

Weekly ReCAP for April 5, 2019

Next CPC meeting on May 6, 2019, the Chesebrough Room, 1:30 pm

BOS – April 9, 2019 – agenda excerpts below:

BOS April 9, 2019 agenda excerpts published as follows
REGULAR AGENDA

28. Approve various projects and allocate PG&E Settlement funds. Find that any and all allocations to non-County entities are in the public's benefit. Authorize and direct staff to effect the related budget transfers, which funds will ultimately be transferred on a reimbursement basis. Requires 4/5th affirmative vote of the Board.



a.

b.

Action Item

Printout

PG&E Budget

Transfers

Butte Fire

Settlement Matrix

29. 1) Accept and approve the Butte Fire Road Restoration Plan; 2) Authorize the Auditor-Controller to process the budget transfer associated with implementation of the Butte Fire Road Restoration Plan, requiring a 4/5th affirmative vote of the Board of Supervisors; and 3) Direct the County Administrative Officer to update the FY 2018-19 capital asset list to include the capital equipment contained in the plan in the near future.



a.

b.

Resolution Printout

Butte Fire Road

Restoration Plan

Butte Fire PG&E

Settlement Road

Program Budget

Transfers

37. 1) Conduct a Public Hearing and extend Interim Ordinance 3113 concerning Hemp Cultivation by a 4/5 vote for a period not to exceed 22 months and 15 days; and 2) By a majority vote issue a status report on actions taken to alleviate the need for the Interim Ordinance.



a.

Action Item Printout

Att. A: STATUS REPORT ON THE INTERIM

ORDINANCE DECLARING A TEMPORARY

MORATORIUM ON THE CULTIVATION OF

INDUSTRIAL HEMP WITHIN THE

UNINCORPERATED AREAS OF CALAVERAS

COUNTY

- b.
- c.

[Att. B: ORDINANCE 3113 ADOPTED MARCH 12, 2019](#)
[Att. C: BOS NOTICE OF PUBLIC HEARING 4-9-19](#)

IMPORTANT MEETING NOTICE! **I NEED YOUR HELP!**

The distribution of the Butte Fire Settlement funds will be finalized at the next Calaveras County Board of Supervisor meeting on **Tuesday, April 9 at 9:00 am**. Please come and support the use of these funds for Butte Fire Recovery efforts and to improve our county's infrastructure for fire preparedness and prevention. It is critically important for members of our community to speak up during public comment to explain why the settlement funds should be used for finishing repairs on the roads and county infrastructure that were damaged by the Butte Fire as well as prevent future fires and promote community resiliency.

It is vital that citizens remind the Board of Supervisors that we have not yet recovered from the Butte Fire. Let's make it clear that the most appropriate use of the Butte Fire Settlement funds is on recovery from the Butte Fire and doing everything in our power to prevent and prepare for a future disaster.

Jack Garamendi

Planning Commission - April 11, 2019 meeting canceled

Sierra Nevada Film Festival / April 13 / Space limited / RSVP at
https://mailchi.mp/1996b51b13ba/2019_nh-1476825

Come to the 16th annual Sierra Nevada Film Festival at Newsome Harlow. Start the evening tasting fabulous wines, and settle in for two riveting films. Each film, in its own way, begs the question: "If a crime is committed in order to prevent a greater crime, is it forgivable? Is it, in fact, necessary?" After the films, you can discuss this question with Ken Ward, who – as you'll see in *The Reluctant Radical* – risked his freedom in hopes of preventing the greater crime.

WINE TASTING RECEPTION 6:30 PM

- 7:15 Film program starts at sundown
- 7:20 Making Waves: Rebirth of the Golden Rule
- 7:45 The Reluctant Radical (sponsored by [Sol Sierra](#))
- 9:10 Q&A with Ken Ward, the activist in "Reluctant Radical"

Mother Lode County One Of 13 Awarded Fire Resiliency Grant

[03/30/2019 8:54 am PST](#)

Tracey Petersen, MML News Reporter

Mariposa County, CA – CAL Fire has awarded more than \$63 million in grants to 16 projects, covering nearly 200,000 acres of forestland including some in Mariposa County.

The projects involve private, state, and federal forestlands in 13 of the counties and will promote healthy forests to help enhance carbon sequestration through CAL FIRE’s “Forest Health Program.”

“These landscape-level Forest Health projects complement the immediate actions to prevent and mitigate wildfires that CAL Fire proposed in its recent “45-Day Report” to Governor Gavin Newsom, explains CAL Fire Assistant Deputy Director for Climate and Energy Angie Lottes. She adds, “Together, our investments will help make our forests more resilient, reducing the risk of wildlife and the resulting loss of carbon, while also improving ecosystem health.”

Much of the funding will go towards thinning dense and pest-impacted forests; using prescribed fire to reduce hazardous fuel loads; and planting trees in forests diminished by fire, drought, insects and disease. Mariposa County’s “Southern Sierra All-Lands Restoration and Recovery Project” will receive a \$2,434,462 slice of the funding pie to implement some of that forest work.

California Climate Investments, a statewide program that utilizes billions of Cap-and-Trade dollars to reduce GHG emissions, strengthen the economy, and improve public health and the environment, especially aimed at disadvantaged communities, is footing much of the bill for CAL Fire’s healthy forest program. Within the next month, another \$37 million in additional funds for fire prevention projects and \$2.5 million for scientific research into forest health issues will be awarded. CAL Fire has not yet revealed what counties have been selected to receive that money.

Series To Focus On Preparing For The Dangers Of Fire Season

[3/30/2019 6:00 am PST](#)

BJ Hansen, MML News Director

Sonora, CA — Mother Lode Views will begin a four-part series highlighting the important information community members need to know ahead of the summer fire season.

In 2013 the Mother Lode dealt with the Rim Fire, 2015 brought the Butte Fire, in 2017 was the Detwiler Fire, and last year saw the Donnell and Ferguson fires. Fire safety is also top of mind following the most destructive fire in the state’s history, in Paradise, last summer.

This weekend’s show will focus on the recently announced Tuolumne County Fire Initiative, and short and long term efforts to improve fire resiliency. In addition, there will be a discussion about what is leading to many people losing fire insurance, and actions taken at the county level. There will also be talk about potential state and local regulatory actions on the horizon. Future shows will focus on topics like evacuations, ingress and egress concerns, defensible space, hardening your home, and fire safe projects underway.

The series is airing at the same time that Tuolumne County officials are holding town hall meetings in various communities. This weekend’s show will feature County Administrative Officer Tracie Riggs, Supervisor Sherri Brennan and Office of Emergency Services Coordinator Liz Peterson.

Mother Lode Views airs Saturday and Sunday morning at 9:30 on AM 1450 and FM 102.7 KVML. Mother Lode Views can also be heard Sunday morning at 10 o'clock on 93.5 KKBN and at 9am on STAR 92.7.

For our extensive audio archive of past interviews on Mother Lode Views click on the "Multimedia" tab and on "Mother Lode Views" or keyword: [mlviews](#)

D.C. judge tosses lawsuit involving county supervisor's cattle over protections for Sierra Nevada frogs and toads

Alex MacLean / The Union Democrat / April 1, 2019

A federal judge in Washington, D.C., has dismissed a lawsuit filed by the California Cattlemen's Association that challenged the U.S. Fish and Wildlife Service's designation of 1.8 million acres in 16 Sierra Nevada counties as critical habitat for three amphibian species.

U.S. District Court Judge Trevor McFadden issued his decision on Wednesday that stated the association failed to establish that any of its members suffered injury from the designation as opposed to regulations that were put in place before it went into effect.

The lawsuit's dismissal comes nearly five years after the service listed the mountain yellow-legged frog and Sierra Nevada yellow-legged frog as endangered and Yosemite toad as threatened, which ignited heated debate locally because Tuolumne and Calaveras were among the counties with land targeted for designation as critical habitat for the species.

According to the opinion, the association staked its claims on declarations by Tuolumne County Supervisor Sherri Brennan, who operates Brennan Ranch in Sonora and has been a member of the association for more than 30 years.

The opinion stated that Brennan's grazing allotment in Eagle Meadow in the Stanislaus National Forest were among the places designated as critical habitat.

Brennan reportedly claimed that the pending critical habitat led to costly delays in the process of obtaining her 2017 grazing permit from the U.S. Forest Service, reduced the maximum amount of plant materials her cattle could consume in Eagle Meadow, limited the number of cattle that could graze on the allotment, and imposed burdensome monitoring requirements.

Brennan could not be reached for comment.

McFadden, however, ruled that the association failed to provide enough proof that the modifications to Brennan's permit were a direct result of the pending critical habitat designation that had yet to become final.

Conservation groups that intervened in the lawsuit to defend the critical habitat designation hailed the dismissal of the lawsuit as a victory for the imperiled frogs and toads in a joint press release issued on Thursday.

"Public-lands ranchers' private interests should not dictate critical habitat designation these sensitive amphibians need to survive," said Talasi Brooks, staff attorney for the Idaho-based Western Watersheds Project, which intervened in the suit. "The ranchers did not show how the critical habitat designation here has any effect on their grazing operations."

The Center for Biological Diversity, based in Tucson, Arizona, and Central Sierra Environmental Resource Center, based in Twain Harte, also defended the habitat protections in the lawsuit.

Jenny Loda, a biologist and attorney with the Center for Biological Diversity, said the judge's decision means the frogs and toads won't be a "robbed" of needed habitat protection by the livestock industry and attorneys at the Pacific Legal Foundation, who filed the lawsuit on behalf of the California Cattlemen's Association.

"This win gives them a fighting chance at recovery," she said.

All three species were once abundant in the Sierra Nevada, but have declined over the decades and are now found mostly on public lands at high elevations, including streams, lakes, ponds, and meadow habitats located in national forests and parks.

The conservation groups say in the press release that the Sierra Nevada and mountain yellow-legged frogs have declined "about 90 percent throughout the mountain range due to habitat destruction and degradation, disease, predation by nonnative trout, livestock grazing, climate change and pesticides."

