



## Legislation Text

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**File #:** 2019-0494, **Version:** 1

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**To:** Board of Directors, Sonoma Valley County Sanitation District  
**Department or Agency Name(s):** Sonoma Valley County Sanitation District  
**Staff Name and Phone Number:** Kevin Campbell 547-1921  
**Vote Requirement:** Majority  
**Supervisory District(s):** First

**Title:**

Grant of Access Easement to Victor Leveroni Corporation

**Recommended Actions:**

Authorize the Sonoma County Water Agency's (Sonoma Water) General Manager, on behalf of the Sonoma Valley County Sanitation District (District), to execute an Agreement and Grant of Access Easement with the Victor Leveroni Corporation. (First District)

**Executive Summary:**

The Victor Leveroni Corporation (Leveroni) approached the District requesting an access easement over District properties located south of Ramal Road and west of Skaggs Island Road in southern Sonoma County (First District). The access easement is being required by the United States Department of Agriculture's National Resource Conservation Service (Conservation Service) in order for Leveroni to enter into an agreement with the Conservation Service to restore tidelands on property owned and farmed by Leveroni. The proposed access easement if approved would be over an existing District maintenance road crossing the District's property. Leveroni would be required to make any necessary improvements to the road that are needed for the uses and purposes of the easement and to maintain and/or repair the road as necessary for the uses and purposes of the easement, at their expense.

**Discussion:**

The District operates an extensive recycled water storage and disposal system to dispose of tertiary treated reclaimed water generated at the District's Sonoma Valley Treatment Plant. The District owns properties located south of Ramal Road and west of Skaggs Island Road that are identified by the Sonoma County Assessor as Assessor's Parcel Numbers 126-121-007 and 135-081-003. The properties are improved with maintenance roads, levees for storage of recycled water, and piping improvements and appurtenances for the transmission of recycled water. Portions of the property are also used for the beneficial reuse of recycled waste water to manage wetlands for the benefit of waterfowl and other wildlife.

Leveroni approached the District with a request to obtain an access easement to use existing District maintenance roads located along the northerly boundaries of the properties owned by the District. Leveroni has been partnering with the United States Department of Agriculture's National Resource Conservation Service (Conservation Service) to restore tidelands on a portion of the lands of Leveroni. At the turn of the 20<sup>th</sup> century historic San Pablo Bay tidal wetlands

were converted to hay farming. The current National Resource Conservation Service Project has plans to restore portions of the historic tidelands which provide habitat value and increased tidal capacities. The access easement will fulfill a requirement of Leveroni to provide legal access to their parcel. A railroad line operated by the Sonoma Marin Area Rail Transit abuts both the District and Leveroni properties to the north. The only public grade access over the rail line acceptable to the NRCS is located on Skaggs Island Road at the easterly boundary of the District property.

Sonoma Water staff, on behalf of the District, has determined that granting an access easement that supports the conservation purposes of the Leveroni and National Resource Conservation Service will benefit the District through a contribution to improved storm water runoff in the basin, which provides a reduction in inflow and infiltration into the District's sewage system. This in turn reduces the amount of unnecessary treatment of storm water inflow and infiltration which is a savings to the District. In addition, the easement agreement requires Leveroni to improve and maintain the access road at their cost. Based on the benefit to the District from decreased inflow and infiltration and decreased cost for maintenance of the existing District access road, Sonoma Water staff has concluded that the benefit the District receives by granting the access easement is equal to or greater than the District's transactional costs to grant the easement and the value of the easement itself.

In accordance with Section 65402 of the Government Code, the District requested the Sonoma County Permit and Resource Management Department to determine whether the grant of the new access easement would comply with the County's General Plan. The Sonoma County Permit and Resource Management Department did not respond within the 40 day response period with a determination. Per Section 65402 of the Government Code, the granting of the access easement is deemed to be in conformance with the County's General Plan.

The General Manager has determined that granting the access easement is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301: Existing Facilities because granting the access easement over an existing developed access road would allow the continued restoration of natural conditions to tidal wetlands. The granting of the access easement would not adversely affect District staff in their ability to continue maintenance or habitat enhancement activities on District facilities. There would be no expansion of use beyond that currently existing. Sonoma Water staff, on behalf of the District, has prepared a Notice of Exemption in accordance with CEQA, the State CEQA Guidelines, and Sonoma Water's Procedures for the Implementation of CEQA.

**Prior Board Actions:**

None

**FISCAL SUMMARY**

| <b>Expenditures</b>                | <b>FY 18-19<br/>Adopted</b> | <b>FY19-20<br/>Projected</b> | <b>FY 20-21<br/>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  |  |  |  |
| Contingencies        |  |  |  |
| <b>Total Sources</b> |  |  |  |

**Narrative Explanation of Fiscal Impacts:**

This item has no fiscal impact. As previously stated in the discussion portion of the agenda item, the benefits accruing to the District from the Leveroni's Project are equal to or greater than the transactional cost to the District to process the easement.

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

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

N/A

**Attachments:**

Agreement and Grant of Access Easement

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

None