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# The Lake Berryessa News

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**Owner & Editor**

*Shirl Katleba*

**Co-Editor & Writer**

*Peter Kilkus*

**Director of Circulation**

*David Rutter*

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## To the Editor

The lake proposals that I’ve seen have never addressed the conditions of the roads to Lake Berryessa. There are five major access roads and two of them, Hwy 121 and Hwy 128 have had problems already this year that cause concern. With future development plans of the resorts, would road planning be included?

Shari Bonds, Berryessa Highlands

(Editor’s Note: The simple answer is No. The Bureau of Reclamation takes no responsibility for local road planning. Hwy 121 & 128 are State highways. Knoxville Rd. is County-maintained. At the present time there are no substantive plans to improve any of these roads. This issue was also of concern to the Chamber of Commerce at its recent meeting.)

## Diane Dillon and the issues

Napa County District 3 Supervisor Diane Dillon who represents Lake Berryessa and the East Lake region recently discussed topics ranging from her June 2006 re-election bid to the future of Lake Berryessa. The Napa Register characterized her district as “includes the Upvalley cities of St. Helena and Calistoga as well as lightly populated areas between the Napa Valley floor and the lake. All of you “lightly-populated” (read “political-power-challenged”) folks out there should be interested in her thoughts.

On re-election, Dillon was aware that her opposition to the Napa Valley Land Stewards Alliance's "Fair Pay" measure and past support for land use regulations might prompt someone to run against her. She believes she’s done a very good job of representing her constituents and is not afraid of anyone. She said she’s ready for a race.

Once again the Napa Register mischaracterized the issues concerning Lake Berryessa and oversimplified them as “the U.S. Bureau of Reclamation's proposal to remove trailers from the seven resorts on Lake Berryessa”. Dillon said she sees the trailers as unfairly enjoying private use of public property. She said the key to the area is implementing a “21st Century” economic model to replace existing conditions, which cost the county a substantial amount of money each year.

Regarding winery permits and wine production Dillon said a problem surfaced with a local winery that didn't count production of wines made from out-of-county grapes towards its permitted volume. Dillon noted the reason for the restrictions include water and wastewater controls, and that the origin of the grapes is not relevant.

Last year, Dillon was one of three supervisors whose "no" votes on an earlier version of a half-cent sales tax to upgrade transportation in the county doomed the proposal. Now she is in favor of the proposal scheduled to come before voters in 2006. She cited three main reasons for her support: Two-thirds of the funds generated by the tax will go to projects on "local roads," as opposed to the one-third proposed last year; the plan no longer calls for a major new interchange at the intersection of highways 12 and 29 south of Napa; and that more time and negotiation have created a consensus among local political leaders in support of the tax.

## Supervisor Dillon May Have a Challenger

Supervisor Diane Dillon was recently quoted as saying she’s ready for a race and is not afraid of anyone. It now appears that she may be up against one of the most famous last names in the county. Supporters of Janice Mondavi, who lives in Angwin, are said to be preparing to stage a campaign to unseat Dillon.

Mondavi is a member of the Peter Mondavi side of the famous winemaking clan, the family that owns and operates Charles Krug Winery. Her husband, Marc Mondavi, is co-proprietor and third generation member of the Krug operation that once included her father-in-law Peter Mondavi, his brother Robert and their parents Cesare and Rosa.

Both Dillon and Mondavi are members of the St. Helena Rotary and have been involved in local charity, nonprofit and arts groups. In 1999, Mondavi and other local women climbed Africa's Mt. Kilimanjaro in honor of Elaine Mackey, former Napa Valley Vintners executive director who died of breast cancer in 1999.

Four women in the history of Napa County politics have won seats on the board of supervisors, Ginny Simms in 1972, Kathleen McCullough in 1984, Kathryn Winter in 1996 and Dillon in 2002. None of the first three were re-elected to a second term.

Congressman Mike Thompson said he supports Dillon, and noted he has already held a fundraiser for her in his St. Helena home, something he said he does not do often.



## **Lake Berryessa Chamber of Commerce Meeting**

The Chamber met on Monday, Jan. 23 at Cucina Italiana. Special thanks to Chef Stefano Gusberti and Sharyn Simmons for an outstanding array of Italian delicacies and great wine! It was very pleasant way to begin an extremely productive meeting which was the best attended so far.

Hilary Gitelman, Director of Napa County's Conservation, Development and Planning Department was the featured guest. Prior to the meeting Peter Kilkus took her on a whirlwind tour of



Bob White, Shirl Katleba & Hilary Gitelman

non-federal lands from the Berryessa Highlands along Knoxville Road out to the Berryessa Estates and back through Pope Valley and Chiles Valley. Hilary described the various responsibilities of her department but focused on the General Plan Update process. Although the update is meant to evaluate future needs of the county it is not meant to make major changes since the goal is still to preserve the character of the county and prevent runaway sprawl. The challenge is to accomplish this while recognizing the need for moderate business and residential development, especially in areas like Pope Valley and Lake Berryessa. Hilary encouraged all Chamber members to take an active role in the process and provide input to the members of the General Plan Steering Committee which is meeting regularly to write the new plan.

Bob White, Board Chairman, and several other members raised the subject of local roads. Fairfield residents are using Napa roads such as Wooden Valley Rd. to commute as are Lake County residents who use Butts Canyon and Knoxville Roads. Hilary said the the County's priority is to fix the roads, but capacity increases are not on the table. Many road issues rest with the state since Hwy 128 and 121 are state highways. Several members commented on Napa County's negative attitude towards Lake Berryessa and the East Lake area and wondered why the region is so "off-the-radar" with the County and their local supervisor. After more than an hour of high quality information transfer, Chamber members had a better understanding of zoning, conditional use permits, development issues, "urban bubbles", and what they could do to help improve the local economic climate. The Chamber expresses its gratitude to Hilary Gitelman.

As part of efforts to publicize local businesses, the Board of Directors decided to produce a directory of member businesses to be distributed to all residents in the Lake Berryessa and surrounding areas. This would be an easy reference source for anyone in the area looking for a particular service or business, and help ensure that local companies are contacted first.

### **A Pope Valley Picture Is Worth a Thousand Words.**

The General Plan Steering Committee has been provided high resolution color aerial photos of the Lake Berryessa and Pope Valley areas. Per George Bacich, a Steering Committee member and President of the Napa Valley Land Stewards, they clearly show current commercial and residential use patterns of the urban bubbles and commercial nodes in the context of surrounding agricultural uses and open space. In some cases the contrast is striking. "The photos of Rutherford and Oakville are blockbusters that make it absolutely clear that these centers are not agricultural and never have been, and that it is deceptive, foolish, futile, and unfair to impose on them the limitations of Ag zoning. The photos of South St. Helena and Pope Valley (Pope Valley Garage/Fire House/General Store) ... tell a similar story. These are areas that have been used for commercial uses for very good reasons - to serve the needs of the community. Sweeping them into the ag preserve and ag/watershed zones in an effort to eventually force them into agricultural use was a disservice to the community that should be corrected."

## **Cell Phone Do-Not-Call List**

Soon cell phone numbers will be released to telemarketing companies and you will start to receive sales calls. You will be charged for these calls if your cell phone service provider bills you for incoming calls. To be put on the National Do-Not-Call List dial this number from your cell phone: 888-382-1222. It takes effect in 31 days from your call and blocks your number for 5 years. If a telemarketing company calls you after that 31 days, you can file a complaint with the government by giving the name and telephone number of the company that called you. You can also go on line to [www.donotcall.gov](http://www.donotcall.gov) and register.

## **Calendar of Events Around Lake Berryessa**

### **Senior Center Crafts**

Every 2nd & 4th Wednesday of each month

Call Betty at 966-2254

### **Every Monday – Bingo – 1 PM til??**

Every first Monday is Bingo Pot Luck – Starts at Noon.

### **Seniors Pot Luck**

Every 3rd Friday Night – bring a dish.

### **Senior Center – Call 966-0206**

### **Valley Christian Church**

Weekly Bible Study on Monday nights, 7:30 until 8:30 PM.

Currently meeting at the Community Church across from the Corners. For more information call 257-0527.

Weekly Berryessa Youth Meeting on Wednesday nights, 7:00 PM at the Vol. Fire Station. For more information call Gina Hamilton, 966.2816

### **Sufi Center ~ Meditation & Healing Circle - Pope Valley**

Every Thursday - 7pm ~ Every Sunday - 6pm

1st Sunday of every month - Pot Luck - 4pm to 6pm

Info - Call 707-965-0700, 2950 Pope Valley Canyon Rd.

Get your event on the calendar by calling 966-3806 or 287-6240  
Email [shirllbnews@sbcglobal.net](mailto:shirllbnews@sbcglobal.net) or [pkilkus@aol.com](mailto:pkilkus@aol.com).



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## **Local Debates - National Implications**

The ongoing debates in Napa County, whether about General Plan land use issues or the future of Lake Berryessa, mirror an evolution of ideas occurring both nationally and internationally. Within the “environmental community” there is soul-searching around the “Death of Environmentalism” essay by prominent environmentalists Michael Shellenberger and Ted Nordhaus who propose that the environmental movement is in crisis and needs a new perspective. Exclusionist groups like the Bluewater Network have been banished to the cellar of historical oddity and environmentally-friendly, family-friendly jet ski sales are booming. But none of this is necessarily positive without the basic concepts of stewardship and sustainability becoming a fundamental part of every single person’s consciousness - especially that of motorized recreation enthusiasts. The following essay speaks directly to them (me & you).

### **Goodbye Preservation, Hello Recreation**

by Hal Rothman, 1-15-06

In the American West the age of preservation has ended and that of recreation has begun. Preservation is predicated on what is now a more than century-old, class-based value system. It began as conservation in the age of Theodore Roosevelt, when it was easy to separate sacred space and that fouled by humans, and even easier for those who fouled that space to accept the distinction and throw their energy into preserving places that were beautiful and remote. No wonder conservation and preservation were watchwords of the American elite for the first half of the 20th century and beyond.

These values turned into environmentalism, a heady set of ideas during the 1960s and 1970s, when Americans embraced a vision of the world that was frankly complacent and just a little bit flushed with its own affluence. Environmentalism placed an incredibly high premium on the idea of wilderness, tacitly implying that prosperity had created a world in which all who deserved affluence had attained it. At the end of the American industrial economy, this premise led to great pressure to add existing wilderness.

These principles have now grown stale and even archaic. Environmentalism is a set of values, not the Ten Commandments. As a value system, it has to compete for adherents. In the 1960s and 1970s, its version of authenticity held center stage. Of late, it hasn't.

It's not that young people today don't understand what these values are; they do. What they don't understand is why these values are better than what they think is important. Today's young people have a different idea of what is authentic. They are post-literate, twelve-images-per-second beings. The IMAX in high definition gives a better view than anything they can do themselves. And they don't have to get cold or wet. From the point of view of an awful lot of young people today, why not? Why endure when

technology can provide a visually better experience without the discomfort?

This is a profound and remarkable change that substantially alters the physical and psychic landscape of the American West. It means, among other things, that recreationalists, motorized and otherwise, have won. Wilderness is dead; not as reserved land, but as a movement or a viable political strategy. It's constituency is aging and it is losing political support to recreation by leaps and bounds. As a result of political change, wilderness advocates can no longer get a hearing; twenty years ago, they simply swaggered to the table, pulled out maps and the rulebook they'd written, and achieved results.

Recreationalists have become the new conservationists, and with that comes a great deal more responsibility than the recreational community has ever before assumed. Having easily juxtapositioned themselves as victims of the excesses of wilderness advocates, recreationalists of all kinds must now assume the onus of power. This is especially true for motorized recreation, the fastest-growing dimension of the outdoor world.

Recreationalists prize scenery, beauty, and the challenge of the outdoors; they just tend to do so more and more with technology. In this they are no different than the rest of us. We all use technology, cell phones, iPods, and everything else, to make our lives easier and more pleasurable. Since Gore-Tex, recreationalists have done the same thing. The capability of technology has grown immensely, effectively allowing the 47-year-old me to do things now that I could not do on my own in my 20s.

So now, the shift begins. As all forms of technology allow people deeper and deeper into the backcountry and as wilderness advocacy goes by the wayside in a postindustrial society, recreationalists will have to police themselves. Instead of trying to push the frontiers of what they can do and how they can do it, in their own self-interest, they will have to find ways to put boundaries around the resources they treasure, so those resources will be preserved for their future use.

It is a paradoxical situation: the outsiders have become kings and queens of the castle. It is a whole lot easier to sit outside the tent and throw firecrackers inside; it is much, much harder to sit inside the tent and govern not only your enemies, but your close friends as well.

No longer do recreationalists grapple with opponents about which lands they can use. The entire recreational community must now develop an ethic of sustainability that will assure that the sports recreationalists choose continue for generations. Leadership that provides stewardship of the resources it uses and consumes and develops a political position that wisely manages power from the inside rather than sits outside carping is essential. Recreation now faces an internal struggle among its many constituencies to define its values, the do's and don'ts of a new land ethic.

It is a sea change in the American West, a reorganization of how we as a culture have approached the outdoors for the better part of four decades. It requires that those of us who love the American West find new ways to communicate with one another to preserve as much of it as we can, for use as well as for its own sake.

Hal K. Rothman is Professor and Barrick Distinguished Scholar at the Department of History at the University of Nevada-Las Vegas. Considered the one of the nation's leading expert on tourism, travel, and post-industrial economies, he is the award-winning author of countless books, including the widely acclaimed *Neon Metropolis: How Las Vegas Started the 21st Century* (2002), *Devil's Bargains: Tourism in the Twentieth Century American West*, (1998 ), *Saving the Planet: The American Response to the Environment in the Twentieth Century* (2000), which received the 1999 Western Writers of America Spur Award for Contemporary Nonfiction, and many others.

### **With the Right Equipment, Anything is Possible**

This is one of the best comeback lines of all time. It is a portion of National Public Radio (NPR) interview between a female broadcaster and US Marine Corps General Reinwald who was about to sponsor a Boy Scout Troop visiting his military installation.

FEMALE INTERVIEWER: So, General Reinwald, what things are you going to teach these young boys when they visit your base?

GENERAL REINWALD: We're going to teach them climbing, canoeing, archery and shooting.

FEMALE INTERVIEWER: Shooting! That's a bit irresponsible, isn't it?

GENERAL REINWALD: I don't see why, they'll be properly supervised on the rifle range.

FEMALE INTERVIEWER: Don't you admit that this is a terribly dangerous activity to be teaching children?

GENERAL REINWALD: I don't see how. We will be teaching them proper rifle discipline before they even touch a firearm.

FEMALE INTERVIEWER: But you're equipping them to become violent killers.

GENERAL REINWALD: Well, Ma'am, you're equipped to be a prostitute, but you're not one, are you?

The radio went silent, and the interview ended.





## The History of Valentine's Day

Every February, across the country, candy, flowers, and gifts are exchanged between loved ones, all in the name of St. Valentine. But who is this mysterious saint and why do we celebrate this holiday? The history of Valentine's Day -- and its patron saint -- is shrouded in mystery. But we do know that February has long been a month of romance. St. Valentine's Day, as we know it today, contains vestiges of both Christian and ancient Roman tradition. So, who was Saint Valentine and how did he become associated with this ancient rite?

Today, the Catholic Church recognizes at least three different saints named Valentine or Valentinus, all of whom were martyred. One legend contends that Valentine was a priest who served during the third century in Rome. When Emperor Claudius II decided that single men made better soldiers than those with wives and families, he outlawed marriage for young men -- his crop of potential soldiers. Valentine, realizing the injustice of the decree, defied Claudius and continued to perform marriages for young lovers in secret. When Valentine's actions were discovered, Claudius ordered that he be put to death.

Other stories suggest that Valentine may have been killed for attempting to help Christians escape harsh Roman prisons where they were often beaten and tortured. According to one legend, Valentine actually sent the first 'valentine' greeting himself. While in prison, it is believed that Valentine fell in love with a young girl -- who may have been his jailor's daughter -- who visited him during his confinement. Before his death, it is alleged that he wrote her a letter, which he signed 'From your Valentine,' an expression that is still in use today.

Although the truth behind the Valentine legends is murky, the stories certainly emphasize his appeal as a sympathetic, heroic, and, most importantly, romantic figure. It's no surprise that by the Middle Ages, Valentine was one of the most popular saints in England and France.