However, a 2016 study found that the abundance of Sierra Nevada yellow-legged frogs specifically in Yosemite National Park increased seven-fold over a 20-year period between 1993 and 2012 based on more than 7,000 frog population surveys.

Ranchers have also cited multiple studies conducted by researchers at the University of California, Davis, have shown there are no clear direct or indirect impacts from livestock grazing on Yosemite toad populations.

The association and its lawyers at the Pacific Legal Foundation said they were disappointed but stand firm in their belief that the service is skirting a federal law intended to protect small businesses and local governments from overly burdensome regulations.

Oliver Dunford, an attorney for the Pacific Legal Foundation, said in an interview Thursday that dismissal of the suit shows the federal government can "evade scrutiny by imposing restrictions before the critical habitat is finalized."

Dunford said they attempted but were unable to find people who were impacted after the designation was finalized in August 2016.

"We didn't have direct evidence that the earlier restrictions were put in place with the intention of ultimately designating critical habitat, but it is an issue that has come up often where the government imposes regulations, later identifies land as critical habitat, and then says you're too late to challenge anything because your injury occurred earlier," he said.

Kirk Wilbur, spokesman for the California Cattlemen's Association, said that they will need to consult with their co-plaintiffs and attorneys before making any decisions on what to do next with regard to the lawsuit.

The association plans to continue pressing the federal Fish and Wildlife Service to abide by the Regulatory Flexibility Act, which requires federal agencies to examine the impacts of proposed regulations on "small entities" before imposing them.

Such an analysis was not completed by the service for the critical habitat designation because the service argued that only federal agencies would be required to ensure that any action they take doesn't have an adverse impact on the designated critical habitat, and federal agencies are not considered "small entities."

Wilbur said the service "routinely" violates the Regulatory Flexibility Act when designating critical habitat, but the other agencies do not. He also took issue with the Center for Biological Diversity's

characterization of the lawsuit as an attempt by the livestock industry at “robbing” the frogs and toads of critical habitat.

“This was never an attempt to ‘rob’ these threatened and endangered amphibians of their habitat,” he said. “Rather, it was an effort to force a federal agency to comply with federal law, to examine the economic impacts of their actions on small businesses and rural communities, and to mitigate for those economic challenges if possible.”

The 16 counties containing land that was designated as critical habitat for the frogs and toads are Tuolumne, Calaveras, Lassen, Plumas, Sierra, Nevada, Placer, El Dorado, Alpine, Amador, Mariposa, Madera, Mono, Fresno, Tulare and Inyo.

About 502,000 acres in Tuolumne County, roughly 35 percent of its total acreage, was part of the designation.

Hundreds of people attended an event in 2013 at the Mother Lode Fairgrounds in Sonora hosted by Congressman Tom McClintock, R-Elk Grove, where he grilled federal officials on the then-proposed designation.

Congressman Devin Nunes, R-Tulare, also attended the event and told the lively standing-room-only crowd that such designations are “just the beginning before they come and take your jobs away.”

Support Seen For Industrial Hemp; Grows Officially On Hold For Now

[04/02/2019 4:38 pm PST](#)

Tori James, MML News Reporter

Sonora, CA — While unanimously voting in favor of a temporary commercial hemp grow ban, the Tuolumne County supervisors voiced different reasons for doing so.

It was officially noted during the 1:30 p.m. appointment slot set up to publicly hear and discuss approving an urgency ordinance allowing the moratorium that no one from the public showed up to speak for or against it. However, staff noted one person who weighed in via email opposed the move adding that he anticipated growing industrial hemp.

Since the Fed declassified hemp as a Schedule 1 and the State of California is legalizing commercial grows under regulations that are still in development for federal approval, jurisdictions across the state are grappling between enacting local laws while the process plays out. Since there are only rudimentary state regulations currently in place for its hemp program, legal grows could crop up in zones allowing any kind of agriculture as long as they are locally registered with the agricultural commissioner, are more than one-tenth of an acre in size, and are properly posted. However, THC levels must be tested and certified as within legal range for growers to legally harvest.

Board Chair and District 5 Supervisor Karl Rodefer commented, “We are not making a decision on allowing industrial hemp, we are making a decision about whether we need to take a timeout. We all have different knowledge bases or think we do...Here is my concern, industrial hemp in some applications has significant value to being grown. What I don’t want is...putting a moratorium place with the intent of it really becoming a long-term ban.”

Continuing on the topic, he stated, “We owe it to our staff...not just whether we want them to work on

this or not but how it fits into the priorities that we have set. We want to have staff come back in first 45 days with work plan/analysis to demonstrate how long [getting to a permanent ordinance] is going to take.”

Lamenting Regulations Still Lacking

District 1 Supervisor Sherri Brennan, who supported slow-going steps towards any regulatory ordinance, pointed out that the county needed time to do its due diligence and wait to see how state regulations rolled out. “There are no approved pesticides for industrial hemp...no regulations for sampling, protocols, or labs for testing THC levels,” she maintained. She also argued, “There are multiple pieces to this as we move forward...I don’t want to open this do if we don’t have the vehicle to enforce it.”

