

Sink hole a problem in Carson Valley

A 6-foot sink hole near Genoa is being blamed on a broken water line.

The hole is on Jacks Valley Road between Montaña and the first entrance to Genoa Lakes Golf Course. The road is closed from these two access points.

A precautionary boil water notice has been issued to the residents in the Montaña development. The residents of Genoa have been asked to conserve water.

It is unknown what caused the line to break on July 24.

Douglas County officials say it could take a few days to fix the problem.

– Lake Tahoe News staff report

Lawsuit threatens tribe's West Slope expansion

By Joann Eisenbrandt

PLACERVILLE – A lawsuit filed last week is designed to keep the Miwok Indians from developing land on the West Slope even though grading has already begun on Phase I.

On Friday the El Dorado Council filed a lawsuit against the county-approved encroachment permit for the Shingle Springs Village Project being developed by the Shingle Springs Band of

Miwok Indians. The writ asks that the initial study and mitigated negative declaration approved by the El Dorado County Board of Supervisors for this project located on Shingle Springs Drive at Highway 50 be set aside.

This is a two-phase project, with Phase I being construction of a gas station, convenience store and car wash. Phase II would include a restaurant, retail and office space, an entertainment venue and an 80-room hotel and conference center.

While the land on which the project will be located is property held in trust for the Shingle Springs Band of Miwok Indians by the Bureau of Indian Affairs – “sovereign land”—removed from county tax rolls and outside most county land use jurisdiction, the county does have control over encroachments from that property onto county lands and roadways. The tribe has already prepared and circulated the needed federal environmental assessment under National Environmental Policy Act for the project itself situated on their land.

At its June 28 meeting, the El Dorado County Board of Supervisors approved the mitigated negative declaration for their encroachment permit part of the project. This was part of a limited review conducted by the county under California Environmental Quality Act. A mitigated negative declaration is at the low end of the totem pole of review options under CEQA and says in effect that the project will have impacts, but all of them can be mitigated to less than significant.

El Dorado Council strongly disagrees. This nonprofit has been following the issue of the relationship between the tribe and county residents for some time. Carol Louis, co-founder and spokesperson for the group, told , “We spent the last year and a half investigating all the Shingle Springs land issues and we found that the county has not represented the taxpaying citizens of El Dorado County in these matters. EDCI has

diligently tried to work with the board on the Shingle Springs Village project and before that on the gun range and motocross issues, but the board has not cooperated with us at all. They are more afraid of losing money (through the county's funding MOU with the tribe) than in working with the community."

Recent significant increases in the amount of private lands purchased then put into trust by native American tribes and the consequent financial and environmental impacts on local jurisdictions has become an issue not just in El Dorado County, but throughout the country.

The writ filed by the Donald Mooney law firm in Davis on behalf of EDCI names El Dorado County, the Board of Supervisors, and the Shingle Springs Band of Miwok Indians and their development corporation as "real parties in interest." It asserts that the county, as the lead agency, violated CEQA when it adopted a mitigated negative declaration instead of requiring a full environmental impact report. It also states that the board's action violates the county's General Plan as recently amended by the adoption of Measure E by voters in the June 7 primary election.

"Respondents have abused their discretion," the writ contends, "and failed to act in the manner required under CEQA with respect to the project because they have failed to provide an adequate, stable project description, failed to adequately analyze the project's environmental impacts, failed to identify necessary and feasible mitigation measures, and impermissibly 'piecemealed' the environmental review for the project ... substantial evidence in the administrative record supports a 'fair argument' that the respondents' approval of the project may result in a significant impact to the environment."

Evidence supporting a public agency's "abuse of discretion" and a clear showing that there is a "fair argument" to support significant environmental impacts that were not fully analyzed

or mitigated are key components considered by the court in deciding whether or not to approve a CEQA-based Writ such as this one.

Although the Shingle Springs Village Project will be constructed in two phases, EDCI contends the county only analyzed the impacts of Phase I, the smaller part of the project, deferring consideration of the impacts of Phase II for a later time. This, they say, is a violation of CEQA. The county's staff report for the project states, "The improvements are limited to the water, sewer, and driveway access needed to serve the tribe's proposed Phase I commercial development. The analysis concludes that the improvements are consistent with the applicable policies of the General Plan, provisions of the county codes, and poses less than significant environmental impacts with mitigation measures."

