From: Katharyn Cooper <coopka@aol.com>

Sent: 11/12/2023 5:50:11 PM

To: Public Comment < Public Comment@trpa.gov>

Subject: North Tahoe

North Tahoe does NOT need more tourist housing, rentals, etc., but more widening of highways 88, 28 and 267 to start. This basin is a waiting inferno and the loss of life will be fully blamed on the TRPA and other agencies lack of providing better and bigger ingress and egress around the north basin, as well as infrastructure improvements, provisions for local worker housing, and upgrades in managing fires, earthquakes and other natural or man made disasters, all the while encouraging massive overbuilding of apartments, rentals and other accommodations.

Nationally sourced visitor input across media sites has already recommended NOT visiting the overloaded and underprepared area of North Lake Tahoe. Pay attention and fix the problems instead of approving projects that benefit YOUR pockets and risk North Lake Tahoe.

Sent from the all new AOL app for iOS

From: Ellie <tahoellie@yahoo.com>
Sent: 11/3/2023 1:01:25 PM

To: Public Comment < Public Comment@trpa.gov>

Cc: Julie Regan <jregan@trpa.gov>; John Hester <jhester@trpa.gov>; Jeff Cowen <jcowen@trpa.gov>;

Subject: Public comment Nov 8, Nov15, Dec13 all TRPA meetings DL Bliss closed another year

https://www.sfgate.com/renotahoe/article/dlblisstahoesummer2024closure-18465254.php

Please accept this public comment for all three meetings. Where's the accountability and oversight? This is a regional asset and you are responsible for regional issues.

Ellie Waller Tahoe Is My Backyard

From: Concerned C t zens of South Lake Tahoe <ce towers.st@tu anota.com>

Sent: 11/1/2023 4:52:05 PM

To: John Marsha <jmarsha @trpa.gov>; C ndy.Gustafson <c ndygustafson@p acer.ca.gov>; Hay ey W amson <hay ey.a.w amson@gma .com>; She y

A dean <she ya dean@gma .com>; Franc sco Agu ar <c sco@sos.nv.gov>; Ash ey Conrad Saydah <ash eyc@a umn .pr nceton.edu>; Jess ca D ss

<jd ss.trpa@gma .com>; Be nda Faust nos <be ndafaust nos@gma .com>; John Fr edr ch <jfr edr ch@c tyofs t.us>; Meghan Hays <Meghan.hays9@gma .com>; A ex s H <AH @washoecounty.us>; V nce Hoen gman <vhoen gman@yahoo.com>; James Sette meyer

<JSette meyer@dcnr.nv.gov>; Bosf ve <bosf ve@edcgov.us>; Wes ey R ce <wr ce@doug asnv.us>; A exandra Leumer <TRPALeumer@yahoo.com>;

Ju e Regan <jregan@trpa.gov>

Cc: Pub c Comment <Pub cComment@trpa.gov>; Marja Amb er <mamb er@trpa.gov>; John Hester <jhester@trpa.gov>; Pau N e sen <pn e sen@trpa.gov>;

M che e G ckert <mg ckert@trpa.gov>; Wendy Jepson <wJepson@trpa.gov>; Jess ca G es <JG es@trpa.gov>; Kenneth Kasman

<kkasman@trpa.gov>; K mber y Car nger <kcar nger@trpa.gov>; Kat McIntyre <KMcIntyre@trpa.gov>; Tracy Campbe <tcampbe @trpa.gov>; Shannon
Fr edman <sfr edman@trpa.gov>; Denn s Zabag o <dzabag o@trpa.gov>; Shay Navarro <snavarro@trpa.gov>; Chr s Ke or <cke or@trpa.gov>; Steve
B dd e <sb dd e@trpa.gov>; Ange a Atch ey <AAtch ey@trpa.gov>; Debb e <debb e@ eonard awpc.com>; Amy F sh <af sh@trpa.gov>; Jenn fer Se f

<jse f@trpa.gov>; Dan Segan <dsegan@trpa.gov>; A yssa Bett nger <abett nger@trpa.gov>;

Subject: Nov. 15th 2023 TRPA G.B. Meeting Genera Pub c Comment

Attachments: removed.jpg , removed II.jpg , pub c comment.jpg , mage001.jpg , Cohen v. Ca forn a, 403 U.S. 15 (1971) c.jpg , draft.jpg , Jacket.jpg , sh rt.jpg , Name

Tag For TRPA Hear ng.jpg , Ju e Regan Roya Ass.jpg , Obscene.jpg , Gustafson's Assets.pdf , Regan's Assets.pdf , Marsha 's Assets.pdf , F sh's Assets.pdf , Andrew Stra n Conf ct of Interst Ce Towers.pdf , TDT 09 29 2023 p35 TRPA Meet ng Not ce. pg , TRPA Ca ender. pg , ADMIN2023

0034_Response Letter.pdf

Mr. Marsha,

You have admitted to implementing, overseeing, or refusing to stop an unconstitutional TRPA "policy," "custom," or "practice." We have major questions. First, may we have a copy of any and a documents which a leged yip promulgate the TRPA "standard practice" prescribing for the indiscriminate blocking of emaled written public comment and the removal the public cip participants from on neighborhood promoted the promoted participants from on neighborhood promoted the promoted promoted the promoted promoted that it is not comment and the removal the public cip participants from on neighborhood promoted that it is not comment and the removal the public cip participants from on neighborhood promoted that it is not comment and the removal that it is not c

Do know that TRPA may only regulate "names" that are in fact "obscene" as promulgated by *Miller v. California*, 413 U.S. 15 (1973). For speech to be obscene, it must: (1) appear to an average person's prurient interest; (2) depict or describe sexual conduct in a "patenty offensive" way; and (3) taken as a whole, ack serious iterary, artistic, political or scientific value (*id.*).

Profane words such as "Fuck" are NOT, in and of themse ves, obscene (e.g., F.C.C. v. Pacifica Foundation, 438 U.S. 726 (1978) (prur ent appeal is an element of the obscene, but the normal definition of "indecent" merely refers to nonconformance with accepted standards of morality)). Indecent speech for adults is entitled to First Amendment protection (Sable Communications of California v. Federal Communications Commission, 492 U.S. 115 (1989); see also, Reno v. American Civil Liberties Union, 521 U.S. 844, 874 (1997) (express on which is indecent but not obscene is protected by the First Amendment)). In any case, when used in an iso atted point cannot context, profane words are protected speech (e.g. Cohen v. California, 403 U.S. 15 (1971)). Moreover, profibility the making of "personal, impertinent, profane, insolent or slanderous remarks" at public meetings is expressly an unconstitutional profibility to one of protected speech (Acosta v. City of Costa Mesa, 718 F.3d 800, 810 11, 813 (9th C.r. 2013)). An agency's regulation cannot trump the Constitution (see e.g. Credit One Bank N.A. v. Hestrin, 60 F.4th 1220 (9th C.r. 2023)). It should suffice without saying, nor can an agency's "standard practice."

An obscene "name" subject to regu at on must pass a three parts of the aforement oned obscen ty test n "Miller" nc ud ng that t actua y "dep cts or descr bes," n a patenty offens ve way, sexua conduct or excretory funct ons. G ven that the web nar m ts names to approx mate y 20 characters, we find it increduous that a user could ntense y "dep ct or descr be" anything, much less something so graphic that it fals the test de neated in "Miller." Individual words, themse ves, are generally subject to so many non sexual uses, descriptions, or interpretations as to be never meet the obscent ty test; a word is the probability of the unconstitution of the unco

As the r ght aga nst the government proh bit ng the making of "persona", impert nent, profane, inso entior is anderous remarks" at public meetings was clearly esiablished by 2013, there is no qualified immunity for TRPA officials in personal, impert nent, profane, inso entior is anderous remarks" at public meetings was clearly esiablished by 2013, there is no qualified immunity for TRPA officials in personal insolation and insolation in the training such a constitution along the current year 2023. An official may be subject to about the first personal insolation in the training such a constitution and on a soft the current year 2023. An official may be subject to about the rights of others (Hyde vicial personal insolation) in the training, supervision, or control of their subordinates, or for conduct that showed a reckless or calculation and ference to the rights of others (Hyde vicial City of Willcox, 23 F.4th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Graph Graph in the rights of others (Hyde vicial City of Willcox, 23 F.4th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Gates, 23 F.3th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Gates, 23 F.3th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Gates, 23 F.3th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Gates, 23 F.3th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Gates, 23 F.3th 863, 874 (9th Cir. 2022); Cunningham vicial Gates, 229 F.3d 1271, 1292 (9th Cir. 2000); Kentucky vicial Gates, 23 F.3th 863, 874 (9th Cir. 2002); Cunningham vicial Gates, 23 F.3th 863, 874 (9th Cir. 2002); Cunningham vicial Gates, 23 F.3th 863, 874 (9th Cir. 2002); Cunningham vicial Gates, 23 F.3th 863, 874 (9th Cir. 2002); Cunningham vicia

& 009 443 02)" and Amy F sh's assets at "3620 Sh r ey Avenue, South Lake Tahoe, CA 96150 (APN 027 114 021 100)" (attached pub c records) (see, <u>Publius v Boyer-Vine</u>, 237 F.Supp.3d 997, 1017 (2017) (hod ng when an nd v dua's personal information in nc ud ng addresses and telephone numbers is relevant to issues of pubic significance, its truthfuld issemination, particularly when a ready in the public domain and awfully oblained, triggers exacting First Amendment scruting)). The specter of an award of damages against a deliberately indifferent calous officials is significant.

In your arrogant effrontery, Mr. Marsha, you have expressly admitted TRPA liability in your appended emal by writing that this constitutional volation was in fact taken or directed through "[f]o owing standard practice" (supra see Monell vi Department of Social Services of City of New York (local governments may be sued for constitutional deprivations visited pursuant to governmental custom even though such a custom has not received formal approva through the body's official decision making channes; a municipal particular course of actions a directed by those who establish governmental policy, municipal particular course of actions and received by those who establish governmental policy, municipal particular course of actions and received by those who establish governmental policy, municipal particular course of actions and received by those who establish governmentation policy, municipal particular course of actions and received by those who establish governmentation policy, municipal particular course of actions and received by those who establish governmentation policy, municipal particular course of actions and received by those who establish governmentation policy, municipal particular course of actions and received by those who establish governmentation policy, municipal particular course of actions and subordinate actions by rouge employee); Pembaurivi City of Independence Mo , 445 U.S. 622, 638 (1980)). The legal exposure to the TRPA itself is significant.

The esson from "Cohen," was not that the Reporter of Dec s ons of the Supreme Court of the United States had a "potty mouth" or a sick desire to force the U.S. Government Pub shing Office to print mons of copies of the word "Fuck":

COHEN v. CALIFORNIA

15

Opinion of the Court

COHEN v. CALIFORNIA

APPEAL FROM THE COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT

No. 299. Argued February 22, 1971—Decided June 7, 1971

Appellant was convicted of violating that part of Cal. Penal Code § 415 which prohibits "maliciously and willfully disturb[ing] the peace or quiet of any neighborhood or person . . . by . . . offensive conduct," for wearing a jacket bearing the words "Fuck the Draft" in a corridor of the Los Angeles Courthouse. The Court of Appeal held that "offensive conduct" means "behavior which has a tendency to provoke others to acts of violence or to in turn disturb the peace," and affirmed the conviction. Held: Absent a more particularized and compelling reason for its actions, the State may not, consistently with the First and Fourteenth Amendments, make the simple public display of this single four-letter expletive a criminal offense. Pp. 22–26.

1 Cal. App. 3d 94, 81 Cal. Rptr. 503, reversed.

HARLAN, J., delivered the opinion of the Court, in which Douglas, Brennan, Stewart, and Marshall, JJ., joined. Blackmun, J., filed a dissenting opinion, in which Burger, C. J., and Black, J., joined, and in which White, J., joined in part, post, p. 27.

Melville B. Nimmer argued the cause for appellant. With him on the brief was Laurence R. Sperber.

Michael T. Sauer argued the cause for appellee. With him on the brief was Roger Arnebergh.

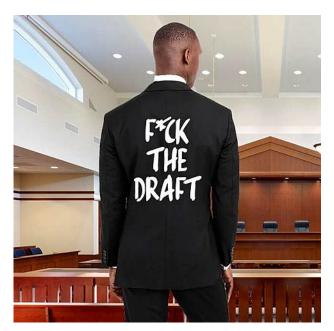
Anthony G. Amsterdam filed a brief for the American Civil Liberties Union of Northern California as amicus curiae urging reversal.

Mr. Justice Harlan delivered the opinion of the Court.

This case may seem at first blush too inconsequential to find its way into our books, but the issue it presents is of no small constitutional significance.

The app cable lesson as was that the TRPA may not prohibit the public from attending TRPA hearings because of their emotive speech expression by way of profane words:





Or th s sh rt:



Then they may a so do so wear ng the fo ow ng "name tag" st cker:



Which means they may also do so with any such virtua "name tag" registration for a TRPA meeting's web nar. Content based sign codes also violate free speech guarantees (see, e.g., supra. Cohen (law prohibit ng clothing which displays profane words in courthouse an unconstitutional restriction on speech); Reed v. Town of Gilbert. Ariz., 576 U.S. 155 (2015) (content based sign code's are regulations of speech that do not survive strict scrutiny); Carey. Warden v. Musladin, 549 U.S. 70

(2006) (due process right to unb ased tribuna was not a compering enough interest to restrict free speeching family members to wear buttons with the image of the murder victim inside a trial courtroom)).

The pub c may even wear t shirts or carry protest signs into TRPA open meetings with the following poster image:



We swear to god this is a real photo of TRPA director Julie Regan actually wearing this absurd narcess stic vanity jacket. She really just spends so much time fraternizing and outright kills is a real photo of TRPA director. Julie Regan actually wearing this absurd narcess stic vanity jacket. She really just spends so much time fraternizing and outright kills is a real photo of TRPA director. Julie Regan actually wearing this absurd narces stic vanity jacket. She really just spends so much time fraternizing and outright kills is a poster. She was not spend to the proving a spend of the second outright is spend. The second outright is a spend of the second outright is spend outright. The spend of the second outright is spend outright of the second outright is spend outright. The spend of the second outright is spend outright in the spend of the second outright is spend outright. The spend outright is spend outright in the spend of the second outright is spend outright. The spend outright is spend outright in the spend of the spend outright is spend outright. The spend outright is spend outright in the spend outright is spend outright. The spend outright is spend outright in the spend outright is spend outright. The spend outright is spend outright in the spend outright is spend outright. The spend outright is spend outright in the spend outright is spend outright. The spend outright is spend outright in th

You apparently find the pubic's grievances distasteful. The Supreme Court has reasoned that "one man's vuigarity is another's ignorial to commensurate with the perceived vuigarity of TRPA's actions of which we even find beyond distasteful. You should have the perspective that the underment oned i ustration is, interialia, what the public finds outright obscene at least in the color of ustration is, interialia, what the public finds outright obscene at least in the color of ustration is given by the perspective that the underment oned interialization is given by the color of the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene at least in the color of ustration is given by the public finds outright obscene.

Obscenity





One Gargantuan Corrupt Bloviating Incestuous Circlejerk Clusterfuck

The TRPA's contempt for pub c nput and ts manufactur ng of consent s a so "obscene" (that's actua y Andrew Stra n and Mark Burton hav ng <u>undue nf uence</u> over sen e <u>nonagenar an</u> Senator D anne Fe nste n Stra n s currenty the <u>"V ce Pres dent of Deve opment" at Tahoe Beach C ub</u> and the TRPA hear ngs' off cer where he sets TRPA precedent for more deve opment; <u>Patr ck Rhamey s the "CEO"</u> and <u>Mark Burton s the "Pres dent"</u>). In any case, D anne Fe nste n's env ronmen a egacy tse f was dark y "marked by a testy relationship with environmentalists, strong rapport w th the s ate's agr cu tura power brokers...She hosted [corrupt] summ ts n [Tahoe], where she owned a pa at a vacat on home." **Obscenity!**

A TRPA "standard practice" may not violate the First Amendment. The TRPA is neither a private consulting firm, nor a social media platform, nor a newspaper. It is a government entity absolutely required to abide by the constraints of the First Amendment (see Manhattan Community Access Corporation violate Halleck, 587 U.S.), 139 S.Ct. 1921, 1926 (2019) (the Free Speech Clause of the First Amendment constraints governmental actors and protects private actors; the Free Speech Clause prohibits only governmental abid digment of speech); Diouf violation, 634 F.3d 1081, 1090 (9th Cir. 2011) (explaint not government of agency interpretation of the First Amendment (see Manhattan Community Access Corporation violations, 139 S.Ct. 1921, 1926 (2019) (the Free Speech Clause prohibits only government actors and protects private actors; the Free Speech Clause prohibits only government actors and protects private actors; the Free Speech Clause prohibits only government actors and protects private actors; the Free Speech Clause prohibits only government may count with not defer to agency interpretation of the First Amendment (see Manhattan Community Access Corporation violations, 139 Halleck, 587 U.S., 139 (1991). It makes not defer to agency of the Free Speech Clause prohibits only government Merchants Ass'n, 564 U.S. 786, 791 (2011) (whatever the challenges of applying the Constitution to ever advancing technology, basic principles of freedom of speech and press, ke the First Amendment's command, do not vary when new and different medium for communication appears); Garnier violation O'Connor-Ratcliff, 41 F.4th 1158, 1177, 1179 (9th Cir. 2022) ("designated public forum" exists, for Free Speech Clause purposes, where government intentionally opensus up nontraditional forum for public discounts of prohibits and pages of members of board were designated public fora, for Free Speech Clause purposes, despite trustees' content on that they intended the risocial members of board were designated public fora, for Free Speech Clause pur

Content based speech aws, regu at ons, or practices are presumptively unconstitutional (supra, Reed v. Town of Gilbert Ariz at 163; RAV v. City of St. Paul, 505 U.S. 377, 382 (1992)). General principle that government may not implement content based restrictions on speech, also applies specifically to restrict ons which impose financial burdens on speakers because of the content of their speech! Financial burdens obviously "ch. speech" through imiting its dissemination. All awis presumptively not not stent with First Amendment if it imposes financial burden on speakers because of content of their speech (supra, Simon & Schuster Inc. v. Members of NY State Crime Victims Board, at 115). Any TRPA aw, regulation, or rule restricting certain targeted individuals on account of the content of their speech it to only participate in agency public comment through hard mail editions on and thus purposefully ch. the dissemination of their speech through the needless financial burden of costy

pr nt ng and postage expenses, s unconst tut ona! "Prem sed on m strust of governmenta power, the F rst Amendment stands against attempts to disfavor certain subjects or viewpoints...Prohibited, too, are restrictions distinguishing among different speakers, alowing speech by some but not others...As instruments to censor, these categories are interrely attempted. Speech restrictions based on the identity of the speaker are aloo often simply a means to control content. Quite apart from the purpose or effect of regulating content, moreover, the Government may commit a constitutional wrong when by awit dentifies certain preferred speakers. By taking the right to speak from some and giving it to others, the Government deprives the disadvantaged person or class of the right to use speech to strive to establish worth, standing, and respect for the speaker's voice. The Government may not by these means deprive the public of the right and privilege to determine for itself what speech and speakers are worthy of consideration. The First Amendment protects speech and speaker, and the deas that flow from each" (Citizens United vi Federal Election Com'n, 558 U.S. 310, 340 341 (2010)).

Nor may TRPA vo ate Ca forn a open meeting aw (PUBLIC LAW 96 551 Art. III(d) ("A meetings shall be open to the public to the extent regular re of Ca forn a"); CA. Gov. Code §§ 54953 & 54957.5 ("a persons sha be permitted to attend any meeting of the egis at veibody of a oca agency"; "The egis at veibody sha a ow members of the pub c to access the meeting and the agenda sha provide an opportunity for members of the pub c to address the legislative body"; a "writing sha be made ava able for public inspection pursuant...at the time the writing is distributed to a , or a majority of a , of the members of the body")). The TRPA may not voate the TRPA Compact (Decker v Northwest Environmental Defense Center, 568 U.S. 597, 609 (2013) (reguations, in order to be vaid, must be consistent with the statute under which they are promulgated); US v Larionoff, 431 U.S. 864, 873 (1977) (in order to be vaid, regulations must be consistent with the statute under which they are promu gated)). Nor may TRPA may vo ate ts Rues of Procedure pertaining to meetings, because it ts we established that no agency may vo ate ts own regu at ons (US v Nixon, 418 U.S. 683, 695 (1974); Vitarelli v Seaton, 359 U.S. 535 (1959); Service v Dulles, 354 U.S. 363, 388 (1957); United States ex rel Accardi v Shaughnessy, 347 U.S. 260 (1954); see also, National Wildlife Federation v National Marine Fisheries Service, 524 F.3d 917, 931 (9th C r. 2008)). When the regulation's text is clear, there is no deference to an agency's interpretation (Kisor v. Wilkie, 88 U.S. , 139 S. Ct. 2400, 2415 (2019) ("[t]he reguat on then just means what t means"); Attias v Crandall, 968 F.3d 931, 937 (9th C r. 2020); Larson v Saul, 967 F.3d 914, 922 (9th C r. 2020)). TRPA Ru es of Procedure require a owng the pubic to remote viattend teleconference meetings, as we as the onine posting of written pubic comment (R.O.P. §§ 2.6, 2.16.5, & 2.16.6 ("A meetings of the Board sha be open to the pub c"; "The Agency sha provide the pub c with an opportunity for members of the pub c to address the Board or other body contemporaneous y by te ephone, a two way aud o v sua p atform, and n person"; "mater a s that are to be considered at the meeting shall be made available on ne contemporaneously with presentation to the Governing Board members")).

We honesty do not even be eve anyth ng which could be construed as obscenty is actually occurring at TRPA public meetings. As we previously stated, even our web nar connection timed out (dropped) and weld dinoting ster with a profane name despite such air ght (CA. Gov. Code § 54953.3). The TRPA has refused to public yield related to public yield yield

This constitutional violation has resulted in the unconscionable injury to innumerable completely innocent persons by a government "practice" which indiscriminately punishes large swaths of the public whom TRPA officials fallaciously believe—upon baseless speculation or unfounded conjecture—are part of a group. Nor may TRPA punish either an entire conjectured "group" or an actual group because of the aleged constitutionally unprotected acts of one of its members (NAACP violaborne Hardware Coi, 458 U.S. 886, 908 (1982) ("[t]their ght to associate does not ose a constitutional protection mere yibecause some members of the group may have participated in conduction advocated doctrine that itself is not protected")). Constitutionally permissible activity may not be chief decause of a "standard practice;" vagueness. The coercive chilling of speech is precisely the purpose behind TRPA's current refusal to publicly release its secret "standard practice." Secret rules and secret policipated in a democracy (see West Virginia State Board of Education vibrate, 319 U.S. 624 (1943) (the United States Government was set up "by consent of the governed, and the Bilb of Rights denies those in power any egal opportunity to coerce that consent. Author ty here is to be controlled by public opinion, not public opinion by author ty")).

This email further demands that you preserve and not alter any evidence relating to TRPA violations of the First Amendment and due process of law, which not uses, but is not imited to:

- ema s and etters rece ved from the pub c
- d g ta forens c ev dence (e g f es on ema servers, pub c record servers, personne hard dr ves)
- agency personne records
- nterna agency ema s and phone records

Next, we demand that you ensure all public comments sent the TRPA for its September 14th and 27th 2023 public meetings be uploaded to the agency hearing's webpage. This includes publication of multiple unique emails from the same users as well as duplicate emails.

