



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

DECLARATION THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF EL DORADO IS EXEMPT SURPLUS LAND

WHEREAS, the California Department of Transportation (Caltrans) and the County of El Dorado (County) are authorized to enter into a cooperative agreement pursuant to California Streets and Highways Code Section 73 to build the Silva Valley Parkway Interchange Project (Project), County Capital Improvement Project number 36104002; and

WHEREAS, Cooperative Agreement No. 03-0459 (Agreement) sets forth the relinquishment of the Right-of-Way (ROW) for the operation of the Project, in order to deliver legal title portions of County's ROW to Caltrans; and

WHEREAS, the County owns certain property located on the western slope in El Dorado Hills, California, which is described in Exhibit "A", attached hereto and incorporated herein by reference (Property); and

WHEREAS, the County must comply with Government Code Sections 54220-54234, Surplus Land Act, prior to taking any action to dispose of the Property; and

WHEREAS, the Surplus Land Act requires the County to declare land as either surplus or surplus land, as defined in Government Code Section 54221 subd. (f)(1); and

WHEREAS, Government Code Section 54221 subd. (f)(1)(D) defines exempt surplus land to include land that a local agency is transferring to another local, state, or federal agency for the agency's use; and

WHEREAS, the Property will be transferred to Caltrans, a state agency, pursuant to the Agreement, and on that basis the County desires to declare the Property exempt surplus land pursuant to Government Code Section 54221 subd. (f)(1)(D); and

WHEREAS, pursuant to the Surplus Land Act Guidelines issued by the California Department of Housing and Community Development (HCD) to interpret and implement the Surplus Land Act, the County's determination that the Property is exempt surplus land must be provided to HCD for its review at least 30 days prior to disposition; and

WHEREAS, the County hereby finds that these actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by Public Resources Code Section 21065 and CEQA Guidelines Section 15378. The transferring of the Property does not have the potential of resulting in a direct physical damage to the environment or reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, BE IT RESOLVED that the County of El Dorado Board of Supervisors hereby finds that the Property is right of way for use by Caltrans and is not necessary for the County's use within the meaning of the Surplus Land Act; the County declares the Property is exempt surplus land as defined in Government Code Section 54221 subd. (f)(1)(D) of the Surplus Land Act; the County is hereby authorized and

directed to submit a copy of this Resolution to HCD in accordance with the Surplus Land Act Guidelines; and the County is hereby authorized to take any other actions necessary to effectuate the purposes of this Resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors