



September 20, 2021

Darrien J. Lemieux
One East Liberty Street, Suite 300
Reno, NV 89501
dlemieux@lewisroca.com

VIA ELECTRONIC MAIL

RE: Rejection of Appeal for TRPA Project File Number QESZ2021-0152; Appeal File Number ADMIN2020-0030; APN 094-160-010

Dear Mr. Lemieux:

On September 1, 2021, the Tahoe Regional Planning Agency (TRPA) received your letter relating to a conditional Qualified Exempt declaration dated July 1, 2021, TRPA file number QESZ2021-0152. Your client received notice of the conditional Qualified Exempt declaration on July 2, 2021. In your letter (submitted more than 21 days later) you request an Administrative Determination of whether TRPA properly allowed the conditional Qualified Exempt declaration. TRPA has ceased issuing Administrative Determinations for quite some time. For example, there is no option to submit and “Administrative Determination request” on TRPA’s online submission portal. Consequently, you submitted your request as a Notice of Appeal via the web portal. Per TRPA Rules of Procedure 11.2, “Final action by the Executive Director may be appealed to the Board by filing a notice of appeal with TRPA . . . no later than 21 days after final action.”

TRPA therefore rejects your request because (1) TRPA no longer issues Administrative Determinations, and (2) your challenge to the conditional Qualified Exempt declaration is untimely. Any fees paid will be refunded to the mailing address above.

If you have any questions, please feel free to contact me at jmarshall@trpa.gov or (775) 303-4882.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Marshall".

John L. Marshall
General Counsel, TRPA

cc: Barry Lee