

Tiered water rates hinge on court decision

By Carolyn Lochhead, San Francisco Chronicle

California cities could lose a big tool to encourage water conservation in an intently watched court case from San Juan Capistrano, a picturesque mission town in Orange County where a taxpayer group has challenged the city's authority to charge homeowners more money for using more water.

The Capistrano Taxpayers Association won in lower court, and a state appeals court is expected to rule any day. If the taxpayer group prevails, water districts say, it could make it harder for them to achieve the deep reductions in water usage Gov. Jerry Brown ordered last week.

With the Sierra snowpack at a record low of 5 percent of normal, water officials argue that pricing incentives for residential consumers are vital to encourage conservation. Since a severe drought in the 1980s, about two-thirds of urban water utilities have used tiered rates, which charge higher prices for higher volumes of water used.

But the taxpayers group won at trial court in 2013, arguing that Proposition 218, approved by California voters in 1996, bars any local government agency, including water utilities, from raising rates above cost. The city appealed and a decision is due this month.

Proposition 218 is a follow-up to Proposition 13, the landmark 1978 law that prevents local governments from raising property taxes without approval by two-thirds of voters. Looking to make up for that loss of revenue, local governments quickly began turning to various fees and assessments. Taxpayer groups responded with Proposition 218, which requires fees for essential services be based solely on the cost of providing

them.

Read the whole story

Calif. drought tests history of endless growth

By Adam Nagourney, Jack Healy and Nelson D. Schwartz, New York Times

LOS ANGELES – For more than a century, California has been the state where people flocked for a better life – 164,000 square miles of mountains, farmland and coastline, shimmering with ambition and dreams, money and beauty. It was the cutting-edge symbol of possibility: Hollywood, Silicon Valley, aerospace, agriculture and vineyards.

But now a punishing drought – and the unprecedented measures the state announced last week to compel people to reduce water consumption – is forcing a reconsideration of whether the aspiration of untrammelled growth that has for so long been this state's driving engine has run against the limits of nature.

The 25 percent cut in water consumption ordered by Gov. Jerry Brown raises fundamental questions about what life in California will be like in the years ahead, and even whether this state faces the prospect of people leaving for wetter climates – assuming, as Mr. Brown and other state leaders do, that this marks a permanent change in the climate, rather than a particularly severe cyclical drought.

This state has survived many a catastrophe before – and defied

the doomsayers who have regularly proclaimed the death of the California dream – as it emerged, often stronger, from the challenges of earthquakes, an energy crisis and, most recently, a budgetary collapse that forced years of devastating cuts in spending. These days, the economy is thriving, the population is growing, the state budget is in surplus, and development is exploding from Silicon Valley to San Diego; the evidence of it can be seen in the construction cranes dotting the skylines of Los Angeles and San Francisco.

But even California's biggest advocates are wondering if the severity of this drought, now in its fourth year, is going to force a change in the way the state does business.

Read the whole story

Incline churches tagged with graffiti

By KRNV-TV

Some church-goers in Incline Village are calling their Easter Sunday experience disturbing after seeing graffiti on their church walls.

Around 11 Sunday night, Bob Harmon with the Washoe County Sheriff's Office called to confirm that five churches throughout the Incline Village-area were vandalized on Easter Sunday.

Harmon says the churches that were targeted were all on different streets – but that the vandalism happened around the same time.

Read the whole story

Vacation-home sales set record as economy improves

By Prashant Gopal, Bloomberg

Even before the remnants of eastern Massachusetts' snowiest winter have melted, second-home buyers flocking to Cape Cod's beach towns have helped Steve Clay's team of agents break their sales record.

Clay, an agent with Keller Williams Realty, said he and his four agents have 17 properties under contract, more than at any one time since the team formed in 2009.

"Buyers know they missed the bottom of the market, and now they don't want to miss the bottom of interest rates," he said.

Second-home buyers from Cape Cod and New York's Hamptons to Miami and Lake Tahoe are returning to the housing market as surging stock prices, job growth and low interest rates boost purchasing power and consumer confidence. U.S. vacation-property sales jumped 57 percent last year to an estimated 1.13 million, a record in data going back to 2003, the National Association of Realtors said in a report Wednesday.

