



SUMMARY REPORT

Agenda Date: 4/22/2025

To: Board of Directors, Sonoma County Water Agency, Occidental County Sanitation District, Russian River County Sanitation District, Sonoma Valley County Sanitation District, South Park County Sanitation District

Department or Agency Name(s): Sonoma County Water Agency, Occidental County Sanitation District, Russian River County Sanitation District, Sonoma Valley County Sanitation District, South Park County Sanitation District

Staff Name and Phone Number: Sharina Arevalos 707-322-4854

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Santa Rosa Plain Wells Easement Acquisitions; Delegation of Authority to the General Manager to Acquire Easement Rights

Recommended Action:

- A) Authorize Sonoma County Water Agency's (Sonoma Water) General Manager to negotiate and execute agreements to acquire the property rights needed for the Occidental Road Well Project, valued at no more than \$15,000 total, in substantially the form as the draft presented to this Board, and to execute such other documents and take other actions as necessary to complete the transactions. (Fifth District)
- B) Authorize Sonoma Water's General Manager to offer property owner up to \$5,000 for the Occidental Road Well Project for an independent appraisal pursuant to California Code of Civil Procedure section 1263.025. (Fifth District)
- C) Authorize Sonoma Water's General Manager to negotiate and execute agreements with the City of Santa Rosa to acquire the property rights needed for the Sebastopol Road Well Project, in substantially the form as the draft presented to this Board, and to execute such other documents and take other actions as necessary to complete the transactions. (Fifth District)
- D) Adopt a resolution delegating authority to the General Manager to negotiate and execute agreements, in a form approved by County Counsel, and pay compensation to property owners when necessary for Sonoma Water and Sanitation Districts to access property, facilities, or infrastructure in amounts not to exceed the fair market value identified by appraisal or waiver valuation, unless a settlement amount is justified by the particular circumstances as determined by the General Manager in consultation by County Counsel, not to exceed \$50,000 per acquisition. (All Districts).

Executive Summary:

Sonoma Water owns and operates three ground water wells within the Santa Rosa plain and is currently constructing updates at two of the well sites as part of a drought resiliency project. Sonoma Water has determined the necessity for additional permanent access rights to these two well properties and facilities located at:

- 1) Occidental Road in Santa Rosa, APN 060-010-026 (The Balletto 2001 Family Trust).
- 2) Sebastopol Road Well Site on Highway 12 in Santa Rosa, APN 060-060-059 & 060-060-064 (City of Santa

Rosa).

This item requests authorization associated with Sonoma Water's acquisition of these access rights.

Additionally, and more broadly, Sonoma Water owns and operates water supply and transmission facilities (ground water wells, underground water transmission pipelines, storage and pumping facilities, and appurtenances), sanitation facilities, and flood control facilities, along with other properties, and often requires access to its properties and facilities across properties owned by others. This item also requests delegated authority for the General Manager to execute easement agreements and to compensate property owners for rights needed to access and maintain Sonoma Water or Sanitation District owned property, with compensation amount based on fair market value and not to exceed \$50,000 for each acquisition.

Discussion:

HISTORY OF ITEM/BACKGROUND

On March 5, 2021, the Secretary of the United States Department of Agriculture designated 50 California counties, including Sonoma County, as natural disaster areas due to drought. On April 21, 2021, Governor Newsom visited Lake Mendocino and proclaimed a state of emergency in Sonoma and Mendocino counties due to drought conditions in the Russian River Watershed. On April 27, 2021, the Board of Supervisors for the County of Sonoma proclaimed a local emergency for the Sonoma County Operational Area due to drought conditions.

In response to the drought conditions and the Board's declaration, Sonoma Water began to rehabilitate existing wells in the Santa Rosa Plain that are owned and operated by Sonoma Water to mitigate the emergency drought conditions. The Sebastopol Road Well and Occidental Road Well are two of the projects started during drought conditions. On December 22, 2021, Sonoma Water was awarded funding under the California Department of Water Resources (DWR) Urban and Multibenefit Drought Relief Grant Program. Grant funding deliverables include the requirement for permanent easements to access and maintain the well sites.

Site 1:

Sonoma Water owns parcel APN 060-010-026 on Occidental Rd. Sonoma Water has a license agreement for the purposes of access and maintenance through the neighboring property APN 060-010-040 as a temporary measure. In compliance with the grant funding, Sonoma Water will acquire a permanent easement over this property owned by The Balletto 2001 Family Trust.

