



TAHOE ENGINEERING:
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 Fax: (530) 541-7049

JAMES W. WARE, P.E.
 Director of Transportation

Internet Web Site:
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MAIN OFFICE:
 2850 Fairlane Court
 Placerville CA 95667
 Phone: (530) 621-5900
 Fax: (530) 626-0387



DATE: June 28, 2010

TO: All Prospective Bidders

SUBJECT: Addendum No. 1
Rubicon 5 Erosion Control Project (Contract No. PW 09-30490, CIP No. 95178)

Submit proposals for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are essential parts of the Contract.

ADDENDUM ITEM NO.	PAGE OR DRAWING NO.	DESCRIPTION OF CHANGE
1.01	Special Provisions §10-1 (page SP-51), Proposal (page P-5), and Agreement (page C-13)	<p>ITEM 29 – <u>AC PAVEMENT REMOVAL (F)</u></p> <p>This item is no longer a Final Pay item.</p> <p>Remove the last sentence from the third paragraph.</p> <p>Replace “AC Pavement Removal (F)” with “AC Pavement Removal” in the title and the payment clause.</p>
1.02	Proposal (page P-5)	<p>PROPOSAL PAY ITEMS AND BID PRICE SCHEDULE</p> <p>Replace Proposal Pay Items and Bid Price Schedule included in the Agreement section of the Contract Documents with Attachment A.</p>
1.03	Agreement, Exhibit A (page C-13)	<p>EXHIBIT A, CONTRACTOR’S BID AND BID PRICE SCHEDULE</p> <p>Replace Exhibit A, Contractor’s Bid and Bid Price Schedule included in the Agreement section of the Contract Documents with Attachment B.</p>

1.04	Special Provisions §5-1.50 (page SP-26)	<p>5-1.50 – LOCAL, STATE, AND FEDERAL AGENCIES’ CONDITIONS OF APPROVAL AND PERMITS</p> <p>Replace bulleted item 2 with the following:</p> <p style="padding-left: 40px;">2. Tahoe Regional Planning Agency Permit, <u>No. 520-101-00, TRPA File #EIPC2010-0002</u>. (See Appendix E)</p>
1.05	Appendix E	<p>Tahoe Regional Planning Agency Permit No. 520-101-00, TRPA File #EIPC2010-0002</p> <p>Add Attachment C attached to this addendum to Appendix E of the Contract Documents.</p>
1.06	Proposal (page P-1)	<p>Proposal</p> <p>Please add the following to the first page of the Proposal after the statement “(Because some colored inks will not reproduce in copy machines, please use black ink to complete this Proposal)”;</p> <p>“Completing bid in pencil, erasures, overwrites, and use of correction fluid or tape are NOT acceptable. Bid proposals with pencil, erasures, overwrites, or use of correction fluid or tape will be rejected. All changes must be lined out and corrections inserted adjacent to and initialed by the bidder’s authorized representative.”</p>
1.07	Proposal	<p>Bidder’s Bond - Notary Acknowledgment Form</p> <p>Add Attachment D attached to this addendum to the Bidder’s Bond of the Contract Documents.</p>

Page P-5rev, Proposal Pay Items and Bid Price Schedule, shall be attached to the respective page in the original Proposal Pay Items and Bid Price Schedule, in the Contract Documents booklet. Page C-13rev, Exhibit A, Contractor’s Bid and Bid Price Schedule, shall be attached to the respective page in the original Exhibit A, Contractor’s Bid and Bid Price Schedule, in the Contract Documents booklet. The Notary Acknowledgment Form shall be attached to the Bidder’s Bond in the Contract Documents booklet. The remaining pages of this addendum shall be attached to the Contract Documents booklet.

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Holders who have already mailed their proposal can contact Patty Scott at (530) 573-7900 (email: patricia.scott@edcgov.us) or Steve Kooyman at (530) 573-7900 (email: steve.kooyman@edcgov.us) to arrange return of their proposal.

Inform all suppliers and subcontractors as necessary.

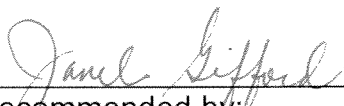
The Department of Transportation is only sending this addendum by posting on the following website: <http://www.edcgov.us/DOT/bids.html>.

If you are not a Contract Documents Holder, but request a set of documents to bid on this project, you must comply with the requirements of this addendum when submitting your bid.

