



Legislation Text

File #: 2020-0048, **Version:** 1

To: Board of Directors, Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Brad Sherwood 707-547-1927
Vote Requirement: 4/5th
Supervisory District(s): Countywide

Title:

Quagga and Zebra Mussel Inspection Programs - Lake Mendocino and Lake Sonoma

Recommended Action:

In an ongoing effort to prevent quagga and zebra mussel infestation in Sonoma County waterways:

- A) Adopt a Resolution ratifying the signing and filing of grant applications to the California Department of Parks and Recreation Division of Boating and Waterways, and the signing of a Grant Agreement to accept \$400,000 to fund a mussel infestation prevention program at Lake Sonoma and take other actions.
- B) Adopt a Resolution ratifying the signing and filing of grant applications to the California Department of Parks and Recreation Division of Boating and Waterways, and the signing of a Memorandum of Agreement and a Settlement Agreement to accept \$400,000 to fund a mussel infestation prevention program at Lake Mendocino and take other actions.
- C) Authorize Sonoma County Water Agency's General Manager to execute an agreement with Dogs with Jobs, LLC, dba Mussel Dogs for quagga and zebra inspection program at Lake Sonoma in the not-to-exceed amount of \$625,000 in a form approved by County Counsel (term of 24 months).
- D) Authorize Sonoma County Water Agency's General Manager to execute an agreement with Dogs with Jobs, LLC, dba Mussel Dogs for quagga and zebra inspection program at Lake Mendocino in the not-to-exceed amount of \$590,000 in a form approved by County Counsel (term of 24 months).
- E) Adopt a Resolution authorizing adjustments to the Board Adopted Budget for FY 2019/2020 for the Sonoma County Water Agency General Fund in the amount of \$303,000, the Russian River Projects Fund in the amount of \$1,223,000, the Warm Springs Dam Fund in the amount of \$60,000, and the Water Transmission Fund in the amount of \$60,000. (4/5th Vote Required)

Executive Summary:

Quagga and zebra mussels are an invasive mussel that, if introduced into a waterway, can devastate the natural environment, clog water and flood protection infrastructure, and cost millions of dollars in maintenance. Mussels are transported between waterways by watercraft, primarily recreational boats.

Sonoma County Water Agency (Sonoma Water) applied to the California State Parks Division of Boating and Waterways (DBW) Quagga and Zebra Mussel Infestation Prevention Grant Program to fund inspection programs at Lakes Sonoma and Mendocino. Lake Sonoma subsequently was awarded \$400,000 in grant funds from the program administered through a Grant Agreement. Lake Mendocino was also awarded \$400,000 for its program from a separate DBW funding source administered through a Settlement Agreement.

DBW has requested that Sonoma Water execute these two funding agreements in January 2020, due to State budget deadlines. The funds must be encumbered by March 1, 2020, or the funding will be lost, and the funds cannot be encumbered without executed agreements. Sonoma Water's General Manager signed the agreements as requested to prevent the loss of this important funding source.

The prevention programs at each lake will be managed by Dogs with Jobs, LLC, dba Mussel Dogs (Consultant). Consultant will provide multiple inspections at Lake Mendocino and Lake Sonoma as part of an effort to prevent invasive mussels in these bodies of water, greatly expanding upon the seasonal prevention programs currently funded solely by Sonoma Water.

Discussion:

Sonoma Water is a member of the North Coast Mussel Prevention Consortium and is working with North Coast Mussel Prevention Consortium's partner agencies to implement watercraft inspections at both Lake Mendocino and Lake Sonoma. Lakes Mendocino and Sonoma are currently mussel free; however, mussels have infested a waterway south of Sonoma County, in San Benito County. This waterway, the San Justo reservoir, has been closed to all public use since the mussels were first discovered in 2008.

Since 2014, DBW's Quagga and Zebra Mussel Infestation Prevention Grant Program has funded prevention plans and implementation activities that help protect California's reservoirs from quagga and zebra mussel infestation. Until program changes in 2017, Sonoma Water had not been an eligible applicant for these funds due to a requirement that applicants must own or manage a reservoir. In 2017, this was expanded to include the phrase "manage some aspect of the reservoir." Sonoma Water manages the water supply storage pool and thus became eligible to apply for the grant program.

