill first dropped, I talked about all the problems I had with the bill, all on the record,” said Leo Drozdoff, director of the Department of Conservation and Natural Resources for Nevada. But various amendments to the bill addressed his concerns, he said.

“The best way for Lake Tahoe to be protected is to have a strong TRPA,” Drozdoff said. “And the best way to have a successful TRPA is to pass this bill.”

Drozdoff’s department contributed the section of the bill that garnered near unanimous support. Section 22.5 delegates more decision-making to local entities. The goal is to address concerns of homeowners at the lake who complain it takes years to get approval to make changes to their homes and properties that have no environmental impact on the lake.

“The TRPA is so draconian” that homeowners can’t fix cracked driveways without approval from the agency, said Sen. John Lee, D-Las Vegas, who with Sen. James Settelmeyer, R-Minden,

sponsored SB271.

“When the TRPA first started there were 16,000 additional building lots available. It was like Disneyland for developers,” Lee said. “But 90 percent of that is built out now and we no longer need a regulatory body to oversee everything. We need one to oversee environmental issues.”

Government Affairs has not posted its next meeting, when it will take up a work session on SB271 and likely vote, but during the session it was scheduled to meet every Monday, Wednesday and Friday.

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# $5 dump day at South Tahoe Refuse

El Dorado County residents who reside on the South Shore of Lake Tahoe who have electronics, furniture, mattresses, appliances, tires and other large trash items to throw away may dump them for $5 per truckload June 4 from 8am-4pm.

Nevada residents may dump their junk for $10 a truckload.

This is Clean Tahoe’s annual Community Clean Up Day.




Lots of trash was dumped in

2010.
Photo/Provided

Free secure document shredding and free e-waste disposal will also be available.

Bring the junk to the South Tahoe Refuse Transfer Station at 2140 Ruth Ave., South Lake Tahoe.

Clean Tahoe’s mission is to keep El Dorado County clean and beautiful. In partnership with Vail Resort’s Echo charitable giving program, Clean Tahoe Program is opening up the gates to South Tahoe Refuse Transfer Station so local residents can throw unwanted items away at a minimal cost.

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# Propane issue still a threat to Serene Lakes community

Truckee Fire Protection District and Placer County Environmental Health are still working to ensure that all properties in the Serene Lakes community affected by leaking propane systems are cleaned up. Several properties remain unabated, so the incident command team left in place the voluntary evacuation order.

Since March, there have been 42 properties affected by propane in the Donner Summit community that have leaked from storage tanks and the plumbing that connects the tanks to houses. Three active sites remain; the rest have been mitigated.

The voluntary evacuation order underscores the inability of public safety agencies to guarantee that the area is absolutely safe from any ill effects of propane. The area

cannot be declared “safe” until all of the snow in the Serene Lakes area has melted or additional monitoring is completed showing that there are no hazardous concentrations of propane left near the leak sites. The cooperation of property owners at properties where hazardous levels of propane have been found is tantamount in getting these areas declared safe.

Passive dissipation (natural evaporation of propane) can be effective, however it comes at the expense of a safe environment for neighbors. Propane and gas systems (tanks, regulators and piping) still buried in the snow may hide potential leaks. Property owners need to ensure the safety of their properties by clearing snow from around their propane systems.

Extraordinary snowpack this season has created the leaks when the weight of dozens of feet of snow and ice broke plumbing between tanks and houses. Two other homes in other areas of eastern Placer County were also affected by leaking propane, however, those sites have been remediated.

There may still be undiscovered leaks in the Serene Lakes area. Even in areas where the propane systems are exposed, it is possible for propane to be trapped under the snow. As propane is heavier than air, it will follow a path of least resistance, and can travel long distances under crusted snow.

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# Dugard says Garridos stole her life; couple sentenced in

# kidnap, rape of S. Tahoe girl

**By Maria L. La Ganga, Los Angeles Times**

PLACERVILLE – Nearly 20 years after Jaycee Lee Dugard was abducted while walking to a school bus stop, the couple who pleaded guilty in her kidnapping and rape were sentenced Thursday to prison terms that could keep them behind bars for the rest of their lives.