### Valentine's Day is for Lovers and Businesses!

Esther Howland, the woman who produced the first commercial American valentines in the 1840s, sold a then mind-boggling \$5,000 in cards during her first year of business. The valentine industry in the United States has been booming ever since. Today, over 1 billion valentine cards are sent in this country each year -- second in number only to Christmas cards.

192 million Valentine's Day cards are exchanged annually, making Valentine's Day the second-most popular greeting-card-giving occasion. (This total excludes packaged kids valentines for classroom exchanges.) (Source: Hallmark research)

Nearly 60 percent of all Valentine's Day cards are purchased in the six days prior to the observance, making Valentine's Day a procrastinator's delight.

There are 120 single men (i.e., never married, widowed or divorced) who are in their 20s for every 100 single women of the same ages.

There are 33 single men (i.e., never married, widowed or divorced) age 65 or older for every 100 single women of the same ages. 2.2 million marriages take place in the United States annually. That breaks down to more than 6,000 a day.



The estimated U.S. median ages at first marriage for women and men are 25.8 and 27.4 respectively, in 2004. The age for women rose 4.7 years in the last three decades. The age for men at first marriage is up 4.3 years.

The total value of shipments in 2003 for firms producing chocolate and cocoa products was \$13.5 billion. Nonchocolate confectionery product manufacturing, meanwhile, was a \$5.5 billion industry.

The per capita consumption of candy by Americans in 2004 was 4.7 pounds. Candy consumption has actually declined over the last few years; in 1997, each American gobbled or savored more than 27 pounds of candy a year.

The combined wholesale value of domestically produced cut flowers in 2004 for all flower-producing businesses in 36 states with \$100,000 or more in sales was \$422 million was. Among states, California was the leading producer, alone accounting for nearly three-quarters of this amount (\$304 million).

The combined wholesale value of domestically produced cut roses in 2004 for all businesses in 36 states with \$100,000 or more in sales was \$43 million. Among all types of cut flowers, roses were second in receipts to lilies (\$78 million).



## BOONE'S SALOON

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Contact a local Lion's Club member to purchase  
tickets for this annual fundraiser.

Boone's Saloon will open the doors at 5:00pm  
for pre-dinner cocktails.

**Sunday, February 5 - Super Bowl XL**

Boone's Saloon will open the doors at 12:00pm  
for pre-game cocktails.

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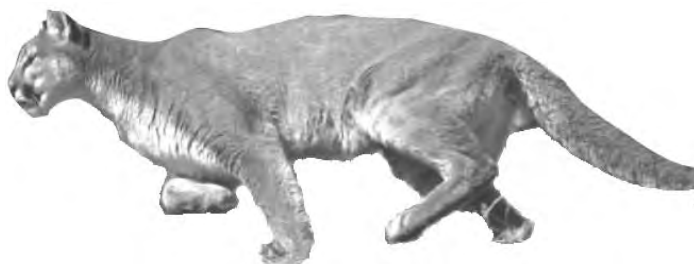
## Mountain Lions in the Berryessa Highlands

I had never seen more than a muddy print of a mountain lion before December last year. Plenty of coyotes, turkeys, deer, and rabbits around my house. A few hawks, rattlesnakes, lizards, and frogs. And a skunk eating a lizard on my steps as I came around the corner one night. Surprisingly, no raccoons though.

Sure I'd heard stories about mountain lions from neighbors here in the Berryessa Highlands. There was a lion that Garth and Victoria saw around their water tank. Dennis had his goats killed by a mountain lion and Fish and Game shot it. Mike's dog dragged a mountain lion carcass down from the hill. And a couple of months ago Justin came around a curve on our road on his dirtbike, saw one on the side stalking a deer, and gunned his bike past it trying not to look back!

Then there was a blurb in the November Road Apple, the newsletter of the Pope Valley Ropers and Riders Club, about my friend Jim Fresquez of RustRidge B&B/Winery. After turning left onto Chiles Pope Valley Road from the Lower Chiles Valley stop sign, Jim came upon a large mountain lion "about the size of a great dane". He said the lion had a huge head and feet and just swaggered slowly down the road in the middle of his lane for about 1/4 mile paying little or no attention to Jim following not too close behind then finally headed off the road down into the ravine (the lion, not Jim).

So when one loped across our road in front of me (I was in my car), I finally got to join the sighting club. It was amazing! Big feline head, muscles rippling



across its flanks, and the long thick tail curving up behind it. I watched it run down the hill for about ten seconds before it disappeared in the bushes. I remember thinking that there was nothing in that direction except Garth's house and then the Narrows. Since I hike alone a lot in our semi-wilderness, I wondered whether I should start carrying a gun.

After the story on the news about the guy in Southern California who shot a mountain lion in his backyard, I did a little research. You can find a list of Californai mountain lion attacks from the 1800's to the present at: [http://tchester.org/sgm/lists/lion\\_attacks\\_ca.html](http://tchester.org/sgm/lists/lion_attacks_ca.html). Fortunately, tragic lion/human encounters still are rare but of the 50 recorded attacks in the past 100 years, most of the attacks have occurred in the most recent 20 years. There were no deaths in California from lion attacks from 1910 through 1993, although several people have died since then.

\*\*\*\*\*

Thanks to Barry Kessey, the above mentioned Road Apple's editor, here's an amazing story and pictures about one family's "guard mule":

A couple from Montana were out riding on the range, he with his rifle and she (fortunately) with her camera. Their dogs always followed them, but on this occasion a mountain lion decided that he wanted to stalk the dogs (you'll see the dogs in the background watching). Very, very bad decision...

The hunter got off the mule with his rifle and decided to shoot in the air to scare away the lion, but before he could get off a shot the lion charged in and decided he wanted a piece of those dogs. With that, the mule took off and decided he wanted a piece of that lion. That's when all hell broke loose... for the lion.

As the lion approached the dogs the mule snatched him up by the tail and started whirling him around. Banging its head on the ground on every pass. Then he dropped it, stomped on it and held it to the ground by the throat. The mule then got down on his knees and bit the thing all over a couple of dozen times to make sure it was dead, than whipped it into the air again, walked back over to the couple (that were stunned in silence) and stood there ready to continue his ride... as if nothing had just happened. Fortunately even though the hunter didn't get off a

shot, his wife got off these 4 photos. See them in color at The Lake Berryessa News web site: [www.lakeberryessanews.com](http://www.lakeberryessanews.com).



The cat was still alive here and trying to fight back.



Note the dog audience ... Gives new meaning the phrase "BAD ASS"...



Pretty much dead by now, then the mule picked up the cat again whipped it into the air again, then stomped the dead cat again for good measure.



The mule stomped the cat, pinned it to the ground and bit the heck out of the dead cat several more times.

Let's Play Who Can You Sue: Christine Ryder, 53, says she was so depressed, she asked a friend, Kevin Reeves, 40, whom she had met in a mental hospital in Kent, England, to find a hit man to kill her. He offered to do it himself (he was her friend, after all!) and accepted \$35,000 for the job. After several arranged dates to kill her came and went and she was still alive, a frustrated Ryder filed a criminal breach of contract complaint, and prosecutors took Reeves to trial. Even Reeves's own defense attorney admitted the scheme was "mean." Reeves was sentenced to 15 months in jail and ordered to pay 2,000 pounds in compensation for breaking a contract!.. No matter what, a deal's a deal.

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### **Pope Valley Treasure Trove**

Have you ever dreamed of finding a buried treasure? Or digging open the entrance to a lost Mayan temple to find beautiful ancient artifacts inside. There was a bit of that mood in the air last week at the Parady family place on Ink



Grade Road in Pope Valley. Scott Parady was opening his Anagama kiln to see what beauty, color, and texture had been created by intense fire, smoke, and ash.

The Anagama kiln is the oldest style of kiln in Japan and has been around since medieval times. The beauty of Anagama firing lies in the natural ash glazes that are achieved, and in the excitement of

the long firing itself. No two firings are ever exactly alike.

