

# Tree falls across Hwy. 50 in Zephyr Cove



There was no vehicular damage from the fallen tree in Zephyr Cove. Photo/Keith Cooney

A tree was blocking Highway 50 in Zephyr Cove at Warrior Way for a short while Wednesday afternoon.

No vehicles were damaged, according to a Tahoe Douglas fire spokeswoman.

It fell about 3pm Feb. 17. The basin is under a high wind advisory for much of Wednesday.

Crews from the fire station at that corner removed the 40-foot tree.

The conifer was blocking both westbound lanes and part of the east bound lanes. All lanes were expected to be open by 3:30pm.

– Lake Tahoe News staff report

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# Skier dies at Heavenly Mountain Resort

A 77-year-old skier sustained fatal injuries Tuesday after hitting a tree at Heavenly Mountain Resort.

Kathryn Strangman of Madison, Wis., was on the Nevada side about noon Feb. 16 when the accident occurred.

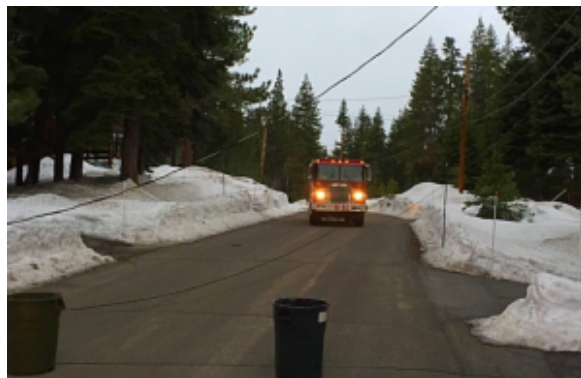
Douglas County sheriff's deputies said an autopsy will be conducted as well as an investigation into the death.

Resort officials would only say that she was on an intermediate trail.

*– Lake Tahoe News staff report*

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# Weather causing problems in Truckee



High winds are causing problems in Truckee on Feb. 17. Photo/Truckee Police Department

Wind has knocked down trees and power lines Truckee.

Zermatt Drive and Jeffrey Way are closed as crews clean up the mess Wednesday morning. There is no estimated time when they will reopen.

Residents are being reminded to not move power lines.

A high wind advisory is in effect for the Lake Tahoe Basin and Truckee areas on Feb. 17 through 10pm.

*– Lake Tahoe News staff report*

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# Code violations surprise SLT rental owners

**By Kathryn Reed**

The South Lake Tahoe City Council on Tuesday got an earful from a handful of people who are taking issue with having to make changes to their property because they are using it as a vacation rental.

Residents are being hit with unexpected bills to bring their properties up to code.

“We are in strong favor of making things safe, but when our house is suddenly expected to meet all current building codes in the name of safety and we have been misadvised on multiple occasions for what will be over \$7,000 in expenses if we have to remove this new construction and never have a hot tub again, we have a huge problem with it,” Sara Cummings said. She read the same letter Feb. 16 that she had sent to the council.

She has a house in the Bijou area that was built in the 1950s.

Building inspector Dave Walker admitted there are some lots with houses that don't conform to today's standards so it creates a conundrum. Some of these dwellings will be grandfathered in.

The discussion on Tuesday was just that – a discussion. The council agreed to have the subcommittee of Wendy David and Austin Sass work out some of the lingering issues. The topic will be brought back to the council prior to June when a more comprehensive report is expected.

Councilman Tom Davis recused himself from the discussion because of his affiliation with Tahoe Keys Resort.

The current vacation rental ordinance took effect last fall. It requires all new permittees to have their residence inspected, and for others to be inspected at the time of renewal.

Joshua Priou with Lake Tahoe Accommodations told the council the city has stepped over the line by insisting owners have a paved driveway, defensible space, drip pans on water heaters and handrails.

He was under the impression the code changes were only to deal with health and safety issues.

"Legally the building official under his license can't ignore something that is not up to code or that is not permitted," City Manager Nancy Kerry said.

The driveway issue is a Tahoe Regional Planning Agency rule. The bi-state regulatory agency believes parking on dirt somehow degrades lake clarity. To comply with the VHR ordinance owners must put down \$3,200 as a promise to pave next summer. It will be refundable once the work is done.

Whether taking out a VHR permit should trigger putting in a

paved driveway and other erosion control policies will be items for the subcommittee to wrestle with.

Defensible space is a state mandate, though the city has not enforced it with any regularity.

Priou said the issues people are facing range from a few hundred dollars worth of upgrades to thousands of bucks.

To date there have been 380 inspections, with 73 passing on the first try. Many of the violations are for having hot tubs installed without a permit and non-compliant electrical work.

