



January 5, 2012

VIA FACSIMILE, E-MAIL, AND U.S. MAIL

Mr. Robert M. Weygandt, Chair
Placer County Board of Supervisors
175 Fulweiler Ave.,
Auburn, CA 95603
Fax: 530-889-4009
E-mail: bos@placer.ca.gov

Ms. Ann Holman
Clerk of the Board of Supervisors
Placer County
175 Fulweiler Avenue
Auburn, CA 95603
Fax: 530-889-4009
E-mail: bos@placer.ca.gov

**Re: Notice of Intent to File Suit Under The California Environmental Quality Act
Regarding Homewood Mountain Resort Ski Area Master Plan Project (TRPA
Project Number STD20061130)**

Dear Supervisor Weygandt and Ms. Holman:

I am writing on behalf of the Sierra Club and Friends of the West Shore (collectively "FOWS") pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq., to notify the County of Placer, California and the Board of Supervisors of the County of Placer, California (collectively, "County") and the Tahoe Regional Planning Agency and its Governing Board (collectively, "TRPA") of the Sierra Club's and FOWS's intention to file suit regarding the Homewood Mountain Resort Ski Area Master Plan Project ("Project").

Please take notice, pursuant to California Public Resources Code ("PRC") § 21167.5, that the Sierra Club and FOWS intend to file a Complaint for Declaratory and Injunctive Relief and Related Pendant State Law Petition for Writ of Mandate ("Complaint"), under the provisions of CEQA as well as the Tahoe Regional Planning Compact ("Compact"), in the United States District Court For the Eastern District of California, challenging the unlawful actions taken by the County and TRPA in approving the Project and approving changes to the TRPA Regional Plan and Code of Ordinances ("Homewood Amendments"). Specifically, the Complaint will challenge the actions taken by the County and TRPA on December 6, 2011 in their certification of the EIR-EIS evaluating the Project, approval of the Project, and related issuance of a Notice of Determination; TRPA's December 14, 2011 certification of the EIR-EIS evaluating the Homewood Amendments and Project; and TRPA's December 14, 2011 approval of the Homewood Amendments and Project.

The Sierra Club and FOWS will seek an order vacating the Environmental Impact Report and Environmental Impact Study ("EIR-EIS") prepared jointly by TRPA and the County and its accompanying findings and certification, setting aside the Project approvals, and mandating that

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the County and TRPA prepare a new EIR-EIS for the Project that fully complies with CEQA, the Compact, and other applicable legal requirements.

The Complaint will seek the following relief:

1. For declarations that the County's and TRPA's certifications of the EIR-EIS and adoption of the Project:
 - a. violate CEQA, because the EIR-EIS fails to comply with its legal requirements for environmental review by failing to accurately describe the project, study the entire project's effects, adequately describe significant environmental impacts, include adequate mitigation measures, and study feasible alternatives; and
 - b. violate CEQA, because the purported findings that environmental impacts will be reduced to less than significant levels, that environmentally superior alternatives and mitigation for significant impacts are infeasible, and that overriding economic, legal, social, technological, or other benefits of the Project outweighed its significant impacts on the environment have no basis in the record;
2. For an order, including a preliminary and permanent injunction and peremptory writ of mandate, invalidating and setting aside the County's December 6, 2011 certification of the EIR-EIS evaluating the Project and its approval of the Project; TRPA's December 14, 2011 certification of the EIR-EIS evaluating the Homewood Amendments and Project; and TRPA's December 14, 2011 approval of the Homewood Amendments and Project;
3. For a temporary restraining order and a preliminary and permanent injunction restraining the County, TRPA, JMA Ventures LLC, Homewood Village Resorts and each of their agents, employees, officers, and representatives from taking any action to implement in any way the Project and Homewood Amendments pending full compliance with CEQA, the TRPA Compact, the Tahoe Regional Plan, the TRPA Code of Ordinances, and all other applicable legal requirements;
4. For plaintiffs' costs of suit and attorneys' fees pursuant to all applicable legal authority including but not limited to California Code of Civil Procedure Section 1021.5, the common law private attorney general doctrine; and any and all other provisions of law or equity;
5. For such other and further relief as the Court may deem just and proper.

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The Sierra Club and FOWS urge the County to rescind its Notice of Determination for the Master Plan, as well as the existing Project approvals, and prepare the appropriate CEQA document for this Project as required by law. The Sierra Club and FOWS welcome the opportunity to discuss this matter further with the County and TRPA.

Sincerely,



Wendy S. Park
Earthjustice
on behalf of Sierra Club and
Friends of the West Shore

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PROOF OF SERVICE

I, John W. Wall, declare as follows:

I am a resident of the State of California, and employed in Alameda, California. I am over the age of 18 years and am not a party to the above-entitled action. My business address is 426 17th Street, 5th Floor, Oakland, CA 94607.

On January 5, 2012, I served a copy of the foregoing document(s) entitled:

**Notice of Intent to File Suit Under The California Environmental Quality Act Regarding
Homewood Mountain Resort Ski Area Master Plan Project
(TRPA Project Number STD20061130)**

on the following parties:

Mr. Robert M. Weygandt, Chair
Placer County Board of Supervisors
175 Fulweiler Ave.,
Auburn, CA 95603
Fax: 530-889-4009
E-mail: bos@placer.ca.gov

Ms. Ann Holman
Clerk of the Board of Supervisors
Placer County
175 Fulweiler Avenue
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Joanne S. Marchetta, Executive Director
Governing Board
Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, Nevada 89449-5310
Fax: (775) 588-4527
Email: trpa@trpa.org

<input checked="" type="checkbox"/>	BY MAIL. By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid for First Class mail, in the United States mail at Oakland, California addressed as set forth above.
<input checked="" type="checkbox"/>	BY FACSIMILE. By transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

Mr. Robert M. Weygandt

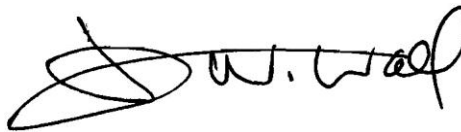
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By transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed January 5, 2012 at Oakland, California.

A handwritten signature in black ink, appearing to read "J.W. Wall". The signature is stylized with a large, looped initial "J" and a trailing flourish.

John W. Wall