

The following statement is from JMA Ventures, LLC, (“JMA”), in response to the Friday, January 4, 2013 ruling from Judge William Shubb regarding the Environment Impact Statement (“EIS”) and Environmental Impact Report (“EIR”) for the Homewood Project:

Friday’s ruling by Judge William Shubb on the EIS/EIR was a crucial step in the ongoing process to transform Homewood Mountain Resort into an economically viable and environmentally friendly destination. The ruling centered on a few major points of dispute, and of these issues, Judge Shubb ruled in favor of JMA on the vast majority, eliminating them from further dispute.

As part of the ruling, the plaintiffs – Friends of the West Shore and the Tahoe Area Sierra Club -- lost regarding the following issues:

- The plaintiffs had argued the project was inconsistent with the Compact and did not comply with Tahoe Regional Planning Agency’s (TRPA) rules concerning land coverage. Judge Shubb disagreed.
- The plaintiffs argued TRPA and Placer County had not done enough to address air quality in the region. Judge Shubb ruled TRPA and the County had complied with the Compact and the California Environmental Quality Act in addressing air quality.
- The plaintiffs argued the EIR/EIS had not done enough to analyze noise impacts during construction and from expanded snowmaking. Judge Shubb rejected both of these arguments.
- The plaintiffs argued the EIR/EIS should have analyzed more alternatives. Judge Shubb rejected this argument as well.

In the ruling, Judge Shubb identified one problem with the decision by TRPA and the County to approve the project. The EIR/EIS had analyzed a “reduced scale” alternative – an alternative plan that reduced the proposed overnight accommodations in Homewood’s redevelopment. When they approved the project, TRPA and the County rejected that alternative as economically infeasible, in that it would not generate sufficient revenue to make the ski resort economically viable.

Judge Shubb ruled that TRPA and the County did not have enough evidence to reach this conclusion. Judge Shubb did not rule that this conclusion was incorrect; rather, Judge Shubb ruled that the agencies did not have enough evidence to support it. From the ruling, the court sent the matter back to the agencies to either reconsider this conclusion, or to bolster the record concerning the infeasibility of the smaller project.

In a separate statement, Art Chapman, Chairman of JMA, reacted to the ruling thusly:

“We are very appreciative of the detailed and comprehensive nature of Judge Shubb’s opinion and while we understand we will need to update a small component of the economic analysis provided to TRPA and the County, the Judge’s denial of all the other issues raised by the plaintiffs provides a clear roadmap for the Homewood project to move forward. Based on

today's statement by the plaintiffs on the ruling, we assume they will similarly respect Judge Shubb's ruling and there will be no further appeals.

“JMA looks forward to working with the County and TRPA to address Judge Shubb's concern. The majority of the West Shore community supports the proposal and the County and TRPA both unanimously approved it after a near four year public process. Judge Shubb's ruling is important, and warrants attention; however, the ruling does nothing to undermine JMA's resolve to redevelop Homewood into the charming, environmentally sensitive, viable project it has the potential to be.”