In 2016, the U.S. Army Corps of Engineers applied for and received two grants under DBW's program, one for each lake, for a total of \$600,000 in grant funds. The Corps was subsequently unable to perform work during the 24-month grant period and their funds went unspent.

In the 2018 grant cycle, DBW elected to award Sonoma Water \$400,000 for its proposal for a Lake Sonoma inspection program. In an effort to utilize the unspent Corps grant funds from 2016, DBW proposed creating a Memorandum of Agreement (MOA) between DBW, the Corps, and Sonoma Water, whereby the Corps relinquishes the 2016 grant funds to DBW; and DBW subsequently establishes an escrow account with \$400,000 for Sonoma Water to use for its Lake Mendocino inspection program. These funds are subject to the same terms and conditions as the grant program but are administered under a Settlement Agreement. For these reasons, Sonoma Water's requested Board actions include ratification of the execution of a grant agreement (Lake Sonoma) and a MOA and a Settlement Agreement (Lake Mendocino). Both funding agreements have terms of 24 months.

For the Lake Sonoma and Lake Mendocino inspection programs, Sonoma Water requires the Consultant's expertise and assistance to continue the inspection demonstrations and to provide training for watercraft inspectors. Consultant has performed prior boat inspections at both lakes since 2012 and will adhere to the North Coast Mussel Prevention Consortium's prevention plan during the inspection process. Consultant previously contracted with Sonoma Water under the business name Central Valley Detection Canine.

SELECTION PROCESS

Consultant was chosen based on Consultant's knowledge and prior experience implementing boat inspections at Lake Mendocino and Lake Sonoma. No other consultants provide mussel-detecting canines, and Consultant's services are used around the country for mussel inspection programs. Consultant provides a unique service that helps meet the goals of Sonoma Water's prevention program.

SERVICES TO BE PERFORMED

Under the proposed agreements, Consultant will provide quagga and zebra mussel inspections and demonstrations, utilizing a team of specially trained canines to help inspect boats. This will help educate boaters on how to clean, drain, and dry their boats to better protect Sonoma County's waterways from a mussel infestation. In addition, Consultant will provide boat inspection training at Lake Sonoma and Lake Mendocino to inspectors to help develop year-round inspections at both reservoirs.

The U.S. Army Corps of Engineers and the Friends of Lake Sonoma will partner with Sonoma Water to implement boat inspections and public awareness at the reservoirs. The California Department of Fish and Wildlife will provide law enforcement as needed. The Sonoma County Sheriff's Office, which provides law enforcement on Lake Sonoma, is also a key partner in helping educate boaters about the importance of mussel inspections.

The cost of services will not exceed \$590,000 for Lake Mendocino and \$625,000 for Lake Sonoma. The district expects an additional \$120,000 in operation costs related to the management of the programs and contracts; \$18,000 in FY 2019/2020, \$66,900 in FY 2020/2021, and \$35,100 in FY 2021/2022. The costs will be offset by \$400,000 for each lake from DBW. Upon Board approval of the Budget resolution, remaining costs of \$303,000 will be budgeted in the Russian River Projects Fund. The term of each agreement will be 24 months.

The agreements include two options for Sonoma Water to extend each agreement for a period of one year each by providing written notice to Consultant thirty days in advance of the expiration date of the agreement and of the first extension option.

Prior Board Actions:

- 08/06/2019: Authorized Sonoma County Water Agency's General Manager to execute the Second Amended Agreement for Quagga and Zebra Mussel Inspection Program with Dogs With Jobs, LLC, dba Mussel Dogs to provide quagga and zebra mussel inspection and related services increasing the amount by \$20,000 with no change to the scope for a new not-to-exceed agreement total of \$375,000 and no change to end date of December 31, 2019.
- 10/23/2018: Authorized Sonoma County Water Agency's General Manager to execute the First Amended Agreement for Quagga and Zebra Mussel Inspection Program with Dogs With Jobs, LLC, dba Mussel Dogs to provide quagga and zebra mussel inspection and related services increasing the amount by \$125,000 with no change to the scope for a new not-to-exceed agreement total of \$355,000 and no change to end date of December 31, 2019.
- 04/03/2018: Authorized Sonoma County Water Agency's General Manager to execute the Agreement for Quagga and Zebra Mussel Inspection Program with Dogs With Jobs, LLC, dba Mussel Dogs (formerly Central Valley Detection Canine, LLC) to provide quagga and zebra mussel inspection and related services. Cost \$230,000; term end December 31, 2019.