Weighing in, District 4 Supervisor John Gray queried, “The cost of enforcement is going to be really important. Who’s going to do it and how much does it cost?”

District 3 Supervisor Anaiah Kirk expressed caution due to legal uncertainties with the state’s regulatory plan, which once complete, still requires federal approval.

Asked for his input, Sheriff Bill Pooley emphasized, “Taking our time and getting it done right the first time is the way we should go.”

Acknowledging the differing information and knowledge gaps evident from the staff presentation through the board discussion, District 2 Supervisor Ryan Campbell spoke in favor of the moratorium mostly due to county staff’s request for more time. But, he stressed, “Government should not be impeding fair enterprise...it is not a drug and the Fed and state have agreed it is legal. So it is on us to get our ducks in a row...and to hopefully do in a relatively short time period.”

On May 5, the board will decide whether to extend its urgency ordinance on the moratorium, which it can legally continue for a maximum of 22 months and 15 days.

It’s Time To Be On The Lookout For Rattlesnakes

[04/03/2019 2:30 pm PST](#)

Tori James, MML News Reporter

Sonora, CA – Although the weather is trending a bit cooler than last year, wildlife officials are sharing a heads up that April is when snakes, including rattlers, begin to emerge.

As [reported here](#), last April was a very active one for rattlesnakes due to warmer temperatures and an estimated increase in the local population. Due to several reports of early in the season bite cases, the California Poison Control System (CPCS) issued an alert, indicating the number of assistance calls seemed uncharacteristically high. Too, at least one local veterinary clinic reported seeing an unusually high number of canine patients by the end of that month.

California Department of Fish and Wildlife (CDFW) officials say it is time to be on the lookout for rattlesnakes and to not only give them a wide berth, know [what to do in the event of a bite](#).

Rattlesnakes are widespread in California and are found in a variety of habitats from coastal to desert. They may also turn up around homes and yards in brushy areas and under woodpiles. Most bites occur

between the months of April and October when snakes and humans are most active outdoors. Officials stress that rattlesnakes are generally not aggressive and will likely retreat if given room and not provoked or threatened.

In fact, most bite cases happen when a rattlesnake is handled or accidentally brushed against by someone walking or climbing. As wounds require immediate medical treatment and can occasionally be fatal, experts explicitly warn folks not to handle a rattlesnake – even if you think it is dead. Although it might seem odd, a severed head on its own can bite.

On behalf of these often misunderstood and unappreciated creatures, CDFW’s Keep Me Wild program coordinator Lesa Johnston shares, “Snakes really get an unfair bad rap, when they actually play an important role in California’s ecosystems.” She adds, “Like most wild animals, snakes prefer to keep to themselves and are not naturally aggressive. Taking the time to learn about safety precautions before going outdoors can make all the difference.”

Common Sense Rattlesnake Avoidance Tips

- Wear boots and long pants when moving through areas where snakes may reside
- Stay away from underbrush and tall weeds and travel along trails and paths
- Do not touch or disturb a snake, even if it appears dead
- Carefully inspect logs or rocks before sitting on over stepping over them.
- Never visit remote areas alone and have someone along who can assist in an emergency
- Teach children to respect snakes and to leave them alone
- Consider a rattlesnake vaccine and/or avoidance training for your dog(s)

Former Pet Bath House owner pleads no contest to animal cruelty

Giuseppe Ricapito / The Union Democrat / April 3, 2019

The former owner of an Angels Camp pet boarding business pleaded no contest to felony animal negligence in the Calaveras County Superior Court on Tuesday for a sentence of three years probation and up to 60 days in county jail.

Vonna Hughes was accused of three counts of felony animal cruelty, two counts of felony grand theft and two counts of misdemeanor animal cruelty related to three dogs left in her care at the now-closed Pet Bath House on Main Street in Angels Camp by a Butte Fire survivor in June 2017.

In an interview with the Union Democrat on Wednesday, Hughes said she was pleased with the resolution following years of courtroom deliberations and trial postponements.

“What’s anything fair about lies? Stopping gossip is like throwing feathers in a tornado and trying to go out and pick them all up,” she said.

Butte Fire survivor Steve Mendoza, the owner of the three pitbulls — Casper, Coco and Cici — said he insisted Hughes have a felony on her record before he agreed to the plea bargain.

“I wanted something to stick on her for what happened to Cici,” he said. “It’s been very hard on me and [my wife] Natalie. There are times where I can’t sleep at night and I am always thinking of Cici constantly. A family member of ours is gone.”

Cici was found dead in a bloody trash bag at a Utica Power Authority property in Murphys about a month after all three dogs disappeared from the Pet Bath House in July 2017. Casper and Coco were located by Calaveras County Animal Services later in July and reunited with their owner.

The plea bargain means Hughes will be sentenced to anywhere between zero and 60 days in the Calaveras County Jail at her sentencing hearing on May 7.

Hughes' attorney, Ken Foley of San Andreas, said she would be eligible for alternative sentencing options such as electronic monitoring.

"I would have liked to have seen her to be exonerated because of the situation she was stuck with," Foley said. "She's a single woman in her late 60s with nobody else really helping her."