Phillip Garrido, a 60-year-old convicted rapist, was sentenced to 431 years to life in prison. His 55-year-old wife Nancy was sentenced to 36 years to life in prison.



Jaycee Lee Dugard not long before she was abducted in South Lake Tahoe.

In recommending that Garrido receive a sentence of 431 years to life in prison, El Dorado County District Attorney Vern Pierson described the serial rapist as “a sexual predator who stole the childhood and innocence from an 11-year-old child. Defendant Garrido’s actions caused her mother Terry Probyn to have to endure an 18-year-long nightmare.”

Before the Garridos’ sentencing Thursday in a Placerville courtroom, a tearful Probyn addressed the court. “How could

someone take away the one person in the world I loved so deeply? Where is she? Is she hungry? Is she cold? Is she hurt? My baby was gone and all my dreams turned to nightmares. She was a vulnerable child and I was unable to help her.

“During 18 years away, I could hear her crying, not with my ears, but with my heart. I could feel her pain, not with my body, but with my heart…. I lived in hell on earth. It was you Nancy Garrido and Phillip Garrido that broke my heart.”

Probyn then read a statement from her daughter, who did not attend the hearing: “To Phillip Garrido, I hated every second of every day of 18 years because of you. To you Nancy, I have nothing to say.”

Before sentencing Phillip Garrido, Judge Douglas C. Phimister said the “defendant lacks a soul. What you have done is beyond horrible. May you think long and hard about what you did.”

**Read the whole story**

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# Tahoe Truckee superintendent announces retirement

Steve Jennings, who has headed the Tahoe Truckee Unified School District for the past three years, announced his retirement at the June 1 board meeting. The 39-year veteran educator will serve until Feb. 29, 2012.

Jennings said he is excited to enter the next phase of his life, but added he will miss working with the many wonderful employees, parents and community members who are so dedicated to quality education in this community.



Steve Jennings

“One of the biggest rewards of my position has been the passion this community has for its schools,” Jennings said. “The financial and emotional support this area gives to education is remarkable.”

None of the current board members was serving when he was hired.

Kirsten Livak, TTUSD board president, praised Jennings’ achievements. Livak admires Jennings’ ability to remain calm.

“He never pressed the panic button, no matter what was thrown his way,” she commented. “Despite many complex challenges, Steve’s ability to stay focused established a sense of stability, continuity, and reliability among his staff. The principals came to see him as a source of strong leadership that was very much needed in TTUSD. We will most certainly miss Mr. Jennings. He has made many positive contributions to our community.”

Jennings, who was hired by TTUSD in March 2008, worked as a teacher and principal in Montana before coming to California in 1988. He served as principal, deputy superintendent, and superintendent in Paradise for 20 years before taking over operations at TTUSD.

After 39 years in education, Jennings said he is looking forward to spending more time with his family. An avid fly fisherman, he and his wife plan to eventually move back to Montana.

Livak said the governance subcommittee of the TTUSD board will work with a specialized recruitment firm as well as district administration to develop criteria for the position and search for a replacement.

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# Summer weather not in the forecast for Lake Tahoe

**By Kathryn Reed**

That whining noise you hear is nearly every Lake Tahoe Basin resident complaining about the weather.

“A lot of people are on their toes waiting for summer to come, but it’s going to be at least another week,” said Scott McGuire, meteorologist with the National Weather Service in Reno.

Snow, rain, wind, clouds. That’s the forecast for about the next 10 days. With the calendar saying summer is 19 days away, the banter being heard is “bring on summer, we’ll just skip spring”.



June in South Lake Tahoe started off with snow.

Photos/Kathryn
Reed

Old man winter doesn’t seem to want to leave despite having overstayed his welcome. June started off with snow for much of the basin, with the white stuff accumulating as the afternoon went on.