Attachments:


- | | | |
|--------------|--|------------|
| Attachment A | Proposal Pay Items and Bid Price Schedule | - 1 page |
| Attachment B | Exhibit A, Contractor's Bid and Bid Price Schedule | - 1 page |
| Attachment C | Tahoe Regional Planning Agency Permit No. 520-101-00,
TRPA File #EIPC2010-002 | - 14 pages |
| Attachment D | Notary Acknowledgment Form | - 1 page |

End of Addendum No. 1



Recommended by:
Janel Gifford, P.E.
Office Engineer

6/30/10
Date



Approved by:
James W. Ware, P.E.
Director of Transportation

^{JWW}
29
6/28/10
Date

26	24" HDPE Perforated Pipe	217	LF				
27	Rock Slope Protection	75	SF				
28	Misc Grading	15.65	CY				
29	AC Pavement Removal (F)	386	SF				
30	Misc Paving	85	SF				
31	Stormwater Retention Chamber System at Rubicon Drive Parking Area	1	EA				
32	Rock Fracturing and Removal	10	CY				
33	Overexcavate and Remove Unsuitable Material	50	CY				
	TOTAL FOR BASE BID						

(LS) Denotes Lump Sum

(NOTICE: Bidder's failure to execute the questionnaires and statements contained in this Proposal as required by applicable laws and regulations, or the determinations by County of El Dorado based upon those questionnaires and statements, may prohibit award of the subject Contract to the Bidder.)

25	18" HDPE Perforated Pipe	12	LF				
26	24" HDPE Perforated Pipe	217	LF				
27	Rock Slope Protection	75	SF				
28	Misc Grading	15.65	CY				
29	AC Pavement Removal	386	SF				
30	Misc Paving	85	SF				
31	Stormwater Retention Chamber System at Rubicon Drive Parking Area	1	EA				
32	Rock Fracturing and Removal	10	CY				
33	Overexcavate and Remove Unsuitable Material	50	CY				
	TOTAL FOR BASE BID						

(LS) Denotes Lump Sum



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Stateline, NV 89449-5310

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Stateline, NV 89449

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Fax: 775-588-4527
www.trpa.org

PERMIT

PROJECT DESCRIPTION: EIP # 713, Rubicon V ECP

FILE #: EIPC2010-0002

TRPA PROJECT NUMBER: 520-101-00

PERMITTEE(S): El Dorado County Department of Transportation

COUNTY/LOCATION: El Dorado County, east of Highway 89 and south of Rubicon Bay.

Having made the findings required by Agency ordinances and rules, TRPA approved the project on June 8, 2010, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on June 8, 2013 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT; AND,
- (3) A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR, AND A CONSTRUCTION SCHEDULE SUBMITTED.

TRPA Executive Director/Designee

Date

6-8-10

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s)

Date

6/16/10

PERMIT CONTINUED ON NEXT PAGE

DOT Letter dated 6/16/10 attached hereto shall be made a part of this permit thereof.

unapproved plan, schedule

TRPA PROJECT NUMBER 520-101-01
FILE NO. EIPC2010-0002

Security Posted: N/A, EIP Project # 713

Required plans determined to be in conformance with approval: Date: 6-17-10

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date:


TRPA Executive Director/Designee

6-18-10^{BG}
Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the installation of water quality/erosion control improvements for the Erosion Control Project referenced above. Approved is based on the project plans to be submitted June 16, 2010; the CEQA and Mitigated Negative Declaration submitted 11/13/09; and the application submitted 02/16/10.
2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. Prior to permit acknowledgment the permittee shall submit three (3) sets of final plans to TRPA.
4. All staging and storage areas shall be located on previously disturbed land or paved surfaces, and shall be fitted with temporary BMPs, including construction limit fencing. Temporary staging and storage areas not located on paved surfaces shall be identified on the site through use of vegetation protection fencing and erosion control fencing where appropriate. Existing disturbed areas used as staging areas shall be scarified, revegetated and blocked off to prevent future use.
5. Prior to the pre-grade inspection, the permittee shall submit a construction phasing schedule that *attempts* to keep roadside trench construction disturbance at any given time no more than 1000 linear feet. Placement of temporary erosion control devices shall be installed every 100 feet in excavated trenches and ditches and shall be maintained until the site is stabilized. This schedule shall identify dates for the following:

