



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Resolution to Authorize the Department of Transportation Director, or Designee, to Execute Agreements for Purchase of Mitigation Credits from Mitigation and Conservation Banks

WHEREAS, the County of El Dorado Department of Transportation (Department) intends to pursue improvements, maintenance, and operations of public facilities; and

WHEREAS, the Department manages and oversees public works and Capital Improvement Program (CIP) construction projects, maintenance, and contracts for the public facilities; and

WHEREAS, it is necessary to comply with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) and obtain regulatory agency approval, which may require purchase of mitigation credits in accordance with jurisdictional policies of regulatory agencies such as, but not limited to, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers, in order to mitigate the impacts of projects associated with advancing the CIP and maintaining public facilities that may substantially affect existing protected species or habitat resources; and

WHEREAS, the aforesaid environmental laws or agencies determine whether projects will likely impact protected species or habitat such as, but not limited to, riparian, aquatic resources, or oak woodland, and may be mitigated in the form of an agreement purchasing credits from an approved mitigation or conservation bank; and

WHEREAS, these purchase agreements include standard statements, requirements, conditions, orders, and other similar nomenclature from standard forms for the majority of CIP and maintenance projects; and

WHEREAS, effective January 1, 2025, Public Contract Code section 22032 provide that public projects of \$220,000 or less may be let for contract by informal procedures; and

WHEREAS, the Department requests the Board of Supervisors delegate signatory authority limited to \$220,000 or less, to the Director, or Designee, to approve and execute mitigation and conservation agreements allowing for such agreements to be processed more efficiently, subject to prior review and approval by County Counsel.

NOW, THEREFORE, BE IT RESOLVED that the County of El Dorado Board of Supervisors hereby authorizes the Director, or Designee, to approve and execute sale of mitigation credits agreements in the amount of \$220,000 or less with various approved mitigation and conservation banks in relation to the County's Capital Improvement Program and/or maintenance projects, subject to prior review and approval of such agreements by County Counsel.

BE IT FURTHER RESOLVED that Resolution 149-2019 passed by the Board of Supervisors on September 17, 2019, is hereby terminated.

Resolution _____
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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