In January 2015, there were 1,549 vacation rental permits in the city limits, that increased to 1,906 in October and as of last month the number was 1,874.

One thing to come out of the new rules is that complaints are not as robust. This could be because the city has made a concerted effort to be the one receiving the call and not just the property manager, which in turn would trigger penalties. Enough infractions could lead to the permit being nullified. The threat could have made a difference in how owners screen potential renters.

"My impression is the enforcement efforts during the last year have led to people feeling more satisfied that something is being done," Police Chief Brian Uhler told *Lake Tahoe News*. "It seems like the number of those who complain about VHRs in their neighborhood is down. With summer approaching, we expect to continue pressure to strictly enforce VHR related laws."

Since the new ordinance took effect Oct. 1, 23 people have been cited for renting without a permit, and 41 others were reprimanded for violating the code for things like noise, trash and parking.

In a related matter, the city had planned to do an economic study regarding vacation rentals. The deadline to bid on the

project just passed with no one submitting a proposal. How to go forward is another item the subcommittee will be addressing.

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# The rise of the Sagebrush sheriffs

By Jonathan Thompson, High Country News

On the morning of May 10, 2014, San Juan County Sheriff Rick Eldredge waited on horseback in the sagebrush of Recapture Canyon in southeastern Utah. In his faded jeans, boots and white cowboy hat, he looked as if he were out for a casual ride in the cool spring air. But what appeared to be a bulletproof vest underneath his shirt and the 30-odd deputies scattered amid the canyon's scrub oak and sandstone hinted at a different story.

Eldredge and his deputies were braced for a mass act of motorized civil disobedience. Frustrated by "unconscionable acts by the Bureau of Land Management," including the 2007 closure to motorized vehicles of the trail down Recapture Canyon, San Juan County Commissioner Phil Lyman and 40 to 50 followers were driving their ATVs toward the closed section of the canyon. They were there to defy federal regulations to protest what they consider the BLM's heavy-handed management of the public lands that comprise so much of their county.

In promoting the ride, Lyman, soft-spoken with a boyish face and salt-and-pepper hair, invoked one of America's favorite civil disobeyers, Henry David Thoreau. Thoreau, however, seemed an unlikely role model: Several of the protesters carried firearms, including a clean-cut guy with a "Regulator"

neck tattoo and a semi-automatic Glock on his hip. A young man wearing an “American Venom” T-shirt had an assault rifle in one hand, his finger never leaving the trigger, while he piloted his four-wheeler with the other. Others carried signs: “Transfer (sic) Federal Lands to Western States” and “Stop BLM Agenda 21 Road Closings.” Ryan Bundy, the son of scofflaw rancher Cliven Bundy, rode a four-wheeler down the canyon, as did a handful of self-professed militiamen who, just weeks earlier, had supported Bundy in his heavily armed standoff with BLM agents in Southern Nevada.

**Read the whole story**

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## **Significant snowfall expected in Tahoe this week**

A winter storm warning has been issued for the Lake Tahoe Basin from 7pm Wednesday through noon Thursday.

Rain will precede the white stuff.

The National Weather Service in Reno is calling for 2 to 3 inches of snow per hour between 10pm Feb. 17 and 8am Feb. 18. At lake level between 4 and 10 inches are expected to fall, while above 7,000 feet totals could reach 20 inches.

The Weather Service has also issued a wind advisory for most of the duration of the storm.

While the sun is expected to return Friday, that evening there is a chance of a snowstorm.

*– Lake Tahoe News staff report*

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# California might be in the dam-building business

By Tara Lohan, Huffington Post

Historically speaking, when the going gets tough, California builds more dams. “If you look at the history of California since the 1930s, every time there has been a drought people have been interested in expanding surface storage,” said Jay R. Lund, a professor of civil and environmental engineering at UC Davis.

When it comes to water, things have been pretty tough in California for the past four years. So bad, in fact, that in 2014 California voters passed Proposition 1, a bond to funnel \$7.5 billion to water projects, including \$2.7 billion that would go to the California Water Commission to dole out specifically for storage-related projects.

During the 20th century “storage” was virtually synonymous with dams. The construction of big dams is what shaped the West, California especially. Dams gave us water and power and propelled development. We later learned they also gave us spoiled rivers, silted reservoirs and devastated fisheries. For decades, it was a trade-off we were willing to make.

Dams are undoubtedly an important part of our history. But what’s their place in our future?

**Read the whole story**

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# Studying the heart of El Niño

By Henry Fountain, New York Times

HONOLULU — A thousand miles south of Hawaii, the air at 45,000 feet above the equatorial Pacific was a shimmering gumbo of thick storm clouds and icy cirrus haze, all cooked up by the overheated waters below.

