Community college transfer degrees speed graduation at CSU

By Alexei Koseff, Sacramento Bee

Early alumni of California's community college transfer program are showing promising results for the 7-year-old law's efforts to ease the path to a bachelor's degree.

Of a group of nearly 1,100 students who transferred to California State University in fall 2013 with the associate degree for transfer, 48 percent graduated within two years, data provided by CSU shows, compared to 31 percent of all undergraduate transfers. Within three years, 80 percent had completed their studies, 16 percentage points higher than transfer students overall.

The associate degree for transfer was created by legislators to clear up the confusion of varied requirements that had resulted in poor transfer rates from California community colleges to four-year schools.

Read the whole story

UNR, ACLU defend right of student who attended white

nationalist rally

By Sam Gross and Siobhan McAndrew, Reno Gazette-Journal

Peter Cytanovic will start his senior year at UNR on Aug. 28.

UNR and the American Civil Liberties Union of Nevada referenced the First Amendment in defending Cytanovic, who will not be expelled and will keep a job on campus.

Cytanovic was identified as a participant in a white nationalist rally that turned deadly, in Charlottesville, VA over the weekend.

Read the whole story

Budget cuts threaten clean-up of most polluted areas

By Paige Blankenbuehler, High Country News

This month the Waste Management and Regulatory Oversight Subcommittee had a hearing to discuss the fate of Superfund, a program of the Environmental Protection Agency. The meeting comes one week after the Superfund task force, which was created by EPA Administrator Scott Pruitt in May, released its first report with recommendations for cleanups of sites.

But the fate of the program may be threatened by budget cuts proposed to the EPA and the Superfund program, which will shrink by 30 percent if President Donald Trump’s budget is passed. Although Trump’s proposed cut to the EPA was expected, the deep cut to Superfund was not. Pruitt has previously said

he does not support cutting the Superfund program and instead promised to prioritize it.

“Unfortunately, many of these sites have been listed as Superfund sites for decades, some for as many as 30 years,” Pruitt wrote in an announcement of a Superfund Task Force in May. “This is not acceptable. We can – and should – do better.”

The Leviathan Mine in Alpine County is a Superfund site and the old Meyers landfill that has been cleanup up was once on that list.

Read the whole story

No clear winner in decision regarding EDC roads

By Joann Eisenbrandt

A judge has found portions of El Dorado County’s Measure E to be valid, while striking down others as unconstitutional.

Measure E is the controversial voter-approved roads and land use ballot initiative from June 2016.

The initiative passed by a slim margin last summer following a contentious fight over whether it would really do what it said it would—prevent gridlock on county roadways and keep El Dorado County rural.

The rationale behind Measure E

Measure E’s goal was to reinstate the original intent of

Measure Y, the so-called Control Traffic Congestion Initiative passed in 1998 by voters. Measure Y was to be in effect for 10 years. In 2008, it was approved again by voters along with the county's 2004 General Plan, but with some modifications.

Measure E proponent Sue Taylor believed those changes weakened key provisions related to the traffic impacts of new residential development.

She told Lake Tahoe News, "Measure E was proposed because the Board of Supervisors has not been a good steward of our infrastructure. We felt we had to bring back the stronger language of the original Measure Y."

