



RESOLUTION NO. 123-2012

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Pursuant to the Writ of Mandate signed on July 10, 2012, in the case entitled Center for Sierra Nevada Conservation v. County of El Dorado, El Dorado County Superior Court No PC 20080336, (“Writ of Mandate”), the Board hereby resolves as follows:

1. The Board hereby rescinds the actions taken on May 6, 2008, in Item 26 of the Board agenda, to approve the Initial Study/ Negative Declaration for the Oak Woodlands Management Plan (OWMP).
2. The Board further rescinds the approval of the OWMP, except that, consistent with the terms of the Writ of Mandate dated July 10, 2012, the Board retains a revised version of the Public Road and Public Utility Project Exemption found on Page 6 of the OWMP. The revised exemption, for road and utility safety projects only is as follows:

Public Road Safety Projects Exempt from Policy 7.4.4.4 Oak canopy removal necessary to construct County capital improvement projects is exempt from the canopy retention and replacement standards, when the new road alignment is dependent on the existing alignment. This exemption applies to road realignments or widenings which are necessary for public safety reasons and apply within the existing or any acquired right of way. The county will minimize impacts to oak woodlands and utilize the minimum area of the acquired right of way necessary to achieve the public safety purpose. This exemption shall also apply to removal of oak canopy which is necessary to comply with safety requirements of the Public Utilities Commission and necessary to maintain the safe operation of utility facilities.

3. The Board further, by Ordinance 4982, attached hereto, rescinds Ordinance 4771, adding Chapter 17.73 of Title 17 of the El Dorado County Ordinance Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 4th day of September, 2012 by the following vote of said Board:

Attest: Noes:
Terri Daly Absent:
Acting Clerk of the Board of Supervisors

Ayes: Santiago, Briggs, Knight, Nutting, Sweeney
Noes: None
Absent: None

By: Marcie MacFarland
Deputy Clerk

John R. Knight
Chair, Board of Supervisors
John R. Knight

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Terri Daly, Acting Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____ Date: _____
Deputy Clerk