The wood fired ceramic ware is fired to very high temperatures (around 2400 degrees) in a kiln that uses wood as a fuel source. Firings involve a group of people sharing in the labor of stacking the



large kiln that holds up to one thousand pieces, preparing 5 cords of wood, and constantly stoking the fire-belching dragon for 5 or 6 days. Glazing is kept to a minimum, allowing the layers of melted ash and coals to give unique color and texture to the surface. Pieces vary according to placement in the kiln; heat, flame, air, ash. During the wood-firing ash flies through the kiln, settling on the pots and melting to a glass. The flames slightly melt the surface of the pots where they touch them, leaving traces of the flame path. The combination of fire and ash creates a huge range of surface effects.

Scott said that it usually takes three days to load the kiln with large and small ceramic pieces created by him as well as by friends, students, and colleagues. The kiln is fired for 7 days and takes 7 days to cool. Then comes the long-anticipated o p e n -

ing! Was something magical created? Did many hours of work and imagination end up cracked and useless? The excitement of the group was palpable.

People had driven for hours or even flown in to be part of the discovery - which is an all day process beginning at 10 A.M. The kiln entrance was opened brick by brick. The bricks were carefully stacked in order of



removal so they could be replaced in the same order for the next firing. Finally enough light entered the kiln for the oohs! and ahs! to begin. Each piece was carefully removed and placed in areas designated for left, center or right side of the kiln. The cleaning began as Scott carefully chipped off the residue to see the underlying colors and textures.

Proud parents are always fun to talk to and Scott's parents, Larry and Judy Parady (also the parents of Jeff Parady, Chamber Board member, sprint car racer, and owner of Pope Valley Repair and Towing), were no exception as they spoke of Scott's first encounters with ceramics at Napa Valley College and his recruitment by Penn State University. Some huge sculptures he created there are set near the kiln. One of my favorites, Bulldozer Mentality, weighed 1,200 pounds. Scott had to ship several pieces of this weight home to Pope Valley from Pennsylvania by truck! Scott has a BA Degree from the Kansas City Art Institute, an MA Degree from Pennsylvania State University, and is assistant Professor of Ceramic Arts at Sacramento State University. He has taught and exhibited throughout the United States and Taiwan.



People around here are used to glowing descriptions of wine so they will enjoy this depiction of Scott I found: "Wresting his sculptural forms from the earth with the dynamism of a geologic eruption, the artist has inculcated both a deep understanding of eastern clay traditions and the teachings of Yanagi as manifested in contemporary clay works by such artists as the late Peter Voulkos."



**Bulldozer Mentality**

Even having met Scott for only a short time, I can agree with the last sentence of that description: "Scott Parady's work boldly reflects his deepest concern for our planet, its history and our mutual destiny." For color photos of the kiln opening and Scott's work, please go to our web site at:

[www.lakeberryyessanews.com](http://www.lakeberryyessanews.com).

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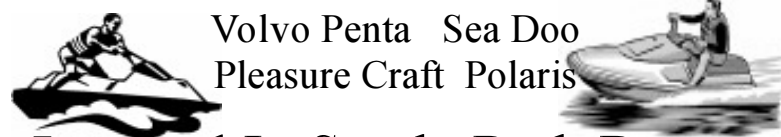
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### 2006 Lake Berryessa Calendar of Events

You are invited even though you are not a Member of the Organization sponsoring the Event. All are open to the public. We hope to See You There!

Date Event & Sponsoring Organization

- 2-25 Crab Feed Berryessa Senior Center 5:30pm \*
- 3-17 Corned Beef & Cabbage ~ Potluck ~ Berryessa Seniors  
Easter Basket Raffle 6:pm \*
- 4-12 Day Trip ~ Indian bingo for the Day \*
- 4-21 Potluck ~ Berryessa Senior Center 6:pm \*
- 5-20 Breakfast Potluck ~ Berryessa Senior Center 9 til 11:30 \*
- 6-17 Early Releases wine ~ Berryessa Senior Center  
Cheese, Olive Oil, & Food tasting. Sat. 4-til 7pm \*
- 7-15 Flea Market (Rent tables) Berryessa Senior Ctr., 10-4pm
- 7-21 Casino Night ~ Pasta Dinner, Berryessa Senior Center  
Big Raffle ~ 5:30 to 10pm \*
- 8-5 Craft Faire (Rent Tables) Berryessa Senior Center \*  
10am to 4pm Lunch Available
- 8-5 Poker Run ~ Berryessa Chapter of the Lions Club \*
- 8-19 Bring Your Own Meat B.B.Q. Berryessa Senior Ctr.  
Chef Paul will cook it if you wish. Sat. 4pm. \*
- 9-15 Potluck ~ Berryessa Senior Center 6pm. \*
- 10-20 Potluck ~ Berryessa Senior Center 6pm. \*
- 11-17 Thanksgiving Dinner (Potluck) & Turkey Raffle 6pm. \*
- 12-4 Pirate Bingo & Potluck ~ Berryessa Senior Ctr.  
12 noon ~ Bring a New \$5.00 Gift to Play.
- 12-15 Christmas Dinner (Potluck) ~ Berryessa Senior Center \*  
Bring a new \$10. Gift for Exchange. 6pm.
- Every Mon. Bingo 1pm &  
1st Mon. of each month Potluck 12 noon\*

\*Berryessa Senior Center , Call 966-2267, 966-0206. 966-2127

\*Potlucks, 252-8488

\*Lions Club, 966-1413

**The Berryessa Seniors would like to have a Bus Trip (Overnite) to Reno in the early Spring. How many of you are interested? It usually runs about \$80.00 and includes transportation. Some Comps & Hotel Room. You don't have to be a member to go.**



# The Lake Berryessa News

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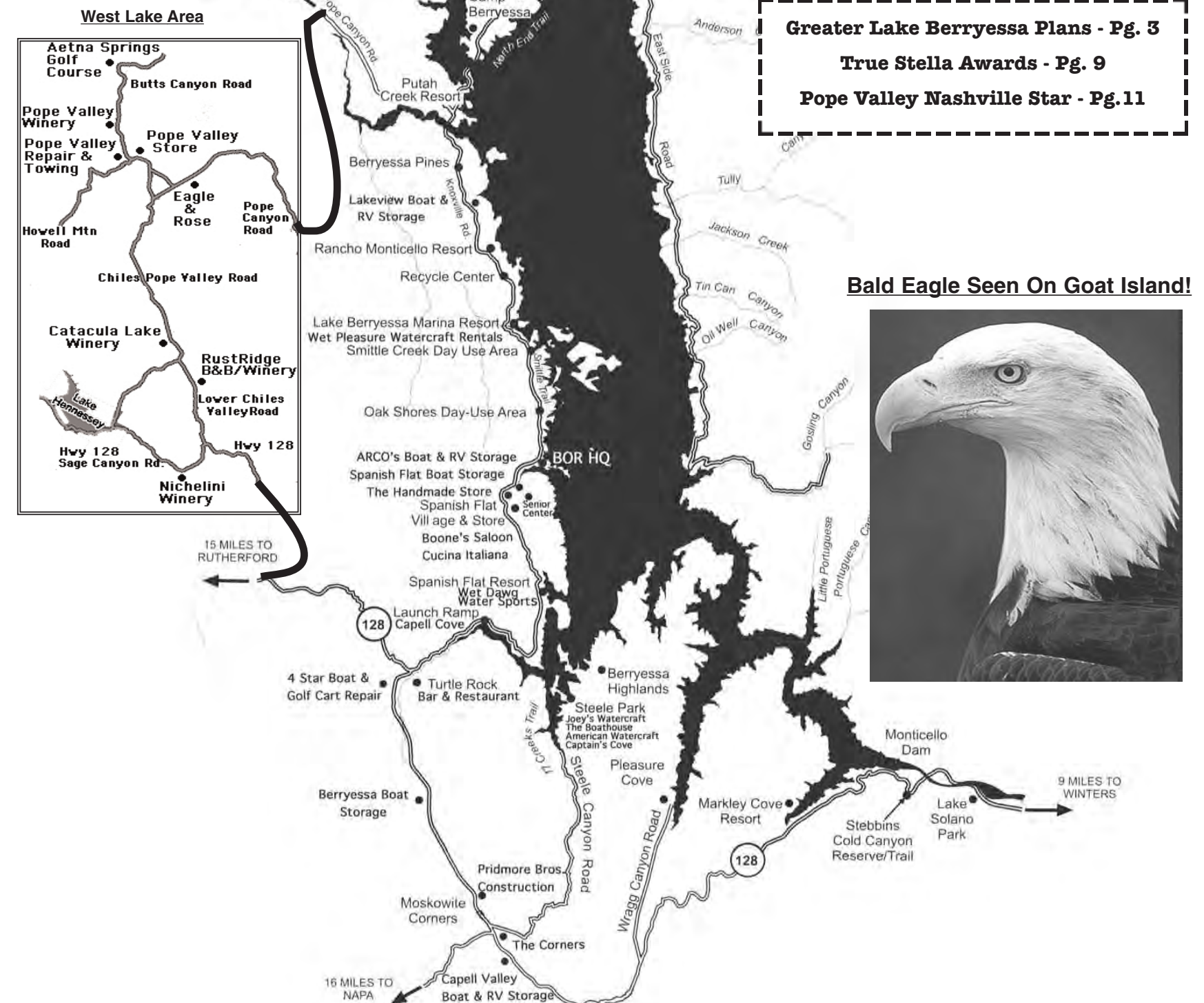
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**Greater Lake Berryessa Plans - Pg. 3  
True Stella Awards - Pg. 9  
Pope Valley Nashville Star - Pg.11**

