

Court decision on Stateline's Sierra Colina project favors League to Save Lake Tahoe

By Kathryn Reed

The Ninth Circuit Court of Appeals has sided with the League to Save Lake Tahoe regarding one of five claims it made to stop the Sierra Colina project in Stateline. But that one aspect could derail the project.

The court in its Oct. 11 ruling will not allow the developers to use coverage in the way they wanted to, which involves bike trails. Plans called for conveying a public easement over a shared driveway for pedestrian and bicycle access and emergency ingress and egress for the neighborhood.

The League challenged that component of the project. The TRPA has limits on how much of a parcel may be covered. It all has to do with erosion and sediment that reaches Lake Tahoe. However, in the updated Regional Plan that is expected to be voted on by the end of the year, the designation of bike paths as coverage is supposed to be altered. How that change plays into this project remains to be seen.



The Sierra Colina project is in orange.

Sierra Colina is the name of the project Steve Kenninger and Gail Jaquish are trying to develop on the 18-acre bare parcel between the Lake Village housing area and the old Nugget building on the south side of Highway 50 and across the street from Rabe Meadow.

In a statement Kenninger gave to *Lake Tahoe News* he said, "The court's opinion is an abuse of discretion of the highest order, and a complete disregard of the court's authority and obligations under applicable law."

A press release from Kenninger further says, "The League and the Ninth Circuit shattered this collaborative public/private partnership in the basin, at the expense of the general public."

The League had sued the Tahoe Regional Planning Agency because the bi-state agency is the entity that issued the permits in June 2009 granting the coverage, along with allowing the whole project to proceed.

Tahoe Regional Planning Agency officials said they are reviewing the decision and did not have further comment Thursday afternoon.

"The League to Save Lake Tahoe is pleased that the Sierra Colina dispute has come to a close and that concerns over the extent of paving and roadways in this project will be addressed as the development goes forward. We are gratified that the court has endorsed existing protections on road building and removed the possibility of a precedent-setting relaxation of those protections," the League said in a press release.

It is not known what the Sierra Colina proponents will do now that the decision by the court has come down.

However, environmental improvements have already been taking place in a cooperative effort with the property owners,

Douglas County and U.S. Forest Service.

Sierra Colina was to be a LEED certified, 50-home, multi-family residential project that included nine moderate-income deed restricted homes, a network of public trails, with more than 10 acres of dedicated open space.