

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. _____

RESOLUTION APPROVING RIGHT OF WAY CERTIFICATION FOR THE
OAK TREE MITIGATION PROJECT
UNDER FEDERAL PROJECT NUMBER BRLS-5914(108)

WHEREAS, CEQA Mitigation Measures and California Department of Fish & Wildlife's Lake or Streambed Alteration (LSA) Agreement require replacement of oak trees which were removed as part of the replacement of Cole Creek Bridge on Soda Bay Road ; and

WHEREAS, it is required that the County of Lake certify the right of way required for oak tree mitigation project under Federal Project Number BRLS-5914(108) and submit a Right of Way Certification to the California Department of Transportation (Caltrans) in order that funds for the project may be approved; and

WHEREAS, the attached Right of Way Certification has been prepared by the County of Lake, Department of Public Works, for approval by the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Right of Way Certification for the oak tree mitigation project under Federal Project Number BRLS-5914(108), attached hereto, is approved and the Public Works Director is authorized to execute said Certification on behalf of the County of Lake; and
2. The County of Lake agrees to hold the State of California harmless for any liability which may result in the event the right of way is not clear as certified. If the State is named in litigation as a result of the right of way not being clear as certified, the County of Lake agrees that, at the request of the State, it will assume full responsibility for the conduct of the defense or provide such assistance as the State may require in connection with the defense.

This Resolution was passed by the Board of Supervisors of the County of Lake at a regular meeting thereof held on _____, 2017, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

ATTEST: Carol J. Huchingson
Clerk of the Board

Chair, Board of Supervisors

By: _____

APPROVED AS TO FORM:
Anita L. Grant
County Counsel


