



Legislation Text

File #: 2024-0579, **Version:** 1

To: Board of Directors, Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Kevin Booker 707-521-1865
Vote Requirement: Majority
Supervisory District(s): Third

Title:

Colgan Creek Notice of Unrecorded Grant Agreement with Wildlife Conservation Board and City of Santa Rosa

Recommended Action:

Authorize Sonoma County Water Agency's General Manager to sign an unrecorded grant agreement between the State of California, by and through the Wildlife Conservation Board, City of Santa Rosa, and Sonoma County Water Agency. (Third District)

Executive Summary:

In 2015, the Sonoma County Water Agency (Sonoma Water) Board of Director's authorized Sonoma Water to enter into a Conservation Easement Agreement with the Sonoma County Agricultural Preservation and Open Space District (District) and the City of Santa Rosa (City) for a creek restoration project implemented by the City on lower Colgan Creek. The Lower Colgan Creek Restoration Project (Project) is a three-phased project stretching along 1.3 miles of the creek in southwest Santa Rosa. The City has applied to the Wildlife Conservation Board and has been tentatively awarded over \$2,000,000 in funding for the construction, public art, and installation of monarch and pollinator habitat, for Phase 3 of the Project. As Sonoma Water is the underlying landowner, the Wildlife Conservation Board requires Sonoma Water to sign a Notice of Unrecorded Grant Agreement with the Wildlife Conservation Board, and the City.

Discussion:

The Project is a three-phased project stretching along 1.3 miles of the creek in southwest Santa Rosa owned by Sonoma Water. The three phases are restoring the creek from a trapezoidal flood control channel to a healthier seasonal creek that includes riffles, pools, instream habitat structures, and native plantings; constructing a bicycle and pedestrian pathway; and increasing the flood capacity of the channel to carry the 100-year flood. Phase 1 near Elsie Allen High School was constructed in 2014. Phase 2 located between Victoria Drive and Boron Avenue was completed in 2022. Phase 3 project limits are from Boron Avenue downstream to Dutton Meadow. In December 2022, City Water was awarded a \$1,500,000 grant from the District Matching Grant Program for the land acquisition needed to construct the Project. In addition, the three entities signed a Conservation Easement for the Project in November 2015.

In January 2023, City Water was awarded the Urban Streams Restoration Program grant in the amount of \$4,368,066 for design, construction, and education and outreach for the Project.

On January 5, 2024, the Wildlife Conservation Board invited City to submit a full application. The City is

seeking up to \$2,010,000 of Wildlife Conservation Board funding for the construction, public art, and installation of monarch and pollinator habitat for Phase 3 of the Project. The City has applied to the Wildlife Conservation Board and has been tentatively awarded \$2,010,000 in funding for the construction, public art, and installation of monarch and pollinator habitat, for Phase 3 of the Project.

In order for the City to be eligible for the Wildlife Conservation Board award, Sonoma Water needs to sign the Notice of Unrecorded Grant Agreement. In addition, the Notice of Unrecorded Grant Agreement will allow the Wildlife Conservation Board staff access to Phase 3 of the Project through the term (25 years) of the Notice of Unrecorded Grant Agreement.

California Environmental Quality Act

An Environmental Impact Report (EIR) was certified by the City of Santa Rosa (as Lead Agency) for the Santa Rosa Citywide Creek Master Plan (Master Plan) in March 2007. Sonoma Water filed a Notice of Determination in 2009 for construction of a bike and pedestrian path along its flood control channel on Santa Rosa Creek. The Master Plan was updated and adopted by the City Council in August 2013. The Lower Colgan Creek Restoration Plan (Project) implements a portion of the Master Plan by providing habitat benefits for wildlife, increase groundwater infiltration and water quality, and decrease flooding along Sonoma Water's flood control channel.

In 2015, Sonoma Water granted a conservation easement to the District for the Project implemented by the City on Lower Colgan Creek. Sonoma Water's General Manager determined that granting of the conservation easement for the Project was exempt from the California Environmental Quality Act pursuant to Section 15325 Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources.

The granting of a Notice of Unrecorded Grant Agreement is statutorily exempt pursuant to 21080 and 21080.28 because it would allow the City to preserve and restore the existing natural conditions and for park purposes would provide habitat benefits for wildlife, increase groundwater infiltration and water quality, and decrease flooding along the Sonoma Water's flood control channel. The Project would not have a significant effect on the environment or cause a substantial adverse change in the significance of an historical resource.

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: 6.2 Build collaborative partnerships, trust, and long-term relationships with the community through proactive communication and education.

Action Item: 6.2.1 Continue leveraging existing partnerships, advisory groups, and employees throughout the agency to educate the community about infrastructure vulnerabilities, needs, and improvements.

Racial Equity:

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

No

Prior Board Actions:

04/21/2015 Adopted resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District (District) related to granting funds to the City of Santa Rosa for the Colgan Creek Matching Grant Projects and accepting a conservation easement from the City of Santa Rosa and the Sonoma County Water Agency.

FISCAL SUMMARY

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

Narrative Explanation of Fiscal Impacts:

No appropriations are required.

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:

Draft Notice of Unrecorded Grant Agreement

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

None