

APPENDIX S

MEMORANDUM OF UNDERSTANDING BETWEEN  
TAHOE REGIONAL PLANNING AGENCY AND  
TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT

April 1992

This Memorandum of Understanding is entered into this 28<sup>th</sup> day of April, 1992, by and between the TAHOE REGIONAL PLANNING AGENCY (TRPA), through its Executive Director as authorized by the Governing Board, and the Tahoe Truckee Unified School District (TTUSD), by and through its Superintendent as authorized by the Board of Directors.

All activities described in this Memorandum of Understanding (MOU) shall be in accordance with the Regional Plan package of TRPA as adopted by Ordinance No. 87-9, as amended from time to time. Activities exempt under this MOU shall not result in the creation of additional land coverage, relocation of existing coverage, or an increase in vehicle trips in excess of that otherwise exempt pursuant to Subsection 4.3.A of the TRPA Code. All activities undertaken by the District pursuant to this MOU shall comply with applicable Best Management Practices (BMPs), and all provisions of the TRPA Code of Ordinances (Code), as it may be amended from time to time, except for the procedural provisions replaced by this MOU, and such guidelines as may be adopted by TRPA.

I. EXEMPT ACTIVITIES

The following activities of TTUSD, in addition to those exempt pursuant to Section 4.2. of the TRPA Code, are not subject to review and approval by TRPA provided any related excavation, filling or backfilling work does not exceed 10 cubic yards (unless modified below), occurs during the grading season (May 1 to October 15) in land capability districts 4 through 7 and/or within an existing paved area, and the site is stabilized and/or revegetated within 72 hours to prevent erosion.

A. TTUSD Facilities

1. Repair and replacement of existing accessory structures such as playground equipment, auto barriers, and bollards, provided there is no increase in size or height, the replacement facilities are similar in type and function, and are consistent with the TRPA Code requirements and Design Review Guidelines.

2. Install new utility service lines for TRPA-approved projects, and for existing improved properties, provided there is no increase in development potential, and the utility lines are consistent with the TRPA Code requirements and Design Review Guidelines.
3. Locate existing underground lines and appurtenances.
4. Repair emergency leaks at any time provided all repair work is conducted within land capability districts 4 through 7 and/or within an existing paved roadway or compacted road shoulder.
5. Repair and replacement of existing irrigation and utility service lines including equipment and connections for waterworks, wastewater collection, and power and telephone lines provided there is no increase in size or capacity, and all replacement facilities are similar in type and function and are consistent with the TRPA Code requirements and Design Review Guidelines.
6. Maintenance and repair of existing paved parking lots, play areas, athletic fields/tracks, sidewalks, and bike trails, including cleaning, restoring, patching, sealing, overlaying and striping.
7. Landscape and revegetate with TRPA-approved species, including installation of irrigation systems.
8. Pruning of vegetation and removal of hazardous limbs.

B. SIGNS

1. Repair and replacement of existing informational signs and other regulatory signs provided the area and height of the replacement sign does not exceed that of the existing sign, and the sign conforms to all applicable TRPA standards.

C. STRUCTURES

1. Demolition of structures provided the structure is not designated, or pending designation on the TRPA Historic Resource Map, as amended from time to time.
2. Structural repairs or remodeling pursuant to Section 4.2.A. of the TRPA Code.

D. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of erosion control devices such as:
  - a. Sediment basins not exceeding 150 square feet in size.

- b. Swales
  - c. Rock slope protection not visible from any TRPA-designated scenic roadway or shorezone unit, class I bike paths, or recreation area.
  - d. Rock-lined ditches.
  - e. Willow wattling.
  - f. Temporary erosion control devices.
2. Restoration of disturbed areas of one acre or less provided scarification does not exceed 6" in depth and excavation and filling does not exceed 20 cubic yards.
  3. Cleaning and repairing of drainage facilities provided the toe of adjacent slopes or cut banks is not disturbed.
  4. Earthslide, avalanche debris, or embankment slipout removal and stabilization, provided the amount of excavation and/or spoil material removed is the minimum necessary and the spoil material is removed to a TRPA-approved site.

E. MISCELLANEOUS ACTIVITIES

1. Land surveys, corner recovery, remonumentation and land-line posting.
2. Installation, operation, and maintenance of research and monitoring instruments and/or stations.
3. Installation of handicapped curb cuts and wheelchair ramps.
4. Snow removal from paved surfaces either by use of rotary blower, plowing snow to the edge of the paved surface, or plowing for removal to TRPA-approved disposal sites.

II. QUALIFIED EXEMPT ACTIVITIES

The following activities of TTUSD are not subject to review and approval by TRPA, provided TTUSD certifies, on a form provided by TRPA, that the activity does not result in the creation of additional land coverage or relocation of land coverage, excavation, filling or backfilling does not exceed 25 cubic yards (unless modified below), occurs during the grading season (May 1 to October 15) in land capability districts 4-7 and/or within an existing paved area, the site is stabilized and/or revegetated within 72 hours to prevent erosion, and the activity is in conformance with the applicable provisions of the TRPA Code. The statement shall be filed with

TRPA at least five working days before the activity commences. For those activities involving in excess of 25 cubic yards of excavation (as provided below), the District shall submit the statement to TRPA at least 30 days before the activity commences. The following activities are in addition to those activities deemed "Qualified Exempt" pursuant to Section 4.3 of the TRPA Code.

A. TTUSD FACILITIES

1. Repair and replacement of existing utility service lines and service connections for a distance of not more than 750 lineal feet, provided all excavation is within an existing road right-of-way, easement or paved area, there is no increase in capacity (except when required to meet minimum fire safety standards and/or California Waterworks standards and documentation of the required standards is provided), the amount of excavation is the minimum necessary, all stockpiling of spoil material is accomplished in accordance with TRPA BMPs, and all replacement facilities are consistent with the TRPA Code.
2. Install new utility service lines and service connections for a distance of not more than 750 lineal feet to intertie existing facilities or extend service to TRPA-approved projects, provided all excavation is within an existing road right-of-way, easement or paved area, there is no increase in capacity (except when required to meet minimum fire safety standards and/or California Waterworks standards and documentation of the required standards is provided), the amount of excavation is the minimum necessary, all stockpiling of spoil material is accomplished in accordance with TRPA BMPs, and all new utility lines are consistent with the TRPA Code and Design Review Guidelines.
3. Replacement of existing fences, provided there is no increase in height, and the fence is consistent with the TRPA Design Review Guidelines.
4. Tree removal for public health and safety pursuant to Section 71.4.E(2) of the TRPA Code.
5. Install directional and informational signs, provided the signs are consistent with Chapter 26 of the TRPA Code, and an inventory of existing signage for each individual site where additional signage is proposed is completed prior to the installation of any new signs.
6. Reconstruction of existing pavement provided that all necessary BMPs are in place, including dust control measures.

B. STRUCTURES

1. Structural repair, remodeling or additions pursuant to Section 4.3.A. of the TRPA Code.

C. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of retaining walls not exceeding 100 feet in length and 3 feet in height, provided that if located within a TRPA-designated scenic roadway or shoreline unit, the wall design is consistent with the TRPA Design Review Guidelines (Chapter 1, Section C(7) and Section 30.13.C(2) of the TRPA Code, and an inventory of existing retaining walls is completed prior to the installation of any new walls.
2. Restoration of disturbed areas not exceeding 2 acres, provided scarification does not exceed 6" in depth.

D. MISCELLANEOUS

1. TTUSD may request and obtain emergency permits from TRPA for certain projects in accordance with Article V. of the TRPA Rules of Procedure.

III. TREATMENT AND ACCOUNTING OF COVERAGE

It is understood by the TTUSD and TRPA that the activities set forth herein may result in a requirement to mitigate existing excess coverage. Further, many of the activities involve removal of existing land coverage or restoration of disturbed lands.

Chapter 38 of the Code provides for the accounting, tracking, and banking of coverage in conjunction with Chapter 20. TTUSD shall report to the Executive Director of TRPA annually on the status of compliance with all excess coverage mitigation, coverage removal and restoration requirements as related to all activities undertaken pursuant to this MOU.

IV. LOSS OF EXEMPTION

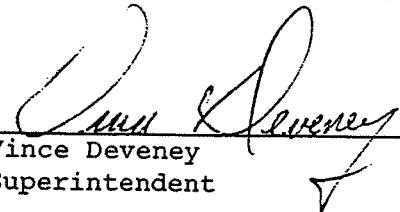
Any exempt activity set forth herein shall be considered a project requiring TRPA review if the Executive Director determines that the activity may have a substantial effect on the land, air, water, space, or any other natural resource in the Region.

V. TERMINATION

This MOU may be terminated by either party upon sixty (60) days notice in writing.

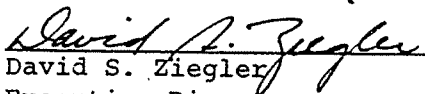
TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT

DATED: May 13, 1993

  
\_\_\_\_\_  
Vince Deveney  
Superintendent

TAHOE REGIONAL PLANNING AGENCY

DATED: April 28, 1992

  
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David S. Ziegler  
Executive Director