Also missing, the writ contends, is an analysis of the cumulative impacts of past, present and future projects. While the Writ expresses concern for impacts related to noise, aesthetics, air quality and greenhouse gas emissions and hazards and hazardous materials, the traffic impacts of the entire project is the central issue.

The Traffic Impact Analysis prepared by KD Anderson & Associates gives projections of traffic impacts for roadways and intersections in the project area for both Phase I and Phase II. The Analysis addresses the Phase II buildout, but adds, "It is important to note, however, that a project specific traffic analysis will be required by El Dorado County when the balance of the project proceeds to identify the actual mitigation requirements for the build out condition."

These are the deferred mitigation measures that EDCI says are not allowed under CEQA. The Traffic Impact Analysis found that implementation of Phase I of the Project would generate 807 new daily trips, but that Phase II of the Project would generate 8,549 new daily trips. "This tenfold increase," the

Writ tells the court, "will result in devastating traffic impacts that will not likely be possible to fully mitigate. Thus, the traffic impacts for Phase II are entirely foreseeable, and the County chose to ignore them in its review of the Project because a full Environmental Impact Report would obviously have been required"

This is where Measure E comes into play. It requires that developers of projects that could create LOS F on adjacent roadways would have to build the needed infrastructure to support that increased traffic before they could receive discretionary approval. LOS (Level of Service) F is the highest congestion level on the traffic flow designation scale and is generally described as "gridlock." Measure E also removed the Board of Supervisors' ability to override this requirement for a specific development project by a four-fifths vote of the board.

The Traffic Impact Analysis indicates that LOS F will occur at a number of roadway locations and intersections at project build out. This impact is compounded by the proposed development of 1,041+ homes on 645 acres by San Stino's pending Mill Creek residential project in this immediate area.

EDCI believes the county's approval of the encroachment permit for the Tribe's project did not follow the Measure E guidelines and is therefore inconsistent with the county's General Plan.

Sue Taylor of Save Our County, who was the proponent of Measure E, told *Lake Tahoe News*, "The voters passed Measure E to give the board yet another tool to protect the communities throughout El Dorado County from congestion due to over-development. The project being pushed by the Tribe is another example of the Board ignoring the desire of the communities they serve. This project will forever change the rural nature of Shingle Springs. It is nice that other community groups are willing to hold our Board of Supervisors' feet to the fire when it comes to the promises they have made to protect the

County's rural character. "

The county's staff report for the project says it would, "allow the Shingle Springs Band of Miwok Indians to provide the population in the surrounding community with a fueling station/car wash/convenience store." Members of EDCI, other Shingle Springs-area residents and business owners have made it clear both verbally at Board meetings and in written comments that they do not want to be provided with any of these services in their presently-rural neighborhood.

In the county's Initial Study Environmental Checklist the surrounding land use types and settings are detailed. The site owned by the Tribe as well as properties in all four directions from the Project site are zoned Estate Residential 5-acre. The uses include rural residences, the California Montessori Project school, a church and Buckeye Elementary School.

When the project's land was originally put from fee into trust, the tribe stated in their application to the Bureau of Indian Affairs that it was to be used for tribal housing. However, the tribe is not precluded from changing the use of the land as stated on their original fee-to-trust application as long as all needed environmental documents are completed for the revised use(s) and all applicable laws complied with.

A written comment submitted for the June 28, Board of Supervisors meeting from Sally and Jim Traub sums up area residents' objections to this changed use. "We write this letter from the viewpoint of 44-year residents of El Dorado County who are also parents, grandparents, a business owner, and a longtime educator . . . This would have a negative impact on so many things we hold dear in this county—increase in traffic, encroachment on rural lands, and more importantly put dubious businesses in close proximity to two elementary schools . . . This is a rural, family area that should in no way be open to more commercial pursuits. Again this tribe is

proposing something that is so far from the best interest of the community as a whole.”

The writ contends the county ignored such community input during the project approval process. Once all “administrative remedies” had been exhausted, the Writ says, the only option remaining for EDCI was to sue.

Pointing to the county’s failure to meet CEQA requirements and the project’s violation of the county’s General Plan guidelines, EDCI is asking the court for, “a stay and preliminary and permanent injunction restraining County and its agents, employees, officers and representatives from undertaking any activity to implement the Project in any way pending full compliance with CEQA, the CEQA Guidelines, and the state Planning and Zoning Law.”