TRPA and ts off c as are noontrovert by voating constitutionair ghts "under the color of aw" (Ex parte Commonwealth of Virginia, 100 U.S. 339, 340 (1879) (whoever by virtue of pubic position under a state government deprives another of property, felor berty without due process of aw or denies or takes away the equal protection of the aws violates the 14th amendment to the Constitution, his actibe ng that of the state); U.S. v. Classic, 313 U.S. 299, 326 (1941) ("[m] suse of power, possessed by virtue of siate aw and made possible only because the wrongdoer is cothed with the authority of state aw, is action taken 'under color of state aw"); Screws v. U.S., 325 U.S. 91, 111 (1945) ("[] tis clear that under 'color of aw means under 'pretense' of aw"); Lugar v. Edmondson Oil Co. Inc., 457 U.S., 922, 929 (1982) ("the statutory requirement of action 'under color of state aw' and the 'state action' requirement of the Fourteenth Amendment are dentical"); West v. Atkins, 487 U.S., 42, 49 50 (1988) (definition of acting under color of aw requires that defendant have exercised power possessed by virtue of awand made possible only because wrongdoer is cothed with authority of state aw; defendant acts under color of away when he abuses position given to him by state; generally, public employee acts under color of state away him exercised power possessed by virtue of away and the color of state away him exercised power possessed by virtue of away and made possible only because wrongdoer is cothed with authority of state away defendant acts under color of state away him exercised power possessed by virtue of away and made possible only because wrongdoer is cothed with authority of state away defendant acts under color of state away him exercised power possessed by virtue of away and made possible only because wrongdoer is cothed with authority of state away defendant acts under color of state away him exercised power possessed by virtue of away and made possible of the power possessed by virtue of away and made possible of p

Rat ona zat ons under pretense or pretext are genera y ega, espec a y when advanced by a government agency's ega counse. "It s c ear that under 'co or' of aw means under 'pretense' of aw" (supra Screws v U S, at 111). Pretextua rat ona zat ons are arb trary and capr c ous (see, Department of Commerce v New York, 588 U.S. ____, 139 S. Ct. 2551, 28 34, 47, 71 (2019) (act on was arb trary and capr c ous, based on a pretextua rat ona e; n order to perm t mean ngfu jud c a rev ew, an agency must "d sc ose the bas s" of ts act on; [t]he reasoned exp anat on requirement of administrative aw, after a , s meant to ensure that agence es offer genuine just f cat ons for important decisions, reasons that can be scrutin zed by courts and the interested pubic). Rat ona zations under pretense or pretext a so generally violate the American Bar Association canons for ethics and may result in sanctions or disbarment of attorneys in California or Nevada (CA. Bus ness and Profess ons Code § 6068(d) ("[]t is the duty of an attorney to...[t]o employ, for the purpose of maintaining the causes confided to him or her those means only as are consistent with truth,

and never to seek to ms ead...by an art f ce or fase statement of fact or aw"); Ca forn a Rues of Profess ona Conduct, Rue 3.4 ("[a] awyer sha not..un awfu y obstruct another party's access to ev dence...or un awfu y a ter, destroy or concea a document or other mater a having potent a evident ary value...[or] fas fy evidence, counse or assist a witness to test fy fase y"); Rue 4.1 ("a awyer sha not knowing y...make a fase statement of materia fact or aw to a third person"); NV. R. Prof. Cond. Rue 8.2(a) (prohibit in gattorneys from "make[ng] a fase statement of materia fact or aw to a third person")).

Much of the oca pub c nc ud ng us are genera y entrey convinced that TRPA is hab tually using the legal "color" of thinly well depretexts such as "obscenty," "threats," "non conformance," or "cier callerror" with regards to TRPA Rules of Procedure in order to purposefully suppress protected First Amendment speech and to subvertine required due process of aw. We aligned a generally fee so very strongly about this, that it is not cognizable to any of us that there is any valid ty or truth whatsoever to any of the aforement oned dub ous agency just fications. We so strongly fee that it is not cognizable to any of us that you could actually or plaus by view past public commentary as "obscene," "threatening," or "untimely." We wish to make utterly clear, that we believe as a self-evident truth, that TRPA purely is attempting to "prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body," its officers, officials, or its general staff.

TRPA has egregious y "cried worf" to deprive constitutional rights under so many different bogus and outright frivo ous pretexts over the past decade, that it is becoming a but imposs bie for the broad venting public to subjectively cognize that TRPA officials could actually regard their statements as "threatening" other than in the purely legal or po t ca senses. Pretexts c eary are your defaut modus operandi for abuse of power. TRPA has bent over backwards to protect c eary fraudu ent deve opment app cat ons under the fa se ausp ces as free speech pet ton ng of the government eg, Garmong v Tahoe Regional Planning Agency, 2022 WL 16707187, *2 (2022) whast s mutaneous y restraining express y protected forms of petitioning of the government for a redress of grievance by the general public. It should go without saying that deve oper's submitta of fraudu ent or perjur ous applications before government adjudicatory processes is not a form of protected speech (Giboney v. Empire Storage & Ice Co., 336 U.S. 490, 498 (1949) (the F rst Amendment doesn't protect "speech or wrt ng used as an ntegra part of conduct n voat on of a va d cr m na statute" or ord nance); US v Alvarez, 567 U.S. 709, 723 (2012) (where fase c a ms are made to effect a fraud or secure moneys or other va uable considerations, such as offers of emp oyment, Government may restr ct speech w thout affront ng the F rst Amendment); Virginia State Bd of Pharmacy v Virginia Citizens Consumer Council Inc., 425 U.S. 748, 771 772 (1976) (state may regulate commercial speech which is faise, deceptive, misleading, or which proposes legal transactions); Donaldson v. Read Magazine, 333 U.S. 178, 192 (1948) (fraud statutes barr ng de very of ma and payment of money orders which Postmaster General had found const tuted a fraudu ent scheme, does not vo ate F rst Amendment); McDonald v Smith, 472 US 479, 484 (1985) (f nd ng no protect on for fa se statements of fact n the F rst Amendment; the right to pet tion did not rise to the eve of an "unqual fied right to express damaging fa sehoods"); Garrison v. Louisiana, 379 US 64, 75 (1964) ("ntent ona and reck ess fa sehoods do not enjoy const tut ona protect on"); Professional Real Estate Investors Inc v Columbia Pictures Inc., 508 U.S. 49, 61 n.6 (1993) ("In survey ng the 'forms of ega and reprehens be practice which may corrupt the administrative or judic a processes and which may result in antitrust voat ons,' we have noted that 'uneth ca conduct in the setting of the adjudicatory process often results in sanctions' and that '[m] srepresentations, condoned in the po t ca arena, are not mmun zed when used n the adjud catory process"); California Motor Transport Co v Trucking Unlimited, 404 US 508, 515 (1972) ("F rst Amendment rights may not be used as the means of the pretext for achieving 'substant a evis'"), guoting NAACP v. Button, 371 US 415, 444 (1963); Whelan v. Abell, 48 F.3d 1247, 1254 (D.C. Cr. 1995) (Noerr Penn ngton doctr ne d d not bar cam of tort ous interference with prospective business advantage based on a legations that defendants had made de berate y fa se statements to state secur t es off c a s); Kottle v Northwest Kidney Centers, 146 F.3d 1056 (9th C r. 1998) (ant compet t ve behavior consisting of intentional misrepresentations can be deemed sham, within meaning of exception to Noerr-Pennington doctrine); Liberty Lake Investments Inc. v Magnuson, 12 F.3d 155, 159 (9th C r. 1993) (two part Noerr Penn ngton sham test napp cabe where there was proof of party's fraud or m srepresentations). See also, C v Code §§ 1708 & 1709; Finch Aerospace Corp v City of San Diego, 8 Ca. App.5th 1248 (2017) (Ca forn a aw genera y recogn zes four forms of dece t: ntent ona m srepresentation, neg gent m srepresentation, concea ment, and fa ure to perform a promise); McColgan v Mutual of Omaha Ins. Co., 4 F.Supp.3d 1228, 1233 (E.D. C.A. 2014) (a c a m for fraud n the nducement, under Ca forn a aw, requires the following elements: (1) a m srepresentation (false representation, concealment, or nond sc osure); (2) sc enter or knowledge of ts fals ty; (3) Intent to Induce related and sc osure); (2) sc enter or knowledge of ts fals ty; (3) Intent to Induce related and sc osure); (4) just fab e related and sc osure); (5) sc enter or knowledge of ts fals ty; (6) Intent to Induce related and sc osure); (6) just fab e related and sc osure); (7) just fab e related and sc osure); (8) just fab e related and sc osure); (9) just fab e related and sc osure); (9) just fab e related and sc osure); (10) just fab e related an 631, 638 (1996)).

Last, TRPA ega counse John Marsha who's the ex spouse of former NV eutenant governor Kate Marsha s c ear y aware h s staff and agency are vo at ng the aw. He hab tua y es and gas ghts the pub c, often teng competey nongruent stories to differing parties about the very same ssue. He frequently es that TRPA never received prior notice of misconduct which resulted in personal or environmental njury, even when subsequent records discovery produce emals showing he substantively coached his employees how to do nothing in endow to break the aw. He obstructs public commentary and the developing of the administrative record; he then less to courts about the administrative record with conflicting statements he knows are untrue. He misrepresents clearly established aw to non awayers. He volates ethics aways with impunity. He has no care whatsoever about the awor the facts. He sees his entire job through nothing more than the ension of an absolute raw exercise of power. He doesn't care about purposeful volations of awas ong as taxpayers are uit matery responsible for misconduct of TRPA officers. He's fine with it as ong as TRPA controis the ocal news narrative with calculated public relationship of the new of the reasonable of the responsible of the new of

When the span of three years. Most recently, on Mon, 25 Sep 2023 around approximately 1:30pm, he replied to an email complaint that our public comment was never posted on ne by saying "According to our staff, your comments [sic] was timely posted with the first set of public comments that I posted on September 8. It was posted with several other comments that were made into a single pdf. You may have missed it given the volume of posted comments. If you have any questions, please et me know." As of the current date, our public comment is still not available on the September 14th 2023 meeting's website as required by law, and he has outright gnored tens of email ed following with screenshot proof that his statement is still currently faise.

Apparenty, he only sent us that email to manufacture a faise document train the event of a legal proceeding, during which he will always been posted. This is an alogous to producing a receipt or invoice for a manifest that was never actually delivered. More broadly, his schemes rely on soph stry that TRPA has near unlimited discretion to interpret its own regulations in ways that patently violate the riclear meaning, and therefore neither he nor the agency can ever violate the aw. However, TRPA many not interpret its own regulations where the pain anguage or words of the regulation are not susceptible to the construction placed upon them by the agency, both on their face and in light of their prior interpretation and application, or in any manner which is inconsistent with or not in furtherance of the purposes and police embodied in the TRPA Compact authorizing the regulation (supra National Wildlife Federation violational Marine Fisheries Service, at 931)). We are way beyond the point that soph sticated course should have known better. We are at the point of intentional and bit batter to John Marshal and make an official agency complaint for his disparment to the CA and NV State Bar.

We look forward to your candid reply, and TRPA's prompt response to our aforementioned FOIA request regarding any applicable "standard of practice."

S ncere y,

Sep 25, 2023, 13:39 by jmarsha @trpa.gov:

Dear Concerned Ctzens of South Tahoe:

Fo owng s andard practice, TRPA removed approximately four individuals who registered on new thiobscene names. If you have any questions, please et me know.

John L. Marshall

Genera Counse

(775) 303 4882 · jmarsha @trpa.gov



From: Concerned Ct zens of South Lake Tahoe <ce towers.st@tutanota.com>

Date: Thursday, September 14, 2023 at 2:52 PM

To: Pub c Comment < Pub c Comment@trpa.gov>, John Marsha < jmarsha @trpa.gov>

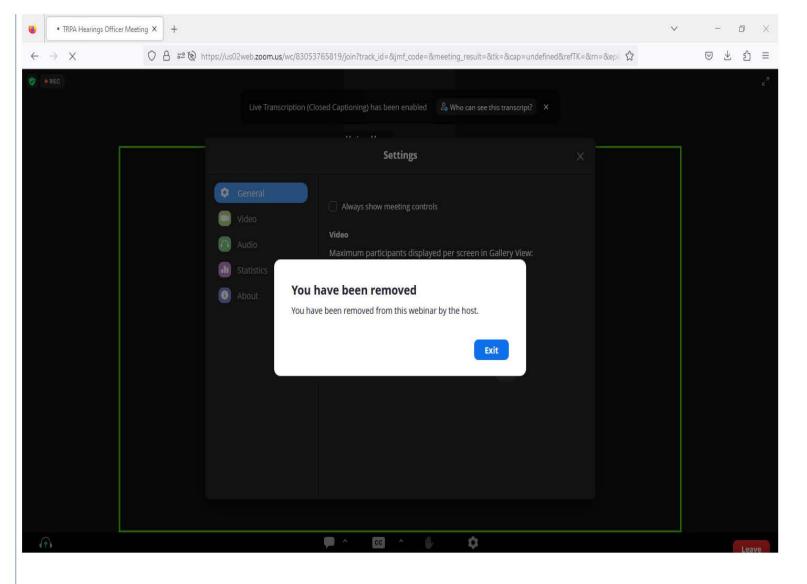
Cc: U.S. Attorney's Off ce E.D.C.A. <USACAE.Env ronment@usdoj.gov>, U.S. Attorney's Off ce E.D.C.A. <usaare.webmaster@usdoj.gov>, Cschu tz <cschu z@caed.uscourts.gov>, Dda porto <dda porto@caed.uscourts.gov>, Gm che <gm che @caed.uscourts.gov>, Debb e <debb e@ eonard awpc.com> Subject: [BULK] 9/14/2023 TRPA HEARING Genera Pub c Comment

Dear TRPA Off cer.