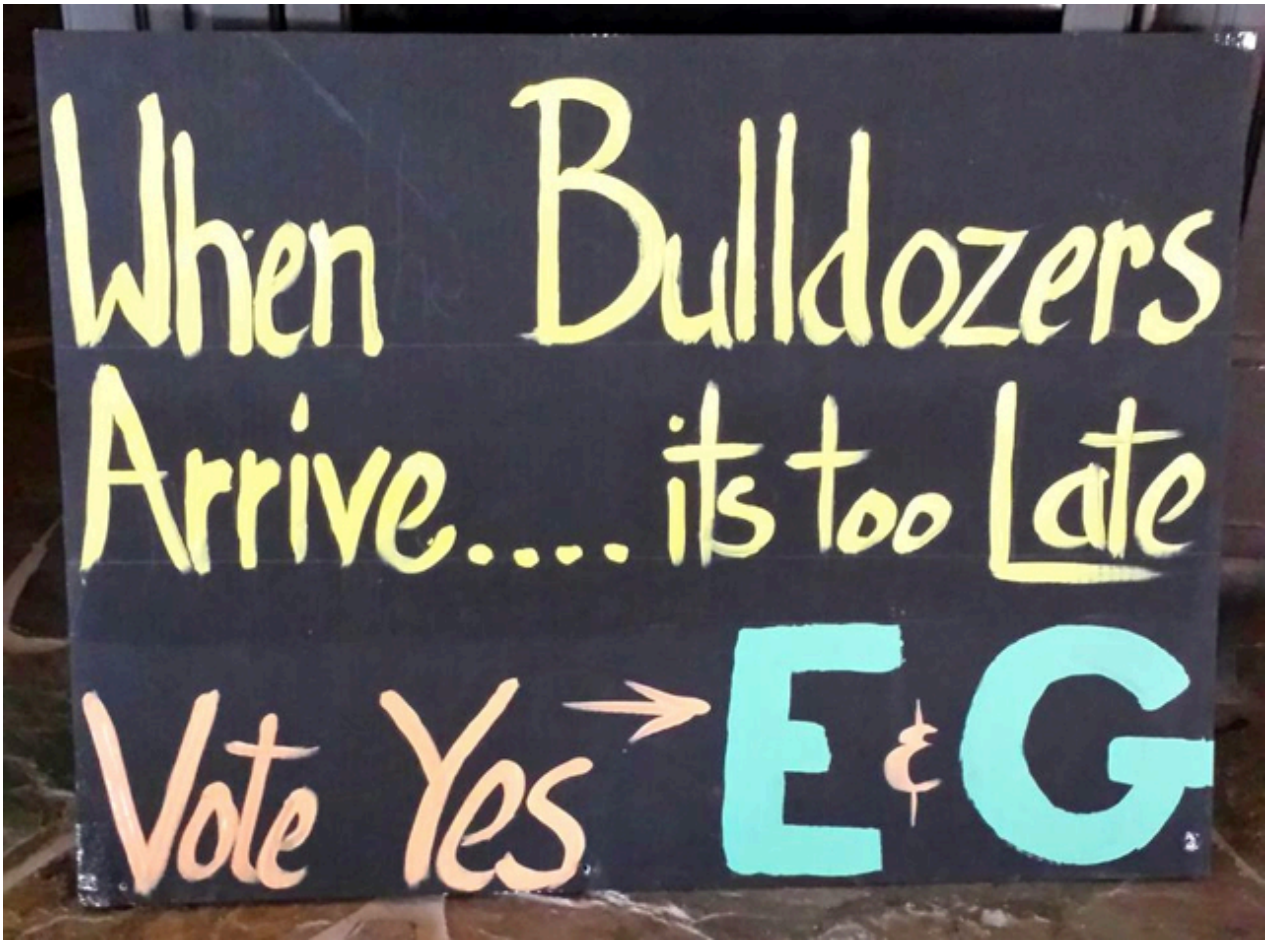
Once approved by voters, Measure E's provisions would become policies in the Traffic and Circulation Element of the county's General Plan.

Prior to Measure E, the General Plan required developers to pay for all needed road capacity improvements to fully mitigate the direct and cumulative impacts of their projects. The county could do this in two ways. It could either require them to construct road improvements based on the impacts of the project plus 10 years of forecasted growth or could put the project and the traffic impact mitigation fees they paid into the county's 10-year capital improvement plan to fund the construction of project-related road improvements later.

Measure E removed the second alternative, calling unconstructed highway projects in the CIP "paper roads." The initiative required that road improvements needed to prevent traffic impacts of a new development from creating level of service (LOS) F on affected roadways be completed before discretionary approval could be given to the project. A discretionary project is one that cannot be built by right, but requires county approvals before it can move forward.

The LOS scale ranks the flow of traffic on roadways from A to F. LOS F is the most congested—essentially highway gridlock.

“Since 1998,” Taylor told Lake Tahoe News, “El Dorado County voters have been saying that they don’t want the traffic created by large residential developments and they don’t want to pay for the measures needed to mitigate that traffic.”



