



## Legislation Details (With Text)

**File #:** 2021-0944  
**Type:** Consent Calendar Item **Status:** Passed  
**File created:** 8/25/2021 **In control:** Sonoma County Water Agency  
**On agenda:** 11/2/2021 **Final action:** 11/2/2021  
**Title:** Approval of agreement to transfer ownership of Kastania Pump Station and portion of Kastania Pipeline.  
**Sponsors:** Sonoma County Water Agency  
**Indexes:**  
**Attachments:** 1. Summary Report, 2. Resolution

Date	Ver.	Action By	Action	Result
11/2/2021	1	Board of Supervisors	Approved as recommended	Pass

**To:** Board of Directors, Sonoma County Water Agency  
**Department or Agency Name(s):** Sonoma County Water Agency  
**Staff Name and Phone Number:** Kent Gylfe- 529-4177 Jennifer Willits- 494-3094  
**Vote Requirement:** 4/5th  
**Supervisory District(s):** Second

**Title:**  
Approval of agreement to transfer ownership of Kastania Pump Station and portion of Kastania Pipeline.

### Recommended Action:

- A) Adopt a Resolution determining that the proposed transfer of property will not adversely affect Sonoma County Water Agency in any respect and will not have a significant adverse effect on the environment, and authorize the General Manager to execute an Agreement, in a form approved by County Counsel, between Sonoma County Water Agency, Marin Municipal Water District, and North Marin Water District to transfer ownership of Kastania Pump Station and a portion of Kastania Pipeline (4/5th Vote Required).
- B) Authorize General Manager to execute a Memorandum of Understanding, in a form approved by County Counsel, between Sonoma County Water Agency, Marin Municipal Water District, North Marin Water District, and City of Petaluma for operation of Kastania Pump Station and Ely Booster Pump Station.
- (4/5<sup>th</sup> Vote Required)(Second District)

### Executive Summary:

To address drought conditions and support Marin Municipal Water District's (Marin Water) proposed Kastania Pump Station Rehabilitation Project (Project), this item requests Board of Directors approval of an agreement to transfer ownership of the Kastania Pump Station and a portion of the Kastania Pipeline from the Sonoma County Water Agency (Sonoma Water) to Marin Water and North Marin Water District (NMWD), respectively; and requests a determination that the transfer will not adversely affect Sonoma Water in any respect. The Project and associated property assets proposed for transfer are located at the southern-most end of Sonoma Water's water supply transmission system, south of Petaluma along Kastania Road. This item also requests

approval of a Memorandum of Understanding (MOU) between Sonoma Water, Marin Water, NMWD, and the City of Petaluma for future operation of the Kastania Pump Station and the Ely Booster Pump Station that would become effective upon commissioning of the Project.

#### **Discussion:**

Marin Water has contracted with the Sonoma Water for a portion of its water supply since 1975, which is delivered via the North Marin Aqueduct, a pipeline owned and operated by NMWD. To facilitate delivery of its imported water supply, Marin Water constructed the Kastania Pump Station (KPS) in 1977. The KPS, located at 4100 Kastania Road in Petaluma (APN 019-320-014), increased the flow and pressure in the North Marin Aqueduct, from the KPS to NMWD's distribution system in Novato. The North Marin Aqueduct conveys water to both the NMWD and Marin Water. Marin Water operated the KPS until it transferred ownership to Sonoma Water in 1999.

After operating for 38 years, the KPS was taken off-line in August 2015, after Caltrans completed the Marin-Sonoma Narrows High Occupancy Vehicle Widening Project (Caltrans Project). Implementation of the Caltrans Project interfered with the alignment of the North Marin Aqueduct, which ran parallel to the west side of the freeway, requiring relocation of the Aqueduct out of the Caltrans Project footprint. As part of the relocation, much of the North Marin Aqueduct was upgraded from a 30-inch diameter pipe to a 42-inch diameter pipe, which would, under normal conditions, allow water deliveries to flow via gravity year-round to Marin Water's Ignacio Pump Station in Novato, thus eliminating the need for operation of the KPS.

In January 2021, in response to drought conditions, Marin Water began evaluating the feasibility and impact of operating the Kastania Pump Station and determined that rehabilitating and operating Kastania Pump Station would enable Marin Water to more efficiently operate its water supply system, especially in times of dry years or drought. On May 18, 2021, the Board of Directors of Marin Water adopted Resolution No. 8635, which approved the Kastania Pump Station Rehabilitation Project, authorized an agreement with Carollo Engineers for detailed design and engineering services during construction, and found the Project categorically exempt from CEQA under CEQA Guidelines Sections 15301(b) and 15269 (b)(c).

As noted previously, the Kastania Pump Station is currently owned by Sonoma Water and has not been operational for pumping purposes since 2015. Sonoma Water also currently owns the active 30-inch diameter Kastania Pipeline within Kastania Road that feeds water to NMWD's 42-inch diameter North Marin Aqueduct as well as the inlet piping to the KPS. Both Sonoma Water and NMWD have active telemetry and communications equipment on the KPS property.