- When installation of temporary erosion control structures will occur;
 - The schedule for completion of the project,
 - When construction will start;
 - When construction spoils and debris will be removed;
 - When installation of all permanent erosion control structures will occur;
 - When construction will be completed and the project area winterized; and,
 - The estimated date for when the final inspection by TRPA Project Manager will take place to ensure that all conditions of project approval have been satisfied.
6. The following conditions apply for the installation of rock slop protection (riprap):
- Edges of riprap areas shall blend with adjacent non-riprap areas.
 - Existing shrubs and trees 500 mm or greater in height shall be retained and protected during riprap installation in particular any existing native vegetation.
 - Riprap shall be keyed into and around existing bedrock and vegetation.
 - TRPA shall approve the color of the rock prior to placement, please provide a sample of the rock for review.
7. Dust Control measures will be implemented on the project at all times, following the TRPA recommended measures attached as part of this permit.
8. An onsite inspection by TRPA staff is required prior to any construction or grading activity. TRPA staff shall determine if the onsite improvements required by Attachment Q (Standard Conditions of Approval) have been properly installed. No grading or construction shall commence until TRPA pre-grade conditions of approval are met.
9. Prior to the TRPA pre-grade inspection, the permittee shall obtain all temporary and permanent easement necessary for construction of the proposed project, including authorization from the owners of the proposed staging areas authorizing their property to be used as a staging area during construction of the project.
10. Project construction shall be phased to minimize the amount of disturbed soils existing at one time. Additionally, all new and existing conveyance and treatment facilities shall be fitted with temporary Best Management Practices (BMPs) to prevent the transport of sediment during storm events occurring during construction. The permittee shall be responsible for ensuring that all temporary BMPs are constructed as directed by the TRPA Environmental Compliance Inspector and EDOT BMP Maintenance Plan dated 8/2009.

11. Vegetation shall not be disturbed, injured or removed except in accordance with the TRPA Code or the conditions of project approval. All trees, major roots, and other vegetation, not specifically designated or approved for removal shall be protected according to methods approved by TRPA. All vegetation outside the construction site/project area boundary shall not be disturbed. If possible, construction for any work within heavily vegetated areas should be done with hand work to minimize disturbance.
12. Any modifications to the TRPA approved plans shall be submitted to TRPA for review and approval. Coverage that will be banked as a result of this project is only eligible for use as mitigation for future El Dorado Co. EIP projects.
13. Per the TRPA Soils Hydrologic approval, the depth of the proposed excavations shall not exceed 8 feet below ground surface. Although not expected, if groundwater is intercepted during construction, the permittee shall immediately notify the TRPA Project Manager. The permittee shall then be required to follow the submitted Dewatering and Diversion Plan in the SWPPP.
14. Temporary Best Management Practices (BMPs) are to be installed and maintained prior to excavation and during all phases of the proposed project.
15. All excavated materials shall be hauled away from the site to a legally acceptable location. No fills, or recontouring, other than backfill for the cut-retaining structures, shall be allowed.
16. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
17. Please note that straw bales are no longer preferred for temporary erosion control and that straw is no longer a recommended mulch material in the Lake Tahoe Basin. The use of straw has contributed to the spread of noxious weeds throughout the Basin. The use of alternatives to straw bales, such as pine needle bales, filter fabric, coir logs and pine needle or wood mulches for erosion control purposes is strongly encouraged.
18. This site shall be winterized in accordance with the provisions of Attachment Q by **October 15th** of each construction season. All disturbed areas shall be stabilized with a 3-inch layer of mulch or covered with an erosion control blanket.

END OF PERMIT



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MITIGATED FINDING OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: EIP 713 Rubicon V Erosion Control Project

TRPA PROJECT NUMBER: 520-101-01

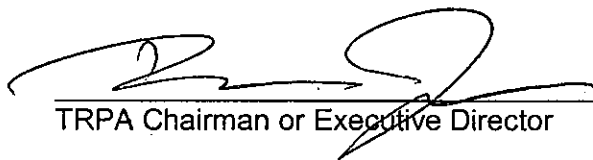
FILE #: EIPC2010-0002

PERMITTEE(S): El Dorado County Department of Transportation

COUNTY/LOCATION: El Dorado County, east of Highway 89 and south of Rubicon Bay.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.



TRPA Chairman or Executive Director

6-8-10

Date

Imagine. Plan. Achieve.



