

TRPA Regional Plan's status up to appellate judges

Whether the environmental impact statement for the Tahoe Regional Planning Agency's Regional Plan update failed to analyze how the document negatively impacts soil conservation, water quality and air quality is at the heart of legal case that is in the hands of the Ninth Circuit Court of Appeals.

Both sides of the lawsuit gave oral arguments April 12 in San Francisco.

Environmental groups believe the plan, which was adopted in December 2012, promotes more growth, including in areas not already developed. Sierra Club and Friends of the West Shore filed the lawsuit in early 2013. No one from either organization was available for comment.

TRPA won that initial lawsuit in U.S. District Court. It was then appealed.

There is no time line for the appellate court judges to make a ruling. They have Tuesday's oral testimony, briefs, administrative record and District Court ruling to use to make their decision.

"We are confident the court will find our Regional Plan is based on sound science, planning, and analysis. It represents the best path forward for TRPA to accomplish its mandate to restore Lake Tahoe's environment and make our communities more sustainable," said Joanne Marchetta, executive director at TRPA, said in a statement.

– Lake Tahoe News staff report