Nevada’s prisons chief on a mission of change

By Sandra Chereb, Las Vegas Review-Journal

CARSON CITY — James Dzurenda is on a mission to sell change behind bars.

As director of Nevada’s beleaguered Department of Corrections, Dzurenda has been traveling the state to meet with staff and legislators. He has scrutinized Nevada laws and the department’s antiquated records system.

From his perspective, Nevada is way behind the curve in inmate management. Fixing the problem will require overcoming decades of a lock-’em-up culture. And money.

Since arriving, Dzurenda made a U-turn on the agency's mission, shifting the emphasis to rehabilitating inmates instead of keeping them contained. Now he has to convince state lawmakers and the public that changes will benefit public safety and save money in the long run.

Read the whole story

SLT gas station's fuel tank woes continue



A tank at Tahoe Tom's in South Lake Tahoe failed a recent inspection. Photo/LTN

Crews are working at Tahoe Tom's gas station in South Lake Tahoe to determine if a tank that failed a recent test is leaking fuel.

The station has been a source of contaminated groundwater dating to at least 1991.

Still to be determined is if the tank can be repaired or needs replacing.

“Since the excavation is occurring and a lot of earth is being exposed that was previously under a tank or under pavement, there is an opportunity for additional soil testing and potential removal of contaminated soil from past spills below the underground tanks and the gas station,” Lauri Kemper, assistant executive officer of Lahontan Regional Water Control Board, told *Lake Tahoe News*. “Source removal can expedite the overall groundwater cleanup occurring at the site.”

The water board is the lead agency for the soil and groundwater cleanup, while the El Dorado County Environmental Health Department is handling the failed tank test. No one from the county responded to *Lake Tahoe News*.

It has not been determined if the failed test has further impacted the soil and/or groundwater.

It is not known when the station will be able to sell fuel again.

– *Lake Tahoe News staff report*

Rental income profit at all-time high

By Jordan Yadoo, Bloomberg

The value of owning a home in the U.S. has never been greater, at least according to one figure buried in a monthly Commerce Department report.

The share of Americans’ total personal income coming from rental profit rose to a record 4.4 percent in the first quarter of 2016, data released in June show. That’s at an all-

time high in figures dating back to 1947, and is up from just 0.7 percent 30 years ago.

Rental income includes landlords' profits, according to the Commerce Department's definition. What's perhaps less obvious: It also includes how much owner-occupants would make if they rented out their house or apartment, after accounting for expenses including mortgage interest and property taxes or insurance.

Read the whole story

Study: Another mosquito species in Nev. can spread Zika

By Pashtana Usufzy, Las Vegas Review-Journal

A preliminary study in Brazil found that a mosquito species detected in Nevada and other states can spread Zika virus, the Associated Press reported Thursday.

The study by the Fiocruz institute found that *Culex quinquefasciatus* mosquitoes gathered in Recife, Brazil, could transmit the virus to people, though it's unclear if the species has contributed to the spread of Zika, according to the Associated Press.

James Wilson, director of the Nevada State Infectious Disease Forecast Station at UNR who'd spoken months earlier about the possibility Zika could be found in other mosquitoes, said the

news doesn't change his assessment that a Zika epidemic in Nevada and across the United States is unlikely.

Read the whole story

UNR creates center devoted to water issues

The Nevada System of Higher Education board of regents has approved the Global Water Center: Solutions for Sustainability at UNR.

The goal is to foster creative, interdisciplinary research aimed at answering critical questions related to water resource management and sustainability.

"The issues surrounding water resources, water quality and ecosystems aren't just single-focus that can be solved by isolated scientific disciplines or individual scientists – they are multidimensional and need collaborative data-driven solutions," Professor Sudeep Chandra said in a statement. He had been leading the formation of the new center.

Undergraduate, graduate, and postdoctoral students will work on interdisciplinary research projects, which contributes to experiential learning and augments classroom instruction for specific disciplines.

Study: Managed aquifer recharge a drought buster

By Rob Jordan, Stanford

Strained by drought in recent years, California desperately needs more resilient water supplies. An affordable solution that provides a wide range of benefits is within reach, according to a Stanford study.

Published in *San Francisco Estuary & Watershed*, the study reveals the costs and benefits of using groundwater recharge and storage across the state. This process, known as “managed aquifer recharge,” or MAR, can incorporate co-benefits such as flood control, improved water quality and wetland habitat protection. The study found the median cost of MAR projects is \$410 per acre-foot (the amount of water required to cover an acre of level land at a depth of 1 foot) per year. By comparison, the median cost of surface water projects is five times more expensive – \$2,100 per acre-foot.

