

Letter: SnowGlobe isn't just about the noise

To the community,

Twenty-thousand festival-goers in town during winter, when we hope to have snow, would be tricky to deal with during a situation where the roads are closed and gas line to town is cut for a week as it was early in 1986. Heat? Food? Sanitation?

How about evacuating those 20,000 to 27,000 people plus the 21,000 residents during a wildfire if there are festivals during other times of year? Since the Santa Rosa fires and Angora/Cascade fires we know our town is dramatically at risk. There will be more illegal camping and camp fires around the college, Bijou Park and off Pioneer Trail with festivals in mid-town during mild weather.

If the City Council continues support for SnowGlobe and considers three more festivals, I implore them to increase the patrolling of our surrounding meadows and woods. I can leave town during these festivals so the pounding doesn't really matter to me, but I sure want my home to return to.

The City Council will be discussing the SnowGlobe contract with the possibility of extended it for many more years March 6. The meeting starts at 9am. If you can't be there, this is their email: citycouncil@cityofslt.us – for comments.

Thank you,

Diana Hamilton, South Lake Tahoe

Opinion: EDC supervisors are disenfranchising voters

By Larry Weitzman

The El Dorado County Board of Supervisors couldn't wait the five years as the County Charter provides for charter review, but instead used their power to impanel another Charter Review Committee early (three years after the last Charter Review Committee).

The results of this new CRC are another run at increasing the Board of Supervisors power and longevity. Sounds like a bunch of politicians wanting more power for themselves at the expense of taxpaying citizens, a quintumvirate of sorts. How selfish.



Larry Weitzman

In the last Charter Committee, there was an attempt to remove terms limits, which the voters put in place to prevent dynasties and concentrations of power understanding the theory so well stated by Lord Acton who said, "Power corrupts and absolute power corrupts absolutely." In the deliberations of the prior Charter Review Committee the attempt at eliminating of term limits was shot down and no such recommendation to the Board of Supervisors was made. Term limits create more participation in government by more citizens.

In another attempted power grab, the new Charter Review

Committee recommended to the Board of Supervisors to make our now elected auditor and treasurer appointed. It would also eliminate the election of other "non-constitutionally" elected county officials such as the recorder-clerk. Having an elected, independent auditor/controller and treasurer is one of the main purposes of having a charter county instead of a general law county. Charter counties provides for more voter control of government.

While only 14 of California's 58 counties have charters, they include about 70 percent of California's population. All of the populous counties in California are charter counties. It also provides the voters with greater checks and balances.

While there were some other duplicate and redundant recommendations which I will discuss in a later column, these two, the elimination of term limits and the elimination of an elected auditor/controller and treasurer, are the most significant. There are tantamount to a disenfranchisement of the voters.

It is unlikely that either recommendation will have success in our active voter participation and high voter turnout county, but there is another significant reason why these two items should not be placed on the ballot and that is the incredible waste of money. Sinister, evil forces will advertise to acquire more control of the county under banners like smoother, less confrontational government or such an idea will "allow a government that can get along or work better together." Sounds like a dictatorship. Our country is founded on the principle of checks and balances. The elimination of an independent auditor/controller will be like having the fox guarding the hen house adjacent to his Kentucky Fried Chicken restaurant.

Interestingly, Sacramento County has a non-elected auditor-controller who serves at the pleasure of their Board of Supervisors and is riddled with debt. So much so that its

annual statement of net county position which totals net county assets against total liabilities the total net position number is a negative \$300 million. In El Dorado County where the auditor is truly independent as he is elected by the people, the total net position number is a positive \$242 million.

As to the treasurer, I once wrote a column about the county selling off delinquent property tax rolls for small short-term gain instead of waiting for longer term, much greater penalty of over 90 percent of the original tax. An inside deal that would have been bad for the county and allow some private people who were "connected" to make tidy profits, of course at taxpayer expense. It was the elected treasurer who alerted me to this "inside job."

Elections like this will cost money, a lot of money, with one side creating specious arguments of why you should surrender your voting franchise, while the forces of good will have to spend money explaining why term limits are important and why our elected officials should remain elected. Even in our little county, hundreds of thousand dollars will be spent on what will be a hopefully fruitless attempt at trying to strip you of you voting franchise.

