



# COUNTY OF SONOMA

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

## SUMMARY REPORT

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**Agenda Date:** 5/13/2025

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**To:** Board of Directors, Sonoma County Water Agency  
**Department or Agency Name(s):** Sonoma County Water Agency  
**Staff Name and Phone Number:** Dan Mason 707-547-1967  
**Vote Requirement:** 4/5th  
**Supervisory District(s):** Third

**Title:**

Consider Grant of Easements to City of Santa Rosa for Multiple Projects

**Recommended Action:**

Consider proposed grants of easement from Sonoma County Water Agency to convey property rights to City of Santa Rosa required for two upcoming projects, in a form approved by County Counsel; and in accordance with Section 9 of Sonoma County Water Agency's enabling legislation, direct staff to return to the Board at the next scheduled meeting to approve, determine that the grant of easements will not adversely affect Sonoma County Water Agency, and provide environmental findings.

(Third District) (4/5th Vote Requirement)

**Executive Summary:**

The City of Santa Rosa (City) requires access to a portion of Santa Rosa Creek lands owned by Sonoma County Water Agency (Sonoma Water) at two locations to complete two projects: Fulton Road Sewer Main Improvements, West 3rd Street to Santa Rosa Creek Project on APN 034-110-078 (Fulton Road Sewer Easement Agreement) and the Santa Rosa Creek Trail - Dutton Avenue Access on (West Side) Project on APN 010-495-011 (Santa Rosa Creek Trail Easement Agreement) (Projects). This item requests that the Board of Directors (Board) consider approval of easement agreements to grant perpetual easements to a portion of Sonoma Water's property on the two parcels identified above for City Projects.

**Discussion:**

Sonoma Water owns and maintains Santa Rosa Creek which provides flood protection within the City. The City has requested that Sonoma Water grant perpetual easements to portions of Sonoma Water's Santa Rosa Creek property at two different locations for two separate Projects the City is planning to construct.

Fulton Road Sewer Easement Agreement

Fulton Road Sewer Main Improvements, West 3rd Street to Santa Rosa Creek Project plans to replace approximately 300 feet of failing sewer pipe that was installed under Santa Rosa Creek west of the Fulton Road Bridge in 1969. The sewer was originally constructed using 18-inch diameter asbestos cement pipe to serve a significant geographical area. However, due to construction of other nearby regional collection facilities, it now serves a relatively small area of only approximately 60 homes located in the Countryside subdivision southwest of Fulton Road and Santa Rosa Creek. The sewer has become partially obstructed and needs to be replaced. The project would include use of open trench construction methods to construct a replacement 8-inch diameter gravity flow sewer under Santa Rosa Creek. The project is anticipated to take 4 to 6 months to

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complete with an estimated start date sometime in 2025. The affected Santa Rosa Creek parcel is on the west side of Fulton Road north of West 3rd Street (APN 034-110-078).

**Santa Rosa Creek Trail Easement Agreement**

Santa Rosa Creek Trail - Dutton Avenue Access (West Side) Project plans to construct a multi-use ADA pathway connecting the west side of North Dutton Ave to the Santa Rosa Creek Trail. The affected Santa Rosa Creek parcel is on the west side of North Dutton Avenue south of Hewett Street (APN 010-495-011).

Sonoma Water staff has reviewed City's proposed plans and determined that the grant of easements for the Projects will not impact Sonoma Water's use of the properties and will not adversely affect Sonoma Water in any respect. City understands and agrees that any improvements completed as part of these Projects will be considered City's sole property and that City shall maintain all the project improvements within the easement areas at its sole cost and expense.

In accordance with Section 65402 of California Government Code, Sonoma Water requested the City of Santa Rosa Planning Division to determine whether the grant of easements would conform with their General Plan for the two project locations. As the City of Santa Rosa Planning Division did not respond within 40 days to the request, per Section 65402 of the California Government Code, the granting of these two easements by this Board is deemed to be in conformance with their General Plan.

Section 9 of Sonoma Water's enabling legislation provides that an easement conveyed to the City may be released or conveyed to another public entity with or without consideration. Sonoma Water and the City have mutually agreed to grant easements between parties for similar projects without consideration to assist in processing the conveyance of property rights needed for one another's projects.

As required by Section 9, Sonoma Water proposes to return to the Board with a resolution, demonstrating that the grant of easements will not adversely affect Sonoma Water in any respect, make findings, and file Notices of Determination as a responsible agency under the California Environmental Quality Act (CEQA).

**County of Sonoma Strategic Plan:**

N/A

**Sonoma Water Strategic Plan Alignment:**

N/A

**Racial Equity:**

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

No

**Prior Board Actions:**

None.

**FISCAL SUMMARY**

Expenditures	FY24-25 Adopted	FY25-26 Projected	FY26-27 Projected

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Budgeted Expenses	\$0		
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$0</b>		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other	\$0		
Use of Fund Balance			
General Fund Contingencies			
<b>Total Sources</b>	<b>\$0</b>		

**Narrative Explanation of Fiscal Impacts:**

Sonoma Water and City of Santa Rosa have mutually agreed to grant easements between parties for similar projects without acquisition costs to assist in processing the conveyance of property rights needed for one another's projects.

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

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Map-Location of Project Area - Fulton Road Sewer Easement Agreement

Map-Location of Project Area - Santa Rosa Creek Trail Easement Agreement

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

Fulton Road Sewer Sample Easement Agreement

Santa Rosa Creek Trail Sample Easement Agreement