This campaign sign was popular last summer leading up to the election. Photo/Provided

The court challenge

Measure E was to go into effect 10 days after it was declared official on July 19, 2016. On Aug. 28, 2016, the day before this could take place, the Alliance for Responsible Planning, a central player in the pre-election fight against Measure E, filed a lawsuit in El Dorado County Superior Court. Their brief alleged Measure E was unconstitutional because it required project developers to pay more than their “fair share” of the costs to mitigate roadway impacts associated with their specific projects. It also said the initiative was

internally inconsistent and not in conformity with the county's 2004 General Plan.

Last month, almost a year after the filing of the lawsuit, El Dorado County Superior Court Judge Curt Stracener handed down his 49-page final ruling. It struck down as unconstitutional Measure E's changes to Policies TC-Xa3 and TC-Xf in the General Plan that obligated developers to construct all road improvements prior to project approval. The judge said, "This would require property owners/developers to pay for not only the project's incremental impact to traffic congestion of the county road system, but also be responsible to pay for improvements that arise from the cumulative effect of other projects, and in some instances to pay for projected future increases in traffic. This clearly exceeds the developer's fair share in that it is not roughly proportional to the project's traffic impact it seeks to address. "

The Alliance's response

The Alliance posted a response to the judge's decision on its website. "The 'no growth' proponents of Measure E promised voters that the initiative would make an affected development project pay for the full cost of improvements to regional roads and Highway 50 … Proponents could not deliver on these promises, however, because the power of the initiative does not authorize voters to enact laws that are unconstitutional or violate state law."

James Brunello, attorney for the Alliance in the lawsuit, told Lake Tahoe News, "We believe the judge did a great job. His logic was good in crafting the judgment. We are not concerned with the parts of Measure E that he kept. There are no plans to appeal his decision at this time."

Brunello went on to say, "There is a difference between Measure E and Measure Y. We totally support Measure Y. When it was adopted, the engine that drove it was that new

developments pay 100 percent to mitigate all their (traffic) impacts. The mechanism was compliance with the Mitigation Fee Act and everybody paid their fair share. Measure E threw a monkey wrench into Measure Y and changed the will of the voters."

Measure E proponents disagree

The Alliance's lawsuit was against El Dorado County. Taylor and Save Our County joined the lawsuit as respondents/defendants and intervenors as Measure E's proponents. Their brief to the court pointed out their key contention. "… for a project that will worsen traffic on a road facility that is cumulatively projected to exceed LOS standards, the necessary improvements must be constructed, as payment of TIM fees coupled with reliance on the CIP project will not suffice."

Taylor said of Stracener's ruling. "The intent of Measure E was not to have paper roads. He took the essence of the measure out." She likened road capacity to filling up a bucket. "Once you're reached the maximum capacity of a bucket, you have to say, 'No more.' Putting money in the capital improvement plan is not reality. Once you've filled up the bucket, just because you have a road on paper doesn't mean there is any way to put it into the bucket."

Other Measure E components affected

Measure Y originally prohibited the county from adding roads to its existing General Plan list of highways allowed to operate at LOS F without first getting voters' approval. The 2008 version of Measure Y allowed the board to add roads to that list without voter approval by a four-fifths vote of the supervisors. Measure E took away this power from the board. Stracener upheld that change.

Measure E also reinstated Measure Y's 1998 prohibition of the use of county tax revenues to fund road projects that serve

new development. The court ruling struck down this change as well as Measure E's requirement that mitigation fees and assessments collected for infrastructure must be applied to the geographic zone from which they originated.

Opponents of Measure E had said it would negatively affect the county's ability to meet state-mandated affordable housing requirements and conflicted with General Plan policies aimed at meeting them. California law requires that each jurisdiction's Housing Element includes enough available land to meet regional housing needs at all income levels. The court found that Measure E's policy that traffic from residential projects of five or more units shall not, "result in or worsen, Level of Service F" did not "impede or frustrate" these goals. His ruling allowed this policy to stand.

Defining the board's role

Once an initiative is passed by voters, it becomes the role of the jurisdiction's governing body to adopt and then implement it. The courts have said the board's responsibility is to determine what the voters' intent was when they approved the initiative and to carry out that intent. As County Counsel Michael Ciccozzi told the board at its Aug. 30, 2016, meeting, "You don't substitute your policy judgment for that of the voters."