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June 16, 2010

Rita Whitney
Project Manager
Tahoe Regional Planning Agency
P. O. Box 5310
Stateline, NV 89449-5310

Dear Rita,

Subject: Rubicon 5 ECP (Contract No. PW 09-30490, CIP No. 95178) –EIP #713, TRPA Project #520-101-00, TRPA File #EIPC2010-0002

We have completed our review of the Permit dated June 8, 2010. The Signed Permit is herein provided for incorporation into the permit and TRPA acknowledgment with respect to the above-mentioned Subject.

With respect to the Permit Conditions, we have prepared the following responses to said conditions, which should be incorporated into the Permit and made a part thereof:

- Item 1 No Comment.
- Item 2 No Comment.
- Item 3 As set forth in Special Conditions Item 1 of the Permit, three (3) sets of 24"x36" final Project Plans will be submitted on June 16, 2010.
- Item 4 The SWPPP, Sheet EC-1 of the Plans delineate the areas for proposed staging and storage. Sheets EC-2 and EC-3 of the Plans details the required Best Management Practices (BMPs) at the staging and storage areas and Special Provisions Section 10-1.24 of the Contract Documents provides the required temporary BMPs.
- Item 5 A complete construction schedule will be submitted at the Pre-construction/Pre-grade meeting. The Special Provisions Section 10-1.24 of the Contract Documents, and the SWPPP limit the construction disturbance to a minimum, but still allow for the construction to proceed in a productive manner in order to complete the construction activity within the day. EDOT will monitor such activity and at any given time, if the temporary BMPs are not mitigating the disturbance of the roadside trench excavation, then the Contractor will be required to place more temporary BMPs or cease the activity until said temporary BMP's are in place. Therefore, EDOT respectfully requests that the conditions related to limiting the

construction to 1,000 linear feet of the roadside trench to be disturbed at any give time be deleted from this project.

- Item 6 Plan Sheet D-4, Detail 2/D-4, and Section 10-1.21 of the Final Special Provisions provide the County approved requirements necessary for the No. 1 Rock Backing used in Rock Slope Protection. A trained County professional or designee, prior to construction, will flag all healthy vegetation to be retained, which does not interfere with the installation of the Rock Backing. Therefore, EDOT believes that we have complied with this Special Condition.
- Item 7 Dust Control is also mentioned in Section IV.B.4. of the SWPPP.
- Item 8 A Pre-construction/Pre-grade meeting will be held prior to construction commencement, see Special Provisions Section 4-1.02A of the Contract Documents.
- Item 9 Temporary and permanent easements will not be required as all work is within the County Right of Way. The staging areas proposed are to be located within County road rights-of-way; reference is made to the SWPPP and Sheet EC-1 of the Plans.
- Item 10 The order of work is specified in Special Provisions Section 10-1.01 of the Contract Documents, shown in the SWPPP, and will be updated by the Contractor and submitted at the Pre-construction/Pre-grade meeting. Sheet EC-1 of the Plans depicts all temporary BMPs with Sheets EC-2 and EC-3 showing the details of said BMPs. Also, the SWPPP defines the areas needing temporary BMPs. Therefore, EDOT believes that we have complied with this Special Condition.
- Item 11 The Plans specify protection of vegetation. Special Provisions Section 10-1.22 of the Contract Documents contains specific language related to the disturbance of existing vegetation.
- Item 12 EDOT will update the plans on a continuous basis for records and will submit such changes to the approved plans upon the completion of such revisions.
- Item 13 A dewatering plan has been provided in the SWPPP, Appendix C, which complies with this item and will be addressed at the Pre-construction/Pre-grade meeting. Therefore, EDOT will notify TRPA when the disturbance operations commence and will conform to all dewatering portions of the approved SWPPP.
- Item 14 No comment.
- Item 15 Fill will be used at sites throughout the project (i.e. behind rock slope protection, etc.). Section 10-1.10 of the Final Specifications specifies the requirement of excavation material storage and removal from the site. All excess excavated material that will be used as backfill or fill shall be hauled away to an approved site.

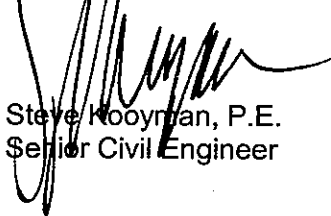
- Item 16 No comment.

- Item 17 The SWPPP, Sheets EC-1 thru EC-3 of the Plans, and Special Provisions Section 10-1.24 of the Contract Documents provide the required temporary BMPs.

