

South Tahoe seeking dismissal of most of League's case

By Kathryn Reed

The League to Save Lake Tahoe amended its lawsuit against South Lake Tahoe in regards to the General Plan to state it has a right to contest the documents because the General Plan impacts the nonprofit's members who live within the city limits.

This led to the city having to refile its motion to dismiss the case.

"The city was not contesting their standing, so we did not view the changes as being substantive," City Attorney Patrick Enright told *Lake Tahoe News*.

A hearing is set for Dec. 5 in U.S. District Court in Sacramento.

The League contends the General Plan that was adopted in May is out of compliance with the Tahoe Regional Planning Agency's Regional Plan. The city at the time of adoption of the plan and during the years of planning always intended to create a forward-looking plan that would ideally be in compliance with the updated Regional Plan that is slated for adoption in December 2012.

The city also knew it could not approve any projects that did not comply with the current TRPA Regional Plan.

Carl Young, interim executive director of the League, did not return a call. No one at the League would confirm or deny if Amanda Royal is employed as the spokeswoman for the conservation group. It is not known who now speaks for the League other than its attorneys.

Enright said if portions of the case the city wants dismissed are granted, it's possible the CEQA elements of the League's case could be heard in El Dorado County Superior Court in South Lake Tahoe. The city claims the federal court has no jurisdiction over most of the claims brought forth by the League.

In court documents, the city says, "... while Plaintiff claims that its members will be impacted by 'increased traffic, aesthetic impacts, increased pollution in Lake Tahoe's shore zone, increased air pollution, and increased urbanization and building heights', nowhere in its Complaint does Plaintiff explain how the General Plan's alleged violation of the Compact will result in such injuries."