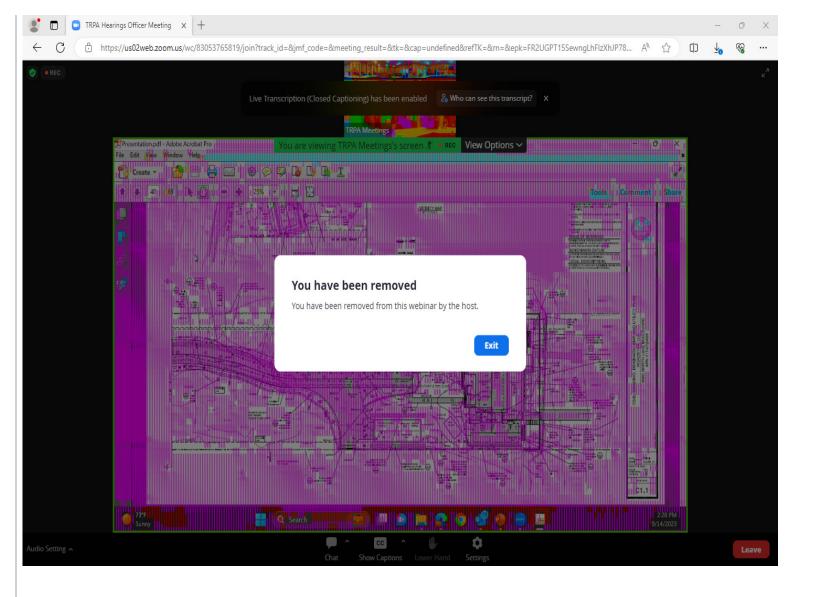
We have received multiple BCC'd emais alieg ng that public participants have been unlawfully removed from today's hearings officer meeting teleconference before they ever had the opportunity to speak. They did not volate any rules in the agenda nor is it possible that they could have as a muted virtual audience member.

Here are two separate nstances we have receved:

Exh b t A:

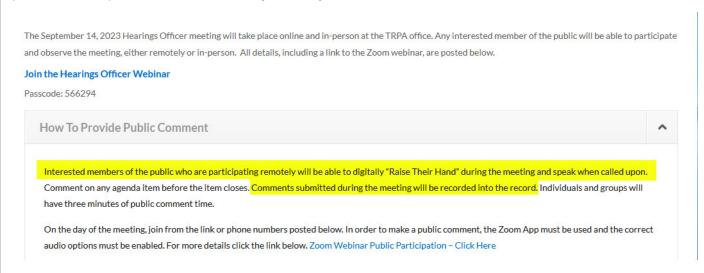


Exh b t B:



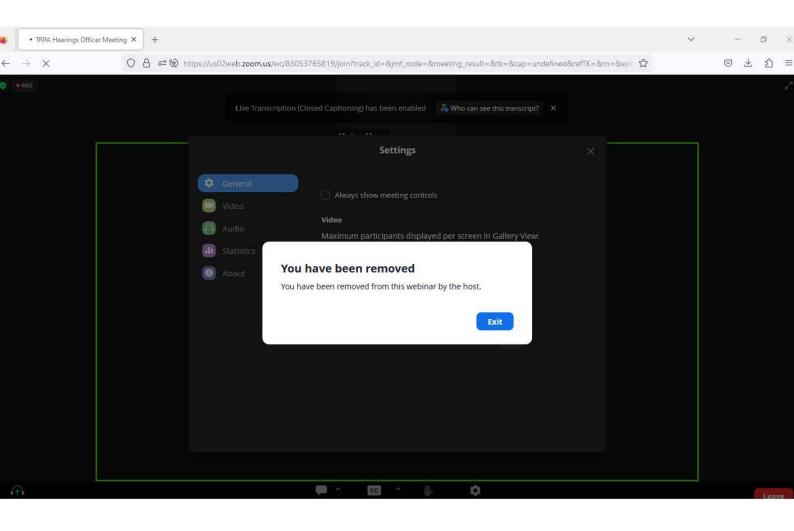
It also appears that somebody has been throtting our connection own to the meeting as it times out and we have gigabit internet.

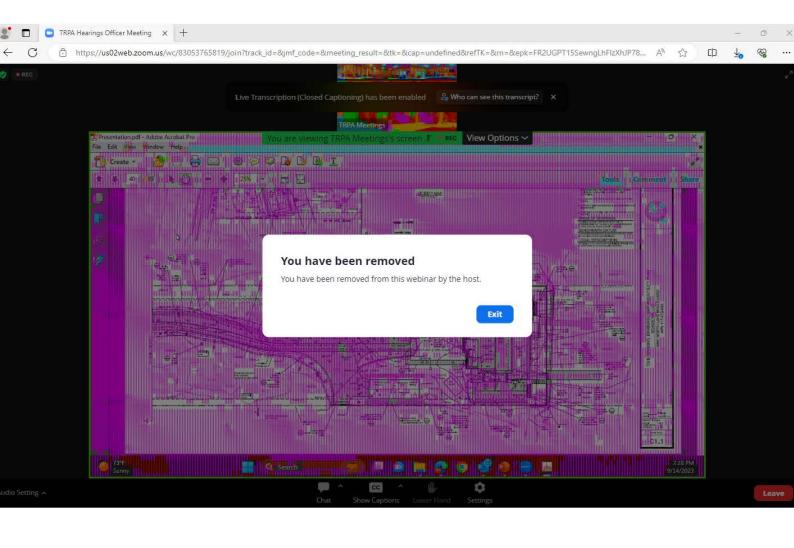
The rules are clear that "Interested members of the pubic who are participating remotely will be able to digitally "Raise Their Hand" during the meeting and speak when called upon...Comments submitted during the meeting will be recorded into the record."



However, nterested members of the pub c are ceary be ng d senfranch sed of the r ab ty to part c pate. Per the not ce: "[c]omments submitted during the meeting [MUST] be recorded into the record." Therefore this email ed comment must be part of the meeting's record. It is a clear showing of bad faith on part of the agency.

Concerned C t zens of South Lake Tahoe





The September 14, 2023 Hearings Officer meeting will take place online and in-person at the TRPA office. Any interested member of the public will be able to participate and observe the meeting, either remotely or in-person. All details, including a link to the Zoom webinar, are posted below.

Join the Hearings Officer Webinar

Passcode: 566294

How To Provide Public Comment

^

Interested members of the public who are participating remotely will be able to digitally "Raise Their Hand" during the meeting and speak when called upon. Comment on any agenda item before the item closes. Comments submitted during the meeting will be recorded into the record. Individuals and groups will have three minutes of public comment time.

On the day of the meeting, join from the link or phone numbers posted below. In order to make a public comment, the Zoom App must be used and the correct audio options must be enabled. For more details click the link below. Zoom Webinar Public Participation – Click Here



P.O. Box 5310 Stateline, NV 89449

775-588-4547 **www.trpa.gov**

Opinion of the Court

COHEN v. CALIFORNIA

APPEAL FROM THE COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT

No. 299. Argued February 22, 1971—Decided June 7, 1971

Appellant was convicted of violating that part of Cal. Penal Code § 415 which prohibits "maliciously and willfully disturb[ing] the peace or quiet of any neighborhood or person . . . by . . . offensive conduct," for wearing a jacket bearing the words "Fuck the Draft" in a corridor of the Los Angeles Courthouse. The Court of Appeal held that "offensive conduct" means "behavior which has a tendency to provoke others to acts of violence or to in turn disturb the peace," and affirmed the conviction. Held: Absent a more particularized and compelling reason for its actions, the State may not, consistently with the First and Fourteenth Amendments, make the simple public display of this single four-letter expletive a criminal offense. Pp. 22–26.

1 Cal. App. 3d 94, 81 Cal. Rptr. 503, reversed.

HARLAN, J., delivered the opinion of the Court, in which Douglas, Brennan, Stewart, and Marshall, JJ., joined. Blackmun, J., filed a dissenting opinion, in which Burger, C. J., and Black, J., joined, and in which White, J., joined in part, post, p. 27.

Melville B. Nimmer argued the cause for appellant. With him on the brief was Laurence R. Sperber.

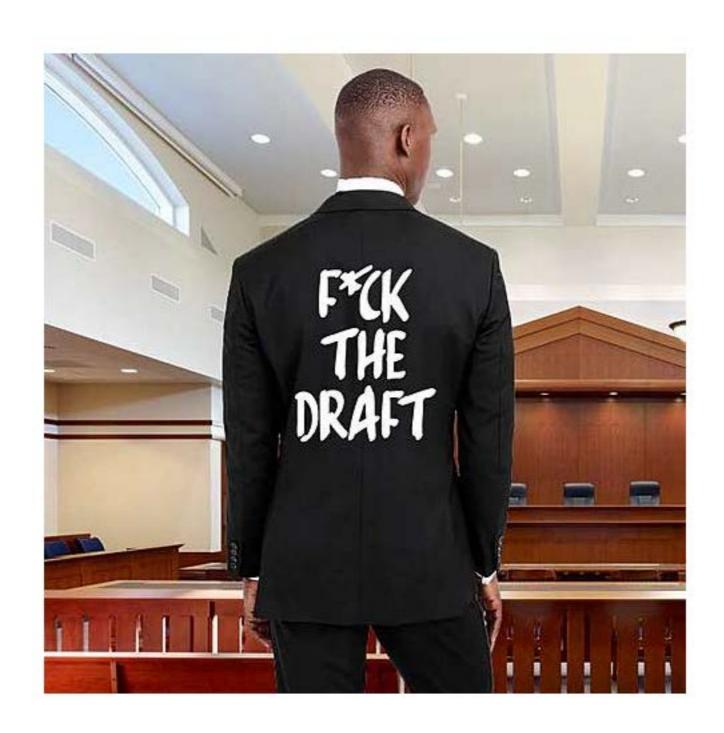
Michael T. Sauer argued the cause for appellee. With him on the brief was Roger Arnebergh.

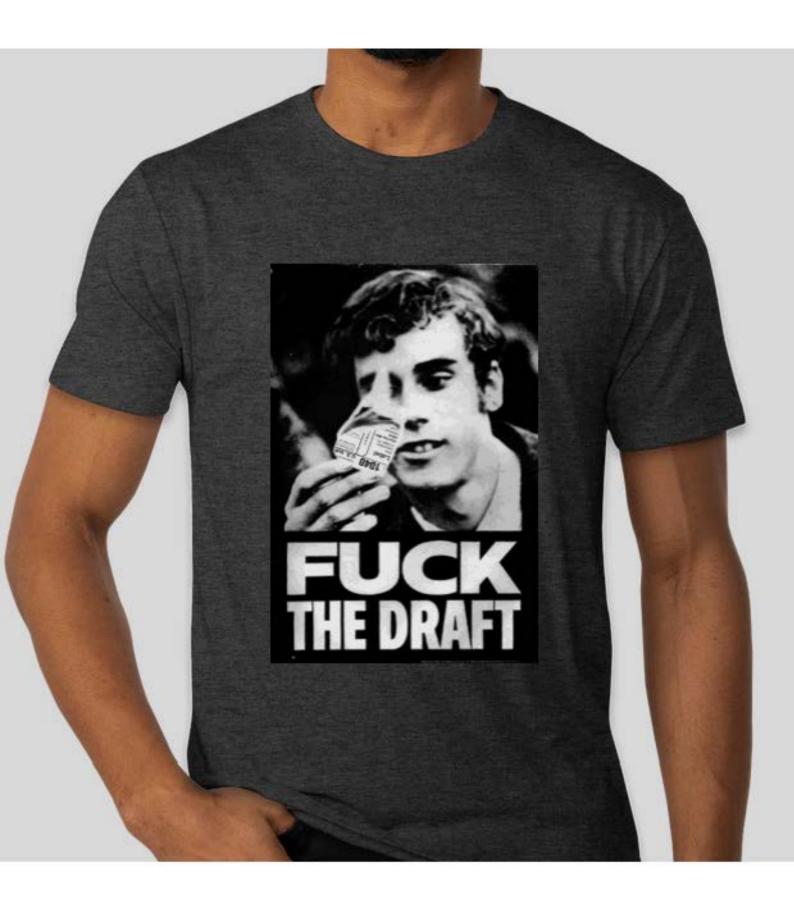
Anthony G. Amsterdam filed a brief for the American Civil Liberties Union of Northern California as amicus curiae urging reversal.

Mr. Justice Harlan delivered the opinion of the Court.

This case may seem at first blush too inconsequential







HELLO my name is

Fuck John Marshall

I Feign I'm Royalty



But Everything Coming Out of My Mouth is Actually Shit!

