



FS Agreement No. \_\_\_\_\_

Cooperator Agreement No. \_\_\_\_\_

## MEMORANDUM OF UNDERSTANDING

Between

County of El Dorado

and

USDA, Forest Service, Eldorado National Forest And  
Lake Tahoe Basin Management Unit

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between County of El Dorado hereinafter referred to as “El Dorado County” or “Cooperator,” and the United States Department of Agriculture (USDA), Forest Service, Eldorado National Forest and Lake Tahoe Basin Management Unit, hereinafter referred to as the “U.S. Forest Service.” The entities listed above may collectively be referred to as the “Parties” to this MOU.

Background: To date, the U.S. Forest Service has not had a formal agreement with El Dorado County regarding building codes, permitting etc. regarding federal administrative (owned) and permitted buildings on public lands administered by U.S. Forest Service within El Dorado County. The Caldor Fire of 2021 destroyed 175 U.S. Forest Service permitted recreation residences and several administrative structures and has highlighted the importance of establishing this agreement.

Title: Determination of Applicable Building Codes Regarding Structures and Buildings Located on U.S. Forest Service Lands Within El Dorado County.

**I. PURPOSE:** The purpose of this MOU is to document the cooperation between the Parties to utilize the International Residential Code (IRC) (latest version) with mutually agreed upon amendments (Appendix A) and by mutual agreement other applicable building codes as deemed necessary for buildings located on U.S. Forest Service lands within El Dorado County in accordance with the following provisions.

### **II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:**

The U.S. Forest Service has federal rules, regulations, and policies that are adhered to for construction, reconstruction, remodel, and design and development for buildings. El Dorado County has building plan and associated building codes review expertise regarding buildings within their jurisdiction. This MOU will ensure consistency and reasonable standard approach that will encourage a common understanding of applicable building codes



In consideration of the above premises, the Parties agree as follows:

### III. EL DORADO COUNTY SHALL:

- A. The El Dorado County Building Permit Department will review all building plans and recommend approval for IRC compliance (including fire codes) with the exception of mutually agreed upon exempted IRC chapters as outlined in attachment, conduct periodic building inspections, issue occupancy permits. El Dorado County will charge appropriate fees as necessary.
- B. The El Dorado County Environmental Management Department will review and recommend approval of all potable water and wastewater plans for compliance with El Dorado Ordinance Code Chapter 8.39 "Well Construction and Water Supply Standards" and Chapter 110.32 "Onsite Wastewater Treatment Systems". The El Dorado County Environmental Management Department will charge appropriate fees as necessary.

### IV. THE FOREST SERVICE SHALL:

- A. The U.S Forest Service will conduct initial review and approval of conceptual plan for permitted buildings prior to forwarding to El Dorado County for review either by the permittee or the U.S Forest Service as applicable. The U.S. Forest Service shall provide final review and approval for construction in order to assure compliance with the IRC and applicable federal requirements

### V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

- A. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

#### **Principal Cooperator Contacts:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Name: Don Knight Address: 2850 Fairlane Court City, State, Zip: Placerville, CA 95667 Telephone: 530-621-6563 FAX: Email: don.knight@edcgov.us	Name: Planning and Building Admin Address: 2850 Fairlane Court City, State, Zip: Placerville, CA 95667 Telephone: 530-621-5355 FAX: Email: pnb.admin@edcgov.us



**Principal U.S. Forest Service Contacts:**

<b>Forest Service Program Manager Contact – Eldorado NF</b>	<b>Forest Service Administrative Contact</b>
Name: Rocio Espinoza Address: 100 Forni Road City, State, Zip: Placerville, CA 95667 Telephone: 530-621-5245 FAX: Email: rocio.espinoza@usda.gov	Name: Address: City, State, Zip: Telephone: FAX: Email:

<b>Forest Service Program Manager Contact- Lake Tahoe Basin MU</b>	<b>Forest Service Administrative Contact</b>
Name: Michael Alexander Address: 35 College Drive City, State, Zip: South Lake Tahoe, CA 96150 Telephone: 530-543-2864 FAX: Email: michael.alexander@usda.gov	Name: Address: City, State, Zip: Telephone: FAX: Email:

- B. NOTICES. Any communications affecting the operations covered by this MOU given by the U.S. Forest Service or El Dorado County is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the MOU.

