State puts brakes on taxpayer-funded cars for legislators

By Jim Sanders and Torey Van Oot, Sacramento Bee

BURBANK – California legislators no longer will receive a car, gas and maintenance paid largely by taxpayers.

The state's independent compensation commission voted Thursday to replace the existing program in December with a $300 monthly allowance to defray legislators' costs of driving their personal vehicles.

Commissioner Chuck Murray, who was replaced as chairman Wednesday night, noted that California is the only state to provide all lawmakers with a vehicle of their choice. The program is overly generous, he said.

"We feel the pendulum has swung too far to the left, and we're trying to bring it back to the middle," Murray said. "The way they reimburse for cars went out in the private sector eight to 10 years ago."

Switching to a set car allowance, costing about $432,000 annually, would cut the state's current expense for legislative cars roughly in half, according to Commissioner John Stites II, who pushed the idea.

Read the whole story

Fallen Leaf Lake to allow alcohol, but has no seller

By Kathryn Reed

Alcohol will be sold at Fallen Leaf Lake this summer. That is assuming a concessionaire is ever hired and then that person acquires the necessary permits.

After a 3½-hour meeting Saturday that was dominated by issues related to the operation of the store and marina at the South Shore lake, the board voted 4-0 for the store to sell alcohol to be consumed on the premise (stopping at 6pm) when food is bought, as well as allowing unopened containers to sold for consumption off-site.

Fallen Leaf Lake still does not have a concessionaire. Photo/LTN

Last season alcohol was not sold at the store/café when Rob and Sandy Wirth ran the operation because they never secured the necessary permits from Alcoholic Beverage Control.

Prior to that, when John and Ruth Rich had the concessionaire, they operated under a No. 20 permit that allows sales without onsite consumption. However, for decades people had open containers without being told to leave.

A No. 41 permit allows sales at an establishment selling food.

Issues for the next concessionaire are the lack of No. 20 permits available from the ABC. However, people at the April 16 meeting at Lake Tahoe Airport said the Richs have such a permit that expires next month. Although No. 41 permits are available for a few hundred dollars, protests have been filed with the ABC by Fallen Leaf Lake residents that could make the acquisition of one a time consuming endeavor, if not impossible.

Three people sent the board paperwork indicating an interest in operating the seasonal marina and store at the edge of Desolation Wilderness. One has withdrawn from the process and another does not want a background check done.

Darin Carolus, who works for Sierra Outdoor, is the concessionaire at Tahoe Keys Resort in South Lake Tahoe. He was at the Saturday meeting as the other concessionaire applicant.

Board members Wanda Kownacki (who was participating via telephone) and Dave Stumbos were tasked with finding a concessionaire to recommend to the board. They hope to be able to do so by the May 7 meeting. Operations usually begin Memorial Day weekend, so the new operator would have less than a month to get up to speed.

Throwing a unique twist into things was John Rich contacted Steve Malley that morning. Rich, through Malley, stated he would be interested in operating the facility again if the board contacted him and did a few other things.

Then Malley, a resident of Fallen Leaf Lake, was called during the meeting by Rob Wirth, who also said he’d run the operation, but would hire a manager for the day-to-day operation.

(People could listen via telephone to the meeting and comment at any time.)

Malley said John Rich offered to replace the dock and do all the maintenance if granted a 20-year contract.

To this, Carolus said, “I was at the marina (Saturday) morning for a site visit. You have new docks there; put in in 2009. So, you probably wouldn’t need to replace them for 20 years, so I could add that, too.”

The Richs were dismissed in February 2010 after operating the store/marina for 14 years.

The Wirths backed out after one year.

The issue has divided the community, with resentment and bitterness lingering and carrying over into the most recent meeting. Board President Tom Bacchetti had little tolerance for belittling of people, trying to keep the discussion on the issues and not people.

In the end, the board said there is time for others to apply, but they won’t seek anyone out and no special favors will be granted to past operators. And the proposals must be in writing, not delivered verbally by someone else.

In other action:

• The board voted to accept applications to fill the vacancy left by the abrupt resignation of Jennifer Thornton, who had been on the board for about a year. A vote on the appointment is likely at the May 28 meeting. (Thornton did not respond to earlier emails from *Lake Tahoe News* for comment.)

• Fire Chief Gary Gerren’s contract was extended through May 31, with the anticipation a longer contract will be entered into at the May 28 meeting.

• Wanda Kownacki was elected vice president of the board.