**Bald Eagle Seen On Goat Island!**





# The Lake Berryessa News

www.LakeBerryessaNews.com

**An Independent Community Newspaper**

Published the first and third Thursday of each month.

**Owner& Editor**  
*Shirl Katleba*

**Co-Editor & Writer**  
*Peter Kilkus*

**Director of Circulation**  
*David Rutter*

All copy is subject to editing and must be submitted with the understanding that the Lake Berryessa News reserves the right to reject letters or articles and reject or discontinue advertisements that the publisher deems unsuitable.

**Please send us your Letters to the Editor, Articles, Birthdays & Anniversaries, Jokes, Recipes, Poems, and Fishin’ Stories (and Advertising, of course)!**

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Email(new): Shirl1bnews@sbcglobal.net

Contact Peter at: 415-307-6906 (Cell)  
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## From the Editor

The lake could not have been lovelier than it was last week with sunny, 70+ degree weather. The water was smooth as glass. I took a break from working on The Lake Berryessa News to ride my jet ski around the lake and check on the osprey nest on Goat Island. The osprey is the unofficial mascot of The Lake Berryessa News and my family and I have watched a pair raise chicks on Goat Island each summer for ten years. Although there were no osprey in sight, I confirmed what my son, Evan, had seen a few weeks earlier - a large bald eagle, brilliant white head gleaming in the sun on a high tree branch.

Local folks know that Winter can give us some of the best days at the lake, and it’s too bad that more people don’t take advantage of it. What happened to the promise of 35 hour work-weeks? Where are the jobs that work Thursday to Monday leaving Tuesday and Wednesday free to play in uncrowded places? Last Wednesday afternoon there were only a few fishing boats out and, believe it or not, two wakeboarders in the Narrows.

If all goes well this is the first issue of The Lake Berryessa News that will be going to press in totally electronic format and hopefully looking even better. Since Shirl took over the paper in 1994 she has been cutting and pasting articles, pictures, and ads onto paper templates which she then took to the Davis Enterprise very early on Tuesday mornings. There they photographed the paste-ups and made printing plates to run off her copies. Shirl tells the story about one of her first issues where she and her friends were laying out stories and ads on the the floor around midnight and moving them around to fit on the pages. They had not yet glued the many pieces of paper in place when her friend’s large bird (cockatiel or parrot?) decided to fly across the room, scattering stories and ads randomly around the floor. Shirl says that they laughed themselves silly for awhile before putting the puzzle pieces back together (with glue this time). Most people don’t remember how much fun it was using typewriters, carbon paper, and mimeograph machines to get the word out. Listening to Shirl tell the history of this paper makes me appreciate how much effort she has put into her labor of love.

April will be my first anniversary working with Shirl as editor and writer and it’s been a lot of fun (when not stressed-out by deadlines). We invite anyone with something to say to write a letter or story for us. As a community newspaper we welcome your input and wish we had more of it.

## County to Study Creative Methods of Funding Parks and Recreation

Taking advantage of a grant awarded by the Community Foundation of the Napa Valley, the Napa County Board of Supervisors today authorized an analysis of how creative public-private partnerships and a market-based approach could help the County meet the public's growing desire for outdoor recreation with less reliance on taxpayers.

"Napa County is blessed with wonderful open spaces, but there are very few opportunities for most of us to enjoy this natural heritage", noted Supervisor Brad Wagenknecht, Chair of the County Parks and Open Space Advisory Committee.

Although more than 125,000 acres, or approximately one-fourth of the County, is in public ownership or protected by conservation easements, the lack of a countywide park district means much of that land is unavailable for the public to enjoy.

"We're the only County in the Bay Area that doesn't have some kind of countywide park and open space agency", observed John Hoffnagle, Executive Director of the Land Trust of Napa County and a member of the Advisory Committee. "The land trust has done an exceptional job of conserving land through voluntary agreements and donations, but we can't fully do our job without a public agency partner."

## Numbers That Count

-0.5%: Personal-savings rate in 2005, the first year since the Geat Depression that Americans spent more than they made.

7.6%: Average annual personal-savings rate in the U.S. since 1929.

\$36 Billion: ExxonMobils profit in 2005, a 43% increase from 2004 and the largest annual net income in U.S history.

6.5%: Portion of U.S. consumeer spending that went to gas and other energy bills, the high-

## Kristen McNamara

### Angwin Native, Pope Valley Roper & Rider, Nashville Star



Kristen McNamara got started singing as soon as she “could make noise”. At age 11 she knew she wanted to be a BIG star. Kristen is the daughter of Nancy and Bill McNamara of Angwin, members of the Pope Valley Ropers & Riders. At age 13, Kristen began performing, at 14 she was recording her first CD. At age 15, Kristen gave her first concert in San Francisco at the Palace of Fine Arts. A benefit concert she did for the Children’s Hospital in San Francisco was the beginning of many more concerts to come, working with some of the most legendary Country artists of our time.

The San Francisco Chronicle describes her as "the next Celine Dion or the NEW Patsy Cline". Another critic wrote “she has an uncommon vocal blend of God-given pipes and emotional reach - she's a precociously gifted country pop artist.” When reviewing her new CD he states "Her first solo composition #1 Fan is a surging gritty country rocker with a killer chorus". Kristen attended school in the nearby town of St. Helena. Singing in chorus at school and church was not enough for Kristen - she yearned for more.



Kristen also plays piano and guitar, as well as a little drums and one song on the flute. Her goal is to learn a little of every instrument. Kristen’s dream duet would be with either Def Leppard or Pink Floyd, but real-

## Napa County may buy Angwin airport

Located on 60 acres just a mile east of the small college town of Angwin, the county and PUC have been considering the long-range preservation and continued operation of the airport. The wooded hills surrounding the airport have some trees nearly 100 feet tall. It averages 33 aircraft operations a day and is the base for 38 planes, all but three of them single engine. Three-quarters of Parrett Field activity is generated by local pilots.The Angwin facility is often used in bad weather as an alternative landing spot for planes originally heading to other nearby destinations, due to its 1,848 foot elevation. Occasionally there’s a celebrity landing, such as Vice President Dick Cheney’s surprise visit last fall. It’s also marketed as the runway less traveled for pilots and guests hoping to start their Napa Valley visits in a more low-key manner.

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istically, she’d be fine with jumping on stage with Brian Adams or Big & Rich.

Kristen’s mother, Nancy, told The Lake Berryessa News that “Pope Valley, Angwin, and Berryessa areas represent what Kristen loves about “home...Lake Berryessa is where our family and some of her friends spent her 18th birthday...That was her biggest wish that year. I hope that all your readers will be willing to vote for her on the show...I think she still has many fans in these parts. Kristen has lived in Nashville for 2 years...but growing up here, she did countless shows and concerts. She was also a guest soloist of the 49er’s at Barry Bonds day, and the Giants as well. After spending a year in a show in Branson, Missouri, she headed to Nashville. She is proud to represent California and more locally Napa County”.



Kristen is one of the 10 finalists appearing on Nashville Star this year. (www.usanet-work.com/series/nashvillestar/). The new season begins on March 14th on the USA Network. Be sure to tune in, and

**VOTE FOR KRISTEN!**

You can listen to some of her outstanding music clips and find more information on her web site at: [www.KristenMcNamara.com](http://www.KristenMcNamara.com).

Thanks to Barry Kessey, editor of the Pope Valley Road Apple. To join the Pope Valley Ropers & Riders call President Mike Damonte at 965-2342.



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**Pleasure Cove Permittees vs. BOR - Round 1 :**  
**Braun v. Norton Report**  
(Excerpts from The Pebble newsletter of the California Watershed Posse)

After an extensive informal settlement effort between the parties and counsel, including numerous written and verbal communications, an intensive telephone settlement effort, and the exchange of many documents, the U.S. District Court issued an order dismissing the Braun's complaint for declaratory relief against defendants (BOR). However, the court had previously allowed the Brauns to refile the suit and add new permittees to the action as well as add new defendants, potentially including Forever Resorts which was not named in the original suit. The Braun’s view this dismissal as more of a calendar-management process for the court rather than any form of definitive ruling.

It became evident that BOR was not willing to voluntarily modify or compromise its previous policy decision to order the early termination of Pleasure Cove long-term permittees site agreements and the removal of personal property as mandated in the interim concession contract awarded to the former interim concessionaire, Pleasure Cove Resort Asset Management Group, LLC aka Petty Group. During the previous concession agreement for Pleasure Cove Resort with the late Richard DeLooze, BOR had issued the concessionaire a contract for Pleasure Cove Resort that expired in May 2009 (similar to the seven concession contracts at Lake Berryessa with expiration dates ending in 2008/2009). With Mr. DeLooze's unexpected and untimely death, BOR seized the opportunity to impose the early termination and property removal dates (November 1, 2005/December 15, 2005) as a condition for the award of interim concession contracts; first, to PCRAMG (terminated by BOR on March 28, 2005) and now to Forever Resorts, Inc. dba Pleasure Cove Marina, LLC (effective June 1, 2005). BOR's procedure and the mandate for early termination affecting Pleasure Cove permittees raised legitimate concerns and issues leading to the filing of the Braun’s complaint for declaratory relief asking the court to review legal grounds for BOR's action.

The pivotal legal issue focused on the question: what permittee site agreement was the applicable document to determine permittee rights at Pleasure Cove? BOR has taken the position that permittees accepted the early termination and removal dates for long-term use at Pleasure Cove by signing PCRAMG's agreements after the award of the interim concession contract following Richard DeLooze's death. The Brauns contend that the PCRAMG's interim agreements are invalid (and thus never became effective) because of BOR's action in terminating PCRAMG's interim concession contract on March 28, 2005 was "null and void." The Brauns also contend that the PCRAMG interim contract was signed under the false pretenses because PCRAMG misled permittees to sign the document with the assurance that it was only a temporary arrangement until PCRAMG was awarded the permanent concession contract. There are still two active lawsuits by PCAMG against the BOR which are moving forward and not yet been resolved. Thus there has been no determination as to who actually has legal standing or true ownership of Pleasure Cove.

This court order does not address issues relating to the permittee eviction process or removal of personal property. In response to the Braun’s complaint, BOR filed counter-claims alleging eviction and trespass theories in the effort to carry out its mandate to terminate Braun's long-term permittee uses at Pleasure Cove. The court recently granted the BOR motion against the Brauns, although the action is considered a minor setback since the main lawsuit against the BOR (and other new parties) can be refiled. At the present time, all permittees are being allowed access to their property at Pleasure Cove and no eviction actions appear to be imminent.

The Braun v. Norton lawsuit is only the tip of the iceberg and the first battle in the war at Lake Berryessa. Public pressure may convince DOI/BOR to act reasonably in resolving the long-term permittee issue at Pleasure Cove. There is no public policy, including health and safety issues, that requires BOR to man-

date the early termination of long-term permittee uses and removal of personal property at Pleasure Cove.

Oscar Braun believes that Forever Resorts is willing to settle with the permittees and the permittees are willing to settle with Forever Resorts. In retrospect, Forever Resorts probably did not foresee what their new contract with the BOR would entail from a business perspective. Some might characterize it as a “legal and business morass”. The Braun’s “where do we go from here” plan is to offer to sell all long term vacation mobile homes and private docks still remaining at Pleasure Cove to Pleasure Cove Marina LLC (PCM) at 2006 full market replacement value. Each long term vacation mobile home owner will negotiate their own selling price. Each mobile home owner would vacate their vacation homes within thirty days of close of escrow on the sale of their long term vacation home and dock. All long term mobile home owner PCM Permittees, starting on March 1, 2006, will begin paying a nominal PCM interim monthly rental space fee of \$225 until the title for their mobile home and dock have been lawfully transferred to Pleasure Cove Marina LLC.

Per Oscar Braun, “The BOR and Forever Resorts ‘ASSUMED” that the U.S. District Court would evict ALL the PCM mobile home owners... The court not only did NOT order our eviction, it gave US ALL permission to re-file an amended lawsuit against the BOR... So now ALL of us PCM long-term appropriate use mobile home owners are in the EXACT same position as that of ALL 1,200 Lake Berryessa Permittees”.

**Fishing With Sid**

The lake is more than full and there’s a lot of debris. Take care while on the water and look out for large logs. There was a recent tournament where two fish over ten pounds were caught. Prior to that there was another tournament where a 13.65 lb bass was caught and to win you had to have over 22 lbs for five fish. Even though the bass fishing is tough and the numbers might not be up there, the fish still have to eat. My suggestion through the month of February and the beginning of March is go to the points and use crankbait in the morning. If you decide to use plastic dip the tail in chartruese glow so the fish can see it easily. I would use a dark color body with a visible end. Use brass and glass so the fish can hone in on the sound. My last suggestion is to use a scent to attract the fish - good fishing - www.fishingconnection.net If you have any fishing stories to share, please call me at 650-583-3333

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**Who Determines the Future of Greater Lake Berryessa?**

The February 1 meeting of the Napa County General Plan Steering Committee took up issues of direct importance to the Greater Lake Berryessa Community. The first part of the meeting focused on defining general goals of the Land Use Element of the plan. As with any group of 20 people, coming up with a single definition that satisfied all of them was not easy. There is clearly a tension among the members who come to the table with wine industry, property rights, development, and environmental advocacy backgrounds. Some wanted the wine industry to be specifically listed for agricultural protection. Others claimed that just because there were no artichoke-tasting or beef-tasting rooms in the Napa Valley didn’t mean that other forms of agriculture weren’t also important. But some forms of agriculture were less desired than others. The story of Sutter Home buying the Lambert Chicken Ranch in 1983 was used as an example. The chicken ranch was home to more than 1 million chickens. When the property was changed to a winery the neighbors came out in force to thank the winery owners since it was the first time they could eat outside without hordes of flies.

Rancher Tom Gamble wanted a goal “to permanently preserve agriculture as the highest and best use of the land”. Even the environmental representatives thought this was a bit radical, although they wanted the “preservation of agriculture and natural resources” to take precedence over all other land uses. There were some mentions of “affordable housing” but it was clear that several on the committee do not see “people” as an important consideration.

The discussion then shifted to the twelve "Urban Bubbles" in the unincorporated areas of Napa County (Berryessa Estates, Pope Creek, Spanish Flat, Berryessa Highlands, Calistoga, Angwin, Deer Park, Moskowite Corner, Silverado, Big Ranch Road, Coombsville, and Partrick Road), and the four "Commercial and Community Serving Nodes" in the unincorporated area (South St. Helena, Rutherford, Oakville, and Pope Valley).

Local residents Brad Kirkpatrick representing Pope Valley, Lucy White representing Rancho Monticello Resort, and Peter Kilkus representing the Lake Berryessa Chamber of Commerce addressed the Committee. All requested more flexibility in land use constraints for the good of the community. Kirkpatrick pointed out that Ag-Watershed zoning for Pope Valley has had serious negative consequences for that community. White discussed the value of modest commercial/residential use along Knoxville Road.

Kilkus stated that the Lake Berryessa area is like a small town spread out over 200 square miles, but still with a sense of community identity which should be supported and nurtured by the County and the General Plan. He also expressed local disappointment that there were no members of the Committee representing the Lake Berryessa community. When some members protested that Carol Kunze was from Lake Berryessa, Kilkus made it clear that Kunze, who happens to live at Lake Berryessa, was appointed by Supervisor Diane Dillon as a representative of the Sierra Club and that she did not speak for the Greater Lake Berryessa community.