- 05/03/2016: Authorized the Chair to execute the Agreement for Quagga and Zebra Mussel Inspection Demonstration and Training 2016/2017 with Central Valley Detection Canine to provide quagga and zebra mussel inspection, demonstration, training, and related services. Cost \$201,100; agreement term end December 31, 2017.
- 06/23/2015: Authorized Sonoma County Water Agency's General Manager to execute the First Amended Agreement for Quagga and Zebra Mussel Inspections 2015 with Central Valley Detection Canine, LLC, for quagga and zebra mussel inspections. Cost \$52,400 for a new not-to-exceed agreement total of \$70,000; term end December 31, 2015.
- 03/03/2015: Authorized Sonoma County Water Agency's General Manager to execute a Memorandum of Understanding between Sonoma County Water Agency and the U.S. Army Corps of Engineers for the Quagga/Zebra Mussel Vulnerability Assessment Study and Inspection Implementation Plan for Lake Mendocino and Lake Sonoma. Cost \$125,000.
- 09/05/2012: Adopted Resolution authorizing Sonoma County Water Agency's General Manager to (a) make application to California Department of Fish and Game for a grant to partially fund the "Don't Move a Mussel" public education campaign and (b) to enter into an agreement to receive a grant for "Don't Move a Mussel" public education campaign.
- 05/08/2012: Authorized the Chair to execute the Memorandum of Understanding Between the Counties of Sonoma, Mendocino, and Humboldt and the Sonoma County Water Agency, North Marin Water District, Marin Municipal Water District, and Mendocino County Russian River Flood Control and Water Conservation Improvement District Regarding the North Coast Zebra and Quagga Mussel Consortium.
- 01/10/2012: Adopted Resolution identifying potential for an infestation of dreissenid mussels into North Coast waterways and seeking collaboration with North Coast counties to increase public awareness and manage prevention and inspection programs at North Coast waterways.

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses	\$130,000	\$66,900	\$35,100
Additional Appropriation Requested	\$1,103,000		
Total Expenditures	\$1,233,000	\$66,900	\$35,100
Funding Sources			
General Fund/WA GF	\$303,000		
State/Federal	\$800,000		
Fees/Other	\$130,000	\$66,900	\$35,100
Use of Fund Balance			
Contingencies			
Total Sources	\$1,233,000	\$66,900	\$35,100

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$130,000 is available from FY 2019/2020 appropriations and sourced from \$10,000 in the Russian River Projects Fund, \$60,000 from the Warm Springs Dam Fund, and \$60,000 from the Water Transmission Fund. With Board approval of the attached resolution, \$120,000 will be transferred to the Russian River Projects Fund, where the project resides.

Additional appropriations of \$1,103,000 are required to process these expenses. With Board approval of the attached resolution, \$303,000 will be transferred from Sonoma Water's General Fund to the Russian River Projects Fund. Offsetting revenue of \$800,000 will be coming from California Department of Parks and Recreation Division of Boating and Waterways.

FY 2020/2021 and FY 2021/2022 appropriations for staff to oversee the agreement and manage the project will be budgeted in those fiscal years.

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:

Attachment 1: Resolution ratifying and approving submission of grant application and signing of funding agreements for Lake Mendocino

Attachment 2: Resolution ratifying and approving submission of grant application and signing of funding agreement for Lake Sonoma

Attachment 3: Budgetary Resolution for Lake Mendocino and Lake Sonoma agreements

Attachment 3: Agreement with Dogs with Jobs, LLC, dba Mussel Dogs for Lake Mendocino

Attachment 4: Agreement with Dogs with Jobs, LLC, dba Mussel Dogs for Lake Sonoma

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

None.