• Non-motorized watercraft will not have to pay a launch or boat cleaning fee. The thinking is this will get people to clean their kayaks or canoes to prevent bringing in aquatic invasive species instead of skirting the fee and launching elsewhere on the lake without the cleaning.

• Mooring and launch rates for motorized boats will remain the same.

East West Partners regroups, ready to build at Northstar

By Kathryn Reed

East West Partners is surviving life after bankruptcy.

The Avon, Colo.-based company is ready to break ground on 16 townhomes along the ski run at Northstar-at-Tahoe that leads to the village.

The Truckee segment of the company filed for bankruptcy in February 2010, emerging from the proceedings last summer.

Harry Frampton of East West Partners entered the

Colorado Ski and Snowboard Hall of Fame in Vail in 2010. Photo/Kathyrn Reed

“It had no impact on what our company does elsewhere,” Harry Frampton, managing partner with East West told *Lake Tahoe News* of the bankruptcy filing in California.

East West developed the Village at Northstar and the Ritz-Carlton at mid-mountain. The hotel did not face bankruptcy based on the ownership structure.

However, Frampton admits the December 2009 opening of the high-end hotel, “Was probably the worst time to open a hotel in the last 50 years.”

The combination of the collapse of the real estate market as East West was bringing properties online and its financial partner (which at the time was a unit of Morgan Stanley) withdrawing support led to the bankruptcy.

“We have a new investor who is investing $40 million to allow us to continue developing for the next 10-plus years,” Frampton said. “East West Partners has the development rights to a little over 1,000 units, all ski-in, ski-out.” And all are at Northstar.

The units being built this construction season are slated to sell for between $1.4 million and $1.8 million. They are about 2,000 square feet and are mostly three bedrooms.

The project is called Home Run, after the run at the resort.

Much of East West’s development has been in Colorado ski towns. Frampton said it costs between 20 and 25 percent more to build in California compared to Colorado – for the same unit – even when its Vail and Beaver Creek – and even when the Tahoe Regional Planning Agency isn't involved. TRPA's reach does not extend to Truckee.

Frampton said part of the expense has to deal with more substantive snowloads in the Sierra, while other costs like building fees are more, and the process takes longer, which adds to overall costs.

Lahontan decides how to spend Northstar's fine

By Kathryn Reed

What was the largest penalty issued by the Lahontan Regional Water Quality Control Board – $2.75 million – was cut by about $1 million when East West Partners emerged from bankruptcy.

This week the water board decided in part how to spend the remaining funds now that the company is solvent and the bankruptcy of 2010 is in the past.

Jack Clarke of the Lahontan board makes a point April

14.
Photo/Kathryn
Reed

East West is the parent company of Northstar Mountain Properties', the entity that faced the stormwater violation fines. The fines were for 11 projects that encompassed 325 acres, including work at the Village at Northstar, employee housing and trailside townhomes. Work at the Ritz-Carlton was also part of the fine, though some documents call it Highlands Resort Hotel.

The settlement agreement was entered into in February 2009. A year later East West filed for bankruptcy and all payments ceased. The settlement was brought into the court proceedings, emerging with $901,769.77 owed to Lahontan.

With some of the money having been paid prior to bankruptcy, the board on April 14 was presented with three ways to spend the $1,040,259.57.

After much discussion and comments from a few people, the board decided essentially to fund the projects that were approved in the supplemental environmental project. The SEP calls for fuel reduction projects for forest and riparian health, a watershed handbook, and a forestry handbook.

It was a yes or no vote at the time to approve the SEP, with no revisions possible, according to board Chairman Jack Clarke.

Even though Waddle Ranch watershed improvements are included in the option that was approved, staff recommends waiting to see what type of water quality projects would be beneficial to that area on the east side of Highway 267 before throwing money at it. Waddle Ranch is the 1,462-acre former cattle ranch that is now open to the public.

One option that was rejected was to turn the money over to the state water board to have it go into the cleanup and abatement account. Although it's possible the regional board could have benefitted from this, there was not guarantee.

Comments from board members indicated they preferred keeping the money local and going toward the site where the fines originated.

"This is very tough for me. I did not like the SEP process when we first adopted it," board member Amy Horne said. "I would like the money to be spent to provide high quality water to people in California, which may be a conflict to keep the money local. But I'm sympathetic to keep it local."

The third option was to start all over. This would have required the most amount of staff time as well as the potential for work to be done years from now instead of this summer.

However, starting from scratch is exactly what Lisa Wallace, executive director of the Truckee River Watershed Council, lobbied for.