- Item 18 The Sheets EC-1 through EC-3 and R-1 of the Plans and Special Provisions Section 10-1.22 of the Contract Documents provide the required stabilization and revegetation requirements for the Project, which includes the winterization specifications.

If you have any additional questions with respect to this letter or the Project, please don't hesitate to call me at (530) 573-7910.

Sincerely,



Steve Kooyman, P.E.
Senior Civil Engineer

Enclosures

c: Mark Sedlock, CTC
 Robert Larsen, Lahontan
 Barbara Shanley, USFS



SOUTH SHORE
128 Market St.
Stateline, NV

Monday-Friday
9:00 am-5:00 pm

NORTH SHORE
3080 North Lake Blvd.
Tahoe City, CA

Wednesday-Friday
9:00 am-4:00pm

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ATTACHMENT Q STANDARD CONDITIONS OF APPROVAL FOR GRADING PROJECTS

This handout on the standard conditions that must be met in all projects involving grading is divided into the following three sections:

- I. Pre-Grading Conditions (Pre-activity, where applicable)
- II. Construction/Grading Conditions
- III. General Conditions/Design Standards

Please read all of the conditions carefully to avoid any delays in construction of your project.

NOTE: Your plans have been reviewed and approved as required under Tahoe Regional Planning Agency (TRPA) Rules, Regulations and Ordinances only. TRPA has not reviewed and shall not be responsible for any elements contained in your plans, i.e., structural, electrical, mechanical, etc., which are not required for review under said Rules, Regulations and Ordinances.

I. PRE-GRADING/PRE-ACTIVITY CONDITIONS:

The following conditions must be completely complied with prior to any site disturbance or commencement of activity.

A. Final Construction Plans:

Final construction plans must be submitted to and reviewed by TRPA to determine conformance with the approval. Said plans shall clearly depict the following:

1. Slope stabilization methods to stabilize all existing and proposed cut and fill slopes.
2. Areas to be revegetated, including complete specifications for such revegetation.
3. Fencing for vegetation protection.
4. Temporary and permanent erosion control devices.
5. Utility trenches.
6. Dust control measures.
6. All water quality improvements (BMPs) required in the conditional approval. Drainage facilities shall be designed to be capable of retaining runoff water for a two (2) year, six (6) hour storm.
8. The final plans shall contain equipment specifications necessary to establish compliance with Standard Conditions III. A-F.

B. Securities:

A security shall be posted with the TRPA to insure compliance with all permit conditions. The security shall include an amount equal to 110 percent of the cost of the BMPs and other erosion control and water quality improvements required. For further information on the acceptable types of securities, see Attachment J.

C. Mitigation Fees:

All required air quality, water quality, and excess coverage and offsite coverage mitigation fees shall be paid to TRPA.

D. Temporary BMPs:

The following temporary BMPs are required to be installed onsite prior to any grading activity occurring:

1. Installation of temporary erosion controls.
2. Installation of vegetation protection measures.
3. Installation of construction site boundary fencing.

E. Required Inspection:

An onsite inspection by TRPA staff is required prior to any construction or grading activity occurring. TRPA staff shall determine if the onsite improvements required by Condition II (1), above, have been properly installed. No grading or construction shall be undertaken by the permittee until receipt of TRPA notification that the pre-grading/pre-activity conditions of approval have been satisfied.

F. Required Notices:

The following notices to the TRPA are required prior to any grading or construction occurring on the project site:

1. Notice for Pre-Grading Inspection: The permittee shall notify the TRPA when all onsite improvements required under Condition II(1), above, have been installed so that the required pre-grading inspection may be scheduled.
2. Notice of Commencement of Construction: The permittee shall notify the TRPA at least 48 hours prior to commencement of construction or grading on the project site. Said notice shall include the date when construction will commence.

II. CONSTRUCTION/GRADING CONDITIONS:

The following conditions shall be complied with during the grading and construction phase of the project.

- A. All construction shall be accomplished in strict compliance with the plans approved by TRPA.
- B. The TRPA permit and the final construction drawings bearing the TRPA stamp of approval shall be present on the construction site from the time construction commences to final TRPA site inspection. The permit and plans shall be available for inspection upon request by any TRPA employee. Failure to present the TRPA permit and approved plans may result in the issuance of a Cease and Desist Order by the TRPA.
- C. Whenever possible, utilities shall occupy common trenches to minimize site disturbance.
- D. There shall be no grading or land disturbance performed with respect to the project between October 15 and May 1, except as follows:
 1. The grading or land disturbance is for excavation and backfilling for a volume not in excess of three cubic yards.
 2. The activity is completed within a 48-hour period.
 3. The excavation site is stabilized to prevent erosion.
 4. The pregrade inspection is performed by TRPA staff, and the activity passes the inspection.

5. The grading/project does not represent or involve a series of excavations, which, when viewed as a whole, would exceed the provisions of this Standard Condition of Approval, and Subsection 4.2.A of the TRPA Code of Ordinances.

Grading is prohibited any time of the year during periods of precipitation and for the resulting period of time when the site is covered with snow, or is in a saturated, muddy, or instable condition (pursuant to Subsection 64.2.C of the TRPA Code of Ordinances.)

- E. All material obtained from any excavation work that is not contained within foundations, retaining walls, or by other methods approved by TRPA shall be removed from the subject parcel and disposed of at a site approved by TRPA.
- F. Replanting of all exposed surfaces, in accordance with the revegetation and slope stabilization plan, shall be accomplished within the first growing season following disturbance, unless an approved construction/inspection schedule establishes otherwise.
- G. All trees and natural vegetation to remain on the site shall be fenced for protection. Scarring of trees shall be avoided and, if scarred, damaged areas shall be repaired with tree seal.
 1. Fencing specified shall be at least 48 inches high and shall be constructed of metal posts and either orange construction fencing or metal mesh fencing also at least 48 inches high (Section 65.2.I.3 and 65.2.J.3). Job sites with violations of the fencing standards will be required to re-fence the job site with a high gauge metal fencing.
 2. No material or equipment shall enter or be placed in the areas protected by fencing or outside the construction areas without prior approval from TRPA. Fences shall not be moved without prior approval (Section 65.2.I.2 and 65.2.J.2).
 3. To reduce soil disturbance and damage to vegetation, the area of disturbance during the construction of a structure shall be limited to the area between the footprint of the building and the public road. For the remainder of the site the disturbance areas shall not exceed 12 feet from the footprint of the structure, parking area or cut/fill slope. The approved plans should show the fencing and approved exceptions (Section 30.14.A).
- H. Soil and construction material shall not be tracked off the construction site. Grading operations shall cease in the event that a danger of violating this condition exists. The site shall be cleaned up and road right-of-way swept clean when necessary.
- I. During grading and construction, environmental protection devices such as erosion control devices, dust control, and vegetation protection barriers shall be maintained.
- J. Loose soil mounds or surfaces shall be protected from wind or water erosion by being appropriately covered when construction is not in active progress or when required by TRPA.
- K. Excavated material shall be stored up grade from the excavated areas to the extent possible. No material shall be stored in any stream zone or wet areas.
- L. Only equipment of a size and type that, under prevailing site conditions, and considering the nature of the work to be performed, will do the least amount of damage to the environment shall be used.
- M. No washing of vehicles or construction equipment, including cement mixers, shall be permitted anywhere on the subject property unless authorized by TRPA in writing.
- N. No vehicles or heavy equipment shall be allowed in any stream environment zone or wet areas, except as authorized by TRPA.
- O. All construction sites shall be winterized by October 15 to reduce the water quality impacts associated with winter weather as follows:

1. For the sites that will be inactive between October 15 and May 1:
 - (a) Temporary erosion controls shall be installed;
 - (b) Temporary vegetation protection fencing shall be installed;
 - (c) Disturbed areas shall be stabilized;
 - (d) Onsite construction slash and debris shall be cleaned up and removed;
 - (e) Where feasible, mechanical stabilization and drainage improvements shall be installed; and
 - (f) Spoil piles shall be removed from the site.
2. For sites that will be active between October 15 and May 1, in addition to the above requirements:
 - (a) Permanent mechanical erosion control devices shall be installed, including paving of driveway and parking areas; and
 - (b) Parking of vehicles and storage of building materials shall be restricted to paved areas.

III. GENERAL CONDITIONS/DESIGN STANDARDS:

- A. Projects approved by TRPA shall be subject to inspections by TRPA at any reasonable time. The permittee shall be responsible for making the project area accessible for inspection purposes. TRPA shall not be liable for any expense incurred by the permittee as a result of TRPA inspections.
- B. Construction shall be completed in accordance with an approved construction schedule. An extension of a completion schedule for a project may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project, and TRPA makes either of the following findings:
 1. The project was diligently pursued, as defined in Subparagraph 4.12.C.(2) of the Code of Ordinances, during each building season (May 1 - October 15) since commencement of construction.
 2. That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters, or weather problems, have prevented diligent pursuit of the project.
- C. Water conservation appliances and fixtures shall be installed in all new facilities or, when replaced, in existing facilities: low flow flush toilets; low flow showerheads (3 gpm rated maximum flow); faucet aerators; and water-efficient appliances (e.g., washing machines and dishwashers).
- D. Water heaters shall not emit nitrogen oxides greater than 40 nanograms of nitrogen oxide (NO₂) per joule of heat output.
- E. Space heaters shall not emit greater than 40 nanograms of nitrogen oxides (as NO₂) per joule of useful heat delivered to the heated space.
- F. Wood heaters to be installed in the Region shall meet the safety regulations established by applicable city, county, and state codes. Coal shall not be used as a fuel source.
 1. Emission Standards: Wood heaters installed in the Region shall not cause emissions of more than 7.5 grams of particulates per hour for noncatalytic wood heaters or 4.1 grams per hour for catalytically equipped wood heaters.

2. Limitations: Wood heaters shall be sized appropriately for the space they are designed to serve. Multi-residential projects of five or more units, tourist accommodations, commercial, recreation and public service projects shall be limited to one wood heater per project area.
 3. List of Approved Heaters: TRPA shall maintain a list of wood heaters which may be installed in the Region. The list shall include the brand names, model number, description of the model and the name and address of the manufacturer. Wood heaters certified for use in either Colorado or Oregon shall be considered in compliance with 6(a), above.
- G. Construction materials shall be secured to prevent them from rolling, washing, or blowing off the project site. Rehabilitation and clean-up of the site following construction must include removal of all construction waste and debris.
- H. Plant species on the TRPA Recommended Native and Adapted Plant List shall be used for lawns and landscaping.
- I. The following sizes and spacing shall be required for woody plant materials at time of planting:
1. Trees shall be a minimum six feet tall or 1-1/2 inch caliper size or diameter at breast height;
 2. Shrubs shall be a minimum three gallon pot size where upright shrubs have a minimum height of 18 inches and a minimum spread of 18 inches; and spreading shrubs have a minimum spread of 18-24 inches.
 3. Groundcovers shall be a minimum four inch pot size or one gallon container and shall be maximum 24 inches on center spacing.
- J. Plant species not found on the TRPA Recommended Native and Adapted Plant List may be used for landscaping as accent plantings but shall be limited to borders, entryways, flower-beds, and other similar locations to provide accent to the overall native or adapted landscape design.
- K. The following exterior lighting standards shall apply:
1. Exterior lights shall not blink, flash or change intensity. String lights, building or roofline tube lighting, reflective or luminescent wall surfaces are prohibited.
 2. Exterior lighting shall not be attached to trees except for Christmas season.
 3. Parking lot, walkway, and building lights shall be directed downward.
 4. Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 22 of the Code.
 5. Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.
 6. The commercial operation of searchlights for advertising or any other purpose is prohibited. Seasonal lighting displays and lighting for special events which conflict with other provisions of this section may be permitted on a temporary basis.
- L. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 a.m. and 6:30 p.m.
- M. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.
- N. No trees shall be removed or trimmed without prior TRPA written approval unless otherwise specifically exempted under Chapter 4 of the Code of Ordinances.

- O. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.
- P. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.
- Q. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TPRA, shall be incorporated into the project permit at that time.
- R. It is the permittee's obligation to locate all subsurface facilities and/or utilities prior to any grading, dredging or other subsurface activity. The permittee is responsible for contacting the Northern Underground Service Alert (USA, usually known as USA DIGS 1-800-227-2600) prior to commencement of any activity on the site.
- S. The permittee agrees to indemnify, defend, hold harmless, TRPA, its Governing Board, its Planning Commission, its agents, and employees from and against any and all loss, damage, injury, liability, and claims thereof, for actions arising directly, or indirectly, from issuance or implementation, of this permit.
- T. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval or take other appropriate action.

SURETY

ACKNOWLEDGMENT

State of _____

County of _____

On _____ before me, _____,
(here insert name and title of the officer)

personally appeared _____

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)