Managed aquifer recharge allows for local water storage, access and management to a much greater extent than large surface water reservoirs, which are often managed by state and federal entities. Although excess surface water can be limited in some regions of California, treated wastewater and urban stormwater offer sources for MAR that aren’t fully utilized by centralized surface water storage infrastructure.

Read the whole story

Function, looks part of Meyers road plans



Jerry Champa, Caltrans traffic safety liaison and engineer, discusses the possible Pioneer Trail roundabout with Meyers residents on July 21. Photo/ Jessie Marchesseau

By Jessie Marchesseau

MEYERS – A roundabout at the Pioneer Trail intersection, another one at the Highway 89 intersection, frontage roads flanking Highway 50 in between, and sidewalks and a bike path all the way down Apache Avenue. These are a few of the ideas planners had on display at Thursday's Meyers Corridor Project public meeting.

On July 21, planners from El Dorado County, Tahoe Regional

Planning Agency and Caltrans hosted the meeting at the California Conservation Corps building to present and gather input on preliminary concepts for improving the main transportation corridors through Meyers.

The goal of the project is to improve vehicle circulation on the roads, improve pedestrian and bicycle safety, manage traffic during peak times, create a Main Street concept and enhance operations such as snow removal.

For the sake of this project, Meyers is being loosely defined as the area between Pioneer Trail and the intersection of Highway 89. As such, planners have identified three main areas as the focus for major improvements: the intersection at Pioneer Trail, the intersection at Highway 89, and Apache Avenue.

Planning for this project began when TRPA awarded El Dorado County an On Our Way grant to improve pedestrian and bicycle alternatives, the streetscape and water quality along the Highway 50 corridor through Meyers.

For Thursday's meeting, John Kahling, deputy director of El Dorado County Community Development Agency and Transportation Division, and Brendan Ferry, principal planner with El Dorado County, spoke briefly about the project before opening up the room for attendees to mingle about viewing schematics and talking with planners one-on-one. The two-hour meeting concluded with an open question and answer session.

Four stations were set up where attendees could interact directly with planners and view computer-generated pictures depicting what areas would look like if the proposed plans were put into place. The stations were for the Pioneer intersection, the Highway 89 intersection, Apache Avenue from Highway 50 to San Bernardino Avenue and the overall Highway 50 corridor, which displayed three options.

Planners stressed that the project is still in the early

stages of planning and these are just preliminary ideas. However, they wanted to gauge how residents are feeling about their ideas so far and obtain feedback.

Kahling said the reactions he has received at this and other recent public presentations has been mixed, but overall seems pretty positive.

“People are generally receptive to the idea of improving Highway 50 through Meyers,” he said.

He has heard comments and concerns regarding drainage, private property and traffic spilling over onto the residential streets.

One Meyers resident expressed concern the project might be focused more on making the streets look pretty than helping traffic. She would rather see the residential streets fixed. However, a FAQ flyer available at the front door addressed the second part of her concern, explaining how the residential streets are maintained and funded by a different entity, and this project would not take any manpower or funds away from those projects.

John Garofalos, who lives on Apache Avenue, said he has no objections to improvements happening on his street. However, he believes the current plan may be a little short sighted and could be designed better. He would also rather see three timed stoplights installed instead of roundabouts; one each at Highway 89, Apache and Pioneer Trail. This was not one of the proposed options.

Presenters announced Meyers resident David Reichel is acting as the Meyers community representative for the project, offering local insight to planners. It was explained that this is not a political position, nor does he have authority to make decisions or design any plans. However, one attendee still expressed concern that Reichel had not been elected to the position.

In all, about 30 residents attended the meeting, and numerous questions and concerns were discussed. The overall impression seemed to be a positive one with residents embracing the idea of improving their small community.

“Like all of human nature, every person likes certain things,” Ferry said. “So, what we’re trying to do is find what is best overall for the community.”

As summer heats up, gas prices stay cool

By Eli Blumenthal, USA Today

Even with the peak travel season in full swing, gasoline prices are stuck in reverse.

Gas prices have plunged to their lowest July level in 12 years, according to AAA, even as Americans are racking up more miles.

In fact, gas prices have dropped in 39 out of the last 40 days, lopping 20 cents a gallon off in total during that span, according to AAA.

Read the whole story