Calaveras County Deputy District Attorney Jeff Stone, who was prosecuting the case against Hughes, said if Hughes violated her probation she could be jailed for up to three years.

Her probation requirements prohibit her from having any employment or owning any business that involves animals, he said.

"It wasn't the optimal resolution we were hoping for, but it is one we can stand by. It does strike a pretty good balance between holding Mrs. Hughes responsible for what she did and kind of balancing Mr. Mendoza not having to go through any additional pain and suffering with the trial process," Stone said.

The three animal cruelty charges were related to the three pitbulls individually and the allegation Hughes deprived them of necessary sustenance and shelter.

Her single felony no contest plea was related to the charge associated with Cici, Stone said.

"That was important to Mr Mendoza, that whatever plea she entered directly addressed the death of Cici," he said.

Mendoza is expected to make a victim impact statement at the sentencing hearing. Stone added they were prepared to go to trial, but Mendoza felt it was a satisfactory resolution for Hughes to take responsibility.

Foley said if Hughes pays the total restitution before the end of probation or if she does not incur any violations while on probation, then her charges can be reduced to a misdemeanor.

Hughes will also be required to pay Mendoza \$2,125 in restitution. The value of the restitution was decided based on the grand theft charges, which alleged Hughes charged Mendoza \$1,000 for a \$750 bill and \$3,800 for a \$2,800 bill for injuries that Hughes claimed the pitbulls inflicted on other dogs in her care, and the cost for him to board the animals.

"I just want the money that was taken from me. I don't care about money from pain and suffering I just want what was taken," Mendoza said.

"The only ones that win are the lawyers," Hughes said. "We were all in a room and it was settled."

The saga surrounding the fates of Casper, 11, a red nose pit bull; Cici, 9, an American pit bull, and Coco, 3, a brindle pit bull, galvanized public opinion against Hughes and her Main Street business.

Mendoza and dozens of his supporters wore matching t-shirts that said "Justice for Cici" at multiple hearings at the Calaveras County Superior Court. A few times, a red-nosed pitbull named Falcor, which was owned by one of the supporters, joined them in the courthouse.

A petition circulated online, which garnered over 1,300 signatures, to close the Pet Bath House. The business was subsequently closed by the city.

Hughes operated the Angels Camp pet grooming, kennel and boarding service since 2013. In 2015, she moved from Monte Verde Street to the Main Street location.

The Union Democrat was contacted by an Arkansas resident in July 2017, who said her rescue dogs, a 5-year-old basset hound rescue, Suzie, and a 5-year-old English mastiff, Hope, died while in Hughes' care in Arkansas in August 2011.

Hughes, then known as Vonna Smith, had been hired to go to the woman's home three times a day to feed, care and monitor the dogs while she was on a six day vacation in Florida.

The woman's brother, an Arkansas State trooper, found the dogs dead after Hughes called the woman to say they were "too hot."

Hope, Arkansas, Chief of Police of J.R. Wilson said in July 2017 the woman filed a police report alleging animal cruelty against Hughes. The Hempstead County District Attorney did not file formal charges.

About a year before, Hughes' Pet Bath House in Hope, Arkansas, burned down a few days after Thanksgiving due to an electrical malfunction, said Chief Todd Martin of the Hope Fire Department.

Hughes was arrested by the Angels Camp Police Department on July 8, approximately a week after Casper, Cici and Coco disappeared.

Hughes on Wednesday denied releasing the dogs from the Pet Bath House, though she characterized them as violent.

"You can't stop them from talking. As long as I know the truth and God knows the truth, nothing else matters," she said.

Hughes said she would have "scars on her legs for the rest of her life" after the three dogs attacked her in the business on July 1.

"When the dogs started biting other dogs and Mrs. Hughes, she went to animal control for help and they declined to help her. Simply put, she just didn't know what to do with these pitbulls and she's very sorry that any dog was injured," Foley said.

Hughes' charges of misdemeanor animal cruelty were related to an alleged attempt to heal a gash on a dog injured in a fight with the pitbulls with super glue, and for failing to provide appropriate care for another dog involved.

Hughes was originally scheduled to stand trial on Sept. 12, 2018, but that date was vacated because of Foley's commitment to an unrelated trial in Amador County. The new trial date of Dec. 5, 2018, was delayed by the district attorney's office because two witnesses were unable to attend.

The trial was scheduled a few months after former Angels Camp Police Chief Todd Fordahl, who located Cici's body, retired and said he intended to move out of state.

Mendoza, who now lives in an apartment in San Andreas after moving from a temporary FEMA camp trailer during the Butte Fire, said he plans to buy a home with the settlement money. The dogs are boarded at a facility and will join his family after the move, he said.

Casper and Coco were boarded in multiple locations, including Jay Tee Kennels in Valley Springs, Calaveras County Animal Services, and the Pet Bath House since his home in Mountain Ranch was destroyed in the Butte Fire in September 2015.

"It will be a big relief. It will be a big pressure taken off our hearts," Mendoza said.

