

MEMORANDUM OF UNDERSTANDING

Comprehensive Transportation Coordination and Corridor Planning for the Lake Tahoe Bi-State Region

This memorandum of understanding (MOU), entered into and effective this _____ day of _____, 2018, by and between the states of California and Nevada, the Tahoe Regional Planning Agency, Tahoe Transportation District, Placer County, El Dorado County, Washoe County, Douglas County, City of South Lake Tahoe, Tahoe City Public Utility District, North Tahoe Public Utility District, and United States Forest Service Lake Tahoe Basin Management Unit, collectively referred to as “the Parties,” establishes a planning and coordination process to effectuate corridor planning and general coordination in the Lake Tahoe Region.

CHAPTER 1: PURPOSE OF AGREEMENT

- 1.1 **Address visitor travel impacts** – The parties recognize and acknowledge the need to address growing pressures from increased visitation travel to and throughout the Lake Tahoe Region. Increasing growth in Northern California and Nevada are impacting mobility, experience, and environmental values of the Lake Tahoe area. Recreation travel is a focus of this multi-agency coordination agreement to improve mobility and recreation access, and resource management.
- 1.2 **Coordinate across jurisdictions on planning and implementation** – The parties endorse a coordinated planning and implementation process that involves the active participation of multiple partners to establish policy alignment and delivery of comprehensive projects and corridor-scale improvements. The Linking Tahoe: Corridor Connection Plan establishes a tiered planning framework to develop specific corridor management plans that provide efficient project implementation at an individual corridor level. The parties will incorporate corridor or sub-corridor level planning within their respective processes to maximize regional alignment and efficient project delivery that can often cross jurisdictions.
- 1.3 **Agreement of the Parties** – The parties agree to coordinate, as needed, with multi-agencies to address the complex transportation and recreation management needs in the Lake Tahoe Region. The parties agree to work cooperatively and resolve conflicts needed to endorse and/or approve appropriate corridor management plans, safety plans, and joint policy approaches to cooperatively achieve implementation targets. The parties agree to acknowledge and jointly address policy incongruencies and inconsistencies, and barriers to implementation including, but not limited to, roadway and trail design characteristics, right-of-way easements, recreation management, resource protection and maintenance.

CHAPTER 2: ROLES AND RESPONSIBILITIES

- 2.1 **State of California** – The State of California has multiple agencies involved in Lake Tahoe. The Department of Natural Resources oversees state environmental restoration efforts and State Parks Sierra District operations at Lake Tahoe. California State Transportation Agency (CalSTA) and California Department of Transportation (Caltrans) are responsible for the operation, maintenance, and improvement of the state highway system and provide oversight of state and regional transportation planning and funding programs. California Highway Patrol (CHP) provides uniform traffic law enforcement and efficient transportation of people and goods.
- 2.2 **State of Nevada** – The State of Nevada has multiple agencies involved in Lake Tahoe. The Department of Conservation and Natural Resources oversees state environmental restoration efforts, administers Lake Tahoe funding programs, and directs the Division of State Lands and

State Park operations at Lake Tahoe. Nevada Department of Transportation (NDOT) operates and maintains the state highway system and provides oversight of state and regional transportation planning and funding programs. Nevada Highway Patrol (NHP) provides law enforcement traffic services to the motoring public.

- 2.3 **Tahoe Regional Planning Agency** – The Tahoe Regional Planning Agency (TRPA) created by the Tahoe Regional Planning Compact (PL 96-551) provides regional development and environmental protection oversight of the Lake Tahoe watershed. TRPA is also the metropolitan planning organization (MPO) for the Tahoe Region and is charged with regional transportation planning and transportation funding responsibilities. TRPA develops and maintains a Regional Transportation Plan (RTP) and an implementing Transportation Improvement Plan laying out a long-term vision for the evolution of the regional transportation system. TRPA also reviews and approves plans, programs, projects and administers regional transportation grants and funding.
- 2.4 **Tahoe Transportation District** – The Tahoe Transportation District (TTD) created by Article IX of the Tahoe Regional Planning Compact is a bi-state special district with authority to implement (own, operate, and build) public transit and transportation facilities consistent with the compact and the regional goals and policies of the regional plan. TTD currently operates the South Lake Tahoe public transit service serving the south Lake Tahoe area and connecting communities outside of Tahoe in Douglas County and Carson City, and seasonal summer service. TTD has its own funding authority and can own and operate facilities outside of the Tahoe region for purposes of connecting the region with outlying communities. As an implementing entity TTD develops plans for projects, transit, and corridors to meet Tahoe's intra and inter regional system needs.
- 2.5 **US Forest Service – Lake Tahoe Basin Management Unit** – The Lake Tahoe Basin Management Unit Forest Service is responsible for access to National Forest System lands in the Lake Tahoe Basin. This responsibility includes access for recreation purposes and the transportation system connecting to these recreation resources.
- 2.6 **Implementation Partners** – Multiple partner agencies are responsible for designing, building, and maintaining transportation and recreation facilities. Corridor planning relies on robust partnership and coordinated implementation. In addition to the parties specified above, the following parties are also responsible for participating in the development of corridor management plans and delivering identified improvements as applicable:
- Placer County
 - Washoe County
 - Tahoe City Public Utility District
 - North Tahoe Public Utility District
 - Local & State Law Enforcement
 - El Dorado County
 - Douglas County
 - City of South Lake Tahoe
 - Incline Village General Improvement District

