

Attachment A

Required Findings & Finding of No Significant Effect

**Required Findings  
for Revised MOU between CTC and TRPA  
and Resolution to Reaffirm Land Bank Authority**

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for adoption of a Memorandum of Understanding and resolution as part of the Development Rights Strategic Initiative.

**TRPA Code of Ordinances Section 3.3 – Determination of need to prepare Environmental Impact Statement**

Finding: TRPA finds that the code amendments will not have a significant effect on the environment.

Rationale: TRPA staff prepared an Initial Environmental Checklist (IEC) to evaluate the effects of the proposed adoption of the Memorandum of Understanding (MOU) (Attachment B) and resolution to reaffirm support of the local land banks (Attachment C). The Initial Environmental Checklist (IEC) found that the MOU and resolution, as proposed, would not have a significant effect on the environment. Based on this finding of no significant effect (FONSE), no further environmental documentation is required.

**TRPA Code of Ordinances Section 4.4 – Threshold Related Findings**

Finding: The project (MOU and resolution) is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

Rationale: Section 2.6 of the Code allows for the development and implementation of MOUs that allow exempt activities in accordance with the TRPA Regional Plan and Code by a public or quasi-public entity. However, all exempt activities described in the proposed MOU are still subject to all provisions of the Regional Plan. The MOU will allow each agency to use its resources more effectively and to reduce duplicative regulatory requirements for certain

projects, while not altering the substantive requirements of the Regional Plan. Additionally, the MOU and resolution are intended to help facilitate sensitive lands restoration, increase the development rights inventory held by local land banks, and move development rights to Town Centers in keeping with the Regional Plan. The proposed MOU is consistent with and will not adversely affect implementation of the Regional Plan.

Finding: The project will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: Activities undertaken pursuant to the proposed MOU and resolution are subject to the provisions of the Regional Plan. The activities described in the MOU and resolution will not change the type of projects or increase the amount of development allowed by the Regional Plan. Activities undertaken pursuant to the proposed amended MOU and resolution are subject to the provisions of the Regional Plan. The activities described in the MOU are effectively regulated by the CTC and adoption of the MOU will not change the type of projects or increase the amount of development allowed by the Regional Plan. Therefore, the activities listed in the MOU will not cause the environmental thresholds to be exceeded.

Finding: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: Activities undertaken pursuant to the MOU and resolution are subject to the standards of the Regional Plan and Code. Based on the completed IEC no applicable federal, state and local air and water quality standard will be exceeded. The proposed MOU and resolution do not affect or change the Federal, state or local air and water quality standards applicable for the Region. Federal, state, and local, air and water quality standards remain applicable for all parcels in the Tahoe region ensuring environmental standards shall be attained, maintained, or exceeded pursuant to the TRPA Compact.



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**STATEMENT OF NO SIGNIFICANT EFFECT**

**Project Description:** Development Rights Strategic Initiative Proposed MOU between CTC and TRPA and a Resolution to Reaffirm Land Bank Authority.

**Staff Analysis:** In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

**Determination:** Based on the Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

A handwritten signature in black ink, appearing to read "Jennifer J. J.", positioned above a horizontal line.

TRPA Executive Director/Designee

August 9, 2018

Date