Cal Fire and defensible space: Wet weather now feeds fuels for the next fires

Guy McCarthy / The Union Democrat / April 3, 2019

Deputy Chief Nick Casci with the Cal Fire Tuolumne-Calaveras Unit was the first command officer in the Boston Yale Ranch subdivision when the wind-driven Butte Fire jumped the North Fork Mokelumne River from Amador County into Calaveras County before sundown Sept. 9, 2015.

He was on Montgomery Drive, the entry road off Highway 26 up to Boston Yale Ranch.

“The fire came across the river and it made a topographic run,” Casci said Wednesday. “The Boston Yale community is right on the ridgeline there above the river’s edge. The extreme fire behavior we had, it released a lot of energy into that community. I couldn’t give a for-sure reason why some houses made it and some didn’t. But a definite thing about defensible space is that any reduction in fuel around a structure is going to provide better odds of that structure being defensible.”

Casci, like many other Cal Fire personnel up and down the Central Sierra foothills, is talking about defensible space — keeping a minimum of 100 feet of clear space between any home and surrounding fuels, grasses, bushes, shrubs and trees.

He’s talking about it in early April because it’s been a wet winter season, and all that rain and snowmelt and recent sunshine have already boosted springtime vegetation growth up and down the Mother Lode.

“When it comes to defensible space what we’re trying to do is increase the odds for residents,” Casci said. “It makes a structure more defensible for an engine crew or any other resource we can use to defend a structure. It gives us a better chance when fuels are reduced.”

Sometimes fire behavior, fuel loading and slope steepness prevent crews from defending structures because of threats to firefighters’ lives, Casci said. Cal Fire personnel try to mitigate threats so they can try to do structure protection, but when they can’t reduce or cancel out risks, including heavy fuel loading next to homes, they can’t do structure protection.

Inspectors out right now

So right now, even though the highest elevations of the Central Sierra are still covered in snow and locked in winter, Cal Fire staff in Tuolumne, Calaveras, Mariposa and other Mother Lode counties have already started warning people it’s time to start thinking about defensible space.

Seasonal defensible space inspectors started visiting residents in state responsibility areas of Tuolumne and Calaveras counties on March 4, Adam Frese, forester for the Tuolumne-Calaveras Unit, said Wednesday.

Defensible space inspectors are working in Crystal Falls, and will be starting soon in Ponderosa Hills, Frese said. The Tuolumne-Calaveras Unit has three defensible space inspectors. Station personnel are also trained to do inspections, and so are volunteers. Volunteers are doing inspections in both Tuolumne and Calaveras counties.

The Tuolumne-Calaveras Unit covers all of Tuolumne and Calaveras counties, and portions of east Stanislaus and San Joaquin counties, and state responsibility areas cover more than 1.12 million acres. That’s more than 1,750 square miles and Cal Fire does about 14,000 defensible space inspections each year in the Tuolumne-Calaveras Unit, Frese said.

“Out of those inspections, we issue around 40 citations for violations,” Frese said. “Some years we issue more, some years less. Citations are usually issued in instances where no effort or progress has been made toward compliance.”

‘Some made it, some didn’t’

There were about 15 homes on the ridge at Boston Yale Ranch and a half-dozen of them burned, a resident said.

“The flames were right here in these trees,” Russ Nodder told The Union Democrat in an interview at the site of his burned home in October 2015. “It came up this ravine like a chimney. Some of the flames must have been a hundred feet tall. A big wall, a giant wall of flame. We just made it out alive. It was all kind of a blur at this point.”

It wasn’t clear from Nodder’s and Casci’s accounts how brush clearance and defensible space factored into the firefight at Boston Yale Ranch.

Fire seasons in California used to encompass parts of spring and all of summer and autumn, but deadly, destructive megablazes have continued in November and December in recent years. Cal Fire scientists now advise people that fire threats in the Golden State are year-round.

Regardless of when fire season begins, people who live in state responsibility areas under Cal Fire jurisdiction are required to provide and maintain a minimum of 100 feet of defensible space around all structures.

Defensible space inspectors try to educate people about why the clear space is needed for firefighters’ safety, Casci said. They also are tasked with enforcement, which can begin with monetary citations.

Hughes pleads no contest to animal cruelty; could serve up to 60 days in jail

- [by Dakota Morlan](#) / The Calaveras Enterprise
- Apr 4, 2019 Updated 4 hrs ago

The former owner of the now-shuttered Pet Bath House in Angels Camp pleaded no contest to felony animal cruelty at the Calaveras County Superior Court on April 2, only one day prior to when her trial was scheduled to begin.

“We were prepared to seek justice through the trial process and seek additional punishment, but not at the expense of causing additional pain and suffering to the victim,” said Deputy District Attorney Jeff Stone in a statement sent to the Enterprise on April 4.

Vonna Hughes, 70, will serve three years on probation and could face up to 60 days in county jail, according to court records. Her sentencing will take place on May 7.

The defendant will also be required to pay an estimated \$2,125 in fees and restitution to victim Steven Mendoza. Hughes was additionally charged with two felony counts of grand theft after she reportedly continued to bill Mendoza for the boarding of his dogs while they were not in her care.

