



COUNTY OF SONOMA

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

SUMMARY REPORT

Agenda Date: 6/3/2025

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:

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

Recommended Action:

Adopt a Resolution:

- i. Determining that two proposed easement agreements granting property rights to the City of Santa Rosa will not adversely affect Sonoma County Water Agency (4/5th Vote Required);
- ii. Authorizing and delegating authority to the General Manager of Sonoma County Water Agency to execute easement agreements between Sonoma County Water Agency and the City of Santa Rosa, and any other related documents necessary to complete the transactions, in a form approved by County Counsel;
- iii. Adopting Responsible Agency Findings Pursuant to the California Environmental Quality Act;
- iv. Determining that the Fulton Road Sewer Easement Agreement and the Santa Rosa Creek Trail Easement Agreement will not have a significant adverse effect on the environment. (Third District)

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 (West Side) Project on APN 010-495-011 (Santa Rosa Creek Trail Easement Agreement) (Projects). This item requests that the Board of Directors approve the easement agreements to grant perpetual easements to a portion of Sonoma Water's property on the two parcels identified above for City Projects, and delegate authority to the General Manager of Sonoma Water to execute the easement agreements, and any other related documents necessary to complete both transfers, in a form approved by County Counsel.

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.

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 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. 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 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.

Sonoma Water has determined that the grant of easements will not adversely affect Sonoma Water's use of its property. Sonoma Water's enabling legislation requires that granting an easement be considered at no less than two regularly scheduled board meetings. In accordance with Section 9 of Sonoma Water's enabling legislation, this item was considered at a previous Board Meeting.

California Environmental Quality Act

The City of Santa Rosa (City), as lead agency pursuant to the California Environmental Quality Act (CEQA), has completed environmental documentation in accordance with CEQA for the Fulton Road Sewer Main Improvements West 3rd Street to Santa Rosa Creek Project. The City prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the project. The Santa Rosa City Council approved the project, adopted findings, and adopted a Mitigation and Monitoring Reporting Plan on August 3, 2023, and a Notice of Determination was filed on August 10, 2023.

The City has completed environmental documentation in accordance with CEQA for the Santa Rosa Creek Trail - Dutton Avenue Access (West Side) Project. The City prepared an IS/MND for the project. The Santa Rosa City

Agenda Date: 6/3/2025

Council approved the Project, adopted findings, and adopted a Mitigation and Monitoring Reporting Plan on July 9, 2024, and a Notice of Determination was filed on July 15, 2024.

Sonoma Water has prepared Notices of Determination for each of the City's projects in accordance with CEQA, the State CEQA Guidelines, and Sonoma Water's Compliance Procedures under CEQA. As responsible agency under CEQA, Sonoma Water staff considered the IS/MNDs as prepared by the City. The proposed resolution for the easement agreements concurs with each of the findings concerning environmental impacts and mitigation measures identified in the IS/MNDs and Resolutions for the projects. The easement agreements would not have an adverse impact upon the environment. The easements meet all the requirements of Government Code, Section 65402, for General Plan consistency.

County of Sonoma Strategic Plan:
N/A

Racial Equity:

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

No

Prior Board Actions:

05/13/2025: Consider Grant of Easements to City of Santa Rosa for Multiple Projects

FISCAL SUMMARY

Expenditures	FY24-25 Adopted	FY25-26 Projected	FY26-27 Projected
Budgeted Expenses	\$0		
Additional Appropriation Requested			
Total Expenditures	\$0		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$0		
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$0		

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.

Staffing Impacts:

Agenda Date: 6/3/2025

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 with Exhibits A and B

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

Fulton Road Sewer Easement Agreement

Santa Rosa Creek Trail Easement Agreement