"Why is the fine going to benefit Northstar Mountain Properties?" she asked the board. "Allow the remaining SEP money to go to more meaningful projects."

In the end her plea was dismissed.

Propane issue leads Placer County to issue public safety

declaration

Placer County Executive Officer Thomas Miller on Thursday signed an order declaring the presence of propane leaks beneath significant snowpack at numerous sites a threat to public safety. This order encompasses not only the Serene Lakes subdivision area near Donner Summit, but other eastern Placer County communities.

The order authorizes the director of Environmental Health to notify landowners to abate leaking propane systems expeditiously. The notices, which started going out April 14 to individual property owners, seek the owner's cooperation with the abatement.

Abatement options and deadlines to respond will be identified in the notice and will be based on the county's assessment of the level of safety risk posed by that particular owner's propane tank system leak. Should the property owner not respond to the notice, or choose not to proceed to abate in accordance with the notice, the CEO's order authorizes the county to gain entry onto the property to abate the leak first through owner permission, and if that fails, through the court.

If the county must abate the leak, the county will seek reimbursement from the property owner of all costs of abatement at a later date and possibly lien the property.

The Board of Supervisors on April 11 ratified a proclamation of local emergency.

A voluntary evacuation order is in place for the Serene Lakes community and will remain in place until further notice. Placer County Sheriff's Office will maintain a presence in the Serene Lakes for the duration of the evacuation.

An extraordinary snowfall this season has left propane tanks buried under dozens of feet of snow. The tremendous weight of the snow has caused the plumbing – valves, regulators and piping – that connects the supply tanks to the houses to break and leak. Leaking propane is believed responsible for an explosion on April 8 that demolished an unoccupied three-story cabin in Serene Lakes. That blast sent debris flying hundreds of feet.

Additionally, there have been more than two dozen homes in the development that have been affected by leaking propane.

A reprieve for water users in Western states

By Felicity Barringer, New York Times

Not quite five months ago, on Nov. 27, the level of Lake Mead, the massive federal reservoir that serves faucets and fields in Nevada, Arizona and California, hit an all-time low level of 1,081.85 feet above sea level. Seven feet lower, and the first water shortage ever would have been declared in the river's lower basin.

An unusually wet winter, however, has given the basin a reprieve, and policy makers think they will have enough water to keep promises to every user from Mexico to Las Vegas to San Diego, while still filling Lake Mead to a level 30 feet or more above the shortage line of 1,075 feet this year. Rains began strongly in late December and continued with enough oomph through the winter to leave the snow pack in the mountains above the river 120 percent higher than normal.

So the Interior Department announced this week that it would follow its original plan and deliver 40 percent more water than usual from Lake Powell, the Utah reservoir that is 357 miles upstream and about 2,500 feet uphill from Lake Mead. With users in Los Angeles, Las Vegas and the agricultural valleys of California and Arizona expected to take a little less than normal for 2011, most of the excess of more than three million acre-feet will stay in Lake Mead, the lower of the two massive Colorado River reservoirs that have enabled the rapid growth of Phoenix, Las Vegas and southern California.

Problem solved? Not exactly. At least, not for the long term.

Read the whole story

LTCC vice president submits resignation

By Kathryn Reed

Sue Niehoff, vice president of Business Services at Lake Tahoe Community College, submitted her resignation Thursday.

Niehoff has been the subject of several board meetings this calendar year.

She was not immediately available for comment Friday.

Sue Niehoff

Board President Fritz Wenck told *Lake Tahoe News* that at the April 26 meeting his group is expected to accept her resignation. He said her resignation is effective June 30.

“We are in the process of hiring a new superintendent/president. We may put in some sort of interim structure and let him come on board to make the final decision (about that position),” Wenck said.

The South Lake Tahoe college is expected to make a decision on the next president in May.

Interim President Steve Maradian did not want to speak to Niehoff’s resignation even though he is her supervisor.

“I’m not sure why this is such big news … why someone can’t come and go,” Maradian said.

His contention is the bigger news is the college is not laying off large numbers of people, unlike what is happening elsewhere in state.

Maradian did say the item in closed session on the April 12 agenda that involved a personnel issue was not related to Niehoff. No action was taken on that item.

Open houses focus on Kirkwood's utility plans

By Cathy Locke, Sacramento Bee

Two open houses regarding a power line project to serve the Kirkwood community will be sponsored by the U.S. Forest Service.