In a Gulfstream jet more accustomed to hunting hurricanes in the Atlantic, researchers with the National Oceanic and Atmospheric Administration were cruising this desolate stretch of tropical ocean where the northern and southern trade winds meet. It's an area that becalmed sailors have long called the doldrums, but this year it is anything but quiet.

This is the heart of the strongest El Niño in a generation, one that is pumping moisture and energy into the atmosphere and, as a result, roiling weather worldwide.

The plane, with 11 people aboard including a journalist, made its way Friday on a long westward tack, steering clear of the worst of the disturbed air to the south. Every 10 minutes, on a countdown from Mike Holmes, one of two flight directors, technicians in the rear released an instrument package out through a narrow tube in the floor. Slowed by a small parachute, the devices, called dropsondes, fell toward the water, transmitting wind speed and direction, humidity and other atmospheric data back to the plane continuously on the way down.

**Read the whole story**

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# Man arrested in Colo. chairlift pushing case

By Denver Post

Pitkin County authorities have arrested a 31-year-old man on suspicion of pushing a snowboarder off a chairlift last month at Aspen Highlands.

Thomas Proesel is accused in the case of attempted second-degree assault, a felony, and reckless endangerment. Records show he appeared in court Thursday for an advisement.

Proesel's bond was set at \$10,000. He is due back before a judge on March 7 to be arraigned.

**Read the whole story**

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# Environmentalists to join fight over sage grouse rules

By Associated Press

RENO — Federal judges have agreed to allow environmental lawyers in to legal battles being waged by rural and commercial interests in Nevada and Idaho intent on blocking new U.S. protections for the greater sage grouse.



Butch Otter

Idaho Gov. C.L. “Butch” Otter didn’t oppose granting intervenor status to the three national conservation groups in the lawsuit he has filed in Washington, D.C., and the Obama administration hasn’t objected in either case.

But nine Nevada counties, three mining companies and a livestock ranch opposed to the move that sets up a three-pronged approach to the arguments in an already complicated case expected to drag well into the summer in Reno.

The Wilderness Society, National Wildlife Federation and mining watchdog group Earthworks won the status in both lawsuits filed last fall. A third lawsuit was filed last week by Utah’s governor and legislature repeating claims that the land use planning amendments impose unnecessary restrictions on activities in or near grouse habitat.

Those activities range from livestock grazing to road building and energy exploration.

The conservationists agree with the government’s argument that blocking the regulations could force reconsideration of Interior Secretary Sally Jewell’s decision in September to deny the bird protection under the Endangered Species Act.

But they also said they have many other interests contrary to those of the Forest Service and Bureau of Land Management, given the agencies’ legal mandate to manage federal lands for multiple uses.

U.S. District Judge Miranda Du said in her ruling in Reno late

last month that such intervention is permitted by anyone with a legal interest in the property “unless existing parties adequately represent that interest.”

“The court agrees with (the) conservation groups that because of their more narrowed focus (on) environmental protections in contrast to the agencies’ broader land management interests,” she said.

She concluded that the government “may not adequately represent their interests.”

Conservationists have won similar status before in a number of land management battles in Nevada, including disputes over roundups of wild mustangs and ownership of a national forest road in Elko County.

Elko and Eureka counties first filed the lawsuit Sept. 23, along with Western Exploration LLC and Quantum Minerals LLC accusing the Forest Service and Bureau of Land Management of illegally adopting the planning amendments in violation of the National Environmental Policy Act and Federal Land Planning Management Act.

Since then, seven other counties have joined the suit. So has Nevada Attorney General Adam Laxalt, over the objections of fellow Republican Gov. Brian Sandoval, who argues that continued negotiations with the Interior Department will prove more productive than a protracted legal battle that could last years.

Laura Granier, lead attorney for the Nevada plaintiffs, argued the environmental groups shouldn’t be allowed any formal status in the proceedings because they have “only made generalized environmental statements which do not rise to the level of ‘significantly protectable interests.’”

They “apparently just seek to argue environmental policy issues,” she said.

But Judge Du disagreed. She said the Ninth U.S. Circuit Court of Appeals “has recognized public interest groups are generally permitted to intervene where they have been directly involved in the enactment of the law or the administration proceedings out of which the litigation arose.”

Du noted at least two of the groups had been providing public comment and engaged in the planning amendment process before the Fish and Wildlife Service first concluded in 2010 that federal listing of the greater sage grouse was warranted, but precluded by higher priority listing actions.

U.S. District Judge Emmet Sullivan in the D.C. Circuit made a similar finding last month. He said they’d proven they could “suffer an injury-in-fact” if the Idaho officials are able to persuade the court to set aside the government’s plans.