



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 4/28/2026

To: Board of Directors, Sonoma County Water Agency

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number: Grant Davis 707-547-1900, David Manning 707-547-1988

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Implementation Support for Second Russian River Biological Opinion

Recommended Action:

Authorize Sonoma County Water Agency's General Manager to execute the Fourth Amended and Restated Agreement for Biological Assessment for Second Russian River Biological Opinion with Environmental Science Associates, in substantially the form as the draft presented to this Board. The amended agreement increases the amount by \$200,000, expands the scope of work to include implementation support to comply with National Marine Fisheries Service 2025 Biological Opinion and California Department of Fish and Wildlife Incidental Take Permit, and extends the agreement term by five years for a new not-to-exceed agreement total of \$1,399,360 and end date of June 30, 2031.

Executive Summary:

In anticipation of the expiration of the 15-year 2008 Russian River Biological Opinion (BO), Sonoma County Water Agency (Sonoma Water) began working with National Marine Fisheries Service (NMFS), the United State Army Corps of Engineers (Corps), and California Department of Fish and Wildlife (CDFW) in 2021 to reinitiate consultation and develop a biological assessment (BA) for continuation of the Corps and Sonoma Water operations in the Russian River watershed (Action). This fourth amended agreement will allow Environmental Science Associates (Consultant) to continue working with Sonoma Water in ongoing consultation with NMFS and Corps to comply with the NMFS 2025 BO for Chinook salmon, coho salmon, and steelhead; support Sonoma Water in obtaining incidental take coverage under the California Endangered Species Act (CESA) for coho salmon related to management of water supply, flood control operations, and channel maintenance; and provide implementation support to comply with NMFS 2025 BO and CDFW Incidental Take Permit (ITP).

Discussion:

HISTORY OF ITEM/BACKGROUND

Three species of salmon and steelhead in the Russian River are listed as threatened or endangered under the Endangered Species Act of 1973, as amended: Central California Coast (CCC) coho salmon, CCC steelhead, and California Coastal Chinook salmon. CCC coho salmon are also listed as endangered under CESA.

On September 24, 2008, NMFS issued a BO for water supply, flood control operations, and channel maintenance conducted by the Corps, Sonoma Water, and the Mendocino County Russian River Flood Control and Water Conservation Improvement District in the Russian River watershed (2008 BO). NMFS found that the

continued water supply, flood control operations, and channel maintenance operations of the Corps and Sonoma Water are likely to jeopardize the continued existence of threatened CCC steelhead and endangered CCC coho salmon and adversely modify their critical habitats.

The 2008 BO required Sonoma Water and the Corps to implement a series of actions to minimize impacts to listed salmon species and enhance their habitats within the Russian River and its tributaries.

In anticipation of the expiration of the 15-year BO, Sonoma Water worked with NMFS, the Corps, and CDFW to reinitiate consultation and develop a BA for continuation of the Action.

Consultant entered into an agreement with Sonoma Water, dated January 1, 2021, in the amount of \$999,360, to complete a BA that could be used by both the Corps and NMFS for a new BO. Under the agreement, Consultant worked with Sonoma Water in ongoing consultation with NMFS and the Corps to develop the BO and supported Sonoma Water in obtaining incidental take coverage from NMFS and CDFW.

A first amended and restated agreement, approved by Sonoma Water's General Manager on December 29, 2023, extended the agreement by one year to December 31, 2024. The second amended and restated agreement increased the amount by \$200,000 and extended the agreement term by one year for a new not-to-exceed agreement total of \$1,199,360 and end date of December 31, 2025. Under the second amended agreement, Consultant prepared a BA that was submitted to NMFS on September 5, 2023 and continued to provide support to Sonoma Water in ongoing consultation with NMFS, Corps, and CDFW to develop the BO.

On April 29, 2025, NMFS issued the new 2025 Russian River Biological Opinion. The 2025 Biological Opinion has a 10-year term and covers the Corps' and Sonoma Water's operations and maintenance activities, including water supply, flood control, channel maintenance, and habitat restoration in the Russian River watershed.