CHAPTER 3: THE PLANNING AND COORDINATION PROCESS

- 3.1 **Planning and Implementation Alignment** – The parties understand that regional coordination, alignment, and implementation must occur at multiple scales (regional, corridor, and local) and must consider each entity's authority, planning policies, and project delivery systems to be efficient. Examples of partner considerations that must be balanced or acknowledged include:

supporting resource protection, managing access, fostering stewardship, improving mobility, land use decisions, among others. Coordinating planning at the regional, corridor, sub-corridor and project level, the parties will improve the link between regional policy and localized improvements.

Regional:

- a. *Regional Transportation Plan*—The most general level of transportation planning, developed and maintained by TRPA, establishes long-term transportation goals and policies and a regional blueprint for implementation.
- b. *Forest Plan* – The U.S. Forest Service Lake Tahoe Basin Management Unit develops and maintains a Forest Plan that establishes management policy for its lands in the Lake Tahoe Basin. This includes forest health, recreation management, and access management policy for federal lands.

Corridor Scale:

- c. *Linking Tahoe: Corridor Connection Plan*—Tahoe Transportation District’s 2017 Plan identifies high-priority transportation corridors at Lake Tahoe and corridor-scale implementation concepts to carry out the goals and policies of the Regional Transportation Plan. The Corridor Connection Plan implementation concepts will guide the collaborative and coordinated development among the parties of more specific Corridor Management Plans.
 - *Corridor Management Plans*—Are initiated by a lead agency to be developed by a partnership process led by a steering committee to identify specific transportation and recreation management projects and implementation strategies that support the regional transportation plan. The lead agency responsible for the development of individual corridor management plans may vary, the cooperating parties may vary, and the roles and responsibilities of the parties may be different and require various levels of agency decision making. These variables will be addressed in more detail by each corridor management plan’s chartering and agreement process which may include chartering of project development teams and steering committees to assure consistency and alignment among multiple agencies plans, objectives, and outcomes.

Local/Project Scale:

- d. *Project Development*- Project sponsors will design and construct projects and implement strategies identified in corridor management plans or other partner’s planning documents (CA & NV Parks Master Plans, Local Area Plans, Transit Plans, Capital Improvement Programs, etc.) that have been vetted with appropriate partners.

CHAPTER 4: CORRIDOR PLANNING FRAMEWORK

- 4.1 **Cooperation and Coordination** – The parties commit to providing the necessary coordination and cooperation to support successful coordinated planning and implementation as specified in Section 3.1 above and to entering into additional agreements as may be necessary and

appropriate to implement this provision. It is expected each party will integrate and utilize the data and products from the Linking Tahoe: Corridor Connection Plan, as may be updated, and associated corridor management plans in its respective planning and project delivery process, existing and future.

4.2 **Planning/Development Process** – The parties acknowledge corridor management planning and development will include the following:

- a. **Project Development Team** – These teams will provide technical support and partner representation to develop corridor management plans. The teams will include but not be limited to, staff from land management agencies, transportation agencies, land use planning agencies, transit providers, and representatives from the private sector.
- b. **Steering Committee** – This committee will include representatives from primary funding agencies and lead agencies to provide guidance on the development of corridor management plans and manage consultants and overall project budgets and schedules. Following the initial completion of the corridor management plan, the Steering Committee will be the ongoing venue to bring forward implementation issues, necessary maintenance agreements, and initiate the CMP amendment process as the corridor evolves.
- c. **Partner Agency Executives** – Will authorize agency resources and commitments, assist with conflict resolution as necessary, and articulate agency priorities for each corridor management plan.

