



NEWS RELEASE

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Federal Judge Blocks Plan for New Piers and Boat Facilities on Lake Tahoe

Decisive victory ensures development plans will be held to high standard

Sacramento, CA – In a landmark decision that will affect all future development plans at Lake Tahoe, a federal district court judge on Thursday overturned a plan to allow the addition of new piers, boat ramps, buoys and other boat facilities along the lake's shoreline.

Judge Lawrence K. Karlton of the U.S. District Court in Sacramento ruled in favor of the League to Save Lake Tahoe and the Sierra Club, sending the Tahoe Regional Planning Agency's shorezone development plan back to the drawing board. The groups were represented by the non-profit law firm Earthjustice.

“The Court has clearly signaled that Tahoe's regional planning agency can no longer ignore its duties to protect Lake Tahoe, which it has failed to do for decades. In fact, it has instead acquiesced to private developers, when Lake Tahoe belongs to everyone,” said Earthjustice attorney Wendy Park.

In November 2008, the groups filed suit against the Tahoe Regional Planning Agency to force a proper environmental review of the agency's shoreline development plan. The plan would have

allowed for the building of 138 new piers, thousands of new buoys, and other boat facilities, resulting in more than 62,000 additional boat trips each year on the lake. The construction and additional traffic would have imperiled water and air quality, and negatively affected non-motorized boaters and public shoreline access. As a result of Thursday's decision, miles of Tahoe shoreline will remain pristine and enjoyable for all users.

"The Lake won," said Michael Donahoe, former conservation co-chair of the Tahoe Area Sierra Club. "We are elated that the judge recognized that business as usual is not sufficient. He has affirmed the agency's duty to not only protect Lake Tahoe from further degradation but also to restore this national treasure to its former health and natural beauty."

In his ruling, Judge Karlton agreed with environmental groups that new boat facilities should not be allowed along the shoreline until the TRPA shows how it will achieve mandatory environmental goals aimed at restoring the Lake to its former clarity and improving the environment of the spectacular Sierra basin in which it lies. He rejected TRPA's position that it was only required to show that the plan would not harm the Lake, where those goals had not been met.

The decision holds implications for a separate TRPA plan to substantially increase urbanization and development on land in Tahoe over the next 20 years.

"This is a great day for everyone who wants to Keep Tahoe Blue," said Rochelle Nason, executive director of the League. "This decision provides the guidance the agency needs to resume its rightful place as the leader of a bi-state, science-based, and broadly supported effort to save Lake Tahoe."

The judge also ruled that the agency's development plan violated Lake Tahoe's "Outstanding National Resource Water" designation under the Clean Water Act, which prohibits any long-term degradation of waters of exceptional ecological and recreational significance.

Lake Tahoe is the largest Alpine lake in North America. The beauty of its cobalt blue waters and pristine clarity has inspired visitors since the time of Mark Twain. Lake Tahoe is protected by a decades-old Congressionally-approved Compact between the states of California and Nevada, which mandates the region to protect the environmental health and scenic quality of the Lake Tahoe Basin watershed.

Last year, Judge Karlton issued an injunction halting the construction of any new piers or boat facilities on the lake until the case concluded.

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