

Judge strikes down TRPA's shorezone ordinance

By Kathryn Reed

How many piers and buoys should jut out and bob on Lake Tahoe has been the center of a 22-year fight. With Thursday's federal court ruling, the fight rages on.

On Sept. 16, U.S. District Judge Lawrence Karlton issued his 65-page ruling in favor of the League to Save Lake Tahoe and the Sierra Club. On the losing end is the Tahoe Regional Planning Agency.



The fight over buoys in Lake Tahoe is not over.

The League said it would not comment until Friday. Nothing was on Earthjustice's or the Sierra Club's websites Thursday about the ruling.

Earthjustice represented the environmental groups in court pro bono. TRPA officials say they spent at least six-figures worth of taxpayer dollars on in-house and outside legal counsel.

"It remains to be seen what we do next. We need time to regroup," Julie Regan, external affairs director for TRPA, told *Lake Tahoe News* shortly after the ruling came out.

The shorezone issue has been contentious for 22 years and became even more so after the Governing Board of the TRPA adopted a shorezone plan in October 2008. That month the League and Sierra Club filed suit in U.S. District Court in Sacramento.

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

Regan said she thought the bi-state regulatory agency had found the middle ground between those who don't want piers or buoys and those who think all private property owners should have them.

"We did our best to craft that compromise," Regan said.

The League was part of the process, as were other stakeholders. But officials were never satisfied and believed suing to halt the installation of more piers and buoys was the answer.

Karlton's decision says the TRPA did not prove the shorezone ordinance meets the thresholds the agency works under.

Regan said the judge had "technical concerns with the environmental analysis."

Regan said it's possible TRPA will file motions to allow some of the shorezone ordinance, like the Blue Boating Program, to stay intact while the more contentious buoy-pier issues are worked out.