While May 2011 was wetter than May 2010, it was actually slightly warmer in South Lake Tahoe this year.

The average temperature for South Lake Tahoe this May was 43.9 degrees. In 2010 it was 42.8 degrees. The normal average is 46.5 degrees.

The hottest it ever got was 72 degrees on May 5. The coldest was 18 degrees on May 16.

Plenty of plans were wrecked by the weather. One need just remember the Tour de California that never happened in Lake Tahoe. Mother’s Day was wet. Memorial Day weekend saw several inches of snow accumulate.

In total, South Lake Tahoe collected 1.38 inches of precipitation in May. A year ago the total was 0.84 inches. The Weather Service doesn’t have the average.

Oddly enough, Reno was below it’s average for moisture in May. Normal is 0.66 inches. This May it received 0.4 inches. (The Reno temps were 2 degrees below the normal 54 degrees.)

In Tahoe City the gauge hit 2.04 inches in May. Normal is 1.21 inches.

“It’s the second spring when it’s been wetter, windier, cooler and cloudier than normal,” McGuire said. “We can’t be 100 percent certain, but a significant portion last year was the affect of El Nino. This year was the La Nina off the coast of South America.”

No record highs, lows or moisture totals were recorded in the region in May.

The cooler weather has the benefit of keeping the snow in higher elevations from melting at a rapid pace. It has the downside of keeping hiking trails looking like snowshoe paths for longer.

“We are not anticipating any danger for flooding. Some creeks are running high, but it’s almost a good thing with the extent of the snowpack to have below normal temperatures in spring,” McGuire said.



Many beaches in Lake Tahoe have less sand and more water than people are used to.

The snowmelt, added moisture and lack of evaporation have Lake Tahoe rising on a daily basis.

At 1pm June 1 the lake was at 6,226.78 feet. The natural rim is 6,223 feet, with the legal limit being 6,229.1 feet.

The last time Lake Tahoe was this high was Aug. 6, 2007.

Still, the level is below average. The lake now has 460,000 acre-feet of storage above its natural rim. The average for June 1 is 474,500 acre-feet. So, it was at 97 percent of average for June 1. Capacity is 744,600 acre-feet.

During the most recent drought, which was called off earlier this year by Gov. Jerry Brown, the lake dropped to a low of 6,222.62 feet on Dec. 6, 2009.

The last times it was near full were June 16, 2000, and June 28, 2006 – both dates show a level of 6,229.06 feet.

Water officials in Reno are projecting a high-water mark to be set between June 10 and June 15.

A little bit of water is being released downstream now – 66 cubic feet per second. That is about 40 percent of the average release for this time of year.

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# Nevada's pension law allows double-dipping

**By Martha Bellisle, Reno Gazette-Journal**

As Nevada lawmakers struggle to fund state agencies while ensuring the long-term health of the employee retirement account, some public employees continue to legally collect salaries and retirement checks at the same time, an investigation by the Reno Gazette-Journal found.

To date, almost 700 state workers have taken advantage of the double-dipping law, which allows some workers who are retired and collect a pension to come back to work at state jobs where a "critical labor shortage" exists and earn paychecks. These are positions that state employers have found difficult to fill for a variety of reasons, including that they are in rural locations, don't pay well or require special skills.

As of May, 14 retired workers who were rehired before July

2003 – when the law changed to require recertification every two years – remain in their critical-labor-shortage jobs, documents show. The positions include senior judges, bus drivers and special education teachers.

**Read the whole story**

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# Nevada budget deal reached, TRPA dissolution still on table

**By Anne Knowles**

CARSON CITY – An amendment to the bill to withdraw Nevada from the Tahoe Regional Planning Agency unless the bi-state regulatory body is reformed was introduced Wednesday by TRPA board member and Nevada Secretary of State Ross Miller.

