

QUALIFIED EXEMPT ACTIVITIES INFORMATION PACKET

I. OVERVIEW

The [TRPA Code of Ordinances](#) Section 2.3 identifies activities that do not require TRPA review and approval. These are called Exempt or Qualified Exempt (QE) activities. QE activities are described in Code Section 2.3.6. Additional Exempt and QE activities in the shorezone are identified in sections 82.4 and 82.5.

QE activities are generally minor improvements such as structural modifications, remodeling, additions of non-permanent structures, changes in use, replacement of a mobile home, roof replacement, and demolition of a structure greater than 50 years of age. In the shorezone, QE Activities also include maintenance of existing piers, fences, etc.

The difference between a fully exempt activity and a QE is largely procedural. A QE requires notice to TRPA through an online declaration form, whereas a fully exempt activity does not require any kind of notice or application to TRPA.

QE Activities are only exempt from TRPA review following submittal of a property owner declaration at least three days prior to construction (or five days prior to construction in the shorezone). On the online form, the property owner must properly declare that the activity fits within the listed QE categories and limitations.

Coverage may not be created or relocated as part of the activity. No TRPA verifications or approvals are included as part of a QE declaration. Exempt activities, including QEs, may be subject to compliance inspections and enforcement should the activity be inconsistent with the TRPA Code or cause harmful environmental impacts.

See [TRPA Code of Ordinances](#) Section 2.3.6, 82.4, and 82.5 for a description of QE activities.

This packet contains information on non-shorezone QE activities. For QE activities located within the shorezone, see the "[Qualified Exempt Shorezone Activity Declaration](#)" packet.

II. PROCESS FOR QUALIFIED EXEMPT ACTIVITIES

Step 1: Determine what type of review your project or activity requires:

- **Exempt:** Review the eligibility criteria listed in the online [Exempt Activity Packet](#) or in the TRPA Code of Ordinances Chapter 2 to determine if your activity is exempt. Exempt activities do not require any notice or application to TRPA. Please note, you may still require a permit from another agency, such as the local building department.
- **Qualified Exempt:** Review the eligibility criteria listed in this packet or in TRPA Code of Ordinances Chapter 2. Qualified exempt activities require an online declaration form submittal.
- **Permit:** If the activity is not eligible as Exempt or Qualified Exempt, you will need to apply for a permit online using the application that corresponds to the type of project. Visit [TRPA.gov](https://trpa.gov) for all application types.

Step 2: Determine whether your application can be submitted to your local building department or TRPA. Declarations for Qualified Exempt activities located within the **City of South Lake Tahoe, Placer County, or El Dorado County** can be submitted to the local building department. Declarations for Qualified Exempt activities located within Douglas or Washoe County will need to be submitted to TRPA.

Step 3: Check [online](#) to determine if your property is located within the FEMA 100-year floodplain. Additional development, grading, and filling of lands within the floodplain are prohibited.

Step 4: Check [online](#) to determine if Best Management Practices (BMPs) have been completed. Enter the property address in the online [Parcel Tracker](#) and check “BMP Status”. If a certificate has NOT yet been issued and your Qualified Exempt activity includes an addition or modification, you are required to submit a [Small BMP Retrofit Plan \(BMPR\) using this link to the TahoeBMP website](#), prior to completing the online Qualified Exempt declaration. Any existing BMPs on the property should continue to be maintained.

Step 5: Gather information to submit with your online Qualified Exempt declaration form. Required items vary depending on the type of activity (site drawing, photographs, etc.). A checklist is provided in this packet.

Step 6: Submit your Qualified Exempt declaration form and checklist items online through the [Accela Citizen Access](#) at least three working days before commencement of the activity. You will receive an email acknowledging receipt of your declaration form.

Step 7: Obtain other necessary agency approvals prior to beginning work. (e.g. building permits)

III. QUALIFIED EXEMPT ACTIVITIES CRITERIA

1. STRUCTURAL MODIFICATION REQUIRED BY BUILDING CODE

- Activity does not result in the increase or relocation of land coverage.
- Documentation from local building department is provided by the applicant.
- The modification is the minimum necessary to comply with the code.
- Grading, excavation, filling, or backfilling does not exceed the limits outlined in Code Section 2.3.2.E.
- No increase in the dimension of a structure visible from a [scenic corridor](#).
- No change or intensification of use.
- No increase in commercial floor area.
- No height created greater than allowed by TRPA Code.