Read the whole story

Feds blasted for Lake Tahoe logging

By Nick Cahill, Courthouse News Service

SACRAMENTO – A federal judge refused to dismiss a professor's claim that the U.S. Forest Service is damaging the Lake Tahoe watershed by clearing timber and brush and depositing the slash in streams and wetlands.

U.S. District Judge Garland Burrell Jr. ruled Tuesday that the Forest Service's argument was based upon faulty evidence and that plaintiff Dennis Murphy did not waive his legal challenge to the Upper Echo Lakes Hazardous Fuels Reduction Project by failing to comment during a public comment period.

Burrell denied all three of the Forest Service's claims for dismissal.

Murphy, a former consultant for the Forest Service, claims the agency violated the National Environmental Protection Act when it invoked a categorical exclusion for an environmental assessment, and falsely claimed that the project "does not individually or cumulatively have a significant effect on the human environment."

The Forest Service also implemented the project contrary to the description in a memo sent to the public, Murphy said.

Read the whole story

Nev. bill would give state money to private schools

By Michelle Rindels, AP

Nevada lawmakers reviewed a bill Friday that would allow students to apply for the portion of state funds designated for their public education and use it to pay for tuition at private schools.

Republican Sen. Scott Hammond is sponsoring SB302, which would create education savings accounts. Parents could obtain a grant equal to 90 percent of their child's per-pupil state and local funding allotment, which varies by county, and use it for tuition, textbooks, tutoring or college savings.

The program is "for parents who feel like they're in a ZIP code where their kids have to go to a certain school and the school just isn't providing their student what they need," Hammond said. "This is something that will allow them to go where they need to go."

Hammond deflected suggestions that the program would essentially provide private school vouchers, and said parents would have the final say on where the education funding would go.

"Under this program, no dollars are pre-determined for any particular institution," he said during the hearing Friday.

The bill is similar to a measure endorsed by Gov. Brian Sandoval that would create Opportunity Scholarships, which would help lower-income students attend private schools. Businesses would receive a tax credit if they donated to a scholarship organization, and those funds would be awarded to students who fall below 300 percent of the poverty level.

That measure, AB165, has passed the Assembly and a Senate committee on split votes, and it is headed for a final vote on the Senate floor.

Sandoval mentioned the Opportunity Scholarships in his State of the State speech, but he hasn't stated a position on SB302. Hammond said the two ideas are compatible.

"The Opportunity Scholarship will really take care of needs of those who have the most need," Hammond said. "Mine is a little different and might take care of a different segment of the population."

State analysts say the program would cost about \$70 million over the next two years, based on the assumption that 25 percent of the state's private school students would use it.

The conservative think tank Nevada Policy Research Institute strongly supports the measure, saying it will force underperforming schools to improve in order to keep funding.

"Schools would have a powerful incentive to provide a high-quality education, because their failure to do so would lead to parents taking their tuition dollars elsewhere," institute President Andy Matthews said.

Representatives from the education advocacy group StudentsFirst Nevada said they oppose the measure in its current form. They want to see the policy targeted toward low-income students or those in bad schools, and they want to ensure there's accountability for the private schools where the money is sent.

"SB302, as written, is essentially universal vouchers for students, which StudentsFirst cannot support," said Andrew Diss, the organization's director.

Washoe County School District lobbyist Scott Baez testified against the bill and said that while the district supports

school choice, diverting money away from public school systems could present a problem.

“We feel that limited state resources should be kept with public schools,” he said.

Hammond acknowledged that the idea, which is law in Arizona and Florida, is likely to face opposition. School districts and teacher groups have spoken out in the past against measures that divert state dollars to private schools.

“I’m sure it will be challenged. Everywhere it goes it is challenged,” he said.

Associated Press writer Riley Snyder contributed to this report.

Sierra Club wants coal out of Liberty’s portfolio

By Kathryn Reed

The Sierra Club is on a mission to get Liberty Utilities to stop using coal.

The national environmental group is behind a campaign to prevent the electric company from renewing its contract with North Valmy when it expires at the end of the year.