Obscenity

Greedy

Meadow

TAHOE BEACH CLUB



Document Number: 2021-0008402

Book / Page: Sequence #:

Document Type: DEED

Number of Pages: 4

Names

Grantor:

AUERBACH WALTER R GUSTAFSON LUCINDA M

Grantee:

AUERBACH WALTER R AUERBACH AND GUSTAFSON FAMILY TRUST GUSTAFSON LUCINDA M

APN Numbers

APN1: APN2:



Placer County Assessor

rreperty miermanen	
Assessor Parcel Number(APN)	
Assessment Number	
Tax Rate Area(TRA)	091133
Current Document Number	2021R0008402
Current Document Date	1/21/2021
SitusAddr	
Property Type	SINGLE FAM RES, HALF PLEX
Lot Size(Acres)	0.00
Lot Size(SqFt)	15000.00
Asmt Description	L 7 BLK 6 TAHOE ISLAND PARK
Asmt Status	ACTIVE
Roll Values	
Land	\$140,308
Structural Imprv	\$309,501
Fixtures Real Property	\$0
Growing Imprv.	\$O
Total land & Improvemnets	\$449,809
Fixtures Personal Property	\$0
Personal Property	\$0
Manufactured Homes	\$0
Homeowners Exemption(HOX)	\$7,000
Other Exemptions	\$0
Net Assessed Value	\$442,809
Building Description	

Building Description

Unit Seq. Number	0
Building Code	1
Current Doc Num	2021R0008402
Building Square Footage	2602.00
Number of units	1
Building Type	Residence
Garage Size	596.00
UnFinished Square Footage	0.00
Year Built	1957
Bedrooms	5
Full Baths	3
Half Baths	0
FirePlaces	W
Pools	



Matthew R. Maynard

Assessor

2980 Richardson Dr Auburn, CA, 95603

© 530-889-4300

 ■ assessor@placer.ca.gov

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Placer County Assessor

riopert, illieringuen	
Assessor Parcel Number(APN)	
Assessment Number	
Tax Rate Area(TRA)	091133
Current Document Number	2021R0008402
Current Document Date	1/21/2021
SitusAddr	
Property Type	VACANT, SUBDIVIDED RESIDENTIAL
Lot Size(Acres)	0.00
Lot Size(SqFt)	7500.00
Asmt Description	L 11 A BLK 6 LAKE FOREST
Asmt Status	ACTIVE
Roll Values	
Land	\$95,513
Structural Imprv	\$0
Fixtures Real Property	\$0
Growing Imprv.	\$0
Total land & Improvemnets	\$95,513
Fixtures Personal Property	\$0
Personal Property	\$0
Manufactured Homes	\$0
Homeowners Exemption(HOX)	\$0
Other Exemptions	\$0
Net Assessed Value	\$95,513
Building Description	

Building Seq. Number

Unit Seq. Number	0
Building Code	1
Current Doc Num	2021R0008402
Building Square Footage	0.00
Number of units	1
Building Type	
Garage Size	0.00
UnFinished Square Footage	0.00
Year Built	0
Bedrooms	0
Full Baths	0
Half Baths	0
FirePlaces	
Pools	



Matthew R. Maynard

Assessor

2980 Richardson Dr Auburn, CA, 95603

© 530-889-4300

 ■ assessor@placer.ca.gov

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Assessor Parcel Number

2022-0007959 • • GRANT DEED

Recording Date **02/17/2022 11:40 AM**

Grantor (2)
REGAN JULIE W
REGAN KEVIN D

Grantee (3)

REGAN JULIE W TR REGAN KEVIN D TR BLUE HERON RIVER TRUST



Office of the Assessor

Historical Property Information

Parcel Number:

Property Address:

Assessor's information is for assessment and tax purposes only and should not be relied upon for status of development or building purposes.

Property Description:

Primary Use**: 11, IMPROVED SINGLE FAMILY RESIDENTIAL TO 2.5 AC.

Subdivision Tract Number

Subdivision Tract Name:

APN Status: 00, Active

Reference: L 49

Tax Rate Area: 075-036

School District:

Last Appraisal Effective Date: 12/31/2017

Last Appraisal Reason: 100% CHANGE IN OWNERSHIP

Tax Exemptions: Homeowner Exemption: \$7,000 - Filed: 2011

MPR Card: 036-554-06

The **USE is only reviewed at the time of the last taxable event, and may not be a legal use

Associated Maps for:

Most Recent Plat:

Historical Plat:

Subdivision Maps:

River Park Est #2: C-101 River Park Est #2: C-101A

River Park Est #2: C-101B

River Park Est #2: C-101C

River Park Est #2: C-101D

River Park Est #2: C-101E

River Park Est #2: C-101F

River Park Est #2: C-101G

2017 - 2018 Taxable Property Values for:

Property	Value
Land	\$459,403
Land Prop 8	\$249,000
Land Total	\$249,000

Improvement Structures	\$441,023
Improvement Prop 8	\$441,000
Improvement Total	\$441,000

Total Roll	\$690,000
Homeowner Exemption	\$7,000
(Exemptions Total)	\$7,000
Net Roll	\$683,000

Event List for:

Roll	Event Date	Bill Status	Event Status	Seq#	Event Type	Stmt. Status	ID	Tax Bill #	Value
2018	1/1/2018	Active	Annual Roll	1	Roll	Pending			\$690,000
2017	1/1/2017	Active	Annual Roll	1	Roll	Paid		027131	\$650,000
2016	1/1/2016	Active	Annual Roll	1	Roll	Paid		800055	\$620,000
2016	1/1/2016	Replaced by Corrected bill	Been Corrected	1	Roll	Deleted		027093	\$640,000
2015	1/1/2015	Active	Annual Roll	1	Roll	Paid		027107	\$615,000
2014	1/1/2014	Active	Annual Roll	1	Roll	Paid		800217	\$615,000
2014	1/1/2014	Replaced by Corrected bill	Been Corrected	1	Roll	Deleted		027109	\$714,500
2013	1/1/2013	Active	Annual Roll	1	Roll	Paid		027120	\$523,500
2012	1/1/2012	Active	Annual Roll	1	Roll	Paid		027125	\$523,500
2011	1/4/2011	Inactive Suppl	Not to be billed	1	Change in Ownership		0000380		
2011	1/1/2011	Active	Annual Roll	1	Roll	Paid		027143	\$523,500
2010	1/4/2011	Inactive Suppl	Not to be billed	1	Change in Ownership		0000380		
2010	1/1/2010	Active	Annual Roll	1	Roll	Paid		027138	\$631,000
2009	1/1/2009	Active	Annual Roll	1	Roll	Paid		027140	\$717,500
2008	1/1/2008	Active	Annual Roll	1	Roll	Paid		027146	\$779,987
2007	1/1/2007	Active	Annual Roll	1	Roll	Paid		027138	\$764,694
2006	1/1/2006	Active	Annual Roll	1	Roll	Paid		027004	\$749,700
2005	2/14/2005	Active Suppl	Billed	1	Change in Ownership	Paid	0012220	301566S	\$735,000

2005	1/1/2005	Active	Annual Roll	1	Roll	Paid		027003	\$372,014
2004	2/14/2005	Active Suppl	Billed	1	Change in Ownership	Paid	0012220	217166S	\$735,000
2004	1/1/2004	Active	Annual Roll	1	Roll	Paid		026979	\$364,721
2003	1/1/2003	Active	Annual Roll	1	Roll	Paid		026973	\$358,038
2002	1/1/2002	Active	Annual Roll	1	Roll	Paid		026981	\$351,019
2001	1/1/2001	Active	Annual Roll	1	Roll	Paid		026988	\$344,137
2000	1/1/2000	Active	Annual Roll	1	Roll	Paid		027037	\$337,390
1999	1/1/1999	Active	Annual Roll	1	Roll	Paid		027041	\$330,775
1998	6/2/1998	Inactive Suppl	Not to be billed	1	Change in Ownership		0030163		
1998	1/1/1998	Active	Annual Roll	1	Roll	Paid		027135	\$324,759
1997	6/2/1998	Inactive Suppl	Not to be billed	1	Change in Ownership		0030163		
1997	1/1/1997	Active	Annual Roll	1	Roll	Paid		027163	\$318,392
1996	3/1/1996	Active	Annual Roll	1	Roll	Paid		027224	\$312,150
1995	3/1/1995	Active	Annual Roll	1	Roll			801044	\$308,725
1995	3/1/1995	Replaced by Corrected bill	Been Corrected	1	Roll	1st_Paid		027261	\$308,725
1994	3/1/1994	Active	Annual Roll	1	Roll	Not_Avl			\$305,096
1993	3/1/1993	Active	Annual Roll	1	Roll	Not_Avl			\$299,115
1992	3/1/1992	Active	Annual Roll	1	Roll	Not_Avl			\$293,250
1991	3/1/1991	Active	Annual Roll	1	Roll	Not_Avl			\$287,500
1990	7/3/1990	Active Suppl	Billed	1	Change in Ownership	Not_Avl	3381530	304480S	\$287,500
1990	3/1/1990	Active	Annual Roll	1	Roll	Pending			\$233,139
1989	3/1/1989	Active	Annual Roll	1	Roll	Pending			\$228,569
1988	3/1/1988	Active	Annual Roll	1	Roll	Pending			\$224,089

Property Characteristics for:

Property Characteristic	Description
i reporty enandedictions	2 000.ip.io.i

View	F
Square Foot Range	25,001 sqft - 1.0 Acre
Topography	Level
Irregular Lot	Y
Ground Cover	Pine Trees
Water Source	Public Water Service
Sewer Service	Y
Waterfornt	Y
Access Type	County or City Road
Road Type	Asphalt
Architectural Attractiveness	Average
Building Type	Modern
Building Shape	Most Complex - 10 Corners
Construction Type	Wood Frame
Construction Quality	7.5/10
Percent Good	99%
Year Built	1979
Effective Year Built	1979
Approximate Area of Improvements	2565 sqft
Total Units	1
Stories	1.0
First Floor Square Feet	2565 sqft
Bedrooms	4
Bathrooms	2.0
Bathrooms on First Floor	2.0
Utility Rooms	1
Total Rooms	7
Fireplace and Wood Stove Count	2
Building Design	Single Family Residence
Functional Plan	Average
Building Use	Single Family Residence
Proper Building Use	Yes

Workmanship	Average
Building Condition	Average
Garages	1
Garage Converted To Living Area	No
Garage Shape	Detached
Garage Area	550 sqft
Garage Stalls	2
Guest House Size	192 sqft
Book Category Number	2036
Air Conditioner	No
Conformity Code	Average
Cost Table Year	0380
Current Record Flag	Yes
Replacement Cost Less Depriciation	0
Miscellaneous Cost	5810

Parcel Split Background for:

This Parcel Has No Split Background Records.

Related Accounts for:

This Parcel Has No Related Accounts.

Owner Change History for:

Recorded Document: 2011-0000380

Record Change Date: 1/4/2011 Effective Owner Change Date: 1/4/2011 Preliminary Change of Ownership: 2011-0000380

Recorded Document: 2005-0012220

Record Change Date: 2/14/2005

Effective Owner Change Date: 2/14/2005

Proposition 13 Appraisal: Yes

Value Change: 100%

Document Transfer Tax: \$808.50

Preliminary Change of Ownership: 2005-0012220

Recorded Document: 1998-0030163

Record Change Date: 6/2/1998

Effective Owner Change Date: 6/2/1998

Preliminary Change of Ownership: 1998-0030163

Recorded Document: 1990-3381530

Record Change Date: 7/3/1990

Effective Owner Change Date: 7/3/1990

Proposition 13 Appraisal: Yes

Value Change: 100%

Document Transfer Tax: \$316.25

Preliminary Change of Ownership: 1990-3381530

Recorded Document: 1989-3184244

Record Change Date: 8/11/1989

Effective Owner Change Date: 8/1/1987

Preliminary Change of Ownership: 1989-3184244

Recorded Document: 1981-1981551

Record Change Date: 5/27/1981

Effective Owner Change Date: 5/27/1981

Proposition 13 Appraisal: Yes

Value Change: %

Document Transfer Tax: \$126.50

Preliminary Change of Ownership: 1981-1981551

Recorded Document:

Recorder's Book and Page: 1672-420

Record Change Date: 9/11/1978

Effective Owner Change Date: 9/11/1978

Preliminary Change of Ownership: 1-1672420

Recorded Document:

Recorder's Book and Page: 0794-222

Record Change Date: 6/15/1966 Effective Owner Change Date: 6/15/1966

Preliminary Change of Ownership: 1-0794222

DECLARATION OF VALUE

	Instrument #
Fuli Value of Property Interest Conveyed Less Assumed Liens & Encumbrances Taxable Value (NRS 375.010) Real Property Transfer Tax Due If exempt, state reason. NRS 375.090, Section	\$ 178500.00 \$ 178500.00 \$ 2210594 \$ 260,75 \$ Explain;
INDIVIDUAL Under penalty of perjury, I hereby declare that the above statements are correct. Signature of Declarant Name (Please Print) Address City State Zip	ESCROW HOLDER Under penalty of perjury, I hereby declare that the above statements are correct to the best of my knowledge based upon the information available to me in the documents contained in the escrow file. Signature of Declarant Electrow Number Firm Name Address Address City State Zip

