

APPENDIX T

MEMORANDUM OF UNDERSTANDING BETWEEN TAHOE
REGIONAL PLANNING AGENCY AND SOUTHWEST GAS
CORPORATION

February 2014

This Memorandum of Understanding is entered into this _ day of February, 2014, by and between the TAHOE REGIONAL PLANNING AGENCY (TRPA), through its Executive Director as authorized by the Governing Board, and SOUTHWEST GAS CORPORATION (SWG) and its wholly owned subsidiary PAIUTE PIPELINE COMPANY, by and through its Division Vice President.

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. 2012-04, as amended from time to time. All activities undertaken by SWG 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.

A. EXEMPT ACTIVITIES

The following activities of SWG, in addition to those exempt pursuant to Section 2.3 of the TRPA Code, are not subject to review and approval by TRPA:

1. Excavations otherwise allowed in Subparagraph 2.3 D of the TRPA Code of Ordinances, except the volume of the excavation is increased to 15 cubic yards in all land capability districts.
2. Excavations under existing hard land coverage to an amount that can be backfilled, stabilized and swept clean within a 24-hour period.
3. Repair, replacement, testing, locating, maintenance and inspection of existing gas facilities such as pipes, fittings, meters, service connections, valve access enclosures, rectifiers, regulator station vaults, fenced enclosures, meter set assemblies, and property line regulator assemblies (collectively referred to herein as "Gas Facilities").

4. Install new gas facilities for TRPA-approved projects and for existing improved properties which are converting to natural gas fuel.
5. Install or replace sacrificial anodes and cathodic protection test stations.
6. Repair emergency leaks at any time provided all repair work requiring excavation is conducted within an existing paved area, compacted road shoulder and/or a previously disturbed area. TRPA will be notified of the emergency repair within 24 hours and appropriate documentation provided dependent upon the category of exemption.

B. QUALIFIED EXEMPT ACTIVITIES

The following activities of SWG, in addition to those deemed "Qualified Exempt" pursuant to Section 2.3.7 of the TRPA Code, are not subject to project review and approval by TRPA provided:

1. SWG Certifies on a TRPA Qualified Exempt Activity Declaration form that the activity will not exceed the creation of 120 square feet of additional land coverage within the public ROWs or easements and all new coverage in the public ROW or easements is mitigated as off-site coverage and subject to the excess coverage mitigation fee schedule.
2. Excavations otherwise allowed in Subparagraph 2.3.7A.6 except that the volume limit of the excavation is increased to 50 cubic yards.
3. The activity will occur during the grading season (May 1 to October 15) in land capability districts 4 through 7 and/or within a road ROW, an existing paved area, compacted road shoulder and /or previously disturbed area.

All Qualified Exempt activities must be documented on a TRPA QE form and shall be filed with TRPA at least five working days before the activity commences. For those activities that exceed 50 cubic yards of excavation (as provided below), SWG shall submit the QE form to TRPA at least 30 days before the activity commences.

Gas Distribution and Service Facilities

1. Repair or replace existing gas lines and service connections utilizing the split-and-pull method (the insertion of new gas line within the split cavity of an existing gas line or less environmentally sensitive technologies.
2. Repair or replace existing gas lines and service connections using open trench method for a distance not to exceed 3,000 lineal feet.
3. Install new gas lines and service connections for a distance of not more than 1,740 lineal feet (1/3 mile) to intertie existing facilities or extend service to TRPA-approved projects, and for existing improved properties which are

converting to natural gas.

All gas distribution and service facilities activities are subject to the following conditions:

- Excavation is limited to areas under existing pavement, road shoulder or compacted soil.
- Relocation of main lines is under existing pavement within existing paved areas or compacted road shoulders.
- The amount of excavation is the minimum necessary and all stockpiling of material is accomplished in accordance with TRPA Best Management Practices.

Buildings and Facilities

1. Structural repair of existing structures in accordance with 2.3.7.A.1 of the TRPA Code, except that the structural repair cost is increased to \$42,000 per year and excavation and backfilling limits are increased to the grading limits in this MOU.

It is understood by SWG and TRPA that the activities set forth in this MOU may result in a requirement to mitigate excess land coverage. Further, some of the activities may 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. SWG 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.

SOUTHWEST GAS CORPORATION

DATED: 3/4/14



Julie Williams
Division Vice President

TAHOE REGIONAL PLANNING AGENCY

DATED: 2/26/14



Joanne Marchetta
Executive Director