Think about the other uses of this money: fixing roads, helping fight crime, helping seniors, protecting them from predators. But no, because of the Charter Review Committee's obsequiousness (remember the CRC is appointed by their respective supervisors), El Dorado County will possibly have an election that will waste a large amount of money while certainly enriching political operatives and spin doctor types in creating slogans and lies as to why you want to give up you hard fought voting rights.

Our County Charter was created about 24 years ago to protect the voters, increase their power, participation and say in government and the CRC wants to recommend to the Board of

Supervisors that the voters have their participation and power diminished. Besides the elimination of voter participation in the selection (election) of government officials meaning the creation of more unelected bureaucrats and an enlarged spoils system, it will be a huge waste of money along with the enrichment of the political class. This is exactly what former CAO Terri Day did and attempted to do in her zeal to have more control, such as the hiring of her unqualified friends, giving away county money and creating a climate of fear while not attending to county business and ignoring the warnings of independent, elected county officials. Daly's ignorance, while occurring five years ago, will eventually cost the county tens of millions of dollars.

Larry Weitzman is a resident of Rescue.

Letter: A review of SnowGlobe regulations

To the community,

SnowGlobe appears to be following the letter of their contract with the city of South Lake Tahoe with the possible exception of holding an after party in Bijou Park. They have also generated revenue for local businesses, employed local residents and donated to local charities. What is not apparent are the current and existing city, county and TRPA plans and regulations which are being ignored and not enforced outside the existing exemption employed by the City of South Lake Tahoe.

When the city of South Lake Tahoe negotiated this event, they entered into the contract the standard exemption (a temporary

activity permit) which in theory would allow the city to exempt SnowGlobe from having to meet the normal noise regulations, including those required by the TRPA under the existing MOU between the City and TRPA. (Project Description[1])

PROJECT DESCRIPTION

This is a temporary activity to be held on Monday December 29, 2014 through Tuesday December 30, 2014 from 3:00 pm – 10:00 pm and Wednesday, December 31, 2014 from 4:00 pm to 12:30 am. The SnowGlobe Music Festival is a three day event encompassing local, regional, and national musical artists on three stages. The event will include food and merchandise vending; alcoholic and non-alcoholic items will also be sold. Additional entertainment includes a fireworks show and rail jam exhibition.

Submittal:

- Special Event Application received
- Site Plan received October

Note: This is an MOU project and an Exempt/Qualified Exempt Activity as defined in TRPA Code of Ordinances. Temporary Activities within the City of South Lake Tahoe are included in the list of activities in TRPA Code § 2.5-1 to be reviewed by the City of South Lake Tahoe under the Memoranda of Understanding (MOU). Temporary activities are reviewed for compliance with TRPA code Chapter 22 criteria and the South Lake Tahoe City Code.

Unfortunately, the City did not realize that this MOU has defined limits. TRPA requires the city to meet existing requirements for the exemption to apply. These requirements include not holding events that are contrary to existing community plans and which meet defined noise restrictions.

(see the following current TRPA Ordinances[2])

21.2.4. Prohibited Uses

Proposed uses not listed in applicable plan area statements, community plans, redevelopment plans, Area Plans, and specific or master plans are prohibited. Also, proposed special uses for which the findings in subsection 21.2.2 cannot be made are prohibited uses.

22.6.1. Community Plan Area

An adopted community plan may set plan standards for temporary activities that are equal or superior to the standards in Section 22.7. Upon adoption of the community plan, the community plan standards for temporary activities, if any, shall supersede the standards in this chapter.

22.7.5. Noise

Temporary activities are exempt from the noise limitations set forth in Chapter 68: *Noise Limitations*. Notwithstanding the foregoing, prior to approving a temporary activity that may exceed such limitations, TRPA shall provide notice and an opportunity to be heard. TRPA may approve such temporary activities provided it finds that:

- A.** The activity is not injurious or disturbing to the health, safety and general welfare of persons or property in the neighborhood, and the general welfare of the region, and the applicant will take reasonable steps to protect against such injury; and

TRPA Code of Ordinances

Adopted by Governing Board December 12, 2012 | Amended December 24, 2017 | Page 22-3

CHAPTER 22: TEMPORARY USES, STRUCTURES, AND ACTIVITIES

22.8 Seasonal Projects Distinguished

22.7.6 Traffic Mitigation

- B.** The activity is in a plan area designated commercial, public service, or tourist; is limited to no more than ten hours duration, and is between the hours of 8:00 am to 10:00 pm; or the activity is a race or exhibition, is limited to no more than six hours in duration, and is conducted during daylight hours.

² Tahoe Regional Planning Agency, Code or Ordinances, Effective February 2013

The city established a Bijou/Al Tahoe Community Plan in October of 1995 and has amended this plan as recently as

September 2010. In this plan there are defined goals for the use and development of the area described. The plan describes developing the area as a family friendly residential area. It also includes limits to allowable noise levels as a means of meeting these defined goals. (see following from the Community Plan[3])

C. BIJOU/AL TAHOE COMMUNITY PLAN GOALS AND OBJECTS

A fundamental cornerstone of this Community Plan is the conviction that Bijou/Al Tahoe should serve as a family oriented and recreation center, as well as the Town Center for the local community. To accomplish this goal, policies must encourage diversification of recreational and commercial attractions to create the high quality development expected in a family oriented resort area. Public service oriented uses should be further concentrated in this area to enhance the Town Center Concept.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum cumulative noise equivalent levels for this Community Plan Area is as follows:

Land Use Districts	CNEL
1-3 (Bijou, Harrison, Lucky, Payless)	60
4 (Town Center)	60
Shorezone	55
US 50 Corridor	65

The following performance standards for the stationary noise sources or projects will be used to evaluate specific project impacts.

Noise Level Descriptor	Daytime (7am-7pm)	Evening (7pm-10pm)	Nighttime (10pm-7am)
Hourly Leq dB	DST 1-4 SHRZIN 60dB 55dB	DST 1-4 SHRZN 55dB 50dB	DST 1-4 SHRZN 55dB 45dB

Each of the noise levels specified above should be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

The MOU between the TRPA and the city of South Lake Tahoe clearly states that if a violation is discovered, the city must immediately notify the TRPA and take appropriate actions. Unfortunately, it is the city itself that may be violating the requirements of TRPA’s temporary activity permit. Ironically, the city appears to not have reported their violation or the violations of SnowGlobe with respect to TRPA’s existing noise limits or the limits defined in the established Bijou/Al Tahoe Community Plan.

(MOU violation requirements[4])

Upon discovery of a TRPA Code violation associated with a permit issued by TRPA, Public Entity shall immediately notify the designated TRPA Code Administration staff in writing. TRPA may also perform inspections and determine if a violation exists. Settlements of TRPA Code violations involving civil penalties must be approved by TRPA.

Upon discovery of a TRPA Code violation associated with a permit issued by Public Entity, the Public Entity shall have authority and responsibility to take any and all administrative steps to enforce the standards of the TRPA Code as authorized by this MOU, including the processing of Code violations involving unpermitted activities. If a TRPA Code violation cannot be resolved by the Public Entity on-site, the Public Entity shall contact TRPA to institute TRPA's compliance procedures.

The issues become further complicated when we add the city boundaries into the equation. The city exemptions apply within city limits but require an exemption with El Dorado County for areas that are unincorporated. The houses behind STPUD, along Black Bart and directly adjacent to the SnowGlobe venue are unincorporated. The County also has noise restrictions for these areas and we have found no evidence of any exemptions having been filed with El Dorado County. Residents would be within their right to file a complaint if noise levels went above defined levels.

(El Dorado Noise Regulation[5])

The County has also established noise standards for activities associated with actual construction of a project and restricts major noise producing activities to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and to the hours of 8:00 a.m. to 5:00 p.m. on weekends and federal holidays. In community regions and adopted plan areas, maximum noise levels from construction activities during these hours shall not exceed 75 dBA L_{max} at residential land uses, and shall not exceed 90 dBA L_{max} at commercial, public facility, or industrial land uses.

The County Ordinance establishes that it is unlawful for any person to willfully make, emit, or transmit or cause to be made, emitted, or transmitted any loud and raucous noise upon or from any public highway or public thoroughfare, or from any public or private property to such an extent that it unreasonably interferes with the peace and quiet of another's private property.

Table 4: Maximum Allowable Noise Exposure for Transportation Noise Sources

Land Use	Outdoor Activity Areas ¹	Interior Spaces	
	$L_{dn}/CNEL$, dB	$L_{dn}/CNEL$, dB	L_{eq} , dB ²
Residential	60 ³	45	--
Transient Lodging	60 ³	45	--
Hospitals, Nursing Homes	60 ³	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls, Schools	60 ³	--	40
Office Buildings	--	--	45
Libraries, Museums	--	--	45
Playgrounds, Neighborhood Parks	70	--	--

Notes:

¹ In Communities and Rural Centers, where the location of outdoor activity areas is not clearly defined, the exterior noise level standard shall be applied to the property line of the receiving land use. For residential uses with front yards facing the identified noise source, an exterior noise level criterion of 65 dB Ldn shall be applied at the building facade, in addition to a 60 dB Ldn criterion at the outdoor activity area. In Rural Regions, an exterior noise level criterion of 60 dB Ldn shall be applied at a 100 foot radius from the residence unless it is within Platted Lands where the underlying land use designation is consistent with Community Region densities in which case the 65 dB Ldn may apply. The 100-foot radius applies to properties which are five acres and larger; the balance will fall under the property line requirement.

² As determined for a typical worst-case hour during periods of use.

³ Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

Source: El Dorado County. 2004. *El Dorado County General Plan, Public Health, Safety, and Noise Element*. July 19.

Despite having an exemption to city noise regulations, the city of South Lake Tahoe is likely violating TRPA noise requirements for a temporary activity permit as defined by the MOU between the TRPA and the city of South Lake Tahoe. The city is also not following the established noise limits defined in the Bijou/Al Tahoe Community Plan. Finally, the city is likely violating El Dorado County noise restrictions. None of the existing regulations allows for loud sounds above ~60 dBs after 10pm and El Dorado County limits sound after 5pm on federal holidays and weekends.

If the city continues with the existing contract with SnowGlobe, they will likely be violating local regulations (as

they have these past seven years). Should they proceed with the contract as it is currently written, the city risks being sued by SnowGlobe for breach of contract if either the TRPA or El Dorado County elect to enforce existing noise regulations. If the city does elect to renegotiate the contract, they will need to either meet the existing regulations with lower decibel (dB) levels and earlier sound cut-off times or arrange to exempt the SnowGlobe event from TRPA noise limits, county noise limits and the city's own community plan. Immediately ending the contract may be the easier choice for the city of South Lake Tahoe as the 2018 event will violate these existing regulations as things currently stand. Even if the contract can be renegotiated, it is unlikely SnowGlobe will be able to lower sound levels and shut down earlier given existing contracts they likely have with their artists.

Scott Ramirez, South Lake Tahoe

Opinion: Calif.'s public pension crisis in a nutshell

By Dan Walters, CalMatters

The essence of California's pension crisis was on display last month when the California Public Employees Retirement System made a relatively small change in its amortization policy.

The CalPERS board voted to change the period for recouping future investment losses from 30 years to 20 years.

The bottom line is that it will require the state government and thousands of local government agencies and school districts to ramp up their mandatory contributions to the huge

trust fund.

Client agencies – cities, particularly – were already complaining that double-digit annual increases in CalPERS payments are driving some of them toward insolvency and the new policy, which will kick in next year, will raise those payments even more.

“What we are trying to avoid is a situation where we have a city that is already on the brink, and applying a 20-year amortization schedule would put them over the edge,” a representative of the League of California Cities, Dane Hutchings, told the CalPERS board before its vote.

But CalPERS itself may be on the brink, and the policy change is one of several steps it has taken to avoid a complete meltdown.

The system, once more than 100 percent funded, now has scarcely two-thirds of what it would need to fully cover all of the pension promises to current and future retirees – and that assumes it will hit an investment earnings target (7 percent per year) that many authorities criticize as being too optimistic.

The trust fund lost about \$100 billion in the Great Recession and never has fully recovered. By lowering its earnings projection – it had been 7.5 percent – while moving to a more conservative investment strategy and cutting the amortization period, CalPERS hopes to avoid another disaster were the economy to turn sour.

Officials fear that were it to experience another big investment loss, it would pass a point of no return and never be able to pay for pension promises.