To El Dorado County, at the address specified in Article V of this MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- C. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the U.S. Forest Service or El Dorado County from participating in similar activities with other public or private agencies, organizations, and individuals.
- D. ENDORSEMENT. Any of El Dorado County's contributions made under this MOU do not by direct reference or implication convey U.S. Forest Service endorsement of El Dorado County's products or activities.
- E. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity. The Parties shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purpose(s) of this MOU. Nothing in this MOU authorizes any of the Parties to obligate or transfer anything of value.



Specific, prospective projects or activities that involve the transfer of funds, services, or property to a Party require the execution of separate agreements and are contingent upon numerous factors, including, as applicable, but not limited to: agency availability of appropriated funds and other resources; cooperator availability of funds and other resources; agency and cooperator administrative and legal requirements (including agency authorization by statute); etc. This MOU neither provides, nor meets these criteria. If the Parties elect to enter into an obligation agreement that involves the transfer of funds, services, property, and/or anything of value to a Party, then the applicable criteria must be met.

Additionally, under a prospective agreement, each Party operates under its own laws, regulations, and/or policies, and any U.S. Forest Service obligation is subject to the availability of appropriated funds and other resources. The negotiation, execution, and administration of these prospective agreements must comply with all applicable law.

Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.

- F. USE OF FOREST SERVICE INSIGNIA. In order for El Dorado County to use the U.S. Forest Service insignia on any published media, such as a web page, printed publication, or audiovisual production, permission must be granted from the U.S. Forest Service's Office of Communications. A written request must be submitted and approval granted in writing by the U.S. Forest Service's Office of Communications (Washington Office) prior to use of the insignia.
- G. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no U.S. member of, or U.S. delegate to, Congress shall be admitted to any share or part of this MOU, or benefits that may arise therefrom, either directly or indirectly.
- H. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).
- I. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.



- J. TRIBAL EMPLOYMENT RIGHTS ORDINANCE (TERO). The U.S. Forest Service recognizes and honors the applicability of the Tribal laws and ordinances developed under the authority of the Indian Self-Determination and Educational Assistance Act of 1975 (PL 93-638).
- K. PUBLIC NOTICES. It is the U.S. Forest Service's policy to inform the public as fully as possible of its programs and activities. El Dorado County is/are encouraged to give public notice of the receipt of this MOU and, from time to time, to announce progress and accomplishments. Press releases or other public notices should include a statement substantially as follows:  
" of the Forest Service, Department of Agriculture, ."
- El Dorado may call on the U.S. Forest Service's Office of Communications for advice regarding public notices. El Dorado County is/are requested to provide copies of notices or announcements to the U.S. Forest Service Program Manager and to the U.S. Forest Service's Office of Communications as far in advance of release as possible.
- L. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS AND ELECTRONIC MEDIA. El Dorado County shall acknowledge U.S. Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this MOU.
- M. TERMINATION. Any of the Parties, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.
- N. DEBARMENT AND SUSPENSION. El Dorado County shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the Federal government according to the terms of 2 CFR Part 180. Additionally, should El Dorado County or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.
- O. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the Parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least thirty (30) days prior to implementation of the requested change.
- P. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through May 31, 2035 at which time it will expire.
- Q. AUTHORIZED REPRESENTATIVES. By signature below, each Party certifies that the individuals listed in this document as representatives of the individual Parties are authorized to act in their respective areas for matters related to this MOU.



Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

FS-1500-15 (VER. 05/24)  
OMB No. 0596-0217  
EXP: 05/31/2027

In witness whereof, the Parties hereto have executed this MOU as of the last date written below.