WHEN RECORDED MAIL TO: JOHN MARSHALL

R.P.T.T. \$267.75

ć

DEED

2210594

THIS INDENTURE WITNESSETH: That KENNETH N. BICKFORD and DIANA M
BICKFORD, husband and wife, in consideration of the sum of Ten Dollar
(\$10.00), the receipt of which is hereby acknowledged, do hereby
Grant, Bargain, Sell and convey to JOHN L. MARSHALL and KATHLEEN M.
MARSHALL, husband and wife, as joint tenants with right of
survivorship, whose address is:
, all that real property situate in the City of Reno,
County of Washoe, State of Nevada, described as follows:
according to the map thereof, filed in the office of the County Recorder of Washoe County, State of Nevada, on July 31, 1920.
TOGETHER WITH all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining,
DATED <u>5-13</u> , 1998.
Kenneth N. Bickford Diana M. Bickford
STATE OF NEVACO SS
This instrument was acknowledged before me on $5-13-98$, by KENNETH N. BICKFORD and DIANA M. BICKFORD.
Notary Public
LAURA KIDD Notary Put! c - Stato of Novada Age of the Beautylin Victics County

2210594

11:56AM MAY 15 1998 OFFICIAL RECORDS WASHOE COUNTY, NEV. RECORD REQUESTED BY FIRST CENTENNIAL TITLE CO. OF HEVADA

> COUNTY RECORDER FEE 7- DEP. CA

> > **4** . □

LAW OFFICES OF OTTO & POPE 164 HUBBARD WAY SUITE A RENO, NEVADA 89502

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¥,

19/2012 02:10:

Requested By INDECOMM GLÓBAL SERVICES Washoe County Recorder
Kathryn L. Burke - Recorder
Fee: \$15.00 RPTT: \$0.00 Page 1 of 2

N

APN: R.P.T.T.: \$0.00 Exempt: (6)

Recording Requested By:

John L. Marshall

After Recording Mail To:

John L. Marchell

Send Subsequent Tax Bills To:

John L. Marshall

Return To! Indecomm Global Services 2925 Country Drive St. Paul, MN 55117

1313601

QUITCLAIM DEED

TITLE OF DOCUMENT Record 15th 77817113. NEC- 279 2952

THIS INDENTURE WITNESSETH THAT, John L. Marshall, an unmarried man and Kathleen M. Marshall, an unmarried woman who acquired title as husband and wife, as joint tenants with right of survivorship, FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, do(es) hereby REMISE, RELEASE AND FOREVER QUITCLAIM to John L. Marshall, an unmarried man, whose address is

ALL that real property situated in the County of Washoe, State of Nevada, bounded and described as follows:

THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE OF NEVADA, ON JULY 31, 1920.

Per NRS 111.312 - The Legal Description appeared previously in **Deed**, recorded on **May** 15, 1998, as Document No. 2210594 in Washoe County Records, Washoe County, Nevada.

MORE commonly known as:

Subject To: Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements now of record, if any.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

WITNESS pay/our hands, this day of Jun , 20/2
John L. Marshall Kathleen M. Marshall STATE OF Nevada
COUNTY OF Washoe ss
This instrument was acknowledged before me, this day of your , 20 17, by John L. Marshall and Kathleen M. Marshall. X NOTARY STAMP/SEAL
Notary Public Notary Public Notary Public No: 98-0552-2 - Expires July 13, 2015
Title and Rank My Commission Expires: 7-13-2015

wner Info	wner Information				formation	XFOB	SUBAREA
APN		Card 1 of 1		Bld #1 Situs		Property	
Situs 1		Bld # 1		Quality	R30 Average	Building Type	Single Family Residence
Owner 1	MARSHALL,	OWNER		Stories	2 Story	2nd Occupancy	
	JOHN L			Year Built	1929		1960
Mail Address		<u> </u>		Bedrooms	3	Square Feet	2484
				Full Baths	3	Finished Bsmt	551
arcel Info	rmation			Half Baths	0	Unfin Bsmt	0
Keyline Desc				Fixtures	13	Basement Type	DUGOUT
Subdivision	1	Section Town	ship 19	Fireplaces	1	Gar Conv Sq Feet	
ecord of Sur		cel Map# : Sub N		Heat Type	FA/AC	Total Garage Area	0
		al Property Code		2nd Heat Type		Garage Type	
2023 Tax District		Prior APN		Exterior Walls	SIDING ON	Detached	
2022 Tax District	1000	Tax Cap Status	Low Cap Qualified Primary	2nd Ext Walls	FRAME	Garage Basement Gar Door	0
	PERMITS		Residence	Roof Cover	COMPOSITION	Sub Floor	WOOD
	PERMITS			% Complete	100	Frame	FRAME
				Obso/Bldg Adj	0	Units/Bldg	1
				Construction		Units/Parcel	1

Land Information LAND DETAILS

Land	200	DOR	200	Sewer	Municipal	Neighborhood	AFXC
Use		Code					AF Neighborhood Map
Size	7,492 SqFt	Size	0.172 Acres	Street	Paved	Zoning Code	MF14
CAGC	AFNT - NEWLANDS TE	RRACE		Water	Muni		

Sales and Transfer Records

RECORDER SEARCH

Grantor	Grantee	Doc #	Doc Type	Doc Date		Value/Sale Price	Sale Code	
MARSHALL, JOHN	MARSHALL, JOHN L	4133105	QC	07-19-2012		0		SPOUSE DEEDING
								OFF INTEREST
	MARSHALL,JOHN L & KATHLEEN M	2210594	DEED	05-15-1998	200	178,500	2D	
		СНК		11-01-1981	200	89,000		

Valuation Information

	Taxable Land	New Value	Taxable Imps	obso	Tax	Taxable	Land	Imps	Total	Exemption	
					Сар	Total	Assessed	Assessed	Assessed	Value	
					Value						
2023/24 FV	150,500	0	98,917	0	124,309	249,417	52,675	34,620	87,296	0	

All parcel data on this page is for use by the Washoe County Assessor for assessment purposes only. The summary data on this page may not be a complete representation of the parcel or of the improvements thereon. Building information, including unit counts and number of permitted units, should be verified with the appropriate building and planning agencies. Zoning information should be verified with the appropriate planning agency. All parcels are reappraised each year. This is a true and accurate copy of the records of the Washoe County Assessor's Office.

If you have questions or corrections about our property data you can call us at 775-328-2277 or email us at exemptions@washoecounty.gov

A.P. No.

Escrow No.

2001-39203-CLC

R.P.T.T.

\$165.00

WHEN RECORDED MAIL TO:

Mr. and Mrs. John L. Marshall

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Graham Chisholm and Kelly Cash, Husband and Wife as Joint tenants

do(es) hereby GRANT, BARGAIN and SELL to

John L. Marshall and Kathleen M. Marshall, Husband and Wife as Joint Tenants with rights of survivorship

the real property situate in the County of Washoe, State of Nevada, described as follows:

ęď according to the map thereof, filed in the office of the County Recorder of Washoe County, State of Nevada, on July 15, 1994 as File No. , Tract Map No.

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date

Chisholm

State of Nevada County of Washoe

CINDY HATCH Notary Public - State of Nevada Appointment Recorded in Washice County No: 92-1392-2/- Expires June 2, 2004

This instrument was acknowledged before me on February 20, 2001, by

GRAHAM CHISHOLM & KELLY CASH

Notarial Officer



Owner Info	Owner Information				ormation	XFOB	SUBAREA
APN		Card 1 of 1		Bld #1 Situs		Property Name	
Situs 1		Bld # 1					
				Quality	R35 Average-	Building Type	Single Family
					Good		Res dence
Owner 1	MARSHALL,	OWNER		Stories	2 Story	2nd	
	KATHLEEN M					Occupancy	
Mail Address	Mail Address			Year Built	1991	WAY	1991
				Bedrooms	5	Square Feet	2615
Parcel Info	rmation			Full Baths	3	Finished Bsmt	0
Keyline Desc				Half Baths	0	Unfin Bsmt	0
Subdivision	Subdivision		Fixtures	16	Basement		
			hip 19 Range			Туре	
		19	inp 15 Runge	Fireplaces	1	Gar Conv Sq	0
Record of Surv	ev Man · Parce	 Map# : Sub Ma	n#			Feet	
		al Property Code		Heat Type	FA/AC	Total Garage	598
2023 Tax		Prior APN				Area	
District	1000	FIOLAFIC		2nd Heat Type		Garage Type	BUILT-IN
2022 Tax	1000	Tax Cap Status	Low Can	Exterior Walls	HARDBOARD	Detached	0
District	1000	rux oup outus	Qualified Primary		ON FRAME	Garage	
			Res dence	2nd Ext Walls		Basement Gar	0
	PERMITS					Door	
		I		Roof Cover	CONCRETE TILE	Sub Floor	WOOD
				% Complete	100	Frame	FRAME
				Obso/Bldg Adj	0	Units/Bldg	1
				Construction		Units/Parcel	1
				Modifier			

Land Information LAND DETAILS

Land	200	DOR	200	Sewer	Mun cipal	Neighborhood	ACMD
Use		Code					AC Neighborhood Map
Size	17,424 SqFt	Size	0.4 Acres	Street	Paved	Zoning Code	SF3
CAGC	-			Water	Muni		

Sales and Transfer Records

RECORDER SEARCH

Grantor	Grantee	Doc #	Doc Type	Doc Date	DOR	Value/Sale	Sale	Note
					Code	Price	Code	
WELLS FARGO BANK	MARSHALL, KATHLEEN M	3960051	DEED	01-04-2011	200	300,000	2F	
BERKOVATZ, JAMES A & DIANE L	WELLS FARGO BANK NA	3922222	DEF	09-14-2010		250,500	3BF	
NELSON, DWIGHT D & DONNA M	BERKOVATZ,JAMES A & DIANE L	2838417	DEED	04-16-2003	200	368,000	2D	
	NELSON, DWIGHT D & DONNA M	2313393		02-03-1999	200	0		
		СНК		11-19-1991	200	209,900	2D	

Valuation Information

	Taxable Land	New Value	Taxable Imps	OBSO	Tax Cap Value	Taxable Total		Imps Assessed	Total Assessed	Exemption Value
2023/24 FV	152,300	0	242,651	0		394,951	53,305	84,927	138,233	0



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If you have questions or corrections about our property data you can call us at 775-328-2277 or email us at exemptions@washoecounty.gov

Assessor Parcel Number

2005-0038757 • • GRANT DEED

Recording Date **05/10/2005 02:30 PM**

Grantor (2)
BRUHN MARJORIE M TR
BRUHN MARJORIE M TRUST

Grantee (2)
FISH BENJAMIN JAMES
KADELSKI AMY



Office of the Assessor

Historical Property Information

Parcel Number:

Property Address:

Assessor's information is for assessment and tax purposes only and should not be relied upon for status of development or building purposes.

\$0

Property Description:

Primary Use**: 11, IMPROVED SINGLE FAMILY RESIDENTIAL TO 2.5 AC.

Subdivision Tract Number: **31**Subdivision Tract Name:
APN Status: **00, Active**

Reference: L 72

Tax Rate Area: 002-002

School District:

Last Appraisal Effective Date: 12/31/2016

Last Appraisal Reason: 100% CHANGE IN OWNERSHIP

MPR Card: 027-114-21

Personal property Total

The **USE is only reviewed at the time of the last taxable event, and may not be a legal use

Associated Maps for:

Most Recent Plat:

Historical Plat:

Subdivision Maps:



Harlow Acres: A-029

2017 - 2018 Taxable Property Values for

Property	Value
Land	\$140,875
Land Prop 8	\$101,000
Land Total	\$101,000
Improvement Structures	\$336,884
Improvement Prop 8	\$241,000
Improvement Total	\$241,000

Total Roll	\$342,000
(Exemptions Total)	\$0
Net Roll	\$342,000

Event List for:

Roll	Event Date	Bill Status	Event Status	Seq#	Event Type	Stmt. Status	ID	Tax Bill #	Value
2018	1/1/2018	Active	Annual Roll	1	Roll	Pending			\$342,000
2017	1/1/2017	Active	Annual Roll	1	Roll	Paid		015853	\$342,000
2016	1/1/2016	Active	Annual Roll	1	Roll	Paid		015854	\$291,000
2015	1/1/2015	Active	Annual Roll	1	Roll	Paid		015858	\$291,000
2014	1/1/2014	Active	Annual Roll	1	Roll	Paid		015889	\$245,000
2013	1/1/2013	Active	Annual Roll	1	Roll	Paid		015884	\$262,000
2012	1/1/2012	Active	Annual Roll	1	Roll	Paid		015884	\$262,000
2011	1/1/2011	Active	Annual Roll	1	Roll	Paid		015895	\$262,000
2010	1/1/2010	Active	Annual Roll	1	Roll	Paid		015895	\$335,500
2009	1/1/2009	Active	Annual Roll	1	Roll	Paid		015894	\$400,000
2008	1/1/2008	Active	Annual Roll	1	Roll	Paid		015886	\$413,870
2007	1/1/2007	Active	Annual Roll	1	Roll	Paid		015881	\$405,756
2006	1/1/2006	Active	Annual Roll	1	Roll	Paid		015754	\$397,800
2005	5/10/2005	Active Suppl	Billed	1	Change in Ownership	Paid	0038757	3033198	\$390,000
2005	1/1/2005	Active	Annual Roll	1	Roll	Paid		015748	\$125,749
2004	5/10/2005	Active Suppl	Billed	1	Change in Ownership	Paid	0038757	218986S	\$390,000
2004	1/1/2004	Active	Annual Roll	1	Roll	Paid		015746	\$123,284
2003	7/29/2003	Inactive Suppl	Not to be billed	1	Change in Ownership		0076290		
2003	1/1/2003	Active	Annual Roll	1	Roll	Paid		015741	\$121,027
2002	1/1/2002	Active	Annual Roll	1	Roll	Paid		015738	\$118,655

2001	1/1/2001	Active	Annual Roll	1	Roll	Paid	015743	\$116,329
2000	1/1/2000	Active	Annual Roll	1	Roll	Paid	015757	\$114,049
1999	1/1/1999	Active	Annual Roll	1	Roll	Paid	015730	\$111,814
1998	1/1/1998	Active	Annual Roll	1	Roll	Paid	015779	\$109,782
1997	1/1/1997	Active	Annual Roll	1	Roll	Paid	015785	\$107,631
1996	3/1/1996	Active	Annual Roll	1	Roll	Paid	015811	\$100,181
1995	3/1/1995	Active	Annual Roll	1	Roll	Paid	015805	\$99,084
1994	3/1/1994	Active	Annual Roll	1	Roll	Not_Avl		\$97,920
1993	3/1/1993	Active	Annual Roll	1	Roll	Not_Avl		\$96,000
1992	3/1/1992	Active	Annual Roll	1	Roll	Not_Avl		\$90,513
1991	3/1/1991	Active	Annual Roll	1	Roll	Not_Avl		\$88,740
1990	3/1/1990	Active	Annual Roll	1	Roll	Pending		\$87,000
1989	3/1/1989	Active	Annual Roll	1	Roll	Pending		\$93,460
1988	3/1/1988	Active	Annual Roll	1	Roll	Pending		\$91,628

Property Characteristics for:

Property Characteristic	Description
Acreage	0.136 ac
Lot Depth	118 ft
Lot Width	50 fi
Square Foot Range	1 - 6,000 sqf
Topography	Leve
Ground Cover	Spaced Pine Trees
Water Source	Public Water Service
Sewer Service	Y
Natural Gas Service	Y
Living Area	5906 sqf
Access Type	County or City Road

Road Type	Asphalt
Architectural Attractiveness	Average
Building Type	Modern
Building Shape	Least Complex - 4 Corners
Construction Type	Wood Frame
Construction Quality	6.5/10
Year Built	1976
Effective Year Built	1977
Approximate Area of Improvements	1268 sqft
Total Units	1
Useable Living Area	5906 sqft
Stories	1.0
First Floor Square Feet	1064 sqft
Bedrooms	3
Bathrooms	2.0
Bathrooms on First Floor	2.0
Total Rooms	5
Fireplace and Wood Stove Count	1
Building Design	Single Family Residence
Functional Plan	Average
Building Use	Single Family Residence
Proper Building Use	Yes
Workmanship	Average
Building Condition	Average
Garage Converted To Living Area	No
Book Category Number	2027
Air Conditioner	No
Conformity Code	Average
Cost Table Year	0376
Current Record Flag	Yes
Miscellaneous Cost	1200

Parcel Split Background for:

This Parcel Was Formed From Parcel: Parcel Change Date: 4/28/1977

Related Accounts for:

This Parcel Has No Related Accounts.

Owner Change History for:

Recorded Document: 2005-0038757

Record Change Date: 5/10/2005 Effective Owner Change Date: 5/10/2005

Proposition 13 Appraisal: Yes Value Change: 100%

Document Transfer Tax: \$429.00

Preliminary Change of Ownership: 2005-0038757

Recorded Document: 2003-0076290

Record Change Date: 7/29/2003

Effective Owner Change Date: 7/29/2003

Preliminary Change of Ownership: 2003-0076290

Recorded Document: 1982-2125451

Record Change Date: 11/30/1982 Effective Owner Change Date: 11/30/1982

Preliminary Change of Ownership: 1982-2125451

Recorded Document:

Recorder's Book and Page: 1745-001 Record Change Date: 4/9/1979 Effective Owner Change Date: 4/9/1979

Preliminary Change of Ownership: 1-1745001

Recorded Document:

Recorder's Book and Page: 1544-341 Record Change Date: 9/13/1977 Effective Owner Change Date: 9/13/1977 Preliminary Change of Ownership: 1-1544341

APPENDIX II

Appellants' Request To Remove Andrew Strain As Hearings Officer

ATTORNEYS AT LAW

SWANKIN & TURNER

5614 CONNECTICUT AVE., N.W. #339 WASHINGTON, D.C. 20015 TEL. 202 462-8800 FAX 202 315-2501

DAVID A. SWANKIN
JAMES S. TURNER
BETSY E. LEHRFELD
CHRISTOPHER B. TURNER
JULIAN GRESSER, of Counsel
(California only)

October 7, 2021

BY E-MAIL

Joanne S. Marchetta Executive Director, TRPA John L. Marshall, Esq. TRPA General Counsel P.O. Box 5310 Stateline, Nevada 89449

Re: TRPA File # ERSP2019-0389

Proposed Verizon monopine cell tower at 1360 Ski Run Boulevard

Dear Ms. Marchetta and Mr. Marshall:

As you know, we represent Monica Eckenstein, David Benedict, the Environmental Health Trust, Tahoe Stewards, LLC, and Tahoe for Safer Tech in proceedings in opposition to TRPA File # ERSP2019-0389, the proposed Verizon monopine cell tower at 1360 Ski Run Boulevard, South Lake Tahoe City.

We understand that Andrew Strain has been assigned as the TRPA Hearings Officer for the October 14, 2021 Public Hearing on this file. Due to Mr. Strain's current simultaneous employment as both TRPA Hearings Officer and Vice President of Development at the Tahoe Beach Club, and his position as a Member of the Government Affairs Committee of the Tahoe Chamber of Commerce, Mr. Strain has extremely serious conflicts of interest that preclude his serving as a TRPA Hearings Officer on this file. We hereby request that the TRPA immediately appoint a truly independent Hearings Officer whose impartiality cannot be reasonably questioned.

The conflict-of-interest provisions of the Bi-State Compact relevant to TRPA employees such as TRPA Hearings Officer Strain are set forth in Article III(a)(5) of the Bi-State Compact which provide, in relevant part:

- (5) Each member and employee of the agency shall disclose his economic interests in the region within 10 days after taking his seat on the governing board or being employed by the agency and shall thereafter disclose any further economic interest which he acquires, as soon as feasible after he acquires it. As used in this paragraph, "economic interests" means:
- (A) Any business entity operating in the region in which the member or employee has a direct or indirect investment worth more than one thousand dollars (\$1,000).
- (B) Any real property located in the region in which the member or employee has a direct or indirect interest worth more than one thousand dollars (\$1,000).
- (C) Any source of income attributable to activities in the region, other than loans by or deposits with a commercial lending institution in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the member within the preceding 12 months.
- (D) Any business entity operating in the region in which the member or employee is a director, officer, partner, trustee, employee or holds any position of management.

No member or employee of the agency shall make, or attempt to influence, an agency decision in which he knows or has reason to know he has an economic interest. Members and employees of the agency must disqualify themselves from making or participating in the making of any decision of the agency when it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the economic interests of the member or employee. (Emphasis added).

Mr. Strain, when he serves as a TRPA Hearings Officer, is an employee of the agency. The Compact language above emphatically prohibits TRPA employees, including Mr. Strain, "from making or participating in the making of any decision of the agency when it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the economic interests of the member or employee."

At the same time as he serves as a TRPA Hearings Officer, Mr. Strain remains employed as Vice President of Development at the Tahoe Beach Club, a 143-unit ultra-luxury condominium project with a private members' club on the shores of Lake Tahoe in Stateline, Nevada. This high-end real estate development enjoyed a record price-setting condominium sale this past summer of \$6 million for a unit located at 17 Beach Club Drive. As the Vice President of Development, Mr. Strain's duties undoubtedly involve development matters and projects that implicate the TRPA Code of Ordinances and/or require TRPA permitting. As a senior executive of a major real estate developer in the Lake Tahoe Region, it's rather astonishing, then, that Joanne Marchetta, TRPA's Executive Director, has appointed Mr. Strain as a TRPA Hearings Officer, given the obvious inherent conflicts of interest between the two simultaneously-held positions.

Mr. Strain's decisions as a TRPA Hearings Officer, even in matters ostensibly unrelated to those directly affecting his employer, inevitably have a material financial effect on the economic interests of his employer, and therefore, upon himself. To the extent Mr. Strain's hearing decisions establish TRPA precedent, they affect the course of development of the lands within TRPA's jurisdiction, including, of course, the properties owned by the Tahoe Beach Club. So it's difficult to understand how Mr. Strain can serve as a TRPA Hearings Officer in any matter.

But the conflict-of-interest situation is even more egregious in connection with TRPA File # ERSP2019-0389. That's because Mr. Strain's boss, Patrick Rhamey, the Chief Executive Officer of the Tahoe Beach Club, has publicly expressed his support for expanding cell tower deployment in the Lake Tahoe Region. Indeed, Mr. Rhamey submitted a written public comment to the City Council of the City of South Lake Tahoe, in an email on May 11, 2020, in advance of the May 12, 2020 City Council meeting. Mr. Rhamey's written public comment was directed to Agenda Item #12, "Policy Document for Wireless Facility Colocation Modification Submitted for Eligible Facilities Requests." Mr. Rhamey's written public comment states as follows:

From: Patrick Rhamey To: Public Comment

Subject: Support for Agenda Item #12 Date: Monday, May 11, 2020 6:51:50 PM

Please vote yes on Agenda Item #12, cell tower ordinance. It is important for the safety of our residents, visitors, and first responders that they have reliable cell service.

It's reasonable to infer from Mr. Rhamey's public comment supporting a wireless telecommunications facility resolution that promotes the expanded deployment of such installations that Mr. Rhamey is predisposed to support the monopine cell tower proposed at 1360 Ski Run Boulevard. Mr. Strain can be expected to act in the interests of his boss and to follow his boss's lead with respect to Mr. Rhamey's desire for more reliable cell service in the Lake Tahoe Region. Mr. Strain's conflict – his need to uphold Mr. Rhamey's position that the Tahoe Region must support a massive increase in mobile device coverage by approving more cell towers, imposes a fatal bias that poisons his ability to carry out his duty to act as an impartial TRPA Hearings Officer. This bias prevents Mr. Strain from acting in any balanced way as a TRPA Hearings Officer to protect the Public Trust enshrined in the Compact.

Moreover, Mr. Strain may well have an ownership interest in the business that owns/operates the Tahoe Beach Club, and pursuant to Article III(a)(5)(A)-(D), you need to disclose to us Mr. Strain's "economic interests" in the region immediately.

To make matters even worse, Mr. Strain currently serves as a Member of the Government Affairs Committee of the Tahoe Chamber of Commerce. The Tahoe Chamber partners with the Tahoe Prosperity Center, and the Tahoe Chamber supports and facilitates the Connected Tahoe Initiative, a goal of which is increased cell tower densification in the Lake Tahoe region, no matter the health risks to people and the environment.

Given Mr. Rhamey's public comments supporting an ordinance that furthers expansion of the cellular network footprint in the region, and in particular, cell towers to improve cell service, Mr. Strain's contemporaneous position as Vice President of the Tahoe Beach Club, and his active involvement on the Government Affairs Committee of the Tahoe Chamber, we respectfully demand that Mr. Strain be disqualified from participating in this matter as the TRPA Hearings Officer.