4.3 **Formal Public Participation** – To promote transparency and the open involvement of a broad variety of stakeholders, the corridor planning process will be conducted in an open manner so members of the public, civic groups, interest groups, businesses, disadvantaged communities, and other agencies can fully participate. The steering committee will take appropriate actions to ensure public participation through such formal means as:

- a. Establishing a public stakeholder group to solicit feedback,
- b. Inclusive outreach targeting the traditionally underserved public (e.g., minorities, senior citizens, low income citizens, and Native Americans), and
- c. Creation or use of standing advisory committees.

4.4 **Final Approvals and Acceptance Process** – Draft and final corridor management plans must be formally reviewed and adopted to ensure coordination, alignment, and implementation effectiveness. The following formal consultations and actions are the minimum required to include identified projects in TRPA's Regional transportation funding document, the Federal Transportation Improvement Program (FTIP):

- a. Formal consultation with affected local governments
- b. TTD Board of Directors review, approval, and incorporation of corridor management plans into the Linking Tahoe: Corridor Connection Plan.
- c. TRPA Governing Board review, approval, and incorporation of corridor management plans into the Regional Transportation Plan, and project authorizations for inclusion in FTIP.
- d. Review and acceptance by other potential parties requiring formal corridor management plan action:

- 1) U.S. Forest Service Lake Tahoe Basin Management Unit
- 2) Caltrans and Nevada Department of Transportation
- 3) California and Nevada State Parks
- 4) Local Governments
- 5) Other identified entities as necessary

- 4.5 **Policy Incongruencies and Alignment** - Policy and planning inconsistencies and differing policy and planning interpretations will likely come forward during coordination efforts that could lead to delays or inconsistent policy application. The parties agree to work on mutually beneficial solutions in a timely manner and to employ dispute resolution processes as necessary. The parties agree to make best efforts, through dispute resolution as needed and as specified below, to arrive at common understandings and policy alignment to achieve more efficient planning and project delivery. Examples of incongruencies that now and in the future may continue to require actions and agreements to align policies, plans and approaches to date include: context sensitive roadway design characteristics, property easement processes, parking/user fee collection, and maintenance, among other policy areas.

CHAPTER 5: DISPUTE RESOLUTION

- 5.1 **Alignment** –Issues and disputes may arise during the planning and implementation process and should be resolved at the lowest possible level but may need to be elevated to the Agency executive level. Policy conflicts and implementation obstacles will be elevated after reasonable measures have been exhausted and at the earliest opportunity to prevent undue delay. Agency executives of the undersigned parties will set forth conflict resolution expectations, use best efforts to find cooperative and mutually beneficial solutions and common ground, and will resolve policy conflicts to the greatest extent practicable.
- 5.2 **Principles** – All parties are committed to developing solutions or recommendations to resolve any conflicts that may arise during planning and implementation according to the following resolution principles:
1. Identify policy barriers and implementation issues up front
 2. Focus on common goals
 3. Accept differences of opinion
 4. Find creative solutions to conflicts
 5. Resolve conflicts in the most expeditious manner possible

IN WITNESS WHEREOF the Parties hereto have caused this **Comprehensive Transportation Coordination and Corridor Planning for the Lake Tahoe Bi-State Region** Memorandum of Understanding to be executed by their respective officers duly authorized.

John Laird, Secretary of Natural Resources
State of California

Date

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Bradley Crowell, Director
Department of Conservation and Natural Resources
State of Nevada

Date

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Joanne S. Marchetta, Executive Director,
Tahoe Regional Planning Agency

Date

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Carl Hasty, District Manager,
Tahoe Transportation District

Date

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Jeff Marsolais, Forest Supervisor,
US Forest Service – Lake Tahoe Basin Management Unit

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Brian Annis, Transportation Secretary
California State Transportation Agency

Date

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Amarjeet S. Benipal, Director District 3
California Department of Transportation

Date

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Rudy Malfabon, P.E., Director
Nevada Department of Transportation

Date

Approved as to Legality and Form:

Deputy Attorney General

Date

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Matt Green, Acting Sierra District Superintendent
California Department of Parks and Recreation

Date

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Eric Johnson, Administrator
Nevada State Parks

Date

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Todd Leopold, CEO
Placer County

Date

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Don Ashton, CAO
El Dorado County

Date

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John Slaughter, County Manager
Washoe County

Date

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Jenifer Davidson, Interim County Manager
Douglas County

Date

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Dirk Brazil, Interim City Manager
City of South Lake Tahoe

Date

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Sean Barclay, General Manager
Tahoe City Public Utility District

Date

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Brad Johnson, General Manager/CEO
North Tahoe Public Utility District

Date