



# County of El Dorado

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## Legislation Text

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**File #:** 10-0648, **Version:** 3

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Department of Transportation recommending the Board rescind the original Right of Entry Indemnification and License Agreement approved on July 20, 2010 and authorize the Chair to sign the revised Right of Entry Indemnification and License Agreement with the State of California, Air Resources Board for the term of three (3) years commencing on August 1, 2010 and ending July 31, 2013 for the placement of air monitoring equipment and a trailer at the site located northeast of the El Dorado County Jail at 3111 Gold Nugget Way in Placerville. (Cont'd 9/21/10, Item 20)

Fiscal Impact/Change to Net County Cost: N/A. There is no net cost to the County General Fund associated with this agenda item.

Background: State legislation was enacted in 1988 authorizing the California Clean Air Act. The State of California Air Resources Board has utilized this location since 1996 for the purpose of air monitoring. The State of California would not sign the original agreement dated July 20, 2010, due to a change in the indemnity language and term as to comply with State laws. The Department of Transportation, Property Services has revised the agreement to be approved by both the State of California and the County of El Dorado.

Reason for Recommendation: The State of California Clean Air Act has been in effect since 1988 and the State of California Air Resources Board has utilized this site since 1996 for the monitoring of ozone and carbon monoxide to meet the pollution monitoring requirements of the State legislation. El Dorado County outside of the Lake Tahoe Basin was designated as unclassified for ozone and carbon monoxide. Areas designated as unclassified, had inadequate data to determine either attainment or non attainment status, thus requiring ambient air quality monitoring to be conducted. The Right of Entry Indemnification License Agreement shall commence on August 1, 2010 and end July 31, 2013. The utilities shall be obtained and paid for by the State of California Air Resources Board.

Action to be taken following Board approval:

- 1) Upon Board's approval and execution of Right of Entry Indemnification and License Agreement, all three originals will be returned to Property Services, Department of Transportation.
- 2) Property Services will forward to State of California Air Resources Board three originals for their execution.
- 3) Upon receipt of a fully executed original, Property Services will forward to the Board of Supervisors for their files.

Contact:

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Director of Transportation

Concurrences:

County Counsel and Risk Management

