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# BASS LAKE BULLETIN

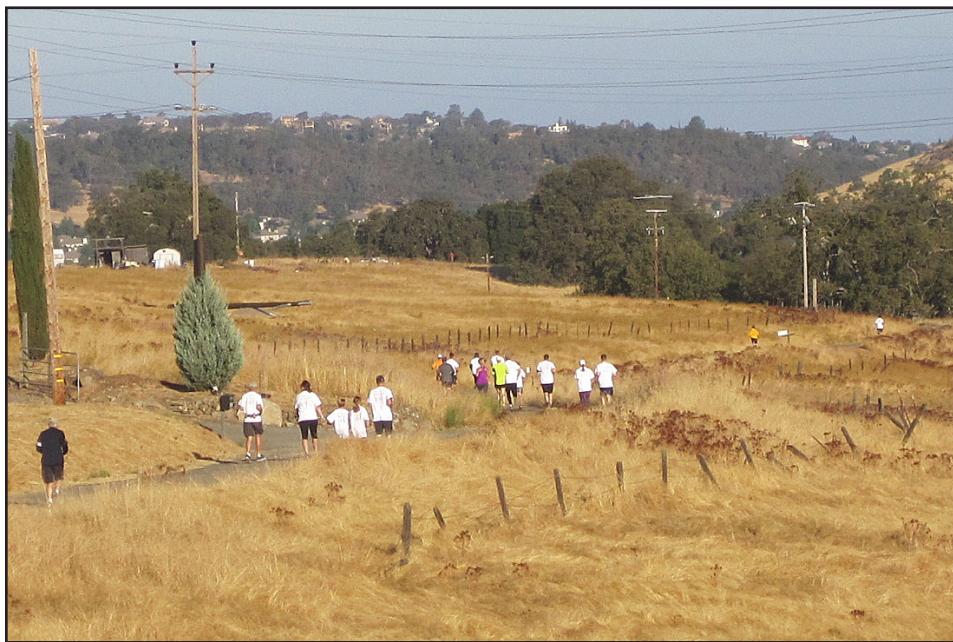
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The Voice of the Bass Lake Community

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October 2016

## HISTORICAL SOCIETY HOLDS RUN ON HISTORIC LINCOLN HIGHWAY, OLD BASS LAKE ROAD



*John Thomson*

Runners set out along the historic Lincoln Highway on the Clarksville Region Historical Society's Inaugural 8K Fun Run on Saturday, October 1. The run wound its way from El Dorado Natural Farms to the old ghost town of Clarksville. Speaking of the event, the first run sponsored by the society to promote the history of El Dorado Hills, Society President Doug Hus said, "We should all feel good about the event. We did a lot, we learned a lot, and we have started something that could have much greater impact in the future."

## MEASURE E GOES FORWARD AS WRITTEN

After a nearly three-hour hearing on August 30, the El Dorado County Board of Supervisors voted 4-1 to implement Measure E as written.

Rejecting an option recommended by county legal and administrative staff, Supervisors Brian Veerkamp, Ron Mikulaco, Sue Novasel and Michael Ranalli opted to continue implementation with the language voters approved in the June 7 primary election. The alternative was to approve a resolution that was offered as a way to make Measure E more "implementable."

District 2's Shiva Frentzen pushed for the resolution prepared by staff that represented an "interpretation" of voters'

wishes rather than taking the entire measure's language literally. Most agree that the measure contains some "inconsistencies and ambiguities" the proposed resolution sought to clarify, Chief Assistant County Counsel Dave Livingston told supervisors during Tuesday's meeting.

The county's Elections Department certified the election results July 1, and the Board of Supervisors "declared the results of the official canvass of the election" July 19. Under Election Code, Measure E became effective 10 days after the board's declaration, thus July 29. As the new "law of the land," Measure E must guide all discretionary approvals of developments that meet the criteria set out in the measure. It amended General Plan policies related to traffic "TC-Xa, TC-Xf and TC-Xg, and

included a number of statements under the heading of Implementation," according to board documents.

The traffic issue is outlined, in part, in Measure E below:

"Traffic from residential subdivision development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county."

[and]

"All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching Level of Service F during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project."

Measure E further requires the county to use the same standards for traffic congestion as those used by the state's Department of Transportation, Caltrans. However, according to a number of speakers and county staff, the state and the county don't interpret Levels of Service in quite the same way and don't calculate them in quite the same way.