Stracener spoke to this mandate in his ruling. He referenced a number of decisions by the courts in other lawsuits regarding how a voter-approved initiative should be construed. Wherever possible, courts must construe an initiative measure to ensure its validity and assume its proponents understood the constitutional limits on its power. However, initiatives are also subject to the same constitutional limitations and rules as other statutes are. Determining what the voters intended in approving the initiative is essential. The courts look first at the language of the initiative itself. If this is not ambiguous, then that is taken as the intended meaning. If the

language is ambiguous, then the courts consider ballot summaries and arguments to determine the voters' intent.

The board chooses a path

At its Aug. 30, 2016, meeting, the board decided to move forward with deciding how it should interpret and implement the initiative even as the challenge to Measure E in the courts continued to play out.

County planning staff presented a resolution for the board's approval based on a lengthy, detailed staff memo. The memo contained section-by-section recommendations on how staff felt Measure E could be successfully interpreted and implemented. Taylor and Save Our County believed this was a reasonable solution. As their brief to the court had said, "The diligent work of county staff revealed very plainly that Measure E could be implemented without 'irreconcilable conflicts' with the law or the General Plan."

After prolonged discussion, District 2 Supervisor Shiva Frentzen made a motion to approve the resolution. She told the board, "The voters have spoken. They have voted. If this goes to court are we going to put all the projects on hold? We need to move forward."

Frentzen's motion died for lack of a second. District 4 Supervisor Michael Ranalli then moved that the board receive and file staff's Measure E implementation plan, continue it off calendar and move Measure E forward exactly as written. Ranalli told the board he believed staff's proposal was more a rewrite of the initiative, not an implementation plan. It would be better, he said, to "let the courts sort it out." The motion passed with Frentzen dissenting.

Lake Tahoe News made repeated attempts to contact Frentzen, now chair of the board, to get her views on Stracener's recent decision. She did not respond.

Set up to fail?

Taylor believes the board did not live up to its responsibility to carry out the intent of the voters. “The board appears to be aligned with the petitioners of the lawsuit and they were hoping the entire initiative would be thrown out.” Not making any attempt to interpret or implement it would, she contends, “make it more vulnerable in court.”

Asked by Lake Tahoe News if he felt the county had intentionally left Measure E undefended, Alliance attorney Brunello responded, “We never had a feeling that the county was inviting us to file a lawsuit. The Alliance opposed the initiative itself for a number of reasons, but most important were the constitutional issues.”

The county’s viewpoint

Speaking for the county, paid spokeswoman Carla Hass said in a written statement, “The board made the reasoned decision that it would be best equipped to interpret and apply Measure E when considering its application to a particular project as opposed to speculating how it might apply to hypothetical projects. This litigation was initiated before any project came forward. Supervisor Ranalli also recognized that no matter what the county did, the courts would remain the final arbiter of Measure E because, under our system of government, the judicial branch retains the final check on the constitutionality of any law. Adopting staff recommendations at that time would not have prevented the courts from independently assessing the constitutionality of the measure. “

Asked how well the county has respected the will of the voters, Hass continued, “The county is not in a position to speak to the voters’ expectations regarding Measure E. The county’s role is to interpret and apply its General Plan when considering its application to a specific project.”

The county is in the same position as the Alliance—the court ruling gave neither of them all they had asked for. Lake Tahoe News asked if the county agreed with what parts of Measure E were upheld and which were stricken. Hass replied, "The county recognizes that the initiative power is an important right of the electorate, but any law—even if passed by a majority of the voters—must comply with the requirements of the Constitution and state law. By striking certain provisions down, the county, citizens, and developers have greater clarity about what is required to mitigate impacts." Asked if the county is considering appealing the decision, Hass stated, "The county has not made a decision at this time."

Clarity or more confusion?

Taylor does not think the court's ruling brought clarity. The initiative "now contains parts of the 1998 Measure Y, parts of the 2008 Measure Y and parts of Measure E. I think there is now more confusion than prior to the judge's decision. The judge just undermined the premise of the voter-approved 2004 (General) Plan and the original intent of Measure Y. I think that was a huge slap in the face to the voters of El Dorado County."

