# Legislation Text

**File #:** 2026-0641, **Version:** 3

**To:** Board of Directors, Sonoma County Water Agency
**Department or Agency Name(s):** Sonoma County Water Agency
**Staff Name and Phone Number:** Grant Davis 707-547-1900, Dan Mason 707-547-1967, Sharina Arevalos 707-547-1912
**Vote Requirement:** 4/5th
**Supervisorial District(s):** Third and Fifth

**Title:**
Consider Grant Of Easements On Sonoma County