Mendoza alleges that he boarded his three pit bulls at the Pet Bath House in 2017 after losing his home in the Butte Fire. Two of the dogs, Casper and Coco, were found roaming in different parts of the county, and CiCi was found dead in a trash bag.

A group called “Justice for CiCi” formed following the incident that has enthusiastically supported Mendoza through the trial process, often appearing in court wearing matching t-shirts.

“Mr. Mendoza requested that the case be settled without a trial, and he expressed gratitude and relief that the defendant pled to a felony, and that he can now begin to close this tragic chapter of his life,” Stone said.

Under the terms of her probation, Hughes will not be able to seek employment in any line of work that involves animals. The defendant could spend up to three years in prison if those terms are violated.

China ban on recyclables to jeopardize local waste management funding

[By Davis Harper](#) / The Calaveras Enterprise / Apr 4, 2019

A global market crash for recyclables may cut waste recovery funds returned to Calaveras County each year. Amid the threat of reduced funding for the county’s waste management program, local officials are seeking ways to shift to a more sustainable economy.

More than 90 percent of the 8.3 billion metric tons of plastics produced over the past 60 years has not been recycled, according to a Science Advances study published in July of 2017.

Around the same time that report was released, China, the largest waste importer in the world at the time, announced that it would be implementing strict requirements on 24 recyclable solid waste commodities – some paper, but mostly plastic – citing environmental concerns. Under its National Sword policy, the country has not accepted materials with a contamination rate of over half of a percent for the past year. For instance, a plastic bottle with a label on it would be shipped back to the country that exported it, as would any food container that was not vigorously cleaned out.

That means a local recycling service like California Waste Recovery Systems (Cal-Waste) now has to find new markets for thousands of pounds of plastics and paper that have sunk in value.

Providing curbside waste recovery in Calaveras County for over 7,400 customers, the Galt-based company collected 2,400 tons of recyclables in 2018, according to Cal-Waste Recovery owner Dave Vaccarezza.

Revenues generated from material recovery comes directly back to the county in a quarterly check, which is used to offset costs of the county’s integrated waste program, including recycling efforts, according to Brian Moss, the program’s manager.

Under that program, residents can pay a parcel tax to have their trash hauled to a nearby transfer station, from where it’s sent to the Rock Creek Solid Waste Facility in Milton for sorting and disposal.

The county makes very little income off of the program’s resource recovery efforts, Moss said.

Vaccarezza said China’s restrictions are impacting every material recovery facility (MRF) operator in the U.S.

“I have at least five 25-ton truckloads of baled, processed (type Nos. 3-7 plastic) materials waiting for someone to buy it,” Vaccarezza said in a phone interview Tuesday. “We’re at a point that there isn’t a market for it. At some point we have to make a decision on if that will end up in a landfill. At the end of the day, it’s got to go somewhere.”

With China no longer offering a viable market, Vaccarezza said about 60 percent of the company’s recyclable materials are exported to Vietnam, India and Mexico, based on what brokers tell him.

“Anywhere we can find a market, we’re willing to ship to,” Vaccarezza said.

Calaveras County has received nearly \$450,000 in recyclable revenues from the company since entering a contract in December of 2016. Because finding a broker to sell off the plastics has been near impossible, the payout rate will likely drop substantially this year, Vaccarezza said.

Moss said the Rock Creek Landfill in Milton has about “34 years of life left in it,” but the life expectancy may increase as more and more diversion takes place.

Reducing landfill waste is “a concern as a citizen and as a taxpayer,” said Sherri Reusche, a Calaveras Unified School Board trustee.

Reusche said she’s been offering recycling solutions to county supervisors over the past two years, one of which was to hire a Lodi-based recycling service to reduce the amount of polystyrene foam (Styrofoam) lunch trays that get shipped off from cafeterias to the landfill. Reusche suggested using Cal-Waste funds to pay for the contract.

Polystyrene foam is one of numerous plastic materials that the Rock Creek facility does not accept, including straws, bubble wrap and credit cards, among others.

“(It would be) a win-win because it keeps stuff out of the landfill and helps the school district reduce trash,” Reusche said of the proposal.

A student-led “waste audit” in 2016 that Reusche said she provided to board members in the past counted 1,242 trays that were thrown out over a 24-hour period, which would stack up to more than 223,000 trays over the 180-day school year, or 68 Dumpsters-worth.

The audit recommended a shift to reusable plastic trays and a districtwide commitment to purchasing recyclable materials.

Reusche has also proposed that the board fund a Cal-Waste Recovery recycling education program for kids, requesting \$2,400 to cover transportation to the valley. There was no follow-up discussion, and the board never took action on either of the proposals, Reusche said.

Encouraging sustainable business growth

Recycling will be difficult for businesses and consumers as long as it’s cheaper to make products out of nonrecyclable materials, Moss said.

In recent months, Economic Development Director Kathy Gallino has been working with local enterprises to address that.

There are financial incentives for business owners to shift to more sustainable practices, but the challenge is educating and providing resources for them to make that leap, Gallino said.

“I can attract, retain and help businesses grow when they take a nonhazardous waste product and remanufacture it into something else or include post-consumer recyclables in their process,” Gallino said. “If you can (reuse or recycle) a product rather than have to pay to dispose of it, you’ve cut that

whole expense out.”