Protecting CalPERS, however, means getting more money from its client agencies, which could drive some of them into insolvency, as Hutchings said. Three California cities have

gone bankrupt in recent years, in part because of their ever-increasing pension burdens, and payments have escalated sharply since then.

So on one hand, CalPERS is doing what it has to do to remain financially solvent, but on the other hand its self-protective steps threaten local government solvency. That's the crisis in a nutshell.

One way out would be to modify benefits in some way. City officials, for instance, have suggested reducing automatic cost-of-living escalators in pensions over a certain mark, such as \$100,000 a year.

However, the CalPERS board, dominated by public employee organizations and sympathetic politicians, has spurned such pleas.

"Our members have expressed frustration that you keep coming to them asking for more while at the same time not providing a lot of other options and assistance for them," Dillon Gibbons of the California Special Districts Association told the board.

Everyone involved is waiting for the state Supreme Court to rule on pending pension rights cases, and were it to overturn the so-called "California rule" that bars changes in benefits, it would open the door to pension modification.

CalPERS officials are also concerned that should it become insolvent, or pension payments force some cities into bankruptcy court, it would revive long-dormant plans for a statewide pension reform ballot measure.

This crisis will haunt California for many years to come and will be a big headache for the next governor.

Editorial: Prescription to heal national parks is a poison pill

Publisher's note: *This editorial is from the Feb. 26, 2018, Las Vegas Sun.*

Looking at one part of President Trump's budget, you might think his administration is riding to the rescue of the National Park Service.

But a broader view of the overall budget reveals something very different. The administration's plans for our national parks threaten to tear them to pieces.

While Trump recommends spending \$18.7 billion to fix a massive maintenance backlog, which would seem like a good idea, the problem is that all but \$257 million of that funding would come from private industries that would be given access to the parks to use for commercial purposes – mainly oil and gas companies. More specifically, the funding would be derived from the government collecting a percentage of energy leasing receipts.

Read the whole story

Opinion: Get more kids on bicycles

By Eben Weiss, Outside

Recently, as part of a series of lessons about “community helpers,” in which parents talk about their vocations, my son’s preschool teacher asked me to come in and tell the kids what I do.

“What do you do, anyway?” she asked, looking me up and down.

“I write about bicycles,” I replied. No doubt relieved that my job was far less sordid than my slovenly appearance might suggest, she penciled me in for an appearance between the doctors and librarians and other upstanding members of society.

[Read the whole story](#)

Opinion: This generation of teens cares about gun violence

By Jean Twenge, The Conversation

When 17 people were killed at Marjory Stoneman Douglas High School in Parkland, Fla., it was just the latest in a tragic list of mass shootings, many of them at schools.

Then something different happened: Teens began to speak out.

The Stoneman Douglas students had a press conference appealing for gun control. Teens in Washington, D.C., organized a protest in front of the White House, with 17 lying on the ground to symbolize the lives lost. More protests organized by teens are planned for the coming months.

Teens weren't marching in the streets calling for gun control after the Columbine High School massacre in 1999. So why are today's teens and young adults – whom I've dubbed "iGen" in my recent book on this generation – speaking out and taking action?

With mass shootings piling up one after another, this is a unique historical moment. But research shows that iGen is also a unique generation – one that may be especially sensitive to gun violence.

Keep me safe

People usually don't think of teenagers as risk-averse. But for iGen, it's been a central tenant of their upbringing and outlook.

During their childhoods, they experienced the rise of the helicopter parent, anti-bullying campaigns and, in some cases, being forced to ride in car seats until age 12.

Their behavior has followed suit. For my book, I conducted analyses of large, multi-decade surveys. I found that today's teens are less likely to get into physical fights and less likely to get into car accidents than teens just 10 years ago. They're less likely to say they like doing dangerous things and aren't as interested in taking risks. Meanwhile, since 2000, rates of teen binge drinking have fallen by half.

With the culture so focused on keeping children safe, many teens seem incredulous that extreme forms of violence against kids can still happen – and yet so many adults are unwilling to address the issue.

“We call on our national and state legislatures to finally act responsibly and reduce the number of these tragic incidents,” said Eleanor Nuechterlein and Whitney Bowen, the teen organizers of the D.C. lie-in. “It’s essential that we all feel safe in our classrooms.”