TIFFANY SCHMID, Chief Administrative Officer  
County of El Dorado

05/19/25

Date

DAVID FOURNIER

Digitally signed by DAVID  
FOURNIER

Date: 2025.05.09 12:25:45 -07'00'

DAVID FOURNIER, Forest Supervisor  
Forest Service,  
Eldorado National Forest

Date

ERICK WALKER

Digitally signed by ERICK  
WALKER

Date: 2025.05.12 08:15:05 -07'00'

ERICK J. WALKER, Forest Supervisor  
Forest Service,  
Lake Tahoe Basin Management Unit

Date



#### Paperwork Reduction Act Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond, to a collection of information unless it displays a valid OMB control number. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The OMB control number for this information collection is 0596-0217. Response to this collection of information is mandatory. The authority to collect the information Section 7 of the Granger-Thye Act (16 U.S.C. 580d) and Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751-1753). The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Department of Agriculture, Clearance Officer, OIRM, 1400 Independence Avenue, SW, Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB# 0596-0217), 725 17th Street NW, Washington, D.C. 20503.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.

The Privacy Act of 1974, 5 U.S.C. 552a and the Freedom of Information Act, 5 U.S.C. 552 govern the confidentiality to be provided for information received by the Forest Service.

## **Attachment A**

### **Memorandum of Understanding Determination of applicable Building Codes regarding Buildings located on USFS Lands within El Dorado County**

#### **International Building Code amendments:**

##### **Replace R105.3.2 Time Limitation of Application. With**

Applications for which no permit is issued within one year following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new application fee. Extension of the application may only be granted if a delay is caused by a governmental agency and only for the amount of time the application was delayed by that agency. The Building Official shall notify applicants of the one-year life of the application by placing this information on the application.

Expiration of time limits shall be by operation of law and failure of the County to give additional notice of expiration shall not affect the applicability of these provisions. All permit application extensions shall be reviewed by all applicable departments and agencies for fee assessment.

##### **Replace R105.5 Expiration. With**

Every permit issued by the Building Official under provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not completed, with a final inspection approval and a certificate of occupancy, where required by the building code, within two years from date of issuance.

The two-year permit may be renewed two times only for a period of one year each provided that the permittee has acted in good faith to diligently pursue construction prior to the permit expiration date and pays the appropriate renewal fee. Proof of diligently pursued construction shall consist of regularly requested inspections and their approvals. Expiration of time limits shall be by operation of law and failure of El Dorado County to give notice of expiration shall not affect the applicability of these provisions. Extension of the permit may only be granted if a delay is caused by a governmental agency and only for time the application was delayed by that agency.

Expired permit. A building permit which has expired may be renewed within 30 days of the expiration date by the Building Official, provided that the permittee has acted in good faith to



diligently pursue construction prior to the permit expiration date and pays the appropriate renewal fee. Proof of diligently pursued construction shall consist of regularly requested inspections and their approvals. The life of the renewed permit shall be one year, and the time shall start from the same day and month that the permit was originally issued and the year that it is required to be renewed. When a permit is renewed, it shall remain subject to those building standards codes in effect at the time of application of the original permit.

Permits which have expired by limitation and which have not obtained valid renewal as set forth above shall require the issuance of a new building permit. Work not previously approved is subject to review for compliance to current building standards codes.

#### **Amend R109.1.1 to add**

Prior to the approval of the foundation inspection, the permittee shall provide sufficient information to the Building Official for verification of compliance with setback requirements. This shall be done using one of the following methods:

- i) Placement of intervisible property corners by appropriately licensed persons; or
- ii) Placement of intervisible property line stakes by appropriately licensed persons; or
- iii) Submitting a certificate stamped and signed by an appropriately licensed person indicating the actual setback distances and verifying that the foundation as formed meet County setback requirements.

Before the foundation inspection can be approved, the access road encroachment subgrade and driveway rough grade must be inspected and approved by the County as having met the approved grading plan and encroachment permit requirements.

