



## SUMMARY REPORT

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**Agenda Date:** 6/4/2024

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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:** Kent Gylfe 524-1977 / Jennifer Willits 524-1921

**Vote Requirement:** Majority

**Supervisory District(s):** First

**Title:**

Southeast Greenway Easement

**Recommended Action:**

- A) Authorize Sonoma County Water Agency (Sonoma Water)'s General Manager to negotiate and execute a permanent easement agreement with City of Santa Rosa, in a form approved by County Counsel, and to execute the Certificate of Acceptance to secure property rights for existing Spring Creek Bypass flood control infrastructure and for a future reliability water transmission pipeline.
- B) Authorize the General Manager to negotiate and execute a memorandum of understanding (MOU) with City of Santa Rosa, in a form approved by County Counsel.
- C) Authorize the General Manager to amend these agreements, in a form approved by County Counsel, if needed to meet project needs.  
(First District)

**Executive Summary:**

In 1989, Sonoma Water installed its Spring Creek Bypass Conduit (a component of the Central Sonoma Watershed Project's flood control facilities) under an encroachment permit from Caltrans on property formerly intended for expansion of State Route 12. Sonoma Water has been participating as a member of the Southeast Greenway Community Partnership (Partnership) since 2014 when members signed a Mutual Letter of Intent to work together to facilitate the future transfer of 57 acres of the rescinded State Route 12 land owned by Caltrans. In addition to Sonoma Water, the Partnership consists of Sonoma Land Trust, City of Santa Rosa (City), Sonoma County Regional Parks (Parks), Southeast Greenway Campaign, and LandPaths (collectively, "Partners"). City has recently reached an agreement to purchase approximately 48 acres of the property from Caltrans. Sonoma Water is preparing to secure property rights for its existing infrastructure, as well as its proposed Kawana-Ralphine Reliability Pipeline, in the form of an easement from City. This item requests authority for Sonoma Water's General Manager to enter agreements necessary to secure those property rights.

**Discussion:**

**HISTORY/BACKGROUND**

In 2009, the Southeast Greenway Campaign, a community-based committee including over 20 local community groups, initiated a community effort to envision an urban greenway on the two-mile long, 57-acre section of rescinded State Route 12 land that links Farmers Lane to Spring Lake Park in Santa Rosa (Southeast Greenway). Please see Attachment A, Map of Southeast Greenway.

In July 2014, the Partnership signed a Mutual Letter of Intent, which outlined each organization's role and responsibilities in a collaborative effort to facilitate and achieve the transfer of the Southeast Greenway for public uses, including use as a linear park, and for other compatible uses. The Partnership's stated intent was to work together to plan, develop, and manage the proposed Greenway should the property be acquired.

In August 2014, Caltrans rescinded the property's freeway designation, creating the opportunity for Caltrans to transfer the property for other public uses. In late 2014, Sonoma Land Trust joined with the Partnership to assist in completing transfer of the Southeast Greenway.

Partners and Caltrans entered a Memorandum of Understanding (MOU) in 2015 to further outline understanding, expectations, and intentions related to the acquisition of the Southeast Greenway property and amended the MOU in June 2020 to extend the term until close of escrow for conveyance of the property or until December 31, 2025.

While it was previously understood among the Partnership entities that portions of the Southeast Greenway would be transferred to City and Sonoma Water respectively for their needs, it is now understood that Caltrans will transfer the Southeast Greenway or portions thereof to the City only, and that any conveyance necessary to meet Sonoma Water's need for access and easements will be executed between City and Sonoma Water, subsequent to Caltrans conveyance of the Southeast Greenway to City. In addition to these changes, the Sonoma County Agricultural and Open Space District (AOSD) joined the effort with a matching grant to provide funds toward the acquisition and to obtain a conservation easement over portions of the Southeast Greenway.

Whereas the Sonoma Land Trust and Southeast Greenway Campaign have retained a mixture of public and private grant funding and donations for the full purchase amount of the 48 acres of Southeast Greenway property from CalTrans, including substantial contribution from Sonoma County Ag and Open Space Matching Grant Program, there is no compensation fee associated with the MOU or subsequent conveyance of easement rights between the City and Sonoma Water.

This item requests authority for Sonoma Water's General Manager to negotiate and execute an easement agreement with City to secure property rights for the existing Spring Creek Bypass flood control infrastructure and for a future reliability water transmission pipeline; to negotiate and execute an MOU with City; and to amend these agreements if needed to meet future project needs, all in a form approved by County Counsel.

#### **California Environmental Quality Act**

The General Manager has determined that execution of the easement agreement for Sonoma Water's existing Spring Creek Bypass flood control infrastructure and for a future reliability water transmission pipeline is exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15301(b) Existing Facilities and 15061(b)(3) Common Sense exemption. The acquisition of fee easement for the existing Spring Creek Bypass flood control infrastructure has no possibility of having a significant effect on the environment. There would be no expansion of use beyond that currently existing. Project activities for the future reliability water transmission pipeline would be subject to future evaluation under CEQA. The project would not result in any significant adverse effect on the environment.

#### **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:** 2.1 Conduct planning that integrates and balances operational, maintenance, and infrastructure priorities.

**Action Item:** 2.1.2 Continue to engage in planning efforts and partnerships to protect and enhance our water supply.

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

No

**Prior Board Actions:**

06/23/2015: Authorized the General Manager of the Sonoma County Water Agency and the Director of Sonoma County Regional Parks Department to sign a Memorandum of Understanding with the State of California Department of Transportation, City of Santa Rosa, LandPaths, the Southeast Greenway Campaign Committee, and Sonoma Land Trust regarding the future transfer and land management of the Caltrans Highway 12 Right of Way located between Farmers Lane and Spring Lake Park, also known as the Southeast Greenway.

07/22/2014: Authorized the General Manager of the Sonoma County Water Agency and the Director of Sonoma County Regional Parks Department to sign a Letter of Intent with the City of Santa Rosa, LandPaths, and the Southeast Greenway Campaign Committee regarding the future transfer and land management of the Caltrans Highway 12 Right of Way located between Farmers Lane and Spring Lake Park, also known as the Southeast Greenway. Cost \$0.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY25-26 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested			
<b>Total Expenditures</b>			
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			

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<b>Total Sources</b>			
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**Narrative Explanation of Fiscal Impacts:**

No appropriations are required.

<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):**

None

**Attachments:**

Southeast Greenway Map

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

None