



SUMMARY REPORT

Agenda Date: 7/8/2025

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

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

Vote Requirement: Majority

Supervisory District(s): All

Title:

Easement for Forecast-Informed Reservoir Operations Observation Network and Modification of Delegated Authority for Licenses or Non-permanent Easement Agreements

Recommended Action:

- A) Authorize Sonoma County Water Agency's (Sonoma Water) General Manager to execute an easement agreement to acquire temporary property rights needed to construct, operate, and maintain monitoring equipment for the Lake Sonoma Forecast-Informed Reservoir Operations (FIRO) Observations Network, cost not to exceed \$10,000, in a form approved by County Counsel, and to execute such other documents and take other actions necessary to complete the transaction.
- B) Adopt a Concurrent Resolution delegating general authority to Sonoma Water's General Manager to negotiate and execute license agreements and non-permanent easements with property owners for temporary entry and use of property in support of infrastructure and project needs for Sonoma Water and its associated Sanitation Districts (South Park, Sonoma Valley, Russian River, and Occidental County Sanitation Districts) (Districts), including modifications to indemnification language, in a form approved by County Counsel, and to authorize payment for temporary rights when compensation has been determined to be \$25,000 or less.

Executive Summary:

Sonoma Water requires access to private property for the Lake Sonoma Forecast-Informed Reservoir Operations (FIRO) Observations Network (FIRO Project) to construct, operate, and maintain monitoring equipment to perform hydrogeological studies. Current delegated authority for geotechnical license agreements for this type of work allows for maximum compensation of \$2,500; this amount is inadequate for the proposed ten-year study period.

As a cost and time-saving administrative measure in similar instances, Sonoma Water is seeking to modify and update its existing general delegated authorities for license agreements and is requesting delegated authority to negotiate license and temporary easement agreements with property owners in a form approved by County Counsel, with compensation up to \$25,000.

Discussion:

For the FIRO Project, Sonoma Water requires access to portions of private property for hydrogeological studies including the installation, maintenance, and monitoring of hydrological and soil moisture monitoring

equipment. Monitoring equipment was installed in 2024 under a one-year geotechnical license agreement. Sonoma Water would like to complete this study with additional monitoring over a 10-year period, and to compensate the owner in one payment to cover the term as requested by the property owner. Similar studies have used existing delegated authority for geotechnical license agreements, but the cost to use this property exceeds that authority.

HISTORY OF ITEM/BACKGROUND

On March 17, 2015, the Board adopted a resolution authorizing the General Manager to execute license agreements with property owners for temporary entry and use of private property for surveys and studies ("geotechnical license" agreements) required for design of Sonoma Water and District projects, in substantially the form provided to the Board, provided that compensation paid is \$2,500 or less.

On August 4, 2020, the Board delegated authority to the General Manager to execute license agreements for temporary use of properties for project maintenance needs or repairs, providing the license agreement is for a Board-approved project; the compensation for the license is based on the previously appraised rental value; and the form of the license has been approved by County Counsel. This authority is limited to the locations of previously constructed projects.

Sonoma Water and its Districts are seeking to consolidate, clarify, and update these existing delegated authorities as an efficiency and cost-saving measure. Sonoma Water and Districts have a regular need to enter into agreements with property owners for temporary use of property for project needs and infrastructure repairs, including, but not limited to: preliminary design site surveys, geotechnical investigations, environmental studies, access routes, construction staging, material stockpiling, or to make repairs or updates to existing facilities or previously-constructed project improvements, and other related activities as they arise.

Initial property access is typically granted through Right of Entry or Permit to Enter agreements, without compensation and with standard indemnity provisions (approved in 2000 and 2009), for preliminary engineering and environmental site investigations. More detailed surveys-such as geotechnical drilling, groundwater monitoring, or seismic testing-may follow to assess project feasibility or aid in design.

For construction or repair work, temporary access may be secured through license agreements for routes, staging, or material storage. If access is needed for over a year or if property ownership may change, a non-permanent easement is recorded to protect those rights.

The \$25,000 limit on compensation is proposed based on the 2024 amendment of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) 49 CFR 24.102(c)(2). The Uniform Act was updated in 2024 to increase waiver valuation thresholds for property acquisition, and Caltrans subsequently issued policy update #24-05 in June 2024, adopting the waiver valuation threshold increase.

California Environmental Quality Act (CEQA)

Sonoma Water, as lead agency pursuant to CEQA, has completed environmental documentation in accordance with CEQA for the FIRO Project. Sonoma Water's General Manager determined that the agreement and installation of two soil moisture monitoring stations were exempt under CEQA pursuant to CEQA Guidelines Section 15306, Information Collection, because the activities would not result in a serious or major disturbance to an environmental, historical, or archaeological resource. The FIRO Project was approved by the Board on April 15, 2025, and a Notice of Exemption was filed.

While the delegated authority is not subject to CEQA, any Board-approved license agreement, current or future, that promotes the undertaking of construction, operation, or maintenance activities, would be subject to future evaluation under CEQA. Sonoma Water's acquisition of property rights is exempt from CEQA pursuant to Section 15004 (b)(2)(A), that states that agencies "may enter into land acquisition agreements when the agency has conditioned the agency's future use of the site on CEQA compliance." Further development of such property would be subject to future environmental review pursuant to CEQA.

Adoption of the attached Resolution will allow Sonoma Water and Districts to more quickly and efficiently process license agreements and lower the cost to process these agreements.

County of Sonoma Strategic Plan

N/A

Sonoma Water Strategic Plan Alignment

This item directly supports Sonoma Water's Strategic Plan and is aligned with the following goal, strategy, and action item.

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.

Strategy: 2.3 Fund and implement the planned capital and maintenance projects on schedule to ensure reliable services.

Action Item: 2.3.3 Implement standardized project management practices.

Racial Equity:

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

No

Prior Board Actions:

Attached.

FISCAL SUMMARY

Expenditures	FY25-26 Adopted	FY26-27 Projected	FY27-28 Projected
Budgeted Expenses	\$10,000		
Additional Appropriation Requested			
Total Expenditures	\$10,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$10,000		
Use of Fund Balance			
General Fund Contingencies			

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Total Sources	\$10,000		
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Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$10,000 is available from FY2025-26 appropriations for the Russian River Projects fund. No additional appropriation is required. For future needs (Recommended Action B), there are no immediate expenses associated with this delegated authority.

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:

Resolution

Prior Board Actions

Related Items "On File" with the Clerk of the Board:

None.