The road forward

The question remains whether or not Measure E as modified by the court will still achieve its stated goals. Developers of large-scale residential projects that could cause traffic on county roads to worsen and reach LOS F remain required to pay for all infrastructure/roadway improvements their projects create the need for. They just won't have to pay for and construct them before a project can be approved. The Alliance and the county both believe that the use of TIM fees and the county's capital improvement plan are sufficient mechanisms to ensure all impacts will be mitigated. As the Alliance's website statement put it, the judge's ruling will "restore underlying General Plan policies from voter-approved Measure Y

requiring new development to pay traffic mitigation fees to fully mitigate traffic impacts."

Measure E's proponents are more cautious. "Measure E was a mandate to the board to consider how projects that create a certain level of traffic impact would mitigate their needed roads," Taylor explains. "If it was not possible to mitigate, or if the infrastructure was not there to support those projects, then with Measure E the board would be forced to deny those types of projects."

This mandate is now gone. "The board still has the tools to implement what the voters want even with what's left (of Measure E). It has now been put at the feet of the board of supervisors. It's in their hands to do what the people wanted." Taylor disagrees that Measure E's proponents are "no growth" as the Alliance has called them. Their goal, she told Lake Tahoe News, is to follow the intention of the 2004 General Plan as outlined on its cover page: "A plan for managed growth and open roads; a plan for quality neighborhoods and traffic relief."

Stracener's ruling can be appealed by any of the parties to the lawsuit within 60 days. Measure E's proponents are still weighing their options and have not yet made any decisions regarding filing an appeal.

SLT not done tightening screws on VHRs

Vacation home rentals are expected to back on the South Lake Tahoe City Council agenda in September, which could bring even more changes to the controversial practice.

Meetings have been taking place among both sides of the issue with select elected officials.

Saturation and density are being looked at, which is new. Defining the size of a dwelling that could be a vacation rental is also on the table, with the possibility of not allowing structures less than 1,100 feet to be used in this manner.

Noise, trash and parking remain the three big concerns.

It's expected that the council at the Sept. 5 meeting will have VHRs as a discussion item, with the first reading of a new or amended ordinance coming Sept. 19, and the second reading in October.

– Lake Tahoe News staff report

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Scientists: Choose planned fires or more unchecked wildfires

By Karl Puckett, Tree Source

The harder we struggle against wildfires, the deeper we sink,

like we’re in quicksand, says Mark Finney, research forester for the U.S Forest Service’s Rocky Mountain Research Station.

“It’s called the fire paradox,” says Finney, a fire behavior expert based at the Missoula Fire Sciences Lab in Montana. “The more you fight against fires, the worse they get when they happen.”

In a nutshell, Finney and other forest experts say, periodic fires reduce fine fuels such as pine needles. They stop young conifer trees from growing into big conifers. Meadows form and break up continuous stands of mature forest.

That’s how fire worked its magic for thousands of years.

Read the whole story

Judge halts effort to license new Nev. recreational pot distributors

By Sean Whaley Las Vegas Review-Journal

A district judge on Friday temporarily halted any effort by the Department of Taxation to license additional distributors of recreational marijuana other than liquor wholesalers.

The order sought by the Independent Alcohol Distributors of Nevada was granted by District Judge James Todd Russell after he said the tax agency at a Thursday meeting appeared to have a predetermined outcome in place in support of allowing more than just liquor wholesalers to distribute pot from grow facilities to retail establishments.

With six liquor wholesalers already licensed, Russell said it’s unlikely that there will be any disruption in the delivery of marijuana to the state’s 50 retail stores while he considers the issue.

Read the whole story

Man critically injured in stabbing at Harrah’s





Investigators would like to question these two men. Photos/Provided

A man was stabbed early Sunday morning near the valet at Harrah’s Lake Tahoe.

Douglas County sheriff's investigators are looking for the person or people who committed the crime.

The suspect is wanted on robbery, battery with a deadly weapon, and assault with a deadly weapon charges. He fled the scene.

The victim was taken to Renown Medical Center in Reno with a serious stab wound. He required surgery, but officials did not know his current condition.

The altercation took place about 3:10am Aug. 13 on the sidewalk of valet. It is not known how the people involved know each other or what led to the confrontation.

Anyone with information is asked to call Douglas County Secret Witness at 775.782.7463.

