

Exhibit 13-B: Right of Way Certification NEVI Project
(off the State Highway System)

NOTE: This form is intended for use on National Electric Vehicle Infrastructure Formula Program (NEVI) projects where federal funds are used and Right of Way (R/W) or rights in real property may be required.

Agency: California Energy Commission

R/W Certification No.: 1 or 2

Recipient: _____

Project ID/Project Segment: _____

Project Location (address): _____

Project Description (use description from approved NEPA environmental document):

1. Status of Required Right of Way

(Choose one of the following statements, delete the other)

No acquisition of R/W is required as all proposed work is within existing R/W

(OR)

R/W has been acquired in accordance with applicable policy and procedure covering the acquisition of real property. Recipient of the NEVI Program funding and or its subcontractors have legal and physical possession and right to enter on all lands as follows:

A. Total Number of Parcels Required: _____

1. Parcels acquired: _____

Parcel Number	Owner	Project R/W Required (choose fee, easement, temporary, or lease)	Closed of Escrow

(This table shall be completed for parcels where property rights were secured via an acquisition of land in fee or easement)

2. Parcels covered by other acquisition documents as follows: _____

Parcel Number or Location / PM	Owner	Project R/W Required	Type of Document	Effective Date	Expiration Date	Payment Terms (monthly, yearly, payment in full in advance)

(This table shall be completed for parcels of land where property rights for use were secured by lease agreement)

2. Status of Access Control

Not applicable to NEVI projects

3. Status of Affected Railroad Operating Facilities

None affected

4. Material Site(s)

None required for NEVI projects

5. Disposal Site(s)

None required for NEVI projects

6. Status of Required Utility Relocations

There are no Utility Relocations required on this project; therefore, Buy America compliance does not apply to the utility portion of the project. (The definition of "Utility Relocations" does not include installation of service connections.)

7. Right of Way Clearance

In this section, pick the applicable section and fill out the table if applicable.

There were no improvements or obstructions located within the limits of this project.

(OR)

All right of way clearance work has been completed and there are no improvements or obstructions remaining within the right of way area required for construction.

(OR)

All necessary arrangements have been made for remaining right of way clearance work to be undertaken and completed as required for proper coordination with the construction schedule as follows:

Parcel No.	Location / PM	Description	Salvable / Non-Salvable	Method of Disposal	Date Site Available to Construction

8. Airspace Agreements:

Not applicable for NEVI projects

9. Compliance with Relocation Assistance Program Requirements

Compliance was not required as there were no displacements for this project.

(OR)

The CEC has complied with the Federal Uniform Relocation Assistance and Real Property Acquisition Act, as amended. The CEC has also complied with all the steps relative to relocation advisory assistance and payments as required by applicable policies and procedures, and no person has been required to relocate without at least 90 days written notice. If residential relocation was involved, all individuals and/or families have been relocated to a decent, safe, and sanitary housing, or the CEC has made replacement housing available to the relocatees.

Types of relocation involved on this project (check all that apply):

- ☐ Personal property relocation
- ☐ Residential relocation
- ☐ Business, farm, or nonprofit relocation

Exceptions:

Occupants of residences, businesses, farms, or nonprofit organizations who have not yet moved from the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature.

Parcel No.	Location / PM (Owner) (Tenant)	Name of Occupant	Date to Vacate	Type of Occupancy

10. Cooperative Agreements

None required for NEVI projects.

11. Environmental Mitigation

None required for NEVI projects.

12. Indemnification by California Energy Commission

The California Energy Commission agrees to indemnify, defend, and hold harmless the Department of Transportation (Caltrans) from all liabilities which may result in the event the right of way for this project is not clear as certified.

13. Certification

I hereby certify the right of way on this project as conforming to 23 CFR 635.309(b) **and** (c)(1) or (c)(2) and 49 CFR Part 24. The project may be advertised with contract award being made at any time.

California Energy Commission: _____

Project ID/Project Segment: _____

By:

Authorized Agency Signature

Title

Date

"I do hereby attest I have authority to sign this document on behalf of my agency."

The undersigned Caltrans Official has reviewed this Right of Way Certification as to form and content. Based on the review of the documents submitted, the Certificate is accepted on behalf of the CEC.

Accepted as to form and content:

By: _____ Date: _____
Senior, HQ Division of Right of Way and Land Surveys