That might mean capturing water for secondary purposes, changing a product line to use post-consumer plastics or eliminating plastic use where practical and encouraging reusable food and beverage containers.

As far as expanding operations, a state recycling program offers low-interest loans to businesses of up to \$2 million to cover costs associated with “preventing, reducing, or recycling recovered waste materials through value-added processing or manufacturing,” according to California’s Department of Resources Recycling and Recovery (CalRecycle) webpage.

Covering “property acquisition, equipment purchases, working capital, and refinancing high interest debt, the key element of the program is to use post-consumer or secondary-recovered waste as feedstock, creating a new product from that feedstock, and reducing the amount of waste going to the landfill.”

That applies to designated recycling market development zones, including all of the unincorporated portions of Calaveras County.

Dr. Micha Miller, a biology professor at Columbia College, emphasized the importance of clearly labeling what’s recyclable and what’s not – using logos and cutting out holes shaped like the recyclable objects, for example – as cost-efficient steps businesses can take to reduce waste exports to landfills at the local level.

In a broader context, Miller said that raising prices of trash disposal could potentially incentivize businesses and consumers to take on more sustainable waste management practices.

In 2016, recycling centers in Murphys, Angels Camp and San Andreas were forced to shut down after sinking prices for recycled plastic reduced profits, the Enterprise reported. Valley Springs Recycling is now the only center in the county, with satellite locations in Angels Camp, Arnold, Copperopolis, Pine Grove and San Andreas.

Visit intwaste.calaverasgov.us/Reduce-Reuse-Recycle for a list of places to donate unwanted items that may be reused or recycled.

Costly Fires Force California To Eye Risk Pools

[04/04/2019 7:58 am PST](#)

Tracey Petersen, MML News Reporter

Sacramento, CA – California officials are struggling to find ways for homeowners in fire-prone areas to afford insurance and for utilities to survive liability from devastating wildfires – a situation threatening to worsen with climate change.

Courts and regulators have put fire financial burdens on utilities, leading Moody’s Investors Service to downgrade credit ratings for California’s three big investor-owned utilities.

California’s recent past “is fraught with wildfires,” shares Chief Deputy Insurance Commissioner Joel Laucher. He adds, “This is the world that insurers are looking at.”

One option is to create a new state catastrophe fund in the range of \$15 billion to \$30 billion. Moody’s suggested in a report issued yesterday it was the most likely outcome. While the service noted a fund could help stabilize utilities, it warned that the extent of the help depends on its size and how it addresses wildfire costs. Moody’s noted that a larger fund could protect against more fires but could push higher costs onto customers.

Massive wildfire expenses in 2017 and 2018 were the major motivation for Pacific Gas & Electric Corp. (PG&E) to file for bankruptcy protection. It also led to the formation of a five-member board that is considering who should pay for increasingly destructive wildfires. Board members have until July 1 to make their recommendations.

Risk managers warn that California's wildfire threat is so great now that even risk pools or catastrophe bonds aren't attractive to investors. "It's not like there's one silver bullet here that's going to solve the problem," shared Carolyn Kousky, executive director of the Wharton Risk Management and Decision Processes Center at the University of Pennsylvania.

As reported here, last month CAL Fire weighed in with its recommendations to help prevent devastating wildfires with the summer season approaching. Governor Gavin Newsom plans to outline his proposal to address the problem by mid-April.

State Lawmakers Move On Bipartisan Cannabis Market Bills

[04/04/2019 4:45 pm PST](#)

Tori James, MML News Reporter

Sacramento, CA — Among the latest issues California lawmakers are working on to stabilize the nation's largest legal cannabis marketplace is to close a licensing gap for commercial marijuana growers and get the Feds to legalize CBD oil infused products.

Thousands of legal marijuana cultivators are in or potentially facing a limbo; unable to do business because their temporary licenses are expiring before the state is able to replace them with permanent ones. In a 32-4 vote without debate, the Senate has just passed a bill that would allow temporary license extensions. It now goes to the Assembly, where it is expected to pass.

Meanwhile, state regulators have authorized some provisional licenses. Since voters approved establishing broad legal sales, the licensing and regulatory process that was enacted a little more than a year continues to ripple with rough patches.

The state must also deal with CBD (cannabidiol) oil-infused food, drinks and dietary supplements containing the non-psychoactive molecule that is found in hemp and marijuana cannabis plants. While CBD is the active ingredient in a FDA-approved prescription drug that treats two rare seizure disorders, the agency, which has oversight, considers it illegal. The FDA's current stance is that there is insufficient testing to determine whether CBD is safe or effective for health-benefit seekers to use for other conditions such as pain, anxiety and inflammation. The position is leading some authorities into forcing retailers to cease sales.

So California lawmakers and those in other states are pushing bipartisan legislation to sidestep federal law and allow legal sales. A measure to legalize hemp oil-infused edibles has moved to the State Assembly. Republicans and Democrats in Congress are also urging the Feds to change stance on CBD as they did by delisting hemp from the Schedule 1 drug list.