Treated with kid gloves

In a recent analysis of survey data from 8 million teens since the 1970s, I also found that today’s teens tend to delay a number of “adult” milestones. They’re less likely than their predecessors to have a driver’s license, go out without their parents, date, have sex, and drink alcohol by age 18.

This could mean that, compared to previous generations, they’re more likely to think of themselves as children well into their teen years.

As 17-year-old Stoneman Douglas High School student David Hogg put it, “We’re children. You guys are the adults. You need to take some action.”

Furthermore, as this generation has matured, they’ve witnessed stricter age regulations for young people on everything from buying cigarettes (with the age minimum raised to 21 in several states) to driving (with graduated driving laws).

Politicians and parents have been eager to regulate what young people can and can’t do. And that’s one reason some of the survivors find it difficult to understand why gun purchases aren’t as regulated.

“If people can’t purchase marijuana or alcohol at the age of 18, why should they be given access to guns?” asked Stoneman Douglas High School junior Lyliah Skinner.

She has a point: The shooter, Nikolas Cruz, is 19. Under Florida’s laws, he could legally possess a firearm at age 18. But – because he’s under 21 – he couldn’t buy alcohol.

Libertarianism – with limits

At the same time, iGen teens – like their millennial predecessors – are highly individualistic. They believe the rights of the individual should trump traditional social rules. For example, I found that they're more supportive of same-sex marriage and legalized marijuana than previous generations were at the same age.

Their political beliefs tend to lean toward libertarianism, a philosophy that favors individual rights over government regulations, including gun regulation. Sure enough, support for protecting gun rights increased among millennials and iGen between 2007 and 2016.

But even a libertarian ideologue would never argue that individual freedom extends to killing others. So perhaps today's teens are realizing that one person's loosely regulated gun rights can lead to another person's death – or the death of 17 of their teachers and classmates.

The teens' demands could be seen as walking this line: They're not asking for wholesale prohibitions on all guns. Instead, they're hoping for reforms supported by most Americans such as restricting the sale of assault weapons and more stringent background checks.

In the wake of the Stoneman Douglas High School shooting, the teens' approach to activism – peaceful protest, a focus on safety and calls for incremental gun regulation – are fitting for this generation.

Perhaps iGen will lead the way to change.

Jean Twenge is a professor of psychology at San Diego State University.

Opinion: California's water war heating up

By Dan Walters, CALmatters

After one year of torrential respite, drought may have returned to California, and with it, a renewal of the state's perpetual conflict over water management.

State and federal water systems have told farmers not to expect more than a fifth of their paper allocations, the state Water Resources Control Board is weighing a new regime of mandatory conservation, and supporters of more reservoirs are complaining about the glacial pace of spending \$2.7 billion set aside in a water bond for more storage.

The drought that seemed to be washed away by last year's heavy rain and snow storms had spawned some water management changes that would have seemed unthinkable a few years earlier – most notably a landmark groundwater management system that's still being developed.

If, indeed, drought has returned at least semi-permanently, it will fuel another round of policy debates, and it's likely to include the mother of all water conflicts – the state's convoluted water rights structure.

It would take a book to fully explain those rights, but there are generally three varieties, to wit:

- “Riparian rights” attached to land directly fronting on rivers and other bodies of water are the most senior;
- “Appropriative rights” that were claimed prior to 1914 come next;

- Post-1914 appropriative rights bring up the rear.

Whether those rights should be overhauled, or even abolished, has been kicked around in academic, political and agricultural circles for decades, the latter because farmers account for about three-fourths of California's human water consumption.

Two unresolved issues dominate the discussions: whether the most senior rights are absolute, or can be legally modified, and if modified whether their holders are entitled to compensation.

Had the drought not been interrupted by last winter's storms, both of those issues appeared to be headed toward showdowns.

The state Water Resources Control Board attempted to impose its conservation mandates on senior rights holders, and they worried aloud that it was a backdoor abrogation of those rights.

By law, they argued, they were exempt from such allocations, while the board said it could supersede water rights because of a provision of the state constitution barring "waste or unreasonable use."

One test of the issue involved the Byron-Bethany Irrigation District, near Tracy, which was accused of taking water from the Delta for 13 days after it and other districts with senior water rights had been told to curtail pumping.