#### **TRANSFER AGREEMENT**

In support of the Project, Sonoma Water, Marin Water and NMWD have developed the 2021 Kastania Pump Station Transfer Agreement (Transfer Agreement). The purpose of this Transfer Agreement is to provide for the transfer of the Kastania Pump Station from Sonoma Water to Marin Water, along with the subsequent conveyance of easements over the KPS property necessary to assure that NMWD maintains access to those portions of the North Marin Aqueduct located within the Kastania Pump Station property and that Sonoma Water and NMWD maintain access to their existing and future telemetry equipment located at the Kastania Pump Station. The Transfer Agreement will also provide for the transfer of a portion of the above-referenced 30-inch Kastania Pipeline located between the KPS property and Sonoma Water's Kastania Meter Station (metering station for water deliveries to Marin), located approximately 600 feet north (upstream) of the KPS property.

Following transfer of these property assets, Sonoma Water's water supply transmission system pipeline will terminate at the Kastania meter station, and Marin Water and NMWD will have operational and maintenance responsibility for all facilities south of the Kastania Meter Station (with the exception of some remaining Sonoma Water communication and telemetry equipment on the KPS site.)

Key provisions of the draft Transfer Agreement include:

- No cost transfer of the Kastania Pump Station from Sonoma Water to Marin Water
- No cost transfer of the Kastania Pipeline south of the Kastania Meter Station from Sonoma Water to NMWD
- Grant of an easement for maintenance of the North Marin Aqueduct on the Kastania Pump Station property from Marin Water to the North Marin Water District
- Grant of easements from Marin Water to Sonoma Water and the North Marin Water District for telemetry equipment

#### OPERATIONAL MEMORANDUM OF UNDERSTANDING

In support of the Transfer Agreement, Sonoma Water, Marin Water, NMWD, and the City of Petaluma have also been coordinating on the development of operating procedures for the Kastania Pump Station (to be operated by NMWD) and the Ely Booster Pump Station (to continue being operated by Sonoma Water). The proposed operating procedures reflect similar operational procedures as had previously been agreed to among these same entities in 2001 under a separate temporary MOU. The operating procedures identify the manner in which the Kastania and Ely Pump Stations will be operated in order to maintain minimum water levels in Sonoma Water's 12 million gallon Kastania Tank, located in the general vicinity of Kastania Meter Station, south of Petaluma. The draft MOU identifies specific water levels in the tank at which the pump stations shall be turned on or turned off, including levels at which operation of the Kastania Pump Station shall cease when water levels in the tank decline to less than half of the tank's capacity. The MOU also provides for certain temporary deviations from these operational parameters under special conditions such as emergencies, maintenance activities, and water quality conditions.

Marin Water is also coordinating with NMWD to amend the 2014 Interconnection Agreement between NMWD and Marin Water to reflect operation of the Kastania Pump Station. The 2014 Interconnection Agreement provides a framework for NMWD to wheel Marin Water's imported water supply through its North Marin Aqueduct.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT

The General Manager has determined that the project is statutorily exempt under California Environmental Quality Act (CEQA) Statute 21080(b)(4) and categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 and 15269. Staff has prepared a Notice of Exemption in accordance with CEQA, the State CEQA Guidelines and Sonoma Water's Procedures for the Implementation of CEQA.

Section 9 of Sonoma Water's enabling legislation provides that a right-of-way or easement may be released or conveyed to another public entity with or without consideration. In 1999, ownership of the KPS and Kastania Pipeline facilities was conveyed from Marin Water and NMWD to Sonoma Water for one dollar (\$1.00). As such, staff is recommending no consideration be required for reconveyance of these facilities back to these entities. On August 27, 2021, Permit Sonoma issued Sonoma Water a General Plan consistency determination letter for the proposed transfer plan, in accordance with Government Code Section 65402. Sonoma Water

Staff have determined that the ownership transfer would not adversely impact Sonoma Water's ability to operate its water supply transmission system in any respect. In accordance with Section 9 of Sonoma Water's enabling legislation, this item was considered by the Board at a previous Board Meeting.

**Prior Board Actions:**

10/26/2021: Consideration of agreement to transfer ownership of Kastania Pump Station and portion of Kastania Pipeline.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 21-22 Adopted</b>	<b>FY22-23 Projected</b>	<b>FY 23-24 Projected</b>
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			
Contingencies			
<b>Total Sources</b>	<b>\$0</b>		

**Narrative Explanation of Fiscal Impacts:**

No fiscal impact. The work includes a no cost transfer of the Kastania Pump Station from Sonoma Water to Marin Water and a no cost transfer of the Kastania Pipeline south of the Kastania Meter Station from Sonoma Water to NMWD. Staff costs are nominal operating costs under Sonoma Water's drought response activities.

<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:**

Resolution

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

None