– Lake Tahoe News staff report

UNR working to stop mosquitoes' spread of disease



A gambiae, also known as a mosquito, feeds on a human. Photo/Andrew Nuss

By Mike Wolterbeek

UNR entomologist Andrew Nuss and biologist Dennis Mathew are looking for a way to stop the spread of mosquito-borne disease. The goal of their research is to identify key mosquito odorant receptors that govern mosquito host-preference for humans and to genetically modify those genes in order to create mosquito strains that avoid biting humans.

“Mosquitoes are a big problem in transmitting disease,” Nuss said. “Malaria is foremost among these, resulting in more than 400,000 deaths worldwide every year and millions infected. Not all of these infections are fatal, but this illness contributes to other diseases, the ability to work and quality of life.”

Nuss is an assistant professor in the university’s Department of Agriculture, Nutrition and Veterinary Science, whose research proposal was recently awarded a $500,000 grant by the Defense Advanced Research Projects Agency, an agency within

the U.S. Department of Defense.

By taking a closer look at the issue, Nuss noted key problems in the way mosquitoes are controlled now, and he came up with his new approach.

“Killing mosquitoes is one way of preventing the spread of disease, and others are trying to develop malaria vaccines, which has been difficult,” Nuss said. “By and large, we have been using vector control as a way to prevent the spread of disease, and primarily that has been through the use of insecticides. While that works pretty well for a while, eventually the mosquitoes can become resistant, then you’re left with a chemical you can’t use, and sometimes they become resistant to entire chemical classes.”

Nuss decided to approach the mosquito problem by studying their sense of smell. The mosquitoes that are most important when it comes to transmitting diseases are the ones that have become highly attuned to feeding on humans, facilitating rapid human-mosquito-human disease transfer.

“They have become co-adapted to us because we live in these nice, concentrated cities where they can find lots of people to feed on,” Nuss said. “They preferentially feed on humans, and their odorant receptors may be attuned to human odors, specifically. So, we want to tweak that system by either knocking out the receptors that are responsible for human feeding, or replacing them with receptors from other mosquito species that feed on other animals in the environment.”

If these human-seeking mosquito species can be modified to avoid feeding on humans and instead on other animals, this could break the human-mosquito-human transmission cycle. Unlike insecticide-based vector control strategies, this would also ensure that mosquitoes could still feed on other animals in the environment to complete their life cycle without pressure to develop resistance.

Nuss continues his research with the help of collaborator Dennis Mathew, an assistant professor with the Department of Biology whose lab focuses on the neuroscience of smell, specifically in fruit flies. Together, Nuss and Mathew have combined their labs to work on understanding the olfactory makeup of mosquitoes.

“In my lab, we have a system where we can measure what the smell receptors of fruit flies – or other insects – can sense,” Mathew said. “So, Andrew and I talked about taking advantage of this system and in this project we are going to identify those mosquito smell receptors that we suspect smell human odors and put them in the fruit flies. We will then use the fruit fly system in my lab to figure out which receptors are most sensitive to human smells.”

Mathew’s research looks at understanding how fruit fly neurons that express smell receptors sense environmental odorants and translate these olfactory inputs into the insect’s behavioral output.

The fruit fly larva, which is the Mathew lab’s favorite model system, has a very simple smell system compared to mammals or even other insects. It has only 21 smell receptors and 21 pairs of neurons expressing them. In contrast, a human nose has approximately 400 smell receptors and approximately 10 million neurons. The numerical simplicity of the fruit fly system enables elegance and simplicity in the scientific approach.

While most scientists who work in this field are developing repellents, Nuss and Mathew are taking a bioinformatics approach to truly understand and change the common receptors found in mosquitoes.

Nuss and Mathew are working on the project together, along with Nuss’s Research Associate Rana Pooraiiouby. With the recent grant from the Department of Defense, they are able to

continue their research in what is considered a relatively new field. The $500,000 grant covers the first two years of their research, with a possible extension period of one year for an additional $470,000.

“Insect mitigated disease is a tremendous problem and we have been hammering away at it with a number of different approaches, with most of them involving chemical insecticides for years and years, but the problem remains,” Nuss said. “So, we need new strategies, and our research is an approach where the mosquitoes still get to survive in an environment just as long as they are not biting humans. Preventing the spread of disease is the ultimate goal.”

Mike Wolterbeek works for UNR.