The sessions are scheduled April 30 and May 3 to discuss the environmental impact reports for the project, which is intended to provide electrical power to the Kirkwood Meadows Public Utility District.

The project proposes to construct, maintain and operate a 28-mile power line that would connect the Kirkwood service area to the regional electric grid at Salt Springs Reservoir. The line would be owned and operated by the utility district to provide the Kirkwood community with a more reliable, cost-stable and cleaner source of electricity, according to a Forest Service news release.

The line would be constructed in El Dorado, Alpine and Amador counties.

About 3.1 miles would be built along an existing overhead line between Salt Springs Reservoir and Bear River Reservoir. The remaining 25 miles would be buried.

Read the whole story

DIY store in South Tahoe granted permit to sell lumber

By Kathryn Reed

Lumber will be able to be bought on a Sunday sometime this summer on the South Shore.

This is because on Thursday afternoon the South Lake Tahoe Planning Commission agreed to DIY's special use permit that would allow the store to sell lumber.

DIY will sell lumber this summer and add 12 parking spaces. The driveway apron will be changed to concrete down the road. Photo/LTN

The controversial store – at least when it was going through the permit process more than a year ago – expects to start construction on the building that will house the lumber as soon as dirt can be moved May 1. The permits are in hand.

Jordan Haun, manager of the Tahoe Do It Yourself, said execution of the permits didn’t happen because there was no need to have a lumber building when the use permit didn’t allow the sale of that product.

When DIY President Jess Ruf signed a 10-year lease on the old South Shore Motors building in December 2008 he believed he would be opening the following summer.

Then the controversy started in 2009 when the Southern California-based chain started to go through the permitting process. Appeals by representatives of Scotty’s, Nel’s and Meeks led to the City Council approving DIY to operate a general merchandise store, which meant it could not sell lumber. In doing so, the city essentially gave Meeks a monopoly on the sale of lumber on the South Shore. However, Meeks’ South Tahoe and Meyers locations close at 4:30pm on weekdays and is not open Sundays – whereas, DIY has longer hours and open both weekend days.

Lew Feldman, attorney for DIY, told planning commissioners April 14, that granting the special use permit will address the leakage of retail sales off the hill by having a one-stop shop that is open on Sundays.

At the time of the multiple public hearings nearly two years ago, Judy Brown spoke out at a meeting saying how DIY should not be allowed to move in – that proximity of similar businesses should be taken into consideration.

Now she is on the Planning Commission. While she acknowledged what she had said in the past, she voted for the special use permit.

“At this point I feel like my hands are tied. It is existing and it’s an allowable use,” Brown said.

Robert Cosmi told *Lake Tahoe News* after meeting he does not know if he will appeal the decision. Scotty’s Hardware, which he owns, is walking distance from DIY. He has contended all along that DIY would cut into sales of existing hardware stores.

Ace Hardware, which was on the same street of Scotty's and DIY, went out of business this year, though they said not because of DIY.

South Tahoe codes allow applicants to reapply for special use permits one year after being denied — which is just what DIY did.

In other action at the Planning Commission meeting:

• The group approved the General Plan Update, which now goes before the City Council on May 3 for approval. It will be one of the topics of the council's workshop after its regular meeting on April 19.

FAA's reneging of 2-person mandate in towers not widely known

By Jason Hidalgo, Reno Gazette-Journal

A sleeping air traffic controller at the Reno-Tahoe International Airport on Wednesday revealed the Federal Aviation Administration reneged on its promise to have two controllers working overnight.

The incident made Reno the focal point of the continuing debate about the safety of the nation's air traffic control system, just weeks after the FAA required two-person midnight crews at the Reno airport's air traffic control tower and several others around the country. The agency is requiring two-person crews again after the Reno incident.

In a statement, Transportation Secretary Ray LaHood called what happened outrageous and “absolutely unacceptable.” U.S. Senate Majority Leader Harry Reid, D-Nev., agreed.

“My office has contacted the Federal Aviation Administration to make it clear that this situation is completely unacceptable and to request that there be a minimum of two air traffic control personnel in the tower at all times,” Reid said in a statement.

Late-night air control staffing at the airport initially was bumped to two people in late March after a couple of jetliners landed on their own at Ronald Reagan Washington National Airport when a lone controller fell asleep on the job. Previously, the air traffic control center had been staffed with just one person overnight.

But after several days, the FAA went back to one controller several days later after implementing new landing protocols, FAA spokesman Ian Gregor said. — a change that wasn’t widely known. It was not immediately clear why the change back to one person was made.

Read the whole story