2. STRUCTURAL REMODELING OR ADDITIONS TO AN EXISTING STRUCTURE

- Activity does not result in the increase or relocation of land coverage.
- Grading, excavation, filling, or backfilling does not exceed the limits outlined in Code Section 2.3.2.E.
- No increase in the dimension of a structure visible from a [scenic corridor](#).
- No change or intensification of use.
- No increase in commercial floor area.
- No height created greater than allowed by TRPA Code.
- BMP retrofit plan and schedule is submitted, if not already in compliance. (See Step 4 in the process section above.)
- Excess land coverage mitigation [requirements](#) are satisfied.
- There is existing paved parking and access.

3. NON-PERMANENT STRUCTURES (SHED, HOT TUB, GENERATOR, GREENHOUSE, ETC.)

- Activity does not result in the increase or relocation of land coverage.
- Land capability and land coverage are verified. Visit the [Parcel Tracker](#) and use the location address to determine if a verification has been completed for the property.
- The structure will be located on non-sensitive lands (Classes 4-7 or IPES 726 or higher). Visit the [Parcel Tracker](#) and use the location address to determine if the property or activity area is non-sensitive.
- Does not exceed 120 square feet or 2% of total area of non-sensitive land (whichever is less).
- Total coverage exemptions on site do not exceed 10% of the total area of non-sensitive lands.
- Not constructed on a permanent foundation.
- All excess coverage is mitigated prior to or at the time of the declaration submittal. Use this [worksheet](#) to calculate.
- Any unpermitted coverage is removed. Visit the [Parcel Tracker](#) and use the location address to determine verified coverage.
- The property has a BMP certificate. (See Step 4 in the process section above.)
- Grading, excavation, filling, or backfilling does not exceed the limits outlined in Code Section 2.3.2.E.

4. REPLACEMENT OF EXISTING MOBILE HOME

- Replacement of an existing mobile home in a legally established mobile home space that does not result in a change in use or additional land coverage.

5. DEMOLITION OF STRUCTURES 50 YEARS IN AGE OR GREATER

- Activity does not result in the increase or relocation of land coverage.
- Structures, improvements, or facilities are not recognized by TRPA as historic resources. Visit the [Parcel Tracker](#) and use the location address to determine if a historic determination has been completed for the property.
- Grading, excavation, filling, or backfilling does not exceed the limits outlined in Code Section 2.3.2.E.
- Banking of land coverage or development rights shall be completed prior to or concurrent with demolition. See applicable applications [online](#).

6. CHANGE IN OPERATION

- Activity does not result in the increase or relocation of land coverage.
- Results in the generation of less than 650 additional vehicle miles traveled and the applicant pay a mobility mitigation fee if new vehicle miles traveled are created. Provide documentation from the online [Project Impact Assessment Tool](#) showing changes in Vehicle Miles Travelled (VMT) and any proposed mitigation measures. See the [Project Impact Assessment Guidelines](#) for more information.
- The resulting use is an allowed use per the TRPA Code Chapter 21 or [local plan](#).
- No change in use classification per TRPA Code or local plan.

7. ROOF REPLACEMENT WITH METAL ROOF

- The metal roof must be a non-glare, earthtone color. Material samples must be submitted.

IV. QUALIFIED EXEMPT ACTIVITIES CHECKLIST ITEMS

To submit an online Qualified Exempt declaration form, click [here](#). The following section contains checklists of items to be submitted with your online Qualified Exempt declaration form.

1. STRUCTURAL MODIFICATION REQUIRED BY BUILDING CODE

- ☐ Completed and signed online declaration form.
- ☐ Qualified Exempt [filing fee](#).
- ☐ Documentation from local building department requiring the modification.
- ☐ Scaled elevation drawings showing the existing and proposed height, if the modification involves a change in height.

2. REMODELING OR ADDITIONS TO AN EXISTING STRUCTURE

- ☐ Completed and signed online declaration form.
- ☐ Qualified Exempt [filing fee](#).
- ☐ Completed [excess coverage mitigation worksheet](#) and pay excess coverage mitigation fee online. **(Minimum \$200.00)** Click [here](#) to access information on the property's verified land capability. If the coverage and land capability has not been verified, calculate the fee assuming 1% allowable coverage. The excess coverage mitigation fee is \$200 or the amount calculated on the excess coverage mitigation worksheet (whichever is more).
- ☐ **Fire protection agency pre-approval.** To determine the property's fire district, visit the [Parcel Tracker](#) and search the property address.
- ☐ **A site plan showing:**
 - a. Property lines, easements, building setbacks.
 - b. Map scale and north arrow.
 - c. Assessor's Parcel Number (APN), property address and property owner(s) name(s).
 - d. Parcel area in square feet.
 - e. Verified land capability districts, if available.
 - f. All existing and proposed development.
 - g. Trees greater than 14" dbh and rock outcrops.
 - h. Existing and proposed topographic contour lines at 2-foot intervals.
 - i. Construction staging area and temporary BMP's.
- ☐ **A plan(s) of the existing and proposed building elevations showing:**
 - a. Finish floor elevations with respect to contour elevations on site plan.
 - b. Drawing scale and view aspect.
 - c. Roof pitch of each roof plane and the slope across the building site (if more than one roof pitch, provide a roof plan).
 - d. Allowed and proposed height calculations.
 - e. Elevation of the highest roof ridge and lowest elevation of foundation wall at natural grade.

- ☐ **A plan(s) of the proposed floor plans showing:**
 - a. Scaled dimensions
 - b. All exterior entrances/exits
 - c. TRPA-approved wood stove, fireplace, space and water heaters
- ☐ **Photographs showing the area to be modified.**
- ☐ **A BMP certificate or TRPA file number proving BMP plans have been submitted and are in review with TRPA's Environmental Improvement Program Division.** Visit the [Parcel Tracker](#) to download a copy of the property's certificate. If a certificate has NOT yet been issued and your Qualified Exempt activity includes an addition or modification, you are required to submit a [Small BMP Retrofit Plan \(BMPPR\) using this link to the TahoeBMP website](#), prior to completing the online Qualified Exempt declaration.

3. **NON-PERMANENT STRUCTURES (SHED, HOT TUB, GENERATOR, GREENHOUSE, ETC.)**

- ☐ **Completed and signed online declaration form.**
- ☐ **Qualified Exempt [filing fee](#).**
- ☐ **Fire protection agency pre-approval.** To determine the property's fire district, visit the [Parcel Tracker](#) and search the property address.
- ☐ **A BMP certificate.** Visit the [Parcel Tracker](#) to download a copy of the property's certificate.
- ☐ **A copy of the property's land capability verification or IPES score.** Visit the [Parcel Tracker](#) to download a copy. Land capability and coverage **MUST** be verified to qualify. The activity **MUST** be located on Class 4-7 land capability or IPES 726 or higher to qualify.
- ☐ **A copy of the property's land coverage verification.** Visit the [Parcel Tracker](#) to download a copy. Land capability and coverage **MUST** be verified to qualify.
- ☐ **Completed [excess coverage mitigation worksheet](#) and pay excess coverage mitigation fee online. (Minimum \$200.00)** Click [here](#) to access information on the property's verified land capability. If the coverage and land capability has not been verified, calculate the fee assuming 1% allowable coverage. The excess coverage mitigation fee is \$200 or the amount calculated on the excess coverage mitigation worksheet (whichever is more).
- ☐ **A site plan showing:**
 - a. Property lines, easements, building setbacks.
 - b. Map scale and north arrow.
 - c. Assessor's Parcel Number (APN), property address, and property owner(s) name(s).
 - d. Parcel area in square feet.
 - e. Existing and proposed topographic contour lines at 2-foot intervals.
 - f. Verified land capability districts, if available.
 - g. Location of proposed non-permanent structure.
 - h. Existing, proposed and allowable coverage calculations.
 - i. Trees greater than 14" dbh and rock outcrops.

4. REPLACEMENT OF EXISTING MOBILE HOME

- ☐ Completed and signed online declaration form.
- ☐ Qualified Exempt [filing fee](#).
- ☐ Photographs of the existing mobile home.
- ☐ Dimensions of existing and proposed mobile home.

