

Partial ruling favors TRPA in Regional Plan lawsuit

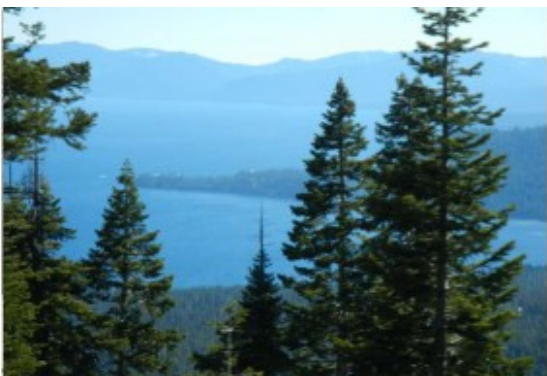
By Kathryn Reed

The Tahoe Regional Planning Agency on Monday won a partial decision in federal court when the judge dismissed some of the claims against the bi-state regulatory agency.

“The litigation is still pending, but this answers a lot of questions TRPA raised at the start,” TRPA spokesman Jeff Cowen told *Lake Tahoe News*.

The Sierra Club and Friends of the West Shore filed a lawsuit in February in U.S. District Court in Sacramento to stop the TRPA’s Regional Plan that was approved in December from taking effect in its entirety.

Neither of those groups was immediately available for comment June 17.



A federal judge is handing out the ruling on the TRPA Regional Plan update lawsuit piece-by-piece. Photo/LTN

Judge John A. Mendez said the Regional Plan update does not violate California law by allowing local jurisdictions to have more authority. This was one of the items in the lawsuit.

Plaintiffs, not taxpayers, are to bear the expense of litigation. Mendez upheld that stipulation, too, which has existed since 2010 when the Rules of Procedures was amended.

“The only new rules not in effect are the land coverage credits and exemptions which are on hold waiting for parallel approval of the Lake Tahoe Water Quality Management (208) Plan by the U.S. EPA, which is expected to be considered by the end of this month,” Cowen said. “TRPA is expecting to be able to process applications with the new coverage rules this summer and we are working closely with local jurisdictions to develop their area plans.”

Area plans have replaced community plans in the TRPA paperwork world. Douglas County is expected to approve the first area plan in the basin at its June 20 meeting in Stateline. South Lake Tahoe is having a special meeting in July to discuss its plan for what is being called the tourist core.

It is not known how future rulings by the judge could impact an area plan that the TRPA Governing Board approves.

Further litigation is always possible when it comes to specific projects in an area plan.