A third amended agreement, approved by the General Manager of Sonoma Water on January 22, 2026, extended the Agreement term by six months for a new term end date of June 30, 2026 to allow Consultant to continue providing support to Sonoma Water in discussions with NMFS, Corps, and CDFW on 2025 BO implementation and related issues.

This proposed fourth amended and restated agreement increases the amount by \$200,000, expands the scope of work to include implementation support to comply with NMFS 2025 BO and CDFW ITP, and extends the agreement term by five years for a new not-to-exceed agreement total of \$1,399,360 and end date of June 30, 2031. In addition, this Fourth Amended and Restated Agreement corrects a typographical error in the Estimated Budget for Scope of Work.

This fourth amended and restated agreement supersedes all previous agreements between the parties.

Through the original agreement, the General Manager was delegated the authority to approve a written amendment to extend the term of the agreement for up to two additional years by providing written notice to the other party thirty days in advance of the term end date and by executing an agreement amendment. One extension has been used via the first amended agreement mentioned above.

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SELECTION PROCESS

Consultant was selected from a list of qualified consultants developed from a competitive selection process. Attached is a memo that explains the competitive selection process.

Consultant was selected for the subject work based on its expertise with Endangered Species Act consultations, experience with and understanding of Corps and Sonoma Water operations within the Russian River watershed, and experience with similar consultation efforts in California.

Sonoma Water may seek to amend or enter into subsequent agreement(s) with Board approval if required, relying upon this competitive selection process, after the preliminary or initial work is completed.

SERVICES TO BE PERFORMED

Under the proposed amended agreement, Consultant will continue to support consultation with NMFS, Corps, and CDFW to comply with the 2025 BO, obtain incidental take coverage under CESA, provide implementation support to comply with NMFS 2025 BO and CDFW ITP, and provide coordination and project management services.

The additional cost is \$200,000, for a new not-to-exceed agreement total of \$1,399,360. The new end date is June 30, 2031.

County of Sonoma Strategic Plan Alignment:

N/A.

Sonoma Water Strategic Plan Alignment

Goal: Environmental Stewardship

Strategy: Ensure current and future water supply reliability by complying with the Federal and State Endangered Species Acts

Action: Complete and submit to resource agencies the biological assessment for the next Russian River Biological Opinion

The work completed under this amended agreement will directly support the submission of information requested by resource agencies for development of the next Russian River BO and to obtain incidental take coverage under CESA.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

08/13/2024: Board approved General Manager to execute the Second Amended and Restated Agreement for Biological Assessment for Second Russian River Biological Opinion with Environmental Science Associates. The amended agreement increased the amount by \$200,000 and extended the agreement term by one year for a new not-to-exceed agreement total of \$1,199,360 and end date of December 31, 2025.

03/02/2021: Board approved General Manager to execute an agreement with Environmental Science

Associates for biological assessment services from January 1, 2021, through December 31, 2023, in the not-to-exceed amount of \$999,360.

04/16/2019: Board approved Design Agreement with Corps in a cost-share partnership for the development of project designs for habitat enhancement work in Dry Creek to design and construct 2.6 miles of habitat restoration in partnership with Corps.

10/03/2017: Board approved an agreement with Environmental Science Associates to provide technical support services related to the management of the Russian River Estuary in accordance with the Biological Opinion.

09/22/2009: Board approved Determination of Consistency with the California Endangered Species Act for listed coho salmon.

FISCAL SUMMARY

Expenditures	FY25-26 Adopted	FY26-27 Projected	FY27-28 Projected
Budgeted Expenses	\$200,000		
Additional Appropriation Requested			
Total Expenditures	\$200,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$200,000		
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$200,000		

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$200,000 is available from FY 2025/2026 on appropriations for the Water Planning and Restoration fund. No additional appropriation is required.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment 1: Amended Agreement with Environmental Science Associates

Attachment 2: Competitive Selection Process Memo

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Related Items “On File” with the Clerk of the Board:

None.