

Attachment B

Adopting Resolution for Revised Memorandum of Understanding (MOU)  
Between the TRPA and California Tahoe Conservancy

TAHOE REGIONAL PLANNING AGENCY  
TRPA RESOLUTION NO. 2018 –

RESOLUTION OF THE TAHOE REGIONAL PLANNING AGENCY'S GOVERNING BOARD  
TO ADOPT A MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA TAHOE CONSERVANCY  
REGARDING THE ACQUISITION, SALE, BANKING, AND TRANSFER OF DEVELOPMENT RIGHTS, AS WELL  
AS THE EXCESS COVERAGE MITIGATION FEE PROGRAM

WHEREAS, The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set forth environmental threshold carrying capacities ("threshold standards") for the Tahoe Region; and

WHEREAS, The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds; and

WHEREAS, The Compact further requires that the Regional Plan attain and maintain federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable; and

WHEREAS, Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan; and

WHEREAS, over the years TRPA and California Tahoe Conservancy have entered into Memorandums of Understanding for the acquisition, banking, and transfer of land coverage and the excess coverage mitigation fee program;

WHEREAS, on XXXX XX, 201X, the TRPA Governing Board found it was necessary and desirable to amend TRPA Ordinance 87-9, as amended, which ordinance relates to the Regional Plan of the Tahoe Regional Planning Agency (TRPA) by adopting amendments to the TRPA Regional Plan Goals and Policies LU-2.1 and DP-3.7 and TRPA Code of Ordinances Chapters 1, 3, 6, 11, 21, 31, 39, 50, 51, 52, and 90 to implement proposed changes to the development rights system and residential bonus unit program as part of the Development Rights Strategic Initiative (Ordinance No. XX-XX); and

WHEREAS, TRPA prepared and circulated an Initial Environmental Checklist analyzing any potential significant impacts from adoption of the Memorandum of Understanding in accordance with the substantive and procedural requirements of Article VII of the

Compact, Chapter 3 of the Code, Article 6 of the Rules of Procedure, and all other applicable rules and regulations; and

WHEREAS, TRPA made any necessary findings to adopt the Memorandum of Understanding as required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations; and

WHEREAS, the Memorandum of Understanding has been reviewed at four separate public meetings and public comments have been considered at each meeting; and

WHEREAS, the Memorandum of Understanding was endorsed by the Regional Plan Implementation Committee of the Governing Board on XXXX XX, 201X; and

WHEREAS, the Memorandum of Understanding was endorsed by the Advisory Planning Commission on XXXX XX, 201X;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency hereby approves the Memorandum of Understanding with CTC, as reflected in Exhibit 1 of their resolution.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this \_\_ day of \_\_\_\_\_, 2018, by the following vote:

Ayes:  
Nays:  
Absent:

---

James Lawrence, Chair  
Tahoe Regional Planning Agency  
Governing Board