Liberty supplies power to the California side of the Lake Tahoe Basin, Truckee, Alpine County and other areas.

“We are the last Californians using coal to heat our hot tubs,” Grace Anderson with the Tahoe Area Sierra Club chapter

said at last week's meeting.

According to the California Energy Commission, "Electricity supplies from existing coal and petroleum coke plants represented about 8 percent of the total energy requirements to serve loads in California during 2012. A little over 93 percent of this coal-based energy came from power plants located outside California."

Valmy is in Humboldt County in Nevada.

Liberty gets 5.2 percent of its power from coal.

The problem with coal, according to the Sierra Club, is how dirty it is.

"Coal is the absolute dirtiest of all energy sources and the greatest contributor to global warming: coal-fired power plants are responsible for over 83 percent of the CO₂ pollution since 1990, and have the highest ratio of CO₂ output per unit of electricity out of all the fossil fuels," according to Green America.

On Nov. 17, 2008, then Gov. Arnold Schwarzenegger signed Executive Order S-14-08 requiring that "...[a]ll retail sellers of electricity shall serve 33 percent of their load with renewable energy by 2020."

Based on the graphic below from Liberty's website, the company is nowhere close to meeting that mandate.

	Liberty Utilities		
Power Source	Known Resources	System Power	Total
Biomass	2.1%	0.1%	2.2%
Coal	0.0%	5.2%	5.2%
Hydro	1.0%	1.2%	2.2%
Imported Power	0.0%	13.9%	13.9%
Landfill Gas	0.0%	0.0%	0.0%
Municipal Trash	0.0%	0.7%	0.7%
Natural Gas	0.0%	38.8%	38.8%
Nuclear	0.0%	29.5%	29.5%
Oil (inc. Diesel & Jet)	0.0%	6.8%	6.8%
Other Renewable	0.0%	0.0%	0.0%
Solar	0.0%	0.0%	0.0%
Wind	0.6%	0.1%	0.7%
Total	3.7%	96.3%	100%

Liberty buys much of its power from NV Energy. NV in 2013 said it would begin eliminating coal immediately. However, the Valmy plant is expected to be online through 2025.

While the local Sierra Club chapter has not taken a stance on the issue, Anderson is working with the national Sierra Club to get the Canada-based power company to rethink how it does business.

There will be hearings about the Valmy plant before the state

Public Utilities Commission later this year. The Sierra Club is on a letter writing campaign to the CPUC to stop Liberty from using coals.

Pesticide linked to cancer has boomed in Calif.

By Rachael Bale, Reveal

Monsanto Co.'s Roundup has been having a bad couple of weeks. Last week, the World Health Organization declared that its active ingredient, glyphosate, and two other pesticides probably cause cancer in humans.

Another study out this week suggests glyphosate use also may contribute to antibiotic resistance, a mounting problem that's begun to be compared to climate change.

Glyphosate is one of the most widely used pesticides in the world. Using our California pesticide database, we wanted to see where it is used, on which crops and just how much gets applied.

In California, glyphosate use for commercial agriculture has increased by nearly two-thirds over the past decade. About 20 percent of it went to almonds alone. It is most heavily applied in the Central Valley counties of Fresno and Kern.

While it's popular in the United States, glyphosate is banned, or about to be banned, in several countries because of health risks that may range from infertility and birth defects to kidney disease. The WHO report now says it could cause non-Hodgkin lymphoma.

Malathion, WHO found, could cause non-Hodgkin lymphoma and prostate cancer. In California, malathion use has decreased by more than 40 percent from 2003 to 2012. Much of the malathion applied in California goes to strawberry and alfalfa crops.

Use of diazinon, the third pesticide newly identified as probably carcinogenic, has dropped 85 percent in California during the past decade. It's used most heavily on lettuces. More than one-third of all diazinon applied in California was used in Monterey County. The WHO says there is some evidence diazinon could cause non-Hodgkin lymphoma and lung cancer.

The U.S. Environmental Protection Agency, which regulates pesticides, does not consider glyphosate, malathion or diazinon to be carcinogenic. In 1985, the EPA classified glyphosate as possibly causing cancer, but six years later, changed its designation after new studies suggested it does not cause cancer.