Site 2:

Sonoma Water owns parcel APN 060-060-063 on Sebastopol Road/Highway 12. Sonoma Water will acquire an easement over portions of the adjacent parcel APN 060-060-059 owned by City of Santa Rosa (City) for the purposes of access, maintenance, and discharging water into City's recycled water line. Sonoma Water and the City have mutually agreed to grant easements of nominal value between parties for similar projects without consideration to assist in processing the conveyance of property rights needed for one another's projects.

Additionally, as a cost and time-saving administrative measure, Sonoma Water is requesting delegated authority for the General Manager to negotiate easement agreements with property owners as needed to access Sonoma Water or Sanitation District property. For example, from time to time, Sonoma Water and

Sanitation District-owned property, facilities, and infrastructure are “landlocked,” meaning access to these facilities has been cut off by development or other circumstances. Informal permissive use or prescriptive rights may be used by utility owners to access infrastructure in certain situations, but it is preferable for all parties to document these rights with a written agreement. Sonoma Water owns hundreds of miles of pipeline and delegating this authority would significantly reduce Sonoma Water’s and District’s costs and thereby benefit Sonoma Water’s water contractors and ratepayers as the administrative cost of obtaining each authorization and approval from the Board of Directors is costly to process.

As an efficiency measure to help avoid the delay of projects, Sonoma Water is requesting delegated authority for the General Manager to negotiate and execute easement agreements needed to access its property and to compensate property owners based on market value. Compensation to property owners may include a settlement amount when justified. Compensation to any property owner for an easement agreement under this delegated authority shall not exceed \$50,000. Funding of this agreement will be provided under varying budget appropriations for the respective projects for which services are provided.

California Environmental Quality Act

Sonoma Water’s General Manager has determined that the project is exempt from the California Environmental Quality Act (CEQA). The project is statutorily exempt under Statute 21080(b)(4) and State CEQA Guidelines Section 15269(b)(c), which provide that specific actions necessary to prevent or mitigate an emergency are exempt from CEQA; categorically exempt from CEQA under State CEQA Guidelines Sections 15301(b)(f) and 15304(f). The project is exempt under Governor Newsom's Executive Order N-7-22, issued on March 28, 2022, which suspends CEQA for certain drought-related projects, including drought mitigation projects such as the Santa Rosa Plain wells project. A Notice of Exemption was filed for the Occidental Road Well Site on January 30, 2023, and Notice of Exemptions were filed for the Sebastopol Road Well Site on March 11, 2022, and January 30, 2023.

County of Sonoma Strategic Plan:

N/A

Sonoma Water Strategic Plan Alignment:

Water Supply and Transmission System

Goal: 2. Planning and Infrastructure - Implement comprehensive, integrated, and innovative infrastructure planning to strengthen existing services, minimize life cycle costs, and prepare for the future.

This project will enhance water supply by rehabilitating 2 of the Santa Rosa Plains wells which will both be dual purpose to restore prior water supply production capabilities as well as to provide recharge for underground water storage of aqueduct water sourced from the collectors at the Mirabel facility for future aquifer storage and recovery use.

Racial Equity:

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

No

Prior Board Actions:

01-30-2024: Adopt project manual and Award construction contract for Sebastopol Road Well.

Agenda Date: 4/22/2025

02-07-2023: Receive Report and Make Findings that there is no longer a need to continue Emergency Work Without Competitive Bidding to Protect Health, Property and Essential Public Services in response to drought conditions.

04-11-2007: Resolution of the Board of Directors approving the Occidental Road Well Improvement Project, approving purchase of temporary construction easement for the Occidental Road Well Improvement Project, and authorizing General Manager/Chief Engineer to file a Notice of Exemption for the Occidental Road Well Improvement Project.

FISCAL SUMMARY

| Expenditures | FY24-25 Adopted | FY25-26 Projected | FY26-27 Projected |
|------------------------------------|----------------------------|------------------------------|------------------------------|
| Budgeted Expenses | \$15,000 | | |
| Additional Appropriation Requested | | | |
| Total Expenditures | \$15,000 | | |
| Funding Sources | | | |
| General Fund/WA GF | | | |
| State/Federal | | | |
| Fees/Other | \$15,000 | | |
| Use of Fund Balance | | | |
| General Fund Contingencies | | | |
| Total Sources | \$15,000 | | |

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$15,000 is available from FY 2024/20205 appropriations for the Common Facilities 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):

None.

Attachments:

Resolution

Balletto Easement Agreement

City of Santa Rosa Easement Agreement

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

Agenda Date: 4/22/2025

None.