As an example, residents and Measure

*(continued on page 2)*



**HAPPY HALLOWEEN**

## MEASURE E (*continued*)

E proponents Don Van Dyke and Bill Center told supervisors that Caltrans and the county do not include the factors of speed and/or density to calculate level of service. Center explained that traffic congestion must be determined using at least the three measurements of volume, speed and density. Center concluded, "Relying solely on volume is indefensible."

Van Dyke said, "We have this ongoing problem, that DOT's data doesn't match what residents are experiencing ... It's not hard (for a motorist) to tell the difference between LOS C and LOS F ... and the software used by the Highway Capacity Manual doesn't reflect when the highway is clogged."

Traffic is not the only significant issue raised by Measure E.

Supervisor Ranalli addressed the question of Measure E's potential impact on the General Plan's Housing Element. All counties in the state are required to meet a Regional Housing Needs Allocation, which determines where and how a jurisdiction provides for affordable housing based on residents' income. If Measure E's requirement that all necessary infrastructure be fully constructed prior to approval is determined to be a barrier to development of an affordable housing project, it could run afoul of state law.

In an e-mail to the Mountain Democrat, Livingston clarified that the board's decision calls for staff to study the measure and "return to the board in October to discuss (1) the effects of Measure E, including its effects on housing (and the Regional Housing Needs Allocation), California Environmental Quality Act compliance and the county's budget and (2) any inconsistencies within Measure E and between Measure E and other General Plan policies."

As it stands, Measure E is in effect and is now part of the General Plan, Livingston added.

"County staff will review each project to determine if that project is subject to Measure E (for instance, certain projects have vested rights to proceed under prior policies and codes) and, if so, if it complies with Measure E per the board's direction to apply Measure E as written," he explained.

Policy development and policy application are potentially two significantly different problems.

Livingston noted that consequences arising from two equally literal interpretations of the measure would play out differently. Referring to the report developed by

legal and admin staff, he wrote, "one possible consequence was described ... as a 'de facto moratorium on all projects requiring some form of discretionary approval.'

"Another possible outcome described in the staff report, based on a different but still literal reading of the language, would allow for discretionary project approval so long as the project applicant completes all necessary road improvements to prevent the cumulative impacts attributable to that particular project," he added.

In effect, interpreting the voters' intent is one thing on paper. In practice, it may be quite another. Livingston concluded, "... it may be too soon to delineate the full range of possible outcomes because the full effect of this provision of Measure E will only be known following its application to a specific project."

Measure E is currently being challenged with a lawsuit filed by the El Dorado County Alliance for Responsible Planning, a group composed of developers, agriculture interests, real estate and construction industries. As reported in the *Mountain Democrat* on July 29, the group filed a "writ of mandate and complaint" to halt the measure's implementation and asked the court to rule the measure invalid especially with respect to the county's Traffic Impact Mitigation Fee program. ~

*Credit: Chris Daley, Mountain Democrat*



## WINTER WEATHER PREDICTIONS & FORECAST 2016 – 2017

The Farmers' Almanac official winter weather forecast for 2016-2017 is here, and it is calling for an exceptionally cold winter season in the Midwest, Mid-Atlantic, Northeast, and New England, as well as some cold fronts potentially reaching as far south as Florida. The Western states are forecast to see milder-than-normal temperatures prevail, while it seems the Rockies will have an "average" snowfall season. According to this forecast, the Northwest may have a wet winter, which could mean strong precipitation in higher elevations.

According to the Farmers' Almanac,

while winter officially starts on December 21, 2016, the Almanac predicts some snow and cold conditions in mid-November in the Northeast, Great Lakes, and Midwest. However, the good news is that the frigidly cold temperatures really won't take hold until much later in the season.

The Almanac, which breaks the country into 7 zones, and offers predictions for three-day intervals, forewarns of a mixed bag of wintry weather for both December and January. But it's really February when the frigid temperatures take hold (northern tier states could see ambient air temperatures as low as 40 degrees below zero!). This is the month you want to make sure your heat works, your long johns are washed, and your slippers are nearby.

Get the snow blowers ready in the East and umbrellas in the West. An active storm track will deliver above-normal precipitation to the Southeast, Northeast and New England states throughout most of the winter, especially February. In addition, another active storm track from the Pacific will deliver a dose of above-normal precipitation across the Western States. Meanwhile, near or below-normal precipitation will cover the nation's midsection. ~



## PRESIDENT'S LETTER

Hello Everyone,

It's the middle of October, with Halloween coming up soon, and then Thanksgiving, and here comes Christmas and New Years close behind. Gosh, how time flies!

We got almost four inches of rain this last storm per our back-yard guage. I'm sure we all hope that it was enough to give new life to Bass Lake.

Let's all pray for a nice wet winter, and let me wish you a Happy Halloween.

Sincerely,

*John E. Thomson*

President



## GAINES CAMPAIGN HIJACKS BLAC PHOTO OF JOHN HIDAHL

Local recipients of a recent Beth Gaines campaign flyer comparing her to John Hidahl were shocked to see on it a picture of John Hidahl, a picture which had been hijacked from the January 2016 Bass Lake Bulletin and greatly altered so as to depict Hidahl in a negative light.

Beth Gaines and John Hidahl are currently locked in a race for the office of District 1 El Dorado County Supervisor in District 1.

The original photos that appear in the Bass Lake Bulletin are all clearly protected by copyright. Each issue of the Bulletin carries a copyright notice.

Notified of the copyright violation, Bass Lake Action Committee president John Thomson immediately attempted to contact the Gaines campaign to demand an explanation. A representative of the Gaines campaign did contact the Bulletin and said that the campaign considered that BLAC's copyright was not violated under the fair use rule because there was no profit motive in using the photo.

However, the United States No Electronic Theft Act (NET Act), a federal law passed in 1997, provides for criminal prosecution of individuals who engage in copyright infringement under certain circumstances, even when there is no monetary profit or commercial benefit from the infringement.

Aside from any violation of copyright law, BLAC feels that the taking and manipulation of the photo by the Gaines campaign for apparent negative political motives gives rise to accusations of unethical practices.

When made aware of the action, BLAC Vice President and Public Affairs Officer Kathy Prevost said, "I am very disappointed, as I believed Beth Gaines to be a person with high ethical standards who would not stoop to such dirty politics, but I guess I was wrong."

Another person who declined to be named told the Bulletin, "I guess Beth Gaines has brought Sacramento political dirty tricks to El Dorado County." ~



## EID IRRIGATION WATER RESTRICTIONS EASED

### *But State Water Conservation Mandates Remain in Effect*

On May 18, the State Water Resources Control Board approved modifications to its emergency conservation regulation to reflect improved water supply conditions and allow for more local decision making.

The State Water Board decided to end specific conservation standards in light of improved rain and snowfall in Northern California, strong conservation achieved to date and lessons learned over the past year about local drought resiliency.

The modified regulation is consistent with directives included in Gov. Jerry Brown's May 9, 2016, executive order related to long-term water conservation goals in the California Water Action Plan such as "making conservation a way of life" and managing for dry periods.

The EID drought restrictions have been suspended and water customers are simply being asked to be prudent with their water use on a continuing basis. Throughout the period of mandatory conservation, EID customers cumulatively exceeded mandates. EID customers have continued to achieve significant conservation with a cumulative 27 percent reduction in comparison to the 2013 base year specified by the State Water Board.

EID representatives emphasize that the drought is not over. While El Niño storms in January and early March boosted storage in key Northern California reservoirs and improved drought conditions in EID's service area, the statewide drought is not over. Some areas of the state continue to experience water supply challenges, and it is possible that extreme dry conditions could return during the next water year.

This past winter, the snowpack that EID relies on as our first line "reservoir" of water melted at an unusually rapid rate. This means the state's reservoirs will be tapped earlier and more deeply than expected, based on historical runoff patterns and the amount of snowpack that had built up by April 1, 2016.

"The investments the district has made in improving our infrastructure and increasing our water supply over the decades has paid off with increased drought resiliency," said EID Public Information Officer Jesse Saich. "Even though the state-mandated standards have been eliminated, that does not mean the conservation ethic is going away. We are moving from state-mandated emergency conservation to a locally-driven approach that is more appropriate for conditions today." ~

Source: EID



## SHERIFFS OPPOSE PURPORTED GUN CONTROL INITIATIVE

California sheriffs have announced that they are opposing Lt. Gov. Gavin Newsom's Proposition 63 gun-control measure on the November ballot, arguing it would not prevent criminals from obtaining guns and ammunition via the black market or theft.

Instead, the proposal would place additional restrictions on law-abiding people who want to buy ammunition for recreational use, retain guns and magazines that are currently legal or pass down historical or family heirlooms, the California State Sheriffs' Association wrote in a letter to Newsom's campaign.

"Effectively, this measure will create a new class of criminals out of those that already comply with common sense practices that now exist," wrote President Martin Ryan, Amador County sheriff and PAC Chair Gregory J. Ahern, Alameda County sheriff. "The focus of efforts to reduce gun violence in this state should be on those responsible for that violence, not those that have no intent to do harm."

The sheriffs note that they remain supportive of domestic violence restraining orders, existing background checks and waiting periods to purchase firearms.

But their position on the measure could add institutional heft to a coalition led by

## SHERIFFS (*continued*)

gun-rights groups. The chief critic to date had been the California Rifle & Pistol Association, whose Coalition for Civil Liberties considers the planned measure the biggest threat to gun rights in California in more than three decades.

Newsom's proposal would require most people to pass background checks for any one who wished to buy ammunition, sales of which must be made only through licensed vendors and reported to the Department of Justice.

While California has some of the nation's most restrictive firearms policies, including a 1999 ban on assault weapons, the measure would expand that prohibition to high-capacity magazines currently grandfathered in by the law. If it passes, the owners would need to sell them to a licensed dealer, transfer them out of the state or turn them in to law enforcement to be disposed of. ~

*Credit: Christopher Cadelago, Sacramento Bee*



### A Song in October

Clouds gather, treetops toss and sway;

But pour us wine, an old one!

That we may turn this dreary day

To golden, yes, to golden!

Autumn has come, but never fear,

Wait but a little while yet,

Spring will be here, the skies will clear,

And fields stand deep in violets.

The heavenly blue of fresh new days

Oh, friend, you must employ them

Before they pass away. Be brave!

Enjoy them; oh, enjoy them!"

—Theodor Storm

## Bass Lake Bulletin



### BLAC OPENS ELECTION NOMINATIONS FOR 2017 BOARD, OFFICERS

#### Three Open Positions

The Bass Lake Action Committee (BLAC) will have three open seats on the ballot for the 2017 board election.

Retiring from the board at the end of this year are President John Thomson, Treasurer Fran Thomson, and Director at Large Hal Erpenbeck. Standing for an additional term in 2017 are Vice President Kathy Prevost and Secretary Jan Buxton.

Commenting on his years as president, John said, "BLAC has saved the residents of Woodridge thousands of dollars by managing to reduce the Lighting and Landscape District annual fees from over \$300 a year to less than \$50 a year, mostly by correcting the error that included Oak Knoll Park in the assessments. The agreement with JS West Propane has also saved Bass Lake residents hundreds of dollars a year in propane costs. However, BLAC's most important role is giving Bass Lake residents a voice in the community, and representation before governing bodies like the county and the CSD."

BLAC members interested in running for any of the three open board vacancies may contact John, who is heading up the Nominating Committee, at 530-677-3039 or at [doctorjet@aol.com](mailto:doctorjet@aol.com). Of course, one may also run against any of the incumbent board members.

Pursuant to the BLAC Bylaws, election to

October 2016

office is open to all members in good standing. The nominees for all the board positions will be determined at the November board meeting, and the election will take place at the December Annual Meeting and Christmas Party in December.

#### Meeting Dates Set

The next meeting of the Bass Lake Action Committee Board of Directors will take place on November 7, 2016, at 7:00 PM.

The meeting will be held at the home of John and Fran Thomson, 501 Kirkwood Court in Woodridge, El Dorado Hills, 530-677-3039. The nomination of candidates for board offices for 2017 will be an item on the agenda.

The Annual Meeting and Christmas Party will be held on December 7, 2016, at the home of John and Fran Thomson, 501 Kirkwood Court in Woodridge, El Dorado Hills, 530-677-3039. Details will be announced at the November board meeting and the Bass Lake Bulletin.

For further information about BLAC meetings and membership, please contact Vice President Kathy Prevost at 530-672-6836. ~

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