Future planning meetings will be critical to the future of the region and residents should either attend them and speak, or make their views known to members of the Committee. Detailed information and aerial photographs are available. Visit the County offices or at the County website: [www.napacountygeneralplan.com/](http://www.napacountygeneralplan.com/).

**General Plan Land Use Public Input Meetings**

February 25, 2006, 1 p.m., Napa Valley College  
Building 1000A Room 1033, 2277 Napa-Vallejo Highway

March 8, 2006, 6:30 p.m. Pacific Union College, Cafeteria Common  
1 Angwin Ave., Angwin, CA 94508

March 15, 2006, 6:30 p.m., Yountville Community Hall  
6516 Yount Street, Yountville, CA 94599

**General Plan Steering Committee**

Peter McCrea, Chair, Tom Andrews, Vice-Chair, George Bachich, Debra Blodgett, Mary Ellen Boyet, Jon-Mark Chappellet, Stephen Cuddy, Tom Gamble, Michael Haley, Jim Hendrickson, Conrad Hewitt, Guy Kay, Carol Kunze, Carole Meredith, Beth Painter, Carol Poole, Jeff Reichel, Brad Simpkins, Stuart Smith, Robert Torres

**Calendar of Events Around Lake Berryessa**

- Senior Center Crafts**  
Every 2nd & 4th Wednesday of each month  
Call Betty at 966-2254
- Every Monday – Bingo – 1 PM til??**  
Every first Monday is Bingo Pot Luck – Starts at Noon.
- Seniors Pot Luck**  
Every 3rd Friday Night – bring a dish.
- Senior Center – Call 966-0206**
- Valley Christian Church**  
Weekly Bible Study on Monday nights, 7:30 until 8:30 PM.  
Currently meeting at the Community Church across from the Corners. For more information call 257-0527.
- Weekly Berryessa Youth Meeting on Wednesday nights, 7:00 PM at the Vol. Fire Station. For more information call Gina Hamilton, 966.2816
- Sufi Center ~ Meditation & Healing Circle - Pope Valley**  
Every Thursday - 7pm ~ Every Sunday - 6pm  
1st Sunday of every month - Pot Luck - 4pm to 6pm  
Info - Call 707-965-0700, 2950 Pope Valley Canyon Rd.

**Get your event on the calendar by calling 966-3806 or 287-6240**  
**Email [shirllbnews@sbcglobal.net](mailto:shirllbnews@sbcglobal.net) or [pkilkus@aol.com](mailto:pkilkus@aol.com).**

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**Lions Club Crab Feed - Boone's - February 4, 2006 - All You Could Eat - It Was Good!**



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**Fish Eating Safety Standards**

Recently, the fish advisory for Lake Berryessa and Putah Creek has been reviewed and a new advisory is being presented. The Office of Environmental Health Hazard Assessment (OEHHA) will be presenting this information at two different workshops. The advisory information will have a comment period of 30 days.

The Fish Advisory will be available for review starting February 17, 2006. It will be obtainable on the OEHHA website (<http://www.oehha.ca.gov/>)or a copy can be requested by calling Dr. Margy Gassel at 510-622-3166.

**YOU ARE INVITED TO A PUBLIC WORKSHOP ON DRAFT SAFE EATING GUIDELINES FOR FISH AND SHELLFISH FROM LAKE BERRYESSA AND PUTAH CREEK**

February 27, 2006, 9:30 – 11:30 a.m.  
Napa County Board of Supervisors, Conference Room, Third Floor  
1195 Third Street, Napa, California

February 28, 2006, 6:30 – 8:30 p.m.  
Winters Library, 201 First Street, Winters, California

The meeting is being held to provide information and answer questions about the new draft health advisories -- and comments are welcome Or you may provide written comments to:

Dr. Margy Gassel  
Office of Environmental Health Hazard Assessment  
1515 Clay Street, 16th Floor,  
Oakland, California 94612  
[mgassel@oehha.ca.gov](mailto:mgassel@oehha.ca.gov), FAX: (510) 622-3218

**The True Stella Awards**  
**What Hath McDonalds Wrought?**

The Stella Awards were inspired by Stella Liebeck. In 1992, Stella, then 79, spilled a cup of McDonald's coffee onto her lap, burning herself. A New Mexico jury awarded her \$2.9 million in damages, but that's not the whole story. Ever since, the name "Stella Award" has been applied to any wild, outrageous, or ridiculous lawsuits -- including bogus cases! are the people involved in the cases using the courts to redress justifiable grievances that can't otherwise be settled? ...Or are they trying to extort money from anyone they can? Are the lawyers involved champions of justice? ...Or are they helping to abuse the system in the name of getting a piece of the action? You be the judge!

How about, for instance, Stella herself? Much of the coverage about Stella Liebeck has been grossly unfair. When you have a more complete summary of the facts, you might change your mind about her. Or maybe not -- that's up to you. Did you know the following facts of the Stella vs. McDonald's case?

-Stella was not driving when she pulled the lid off her scalding McDonald's coffee. Her grandson was driving the car, and he had pulled over to stop so she could add cream and sugar to the cup.

-Stella was burned badly (some sources say six percent of her skin was burned, other sources say 16 percent was) and needed two years of treatment and rehabilitation, including skin grafts. McDonald's refused an offer to settle with her for \$20,000 in medical costs.

-McDonald's quality control managers specified that its coffee should be served at 180-190 degrees Fahrenheit. Liquids at that temperature can cause third-degree burns in 2-7 seconds. Such burns require skin grafting, debridement and whirlpool treatments to heal, and the resulting scarring is typically permanent. The National Coffee Association recommends coffee be brewed at "between 195-205 degrees Fahrenheit for "optimal extraction" and drunk "immediately". If not drunk immediately, it should be "maintained at 180-185 degrees Fahrenheit." Exactly what, then, did McDonald's do wrong? Did it exhibit "willful, wanton, reckless or malicious conduct" -- the standard in New Mexico for awarding punitive damages?

-From 1982 to 1992, McDonald's coffee burned more than 700 people, usually slightly but sometimes seriously, resulting in some number of other claims and lawsuits. A McDonald's consultant pointed out the 700 cases in 10 years represents just 1 injury per 24 million cups sold!

-Witnesses for McDonald's admitted in court that consumers are unaware of the extent of the risk of serious burns from spilled coffee served at

McDonald's required temperature, admitted that it did not warn customers of this risk, could offer no explanation as to why it did not, and testified that it did not intend to turn down the heat even though it admitted that its coffee is "not fit for consumption" when sold because it is too hot.

While Stella was awarded \$200,000 in compensatory damages, this amount was reduced by 20 percent (to \$160,000) because the jury found her 20 percent at fault. Where did the rest of the \$2.9 million figure in? She was awarded \$2.7 million in punitive damages -- but the judge later reduced that amount to \$480,000, or three times the "actual" damages that were awarded.

But the resulting \$640,000 isn't the end either. Liebeck and McDonald's entered into secret settlement negotiations rather than go to appeal. The amount of the settlement is not known -- it's secret! Even in the eyes of an obviously sympathetic jury, Stella was judged to be 20 percent at fault -- she did, after all, spill the coffee into her lap all by herself. The car was stopped, so she presumably was not bumped to cause the spill. Indeed she chose to hold the coffee cup between her knees instead of any number of safer locations as she opened it. Should she have taken more responsibility for her own actions?

**The TRUE Stella Awards-2005 Winners**  
**by Randy Cassingham**  
**Issued 31 January 2006**

Unlike the FAKE cases that have been highly circulated online for the last several years, the following cases have been researched from public sources and are confirmed TRUE by the ONLY legitimate source for the Stella Awards: [www.StellaAwards.com](http://www.StellaAwards.com) . To confirm this copy is legitimate, see [www.StellaAwards.com/2005.html](http://www.StellaAwards.com/2005.html)

**2005 Runners-Up and Winner**

#7: Bob Dougherty. A prankster smeared glue on the toilet seat at the Home Depot store in Louisville, Colo., causing Dougherty to stick to it when he sat down. "This is not Home Depot's fault," he proclaimed, yet the store graciously offered him \$2,000 anyway. Dougherty complained that offer is "insulting" and filed suit demanding \$3 million.