Malathion and diazinon are part of a class of pesticides known as organophosphates, which previously have been the source of health concerns because of what they can do to the brain and nervous system. They work by blocking an enzyme called acetylcholinesterase, which breaks down a certain neurotransmitter. When there isn't enough acetylcholinesterase, the neurotransmitter builds up, causing nerve overstimulation. That causes pest insects to die, but in high enough doses, it can make humans really sick, too.

When your nervous system doesn't work right, your muscles – including your heart and those involved with breathing – don't work right either. Effects of organophosphate exposure range from eye and skin irritation to muscle twitching, trouble breathing and a fast heartbeat, to seizures and death. Some organophosphates, including malathion and diazinon, also are considered by some agencies to be endocrine disruptors – meaning they mess with humans' hormones.

These new cancer designations are controversial, especially in the case of glyphosate. Some scientists, along with Monsanto, say the evidence that WHO cites appears thin. The Science Media Centre in London has a valuable roundup of scientists' reactions to WHO's announcement.

Another thing to keep in mind is the difference between hazard (pesticides can cause cancer) and risk (how likely a person is to get cancer from those pesticides).

"The IARC (World Health Organization's International Agency for Research on Cancer) process is not a risk assessment. It determines the potential for a compound to cause cancer, but not the likelihood," Alan Boobis, a biochemical pharmacology professor at Imperial College London, told the Science Media Centre.

That means the next step is more studies looking at the health of farmworkers and nearby residents who are exposed to these pesticides to determine if they are likely to cause cancer in real-world situations.

Placer County considers fire cuts

By Richard Chang, Sacramento Bee

Despite drought conditions that have elevated wildfire risks this year, Placer County officials are considering whether to shutter one rural fire station and eliminate several positions to save money as it faces higher state firefighting costs.

Placer County contracts with the CalFire to staff its engines

and stations in a vast fire protection area that spans from the Sacramento County line to Emigrant Gap in the Sierra Nevada. Other parts of the county are governed separately by independent fire districts and municipal agencies.

The 66 CalFire firefighters that serve Placer County are projected to cost \$8.89 million in the current fiscal year. CalFire has raised its rate by 21 percent to \$10.74 million for the fiscal year that starts July 1, a hike Placer officials have criticized as “unsustainable.”

Read the whole story

EDC paying others to get message delivered

By Kathryn Reed

El Dorado County has an image problem. And it keeps throwing money at people to try to improve it.

The county spokesperson used to be someone in the chief administrative office. That went by the wayside even before Mike Applegarth went out on leave – and eventually took a job in Utah.

Then CAO Terri Daly hired Stephanie McCorkle on May 13, 2014, to do public relations work. The one-year contract was not to exceed \$25,000. McCorkle had operated McCorkle & Driscoll Communications for two months before working for the county. Prior to that she worked in communications for 17 years for California Independent System Operator.

She left before half the year’s term was up, but billed for

nearly the entire amount of the contract.

The county doesn't have one person to be the point person for the media, to send out press releases, to be a spokesperson. That is why consultants are hired to do so. And this is why it can be hard to get information from the county.

Steve Pederdti, head of the Community Development Agency for the county, thought a major upcoming project needed more help than staff could provide.

However, on Sept. 30, the Board of Supervisors removed Flint Strategies as a public relations consultant in what at the time was going to be a bigger, approximately \$600,000 contract with another firm to provide more than just email blasts. That was on a 3-2 vote with Supervisors Ron Mikulaco and Shiva Frantzen in the minority.

At that meeting Auditor-Controller Joe Harn told the board the public relations aspect of the contract could be done by people on the payroll.

"I certainly think the county staff can send out emails. I don't think we need a consultant to do it," Harn told *Lake Tahoe News*.

But that decision did not last long.

The entire board on Dec. 16 voted for a \$516,995 three-year contract with Kittelson and Associates to provide public outreach for a five-year capital improvement program and traffic impact mitigation fee program updates. In the contract is a \$44,720 contract with Flint to be a subcontractor of Kittleson's.

To date Flint has sent out an email about a meeting that affects the West Slope. It was neither better written nor had more details than what has previously come from staff.