#### **Amend R301.2.3 Snow Loads**

Replace 70 pounds per square foot with 50 pounds per square foot.

**Remove Section 303.10 Required heating.**

**Remove Section R313 Automatic Fire Sprinkler Systems**

#### **Amend R902.1 Roof coverings:**

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure and any roof covering applied in the alteration, repair or replacement of the roof of

every existing structure shall be a fire-retardant roof covering that is at least Class A for all residential occupancies and Class B for all commercial, industrial and public assembly buildings.

Where, in any specific case, different sections of applicable codes specify different materials, methods of construction, or other requirements, the most restrictive provisions shall govern.

**Remove all of chapter 11 (energy efficiency)**

except for the following, N1103 Systems & N1104. Exclude N1103.3.5 & 1103.6.3 (ducting testing and whole testing).

If a non-renewable fuel is used for heating, Table 1 Minimum Building Energy Efficiencies shall apply.

Table 1 Minimum Building Energy Efficiencies	
Component	
Basement Walls	10 continuous insulation
Underfloor	R-19
Walls	R-13
Ceiling	R-30
Window U-factor	.30
Window SHGC	.40
Building Envelope	Continuous air barrier
Open combustion air ducts provide combustions air to open combustion fuel-burning appliances, the combustion air opening shall be located outside the building.	

**Amend to add M1301.3**

*Facilities in snow-load areas.* This subsection shall apply in snow-load areas of 100 pounds or more, to all new liquefied petroleum gas (LPG) installations and to existing installations when LPG service is reconnected after an unscheduled service interruption.

- 1.Two stage regulator systems shall be installed on all LPG installations.
- 2.The first stage regulator shall be installed under the hinged gauge cover supplied with the tank. The atmospheric pressure aperture of the regulator shall be pointed downward. The first stage regulator shall be plumbed to the riser of the yard piping with soft copper tubing to allow flexibility should tank shifting occur. The riser from the yard piping shall be located not more than 12 inches (horizontally) from the walls of the tank.
- 3.The second stage regulator and riser pipe shall be installed under the eave of the building, as close as practicable to the building wall. This riser shall be securely supported/braced to the

wall approximately ten inches below the regulator so as to prevent bending of the pipe by lateral snow/ice loads.

4.A protective cover, approved by the gas supplier and Building Official, shall be installed over the second stage regulator and securely supported to the ground or diagonally to the building wall.

5.The riser pipes for the yard piping shall not be imbedded in concrete. Concrete placed around such riser shall be held back at least one inch from all sides of the pipe.

6.At the time of application for any building permit, which involves the installation of a LPG system, the applicant shall submit a LPG system plot plan in three copies. The LPG plot plan shall include, but not be limited to, the tank location, proposed tank capacity in U.S. gallons, route of yard piping, location of the riser pipe at the building, property boundaries, an outline of all existing/proposed buildings on the lot and a depiction of the ridge line of any building to be supplied with LPG. The third copy of this LPG plot plan may be forwarded to the appropriate fire district to serve as a locator map in event of an emergency.

7.Location of the centerline of LPG tanks shall be permanently marked by the use of snow stakes, one at each end. Such stakes shall be of sufficient height to be visible through anticipated maximum snow depth at the respective location. Installation and maintenance of these snow stakes is the responsibility of the LPG user.

8.Propane piping, appliances and accessories shall not be permitted in any new installation below the first-floor level or below grade, whichever is most restrictive.

### **Amend Chapter 29 Water Supply and Distribution**

Comply with El Dorado Ordinance Code Chapter 8.39 "Well Construction and Water Supply Standards"

### **Amend Chapter 30 Sanitary Drainage**

Comply with El Dorado Ordinance Code Chapter 110.32 "Onsite Wastewater Treatment Systems"

The International Private Sewage Disposal Code will not be used to permit wastewater treatment systems (septic systems) on Forest Service leased properties.

### **Amend Chapter 34 Electrical**

If electrical service is provided, all requirements as delineated shall apply.