#6: Barbara Connors of Medfield, Mass. Connors was riding in a car driven by her 70-year-old(!) son-in-law when they crashed into the Connecticut River, and Connors sank with the car. Rescue divers arrived within minutes and got her out alive, but Connors suffered brain damage from her near-drowning. Sue the driver? Sure, we guess that's reasonable. But she also sued the brave rescue workers who risked their lives to save hers.

#5: Michelle Knepper of Vancouver, Wash. Knepper picked a doctor out of the phone book to do her liposuction, and went ahead with the procedure even though the doctor was only a dermatologist, not a plastic surgeon. After having complications, she complained she never would have chosen that doctor had she known he wasn't Board Certified in the procedure. (She relied on the phonebook listing over asking the doctor, or looking for a certificate on his wall?!) So she sued ...the phone company! She won \$1.2 million PLUS \$375,000 for her husband for "loss of spousal services and companionship."

#4: Rhonda Nichols. She says a wild bird "attacked" her outside a home improvement store in Fairview Heights, Ill., causing head injuries. That's right: OUTSIDE the store. Yet Nichols still held the Lowe's store responsible for "allowing" wild birds to fly around free in the air. She never reported the incident to the store, but still sued for "at least" \$100,000 in damages. In January 2006, the case was thrown out of court.

#3: Barnard Lorence of Stuart, Fla. Lorence managed to overdraw his own bank account. When the bank charged him a service fee for the overdraft, he filed suit over his "stress and pain" and loss of sleep over the fee. A few hundred thousand bucks, he says, will only amount to a "slap on the wrist", whereas the \$2 million he's suing for is more like being "paddled". Kinky!

#2: Wanita "Renea" Young of Durango, Colo. Two neighborhood teens baked cookies for their neighbors as an anonymous gesture of good will, but Young got scared when she heard them on her front porch. They apologized, in writing, but Young sued them anyway for causing her distress, demanding \$3,000. When she won(!!) \$900, she crowed about it in the newspaper and on national TV. Now, she's shocked (shocked!) that everyone in town hates her for her spite, and is afraid she may have to move. But hey: she won.

**AND THE WINNER** of the 2005 Stella Award: Christopher Roller of Burnsville, Minn. Roller is mystified by professional magicians, so he sued David Blaine and David Copperfield to demand they reveal their secrets to him—or else pay him 10 percent of their lifelong earnings, which he figures amounts to \$50 million for Copperfield and \$2 million for Blaine. The basis for his suit: Roller claims that the magicians defy the laws of physics, and thus must be using "godly powers"—and since ROLLER is god (according to him), they're "some-how" stealing that power from him.

TO CONFIRM THE VALIDITY OF THESE CASES, get more information on the True Stella Awards, or sign up for a free e-mail subscription to new cases as they are issued, see <http://www.StellaAwards.com/2005.html> Copyright 2006 [www.StellaAwards.com](http://www.StellaAwards.com) . This message may be forwarded as long as it remains complete and unaltered.



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**Ha! Ha! Harvey**  
After a certain age, if you don't wake up aching in every joint, you are probably dead.  
  
Money can't buy happiness -- but somehow it's more comfortable to cry in a Corvette than in a Yugo.  
  
The trouble with bucket seats is that not everybody has the same size bucket.

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Hummingbirds.....

A flash of scarlet and emerald zooms past me as I poke my sleepy head out of the kitchen door, a vibrant splash of summer color against the sullen winter sky. Suddenly, an indignant Anna's Hummingbird, *Calypste anna*, confronts me, beak-to-nose, demanding his breakfast. Shivering, I retreat quickly into the kitchen to prepare warm sugar water for my feathery guest. Hummingbirds are classified into the avian family, Trochilidae, which is from the Greek word, *trochilos*, or "small bird." In fact, the smallest avian species alive today is the thumb-sized Bee Hummingbird, *Mellisuga helenae*, found exclusively on the island of Cuba. With a total length of 2.25 inches (5 centimeters) and a weight of 0.07 ounces (2 grams), this tiny bird can comfortably perch on the eraser at the end of a pencil. There are more than 330 described species of hummingbirds, and occasionally a new species is discovered by ornithologists and added to the list. Even though most people think of them exclusively as tropical birds, hummingbirds are found in diverse habitats, ranging from the wettest to the driest, from sea level to over 14,000 feet (4400 meters). The greatest diversity of hummingbird species is the neotropics (New World tropics) but many species live in or migrate to temperate zones in the United States and Canada to breed. Sometimes, for reasons that are not entirely clear, individual birds remain behind for the winter, and sometimes, they survive. As average seasonal temps increase, hummingbirds are increasingly becoming established as year-round residents outside of their traditional ranges. Anna's Hummingbird is one species whose range has expanded steadily northward as seasonal temperatures have become milder. Thus, this bird is now a common year-round resident along the northwestern coast of the United States. Continued next issue, part 1 of 3.



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Do you realize that in about 40 years, we'll have thousands of old ladies running around with tattoos?  
I've reached the age where the happy hour is a nap.  
Think about this..., No one ever says "It's only a game" when his team is winning.



**In Memory Of Buddy**  
Buddy’s favorite place to be Lake Berryessa & Pleasure Cove.  
As you can see his favorite sport was ridding on the wave runner with his companion Shirl of the Lake Berryessa News.  
Dave & Scott were also his favorite companions who use to take Buddy on rides, for swims & long walks.  
Buddy was going to be 16 years old in May.  
Buddy was laid to rest on Feb. 4<sup>th</sup> on his favorite mountain.


To Love for the sake of  
being loved is human  
But to love for  
The sake of loving angelic  
Twice or thrice had I loved  
thee  
Before I knew thy face or  
name  
So in a voice  
So in a shapeless flame  
Angels affect us oft  
And worshipped be  
ANGEL

**QUICKIE CHILE RELLENOS**

2 (7oz.) cans diced green chilli (Ortega)  
24oz. Monterey cheese, grated  
8oz.Cheddar cheese, grated.

**Mix together:**  
4 med. Eggs  
2c. Milk or (1½c milk & ½ c. sour cream)  
½c. Bisquick  
2 green onions & 3 cloves garlic all chopped  
Salt & pepper to taste, touch of oregano optional.

Lightly oil 9x13 casserole dish. 1<sup>st</sup> layer use ½ of chilles, then add layer of 2 kinds of cheese.  
Repeat layers until all chillies are used up. Mix egg, milk, flour, & seasonings & pour over top of mixture. Bake 325 for 45 min. to 1 hr. or til lightly brown on top.



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DAM LEVEL UPDATE				
The elevation of the spillway (Glory Hole) at Monticello Dam is <b>440</b> feet. The water is now <b>.29</b> feet below the top of the spillway Lake Berryessa has had <b>33.94</b> inches of rainfall since July 1 <sup>st</sup> , 05 As reported by Carlos Jeffreys of The Corners				
Date	Elevation	Evaporation	High	Low
1/06/06	440.65	.60	6.7	3.5
7	.60	.02	6.7	3.5
8	.56	.05	7.4	3.5
9	.44	.03	7.4	3.4
10	.39	.05	7.5	3.6
11	.34	.06	7.3	3.6
12	.29	.07	7.2	4.0

**Glory Hole Goes Over!**  
**On Sat. Dec. 31<sup>st</sup> at 8am.**

Rain ~ Jan. 31st, .48 ~ Feb. 1<sup>st</sup>, .05 ~ 2nd .27 ~ 3rd .02~ 4<sup>th</sup> .15  
Rain reported by Carlos Jeffreys of The Corners

Ha! Ha! Harvey

**Points to Ponder**  
The nicest thing about the future is that it always starts tomorrow.

Money will buy a fine dog, but only kindness will make him wag his tail.

If you don't have a sense of humor, you probably don't have any sense at all.

Seat belts are not as confining as wheelchairs.

A good time to keep your mouth shut is when you're in deep water.

How come it takes so little time for a child who is afraid of the dark to become a teenager who wants to stay out all night?

Business conventions are important because they demonstrate how many people a company can operate without.

Why is it that at class reunions you feel younger than everyone else looks?

Scratch a dog and you'll find a permanent job.