"We are a test case," Byron-Bethany's manager, Rick Gilmore, said at the time. "I think this has become a larger issue. I think the water board wants to use this as a precedent so they can start to gain more control over senior water right users."

The district and the board stepped back from a decisive confrontation, but the issue is popping up again this year as the board works on new and permanent conservation rules.

Last week, the board delayed a vote on those rules after some

water agencies again questioned its authority. “You are making an adjudicative determination without due process,” said Rob Donlan, an attorney for a group of water suppliers.

Water rights seem destined to be the next big water war front as California faces what could be a semi-permanent state of drought and attempts to reallocate its finite supplies.

It could be fought out case-by-case in the courts, which would take decades, or the next governor and the Legislature could, as was done with groundwater regulation, deal with it comprehensively, including fair compensation to whose rights are curtailed.

As expensive as that obviously would be, it might be cheaper than doing nothing, or fighting it out case-by-case.

CALmatters is a public interest journalism venture committed to explaining how California’s Capitol works and why it matters.

Opinion: USOC needs to be overhauled

By Sally Jenkins, Washington Post

Every four years, athletes scrape the grime and graft off of the Olympics, and restore them to magnificence. We should demand that the Jessie Digginses, Red Gerards, John Shusters and Lamoureux sisters become the genuine focus of this country’s Olympic movement. Congress should knock down the U.S. Olympic Committee, get rid of the bilkers who skim cash off the sweat of our greatest competitors and give them little

or nothing in return.

The USOC has its nerve taking any credit for a gold medal in USA women's ice hockey, given that the team had to threaten to strike just to get decent meal money. USOC Chief Executive Scott Blackmun made \$1 million in salary and bonuses in 2016. Meanwhile, until last spring, our women's hockey squad members were paid just \$6,000 in an entire four-year cycle. This is a national team that has medaled in every Olympics since 1998, yet not until they staged a boycott were they granted a raise to a living wage. How is this system excusable?

Read the whole story

Opinion: More funds means less money for USFS projects

By Randy Moore

Last year, more than 1,500 wildfires burned over 640,000 acres on National Forest System lands in California, including the Thomas Fire, the largest fire in California's recorded history. The surrounding communities are still dealing with damage from debris flows caused by a charred and barren landscape that no longer has the protection of trees, grass and other vegetation.



Randy Moore

We see and empathize with those affected, and are working to reduce the potential for future loss by performing hazardous fuel reduction treatments which include thinning overstocked forests and prescribed burning.

The Forest Service is increasingly challenged to provide the personnel and management needed to maintain these services; infrastructure, such as roads, trails and campgrounds; and the health and resiliency of our public forests. The Pacific Southwest Region spent in excess of \$500 million preventing or suppressing wildfires over the past year. While nationally, Forest Service suppression costs exceeded \$2.4 billion last year, more than ever before. Fire alone accounted for 57 percent of the agency's budget in 2017, up from just 16 percent in 1995. At this rate, suppression costs will take up 67 percent of the Forest Service's budget by 2021.

Currently, 10 million acres of National Forest System lands in California are at moderate to high risk from insects, disease or fire. The science, data and monitoring shows that hazardous fuel treatments positively affect fire behavior and lowers the catastrophic risk of fire damage. Essentially, the more acres we treat, the healthier our forests become, contributing to safer and more resilient communities. In 2017 alone, we performed fuels reduction treatments on over 310,000 acres of Forest Service lands across the state, but there is more to be done.

Funding for suppression efforts performed by the Forest Service on National Forest System lands as well as those under other ownership, comes from the agency's overall budget which means less money for other Forest Service programs and services. The Forest Service is the only federal agency that is required to fund its entire emergency management program through its regular appropriations. About a third of the Forest Service's total spending on fire goes toward 1 to 2

percent of the fires it fights.

Megafires, like the Thomas Fire, are national disasters. It would make sense to deal with them as such: through a separate national emergency fund to stop the drain on the funding for the work we care most about. Secretary of Agriculture Sonny Perdue and the Forest Service deeply appreciate the ongoing work of Congress to pass new legislation to reform the way wildfire suppression is funded, supporting our efforts to meet the many different needs of the communities we serve, for the benefit of generations to come.

Randy Moore is regional forester for the Pacific Southwest Region of the U.S. Forest Service.