

North Tahoe Citizen Action Alliance

PO Box 349 Tahoe Vista, CA 96148
www.ntcaa.org

December 2, 2010

The Tahoe Regional Planning Agency (TRPA) and Placer County Planning Department have proposed the construction of a biomass energy facility in the Lake Tahoe Basin. And, on July 20, 2010, they officially issued a Notice of Preparation (NOP) of a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lake Tahoe Basin Biomass Energy Facility (Placer County, California).

See: http://www.trpa.org/documents/notices/LTB%20Biomass_NOP_07%2019%2010.pdf

In the NOP, under the heading "Project Objectives" (page 1), the following is stated: *The Biomass Program includes partnerships with the California Department of Forestry and Fire Protection, the U.S. Environmental Protection Agency, the California Tahoe Conservancy, California State Parks, the North Tahoe Fire Protection District, the California Energy Commission, the University of California at Davis, and NV Energy.*

As you can see, you are listed among those with whom Placer County and TRPA claim to have a partnership in this endeavor.

Our investigative research, however, has not uncovered any documents supporting the existence of an inter-governmental "partnership" between you and the two lead agencies regarding the "Biomass Program." *Indeed, the organizations listed above are cited in Placer County's web site as "supporters" of the biomass project and have now, in the NOP, been moved to "partners."* The source of either of these determinations is unclear. To date, the only source that we can find that claims that any of the agencies and organizations listed above is either a supporter or a partner is Placer County's web site and the NOP. See:

<http://www.placer.ca.gov/Departments/CommunityDevelopment/Planning/Biomass/TBBEF.aspx>

As a consequence, we are obligated to refer the question to you.

To be clear, as you know, the term "partnership" not only has a meaning in the vernacular of business as connoting a formal agreement and understanding but also carries with it a legal contractual connotation that presupposes the formality of such an agreement. This is particularly the case when it appears in such a document as a governmental NOP and implicitly

suggests a partnership *in support* of the proposal. We have not, however, found evidence to sustain that conclusion.

Therefore, we request that you clarify for us the following:

- 1) Do you have a formal partnership with the TRPA or Placer County regarding the construction of a biomass facility in the Tahoe Basin?
- 2) Do you have any Memorandum of Understanding (MOU) or any letter affirming your “partnership” relation with Placer County or the TRPA for the pursuit of a biomass power plant in the Tahoe Basin?
- 3) If so, what is the nature of the agreement and will you please supply us with the relevant documents governing this partnership or relationship?
- 4) Were you aware that the NOP claims that there exists such a partnership with you?
- 5) Lastly, if you have no such partnership, please stipulate that for us unambiguously.

Time is of the essence regarding your compliance with our request and we therefore thank you in advance for your prompt attention to this matter.

Sincerely,

Dave McClure, Vice President
Director of Research

Cc: