

Attachment "B"

MEMORANDUM OF UNDERSTANDING
for
PUBLIC WORKS PROVIDERS

Table of Exempt (E) and Qualified Exempt (QE) Activities

Note: The activities described in this table expand upon the Exempt (E) and Qualified Exempt (QE) activities otherwise allowed in Subsection 2.3 and Subparagraph 2.3.7 of the TRPA Code of Ordinances, provided the activities are consistent with Part 1 (General Provisions) and Part 2 (Performance Standards) of this Memorandum of Understanding.

Line No.	Activity Level	Activity
Roadways, Trails, Sidewalks & Parking Facilities		
1	E	Routine non-structural maintenance provided the activities do not modify the shape or location of the facility, create or relocate land coverage, add new structural appurtenances or modify existing drainage.
2	E	Structural maintenance, repair and replacement of existing facilities (such as pavement, curb and gutter, compacted shoulders, culverts, pipes, vaults, and similar structures), provided no new land coverage is created and any relocated land coverage and/or permanent land disturbance is limited to 120 square feet in low capability land (Classes 1a, 1b, 1c, 2, and 3) and 500 square feet in high capability land (Classes 4, 5, 6 and 7).
3	E	Installation of vehicle barriers (such as bollards, fencing and boulders) along travel ways provided the barriers conform to applicable highway standards and boulders are placed partially in the ground to prevent rolling and to give a natural appearance.
4	QE	Modifications to existing facilities to improve public safety and/or environmental protection provided any new or relocated land coverage or permanent land disturbance is limited to 240 square feet in low capability land (Classes 1a, 1b, 1c, 2, and 3) and 1,000 square feet in high capability land (Classes 4, 5, 6 and 7).

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Erosion Control & Water Quality Protection Facilities		
5	E	Routine non-structural maintenance of existing storm water treatment facilities (such as dry wells, infiltration trenches, drop inlets, and vaults), including removal of sediment, vegetative overgrowth and organic material, without limit on material volume or land capability, provided removed materials are deposited outside of the Tahoe Basin or at a TRPA-approved disposal site.
6	E	Structural maintenance, repair, and in-kind replacement of existing facilities, provided no new land coverage is created and relocated land coverage or permanent land disturbance is limited to 120 square feet in low capability land (Classes 1a, 1b, 1c, 2, and 3) and 500 square feet in high capability land (Classes 4, 5, 6 and 7).
7	QE	Modifications to existing facilities to improve effectiveness, meet new regulatory standards, or correct system inefficiencies, provided new structures such as rock slope protection and retaining walls are not visible from any TRPA-designated scenic roadway or shorezone travel unit, Class I bicycle paths, or recreation areas designated in the TRPA Scenic Quality Improvement Program (SQIP).
Water Distribution and Wastewater Collection & Treatment Facilities		
8	E	Testing, locating, and maintenance of existing facilities (such as mechanical and electrical equipment, piping and plumbing, pumps and similar devices).
9	E	Structural maintenance, repair, in-kind replacement of facilities, provided excavation is limited to areas under existing pavement, road shoulder, or compacted soil; no new land coverage is created, and relocated land coverage or permanent land disturbance is limited to 120 square feet in low capability land (Classes 1a, 1b, 1c, 2, and 3) and 500 square feet in high capability land (Classes 4, 5, 6 and 7).
10	QE	Modifications to existing facilities provided the modifications do not result in any increases in water or sewer treatment capacity or growth inducing activity, and any new or relocated land coverage or permanent land disturbance is limited to 240 square feet in low capability land (Classes 1a, 1b, 1c, 2 or 3) and 1,000 square feet in high capability land (Classes 4, 5, 6 and 7).
Public Service/Recreation Buildings and Facilities		
11	E	Interior remodeling of existing buildings in accordance with Subparagraph 2.3.2.A of the TRPA Code, except that the allowable structural cost of the remodel allowed is increased to \$80,000.
12	E	Demolition of structures, improvements or facilities less than 50 years of age in accordance with Subparagraph 2.3.2.G of the TRPA Code, except that the excavation and backfill limits are increased to the grading limits in this MOU.
13	QE	Demolition of structures, improvements or facilities greater than 50 years of age that are not designated, or pending designation, on the TRPA Historic Resource Map in accordance with Subparagraph 2.3.7.A.6 of the TRPA Code if the MOU Partner determines that the structure does not qualify for historic protection in accordance with Chapter 67 based on a report prepared by a qualified professional acceptable to the appropriate State Historic Preservation Officer (SHPO).
Public Service/Recreation Buildings and Facilities (continued)		

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14	QE	Structural repair to existing structures in accordance with Subparagraph 2.3.7.A.1 of the TRPA Code, except that the structural repair cost in 2.3.7.A.1 is increased to \$42,000 per year and excavation and backfilling limits in 2.3.7.A.1.a are increased to the grading limits in this MOU.
15	QE	Structural modifications to existing structures in accordance with Subparagraph 2.3.7.A.2 of the TRPA Code, except that the grading limits in 2.3.7.A.2.c (i) are increased to the grading limits of this MOU.
16	QE	Structural remodeling or additions to existing structures in accordance with Subparagraph 2.3.7.A.3 of the TRPA Code, except that the grading limits in 2.3.7.A.3.a (i) are increased to the limits of this MOU, and the BMP retrofit plan required in 2.3.7.A.a (b) is consistent with the requirements of this MOU.
Vegetation Management and Soil Preparation for Vegetation Planting		
17	E	Pruning of vegetation , including hazardous tree limb removal, beyond the limits allowed in Subparagraph 2.3.2.H of the TRPA Code to maintain adequate sight distance along roadways and other travel routes.
18	QE	Scarification of disturbed high capability soils (Classes 4, 5, 6 and 7) as preparation for revegetation with native plant species in accordance with Subparagraph 2.3.2.H of the TRPA Code provided the scarification is less than one acre in area and does not exceed six inches in depth.
19	QE	Hazardous tree removal around MOU Partner facilities in accordance with Subparagraph 61.1.7.A of the TRPA Code, except that TRPA approval is not required unless the tree was planted as a scenic mitigation measure pursuant to a TRPA permit (including permits issued by local government in accordance with Section 2.5).
Grading (Including Grading in Combination with Other Activities)		
20	E	Excavations under existing hard land coverage to an amount that can be backfilled, stabilized and swept clean within a 24-hour period.
21	E	Excavations otherwise allowed in Subparagraph 2.3.2.D of the TRPA Code , except that the volume limit of the excavation is increased to 15 cubic yards in all land capability districts.
22	QE	Excavations otherwise allowed in Subparagraph 2.3.7.A.5 of the TRPA Code , except that the volume limit of the excavation is increased to 50 cubic yards.