

**RESOLUTION NO. 23-107**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN AND SUBMIT TO BUREAU OF INDIAN AFFAIRS, ON BEHALF OF MENDOCINO COUNTY, AN APPLICATION FOR RIGHT-OF-WAY OVER AND ACROSS TRIBAL LANDS FOR THE PURPOSE OF ONGOING GROUNDWATER MONITORING AT LAYTONVILLE RANCHERIA (LAYTONVILLE AREA)**

WHEREAS, the County of Mendocino (County) owns and maintains the Laytonville Landfill (Landfill), which shares a border with the Laytonville Rancheria; and

WHEREAS, the County currently performs water quality monitoring of two groundwater wells located on Laytonville Rancheria property; and

WHEREAS, by Resolution Number (No.) 22-249 (December 13, 2022), the Board of Supervisors (BOS) approved a Memorandum of Understanding (MOU) between the Cahto Tribe at the Laytonville Rancheria and the County; and

WHEREAS, the MOU requires the County to submit a right-of-way (ROW) application to the Bureau of Indian Affairs (BIA) to continue accessing the two existing groundwater monitoring wells on Laytonville Rancheria; and

WHEREAS, the ROW application process requires a resolution of the governing body of an agency to identify the representative authorized to sign and submit such application; and

WHEREAS, Department of Transportation recommends the BOS authorize the Director of Transportation to sign and submit to BIA, on behalf of the County, an application for right-of-way over and across tribal lands for the purpose of ongoing groundwater monitoring at Laytonville Rancheria.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby authorizes the Director of Transportation to sign and submit to Bureau of Indian Affairs, on behalf of Mendocino County, an application for right-of-way over and across tribal lands for the purpose of ongoing groundwater monitoring at Laytonville Rancheria

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 6<sup>th</sup> day of June, 2023, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
GLENN MCGOURTY, Chair  
Mendocino County Board of Supervisors

\_\_\_\_\_  
Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

*APPROVED AS TO FORM:*  
CHRISTIAN M. CURTIS  
County Counsel

BY: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
Deputy