

# Both sides claim victory in shorezone ruling

By Kathryn Reed

A federal judge on Friday gave the Tahoe Regional Planning Agency what it wanted – the ability to continue the permitting process for buoys and piers at Lake Tahoe, but not allowing construction to continue.

U.S. District Judge Lawrence Karlton listened to arguments Sept. 14 in Sacramento before making his ruling four days later.

Sierra Club and League to Save Lake Tahoe have sued the bi-state regulatory agency over its shorezone regulations. The number of new buoys and piers is a large part of the controversy.

Today there are about 800 piers and 4,000 buoys on Lake Tahoe. TRPA's plan is to allow an additional 128 private piers and 1,822 buoys.

“Not one new buoy will be added to the lake until every buoy is permitted and the illegal ones are removed,” TRPA spokesman Dennis Oliver said late Friday night.

He further stated, “At the hearing we argued in favor of a partial injunction.”

The shorezone issue has been contentious for 22 years and even more so after the Governing Board of the TRPA adopted a shorezone plan in October 2008.

In the original complaint filed by the League and Sierra Club with Earth Justice attorneys representing the environmental groups, it says, “By enacting the Amendments, TRPA not only

violated its duty to protect the Lake from environmental degradation but also its fundamental charter to restore and maintain the health and natural beauty of one of the deepest and clearest lakes in the world.”

According to Associated Press reports, the environmental groups are claiming victory after Friday’s ruling.

However, in court what Earth Justice wanted was a full injunction – something the judge said no to.

The entire matter should be resolved next year. The trial is scheduled to begin March 16.