

November 3, 2009

Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, NV 89449

RE: Public Records Act Request

Dear Tahoe Regional Planning Agency Staff,

Pursuant to our rights under the California Public Records Act (California Code Section 6250 et seq.) the undersigned conservation and community groups request to obtain copies of the following documents:

- 1) The Regional Plan Update Draft Alternatives Description document that was provided to the United States Army Corps of Engineers (USACE) on or around September 15, 2009.
- 2) Questions and comments submitted by both the USACE and EDAW that were received by TRPA staff in response to the September version of the Regional Plan Update Draft Alternatives Description document.
- 3) Also, we request that TRPA provide us with a copy of the next "edited" draft of the Regional Plan Description documents when it is submitted to either the USACE or EDAW, which is expected around November 20, 2009.

We ask for a determination of this request within 10 days of the agency's receipt of this letter.

For the span of the last few months, we have orally requested to agency staff on numerous occasions to be able to obtain the September version of the Draft Alternatives Description document which we feel is of utmost importance to public participation in the drafting of the TRPA Regional Plan update. Although the agency continues to make the claim that the TRPA will be transparent in its Regional Plan planning process, staff has continued to deny our requests to obtain this document, without adequate explanation pursuant to the California Public Records Act.

If the agency determines that any or all of the information qualifies for an exemption from disclosure, we ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold information.

We would like to note that preliminary drafts are not exempted from disclosure, except under a very narrow range of situations of which we believe none apply. Under Section 6254(a) TRPA would need to demonstrate that "the public interest in withholding clearly outweighs the public interest in disclosure." Since themes and elements contained with Regional Plan Alternatives are clearly contrary to the interests of community groups and conservation organizations (as listed below) and, furthermore, conflict with proper analysis of achieving the threshold goals as outlined in the TRPA bi-state Compact and the current Regional Plan, the public's best interests are best served with full transparency with release of the above documents.

If the agency determines that some but not all of the information is exempt from disclosure and that the agency intends to withhold this information, we request that you redact it for the time being and make

the rest of the document available as requested and identify any document being withheld, if any, by date, name of sender, name of recipient and subject matter of the withheld document.

With each document, if you determine that any of the documents are exempted and will not be disclosed, please provide a signed notification citing the legal authorities on which your agency made its determination.

We request that the documents are emailed to the parties listed below or, if necessary, an electronic disc containing the documents is made available for pick up at the agency.

We are providing a copy of this letter to the agency's legal counsel to encourage a speedy process. If the agency has any clarification you may contact the undersigned below.

Thank you for your time and attention to this matter,

Rochelle Nason
Executive Director
League to Save Lake Tahoe
Rochelle@keptahoebblue.org

Ron Grassi
Conservation Co-chair
Tahoe Area Sierra Club
ronsallygrassi@mac.com

Laurel Ames
Board Member
California Watershed Network
Laurel@watershednetwork.org

Susan Gearhart
President
Friends of the West Shore
Susan@friendswestshore.org

Ann Nichols
President
North Tahoe Preservation Alliance
preserve@ntpac.com

Ann Harmon
Secretary
Friends of Burke Creek
ABH@charter.net

Ellie Waller
Friends of Tahoe Vista
tahoellie@yahoo.com

Lynne Paulson
Washoe Meadows Community
LCPaulson@comcast.net

Margaret Eadington
Friends of Crystal Bay/Brockway
meadington@yahoo.com