Please let us know immediately whether you intend to replace Mr. Strain as the TRPA Hearings Officer for this matter, and if so, who the new TRPA Hearings Officer will be.

Very truly yours,

/s/Julian Gresser Robert J. Berg Gregg R. Lien

TAHOE REGIONAL PLANNING AGENCY GOVERNING BOARD/COMMITTEES NOTICE OF PUBLIC HEARINGS

The Governing Board/Committees will be held at the Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV. Pursuant to TRPA Rules of Procedure, 2.16 Teleconference/Video Conference Meetings and Participation, Board members may appear in person or on Zoom. Members of the public may observe the meeting and submit comments in person at the above location or on Zoom. Details will be posted on the day of the meeting with a link to Zoom.

Written Public Comment: Members of the public may email written public comments to publiccomment@trpa.gov'. We encourage you to submit written comments (email, mail, or fax) in advance of the meeting date to give our staff adequate time to organize, post, and distribute your input to the appropriate staff and representatives. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting. Late comments may be distributed and posted after the meeting. Please include the meeting information and agenda item in the subject line. For general comments to representatives, include "General Comment" in the subject line.

Verbal Public Comment: Public comments at the meeting should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments for individual speakers (usually 3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. Public comment will be taken for each appropriate action item at the time the agenda item is heard and a general public comment period will be provided at the end of the meeting for all other comments including agendized informational items. Members of the public participating via Zoom identifying themselves with an obscene, slanderous, or offensive name will not be called on to make public comment.

NOTICE IS HEREBY GIVEN that at its regular meeting to be held on Wednesday, October 23, 2023, the Operations and Governance Committee commencing at 8:30 a.m., and the Governing Board commencing at 9:30 a.m., at the Tahoe Regional Planning Agency, the Governing Board/Committee will conduct a public hearing on the following: 1) Discussion and possible recommendation of Inflation Adjustment to TRPA Application Filing Fee Schedule (action) (Ops); 2) Discussion and possible recommendation of Inflation Adjustment to TRPA Rental Car Mitigation Fee (action) (Ops); 3) Update on proposed revisions to the restoration of stream environment zone environmental threshold carrying capacities (threshold standards), SC11-SC13 (Discussion and Possible Direction/ Action) (GB); 4) Update on proposed revisions to the Tahoe Yellow Cress threshold standard, VP21 (Discussion and Possible Direction/Action) (GB); 5) Update on proposed revision of the Aquatic Invasive Species threshold standards, WQ9-WQ14 (Discussion and Possible Direction/Action) (GB).

Announcements A Message on the Passing of U.S. Senator Dianne SEP 29, 2023 Feinstein Invasive New Zealand Mudsnails Discovered in Lake SEP 22, 2023 Tahoe SEP 22, 2023 A Call to Protect our Lake and Lands Governing Board Documents September 27, 2023-SEP 20, 2023 **Hybrid Meeting** Seeing the Forest Fire for the Trees SEP 12, 2023 SEP 11, 2023 **Divers Remove Invasive Plants in Emerald Bay** Invasive Plant Barrier Installation Complete at SEP 7, 2023 Popular South Shore Marsh SEP 7, 2023 Hearings Officer Meeting Materials September 14, 2023 - Hybrid Meeting

Calendar

Upcoming Events

OCT	9:30 am - 2:00 pm
11	Advisory Planning Commission Meeting
OCT	2:00 pm - 4:00 pm Q

12	Hearings Officer - Hybrid Meeting
OCT	1:00 pm - 4:00 pm

00	1.00 pm - 4.00 pm
18	Tahoe Living Working Group
	lance Living working Group

OCT	All day
25	Governing Board Meeting

OCT	2:00 pm - 4:00 pm 🗘
26	Hearings Officer - Hybrid Meeting

View Calendar

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Mail PO Box 5310 Stateline, NV 89449-5310

Location 128 Market Street Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527

www.trpa.gov

October 25, 2023

Concerned Citizens of South Lake Tahoe <u>celltowers.slt@tutanota.com</u>

SENT VIA E-MAIL

Re: Response to Request for Public Records Dated September 28, 2023

To Whom it May Concern,

Tahoe Regional Planning Agency (TRPA) received your e-mail dated September 28, 2023, requesting the following categories of documents:

- 1. Any and all documents which allegedly promulgate the TRPA "standard practice" [of removal of any individuals who register online with obscene names],
- 2. The alleged "obscene names" that violated this "practice".

Regarding your first request, there are no responsive documents. In response to your second request, please see the attachment of the Attendance Reports from TRPA's Public Meetings this year.

If you have any further questions or concerns, please feel free to contact me at khuston@trpa.gov or (775) 589-5206.

Sincerely,

Katherine Huston

Paralegal

Tahoe Regional Planning Agency

Enclosure

Attendee l	Details						
Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name
Yes	Regan Sucks Developer Dick		4/26/2023 14:40	4/26/2023 14:40	1	Yes	United States
Yes	TRPA is Rape		4/26/2023 14:15	4/26/2023 14:16	2	Yes	United States
Yes	Regan Sucks Developer Dick		4/26/2023 14:39	4/26/2023 14:39	1	Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:47	4/26/2023 14:47	1	Yes	United States
Yes	Marshall Rapes Kiddies		4/26/2023 14:45	4/26/2023 14:45	1	Yes	United States
Yes	John Marshall rapes babies		4/26/2023 14:17	4/26/2023 14:17	1	Yes	United States
Yes	Regan is a Fraud		4/26/2023 14:31	4/26/2023 14:31			United States
Yes	Julie Regan is a prostitute			4/26/2023 14:12			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:28			United States
Yes	Anal TRPA Rape			4/26/2023 14:22			United States
Yes	Fuck Julie Regan			4/26/2023 14:19			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:19			United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:48			United States
Yes	Bob (Julie Regan Sucks Developer Dick)			4/26/2023 15:27			United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:46			United States
Yes	Marshall Pedophile			4/26/2023 14:45			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:36			United States
Yes	Fuck Ambler			4/26/2023 14:22			United States
Yes	Fuck Ambler			4/26/2023 14:21			United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:44		Yes	United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:32			United States
Yes	Reagn licks Rhamey's dick			4/26/2023 14:27		Yes	United States
Yes	Ambler blows kids			4/26/2023 14:25		Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:47	4/26/2023 14:48	1	Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:41	4/26/2023 14:42	1	Yes	United States
Yes	Regan Sucks Developer Dick		4/26/2023 14:38	4/26/2023 14:39	1	Yes	United States
Yes	John Marshall is a Pedophile		4/26/2023 14:03	4/26/2023 14:04	2	Yes	United States
Yes	Regan Sucks Developer Dick		4/26/2023 14:34	4/26/2023 14:36	2	Yes	United States
Yes	Heidi Hill Drum is a Rapist		4/26/2023 14:06	4/26/2023 14:07	2	Yes	United States
Yes	Fuck Marshall molester			4/26/2023 14:19		Yes	United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:50			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:31			United States
Yes	Fuck you Rapists			4/26/2023 14:22			United States
Yes	Bob (TRPA Rapists)			4/26/2023 15:27			United States
Yes	Regan's a whore			4/26/2023 14:25			United States
Yes	Fuck_Regan			4/26/2023 14:04			United States
Yes	Fuck_Regan			4/26/2023 14:04			United States
Yes	J Regan loves Feldman's cock			4/26/2023 14:14			United States
Yes	•						United States
	Regan Sucks Developer Dick			4/26/2023 14:37 4/26/2023 14:31			
Yes	Regan Sucks Developer Dick						United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:42			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:30			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:30			United States
Yes	TRPA Cunts			4/26/2023 14:16			United States
Yes	Fuck Marshall the pedophile			4/26/2023 14:08			United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:49			United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:46			United States
Yes	Regan Sucks Developer Dick			4/26/2023 14:34			United States
Yes	Regan Dick Sucker			4/26/2023 14:11			United States
Yes	Fuck Marchetta		4/26/2023 14:19	4/26/2023 14:19	1	Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:42	4/26/2023 14:43	1	Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:47	4/26/2023 14:47	1	Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:42	4/26/2023 14:42	1	Yes	United States
Yes	Julie Regan Sucks Developer Dick		4/26/2023 14:42	4/26/2023 14:43	1	Yes	United States
Yes	Regan Sucks Developer Dick		4/26/2023 14:29	4/26/2023 14:29	1	Yes	United States
Yes	Regan Sucked Rhamey's Dick		4/26/2023 14:12	4/26/2023 14:12	1	Yes	United States
Yes	TRPA Ass Rape		4/26/2023 14:09	4/26/2023 14:09	1	Yes	United States
Yes	TRPA Ass Rape			4/26/2023 14:10			United States
Yes	Bob (Marchetta licks babies cunts)			4/26/2023 16:01			United States
Yes	Julie Regan Sucks Developer Dick			4/26/2023 14:43			United States
Yes	Marshall Molester			4/26/2023 14:49			United States
Yes	Marshall blows kids			4/26/2023 14:43			United States
Yes	Marhall blows children			4/26/2023 14:20			United States
Yes	TRPA Fucked			4/26/2023 14:24			United States
162	IN A I UCKEU		+12012023 14.24	7/20/2023 14.24	1	163	omica states

Yes	TRPA Fucked	4/26/2023 14:24 4/26/2023 14:24	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:32 4/26/2023 14:32	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:33 4/26/2023 14:33	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:33 4/26/2023 14:34	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:33 4/26/2023 14:33	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:33 4/26/2023 14:34	1 Yes	United States
Yes	Marja Ambler is a cunt	4/26/2023 14:07 4/26/2023 14:07	1 Yes	United States
Yes	Marja Ambler is a cunt	4/26/2023 14:07 4/26/2023 14:08	1 Yes	United States
Yes	Ambler sucks Marshall's dick	4/26/2023 14:15 4/26/2023 14:15	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:38 4/26/2023 14:38	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:40 4/26/2023 14:40	1 Yes	United States
Yes	Julie Regan Sucks Developer Dick	4/26/2023 14:45 4/26/2023 14:45	1 Yes	United States
Yes	Marja is a whore	4/26/2023 14:13 4/26/2023 14:15	2 Yes	United States
Yes	Marshall blows babies	4/26/2023 14:37 4/26/2023 14:38	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:32 4/26/2023 14:33	1 Yes	United States
Yes	Fuck Reagan	4/26/2023 13:51 4/26/2023 13:53	3 Yes	United States
Yes	Marshall Rapes Babies	4/26/2023 14:35 4/26/2023 14:36	1 Yes	United States
Yes	Regan Sucks Developer Dick	4/26/2023 14:37 4/26/2023 14:37	1 Yes	United States
Yes	Regan Suck Developer Dick	4/26/2023 14:27 4/26/2023 14:27	1 Yes	United States
Yes	Marchetta is a Bitch	4/27/2023 12:53 4/27/2023 12:54	2 Yes	United States
Yes	John Smith (Julie Regan is a Prostitute)	4/27/2023 12:51 4/27/2023 13:26	36 Yes	United States
Yes	John Smith (TRPA Rapes Tahoe)	4/27/2023 14:20 4/27/2023 14:39	20 Yes	United States
Yes	Nope (John Marshall is a Pedophile)	4/27/2023 12:47 4/27/2023 13:26	40 Yes	United States
Yes	John Smith (Marchetta is a Bitch)	4/27/2023 12:57 4/27/2023 13:22	26 Yes	United States
Yes	Fuck Marchetta	5/24/2023 14:36 5/24/2023 14:40	4 Yes	United States
Yes	Bob (Fuck Marchetta)	5/24/2023 14:40 5/24/2023 14:54	15 Yes	United States
Yes	Bob (John Marshall is a rapist)	5/24/2023 12:01 5/24/2023 12:06	5 Yes	United States
Yes	J. Reagan Ass-rapes Environment	5/24/2023 11:51 5/24/2023 11:53	3 Yes	United States
Yes	J. Reagan Ass-rapes Environment	5/24/2023 11:53 5/24/2023 11:54	1 Yes	United States
Yes	Bod (Fuck J. Regan)	5/24/2023 11:57 5/24/2023 11:58	1 Yes	United States
Yes	Ignore (Fuck Andrew Strain)	9/14/2023 14:04 9/14/2023 14:06	3 Yes	United States
Yes	Fuck Marshall	9/14/2023 14:21 9/14/2023 14:22	1 Yes	United States
Yes	Motherfucker Strain	9/14/2023 14:11 9/14/2023 14:17	6 Yes	United States
Yes	Fuck Regan	9/14/2023 14:27 9/14/2023 14:28	1 Yes	United States
Yes	Bitch: Regan	9/27/2023 15:56 9/27/2023 18:45	169 Yes	United States