Miller said the amendment would alleviate problems within the TRPA by changing the agency's voting procedures which now hamstring the group and keep it from doing meaningful work, including producing a Regional plan for the Lake Tahoe Basin. The last Regional Plan, developed in 1997, was supposed to expire in 2007.

"We're four years overdue for getting a Regional Plan in place," Miller said. "That is unacceptable, and it's due to the strict voting requirements. Something has to give."



Gov. Brian Sandoval, second from right, is joined by legislative leaders Assemblyman Pete Goicoechea, R-Eureka, left, Assembly Speaker John Oceguera, D-Las Vegas, and state Sen. Mike McGinness, R-Fallon, to announce a budget agreement June 1 at the Nevada Legislative Building in Carson City. Photo/Lisa J. Tolda

Miller’s amendment would require nine votes to adopt, amend or

repeal environmental standards, or threshold carrying capacities, or a Regional Plan, policies or procedures. To get a project approved under Miller's amendment, four votes from board members of the state where the project is located and a total of nine votes would be needed. Currently, projects need five votes from members of the state's project and a total of eight votes. The board is comprised of 14 voting members, seven each from California and Nevada, and a non-voting member representing the federal government.

"There have been instances in the past where getting five votes from one state (to approve a project) was problematic," Miller told *Lake Tahoe News* after his testimony, citing Boulder Bay, the mixed-use project at the site of the Tahoe Biltmore Casino in Crystal Bay. The hotel-casino project was approved by the TRPA in late April after a four-year process.

Roger Wittenberg, president and CEO of Boulder Bay, also testified before the Assembly committee. Wittenberg said if he had to do it all over again, he would not have gone forward with his project because of what he called the uncertainty of the TRPA approval process.

During questions from the committee, Assemblywoman Teresa Benitez-Thompson, D-Reno, suggested that a multi-year approval process for such a large development was not onerous.

Wittenberg said he had no complaints about what he called an arduous process or the TRPA staff, which he said was exemplary.

"It comes down to a vote with people from out of town who then leave. If the vote is fact-based and based in science, I'm fine with it," he said. "But if it's politically based, I have a problem with that."

Wittenberg said he was neutral on the bill, but urged lawmakers to do something to accelerate redevelopment of the lake so projects like Boulder Bay don't take 10 or more years

to complete.

“The problem is not what we’re doing at the lake, but what we’re not doing,” he said.

But several opponents to the bill said changing the voting structure wouldn’t solve any problems.

“Even if the bill passes, it won’t solve what its proponents allege,” said Kyle Davis, political and policy director for the Nevada Conservation League & Education Fund in Reno. “You can change the voting structure, but if a project violates the Compact, then the court will strike it down.”

Davis also said that the purpose of the existing voting structure was not to require a super majority, as critics of it say, but a bi-state concurrence in which Nevada and California have an equal say in decisions affecting the lake.

Scientists opposing the bill drove home that point.

“The two states have to work together and the TRPA provides a framework for that,” said Alan Gertler, senior director for Clean Technologies & Renewable Energy Center at the Desert Research Institute in Reno. “You can’t have two players marching to the beat of a different drummer.”

The controversial bill drew an overflow crowd of homeowners, environmentalists, developers and gaming lobbyists June 1.

“This isn’t my first road show on a contentious item and it won’t be my last,” said Chairwoman Marilyn Kirkpatrick, D-North Las Vegas, who urged all those testifying to be respectful.

The committee meeting was overshadowed during an afternoon break when Gov. Brian Sandoval and leadership from both houses had a press conference to announce they had reached agreement on a $6.25 billion budget.

That deal raises about $620 million by extending several taxes that were about to expire for two more years. Among those is the modified business tax, but the deal calls for the exemption of about 115,000 small businesses.

Government Affairs adjourned for the Assembly floor session at 3pm without finishing. The committee will continue to hear more testimony on SB271 Thursday at 9am.

The bill attempts to reform the TRPA to avoid the state's withdrawal from the agency. But the reforms, including changes to the voting structure, would have to be approved by the Nevada and California Legislatures as well as Congress.

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# Caltrans restarts multiple projects along I-80

Caltrans has resumed its Interstate 80 projects from Colfax to the Nevada state line.

Actual project time lines may vary, but weather permitting construction is scheduled from now through November.

Projects slated for construction this season will replace and rehabilitate worn roadway, rehabilitate ramps, improve drainage, widen shoulders and replace metal guardrails. Caltrans will make every effort to limit traffic impacts to the public caused by the construction.

**Projects include:**

**Emigrant Gap**

The $167 million project will repair and resurface more than 42 lane miles of roadway in Placer and Nevada counties from Carpenter Flat undercrossing at the Emigrant Gap interchange to Hampshire Rock undercrossing at the Rainbow interchange. The project will repair severely distressed pavement and improve safety by upgrading median barriers. Completion is expected by fall 2013.

**Donner III**

This project will rebuild and replace aging pavement and improve safety on eastbound Interstate 80 from Castle Peak undercrossing to 1.4 miles west of Donner overcrossing, and westbound from the Donner Summit Rest Area to just east of Donner Lake. In addition to roadway rehabilitation, the $78 million project includes replacement of guardrail, existing drainage systems, storm water treatment systems, lighting safety upgrades and rehabilitation of the Donner Lake undercrossing. Expected completion of the project is fall 2011.

**Meadow Vista to Colfax**

The $4.9 million rehabilitation project will replace and improve almost nine miles of pavement on Interstate 80 from Meadow Vista to Colfax in both east and westbound directions. The project is scheduled to begin mid-June and completed by late October 2011.

The “Get Across 80” construction program, launched in 2010, consists of eight projects totaling more than $520 million to repair and improve Interstate 80 between Colfax and the Nevada state line. Voter-approved, Proposition 1B funds contributed almost $74 million to the cost of improving this vital economic artery.

# Placer County approves 5-year redevelopment plan

The Placer County Board of Supervisors, sitting as the county redevelopment agency board, on a 5-0 vote approved a five-year implementation plan for the North Lake Tahoe Redevelopment Area.

As required by state law, the Placer County Redevelopment Agency must adopt implementation plans for redevelopment areas every five years. The plan addressed approved last week will be valid into 2016.

The plan includes information on goals, proposed programs, affordable housing, projects and expenditures and explains how the plan will alleviate blight. The board's approval of the plan will give the Agency general direction, but does not authorize any specific projects.

Supervisors directed that RDA staff to return with a more specific list of near- and long-term priorities for the next supervisors' meeting in Tahoe, tentatively scheduled for July 25-26.

The North Lake Tahoe Project Area is 1,731-acres and includes the Tahoe City/Tahoe Gateway, Lake Forest, Kings Beach, Tahoe Vista and Stateline communities. All of the North Lake Tahoe Redevelopment Project Area lies within the Tahoe Regional Planning Agency jurisdiction. The areas include:

• The Tahoe City community, with approximately 693 acres;

• The Tahoe City Gateway area, with approximately 41 acres;

• Lake Forest is between Tahoe City and Carnelian Bay; and

• The Kings Beach and Tahoe Vista communities, which encompass about 995 acres.

The plan attempts to consolidate small and irregular lots, and improve deteriorated properties and public facilities to eliminate blight. With parking limitations in commercial core areas of the North Shore, the plan also is working on increasing parking.

Future and ongoing projects in the redevelopment area that the agency is involved in include:

• BB, LLC Mixed Use Community Enhancement Program (CEP) Kings Beach

• Tahoe City Transit Center Project

• Kings Beach Commercial Core Improvement Project

• Parking Lot Property Acquisition and Construction in Commercial Districts

• Ferrari Resort Kings Beach CEP Project

• Tahoe City Y Improvements

• Lake Forest Water District/Tahoe City PUD Project

• Tahoe Housing Rehab Assistance Program

• Tahoe Vista Recreation Area Improvements

• Commercial Loan Program.