5. DEMOLITION OF STRUCTURES 50 YEARS OLD OR GREATER

- ☐ Completed and signed online declaration form.
- ☐ Qualified Exempt [filing fee](#).
- ☐ Estimate of associated grading, excavation, or filling.
- ☐ Result of a TRPA or local jurisdiction historic determination stating that the property is **non-historic**. Visit the [Parcel Tracker](#) to download a copy or contact the local building department.

6. CHANGE IN OPERATION

- ☐ Completed and signed online declaration form.
- ☐ Qualified Exempt [filing fee](#).
- ☐ Detailed activity description, including existing and proposed use.
- ☐ Determine if the activity will create a significant increase in Vehicle Miles Travelled (VMT), using the [Project Impact Assessment Tool](#). See the [Project Impact Assessment Guidelines](#) for more information.
- ☐ Applicant pays mobility mitigation fee if new vehicle miles traveled are created.

7. ROOF REPLACEMENT WITH METAL ROOF

- ☐ Completed and signed online declaration form.
- ☐ Qualified Exempt [filing fee](#).
- ☐ Proposed color and material sample along with Munsell value and chroma rating (must be 0-4 range).



QUALIFIED EXEMPT ACTIVITIES DECLARATION FORM

Some applications can be submitted to your local building department. To streamline the permit process, TRPA has entered into agreements with other agencies to carry out environmental review on our behalf. [Use this guide](#) to know where to apply.

Applications to TRPA can be submitted online through [Accela Citizen Access](#). For assistance submitting a form or application online, please call 775-589-5333 or visit the TRPA front lobby.

Applicant _____

Mailing Address _____ City _____ State _____

Zip Code _____ Email _____ Phone _____

Representative or Agent _____

Mailing Address _____ City _____ State _____

Zip Code _____ Email _____ Phone _____

Owner _____ ☐ Same as Applicant

Mailing Address _____ City _____ State _____

Zip Code _____ Email _____ Phone _____

Project Location/Assessor's Parcel Number (APN): _____

Street Address _____

County _____ Previous APN(s) _____

Property Restrictions/Easements *(List any deed restrictions, easements or other restrictions below in the space provided.)*

☐ None _____

I hereby declare under penalty of perjury that all property restrictions and easements have been fully disclosed. **Initial here:** _____

Project Description/Proposal:

Check which Qualified Exempt activity applies:

- ☐ 1. Structural modification required by building code.
- ☐ 2. Structural remodeling or addition to an existing structure.
- ☐ 3. Non-permanent structure.
- ☐ 4. Replacement of existing mobile home.
- ☐ 5. Demolition of structure 50 years in age or greater.
- ☐ 6. Change in operation.
- ☐ 7. Roof replacement with metal roof.

Declaration Form Continues on Next Page

SIGNATURES

DECLARATION

I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. I am the owner of the subject property or have been authorized in writing by the owner(s) of the subject property to represent this application, and I have obtained authorization to submit this application from any other necessary parties holding an interest in the subject property. I understand it is my obligation to obtain such authorization, and I further understand that TRPA accepts no responsibility for informing these parties or obtaining their authorization. By submitting this application, I agree to all TRPA regulations regarding Project Review as stated in Article 5 of the TRPA Rules of Procedure and other TRPA regulatory documents, including the TRPA application fee refund policy. I acknowledge that once the application is submitted, if I withdraw it for any reason, I will not be entitled to a full refund, and the amount of any refund will be determined by TRPA.

I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action. I hereby authorize TRPA to access the property for the purpose of site visits. I understand that additional information may be required by TRPA to review this project.

Signature:

_____ At _____ Date: _____
Owner or Person Preparing Declaration Form **County**

AUTHORIZATION FOR REPRESENTATION

Complete this section only if an agent or consultant is submitting this application on behalf of the property owner.

The following person(s) own the subject property (**Assessor's Parcel Number(s)** _____
_____) or have sufficient interest therein (such as a power of attorney) to make application to TRPA:

Print Owner(s) Name(s): _____

I/We authorize _____ to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. I understand that additional information may be required by TRPA beyond that submitted by my representative, to review this project. Any cancellation of this authorization shall not be effective until receipt of written notification of same by TRPA. I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further accept that if this project is approved, I, as the permittee, will be held responsible for any and all permit conditions.

Owner(s) Signature(s):

_____ Date: _____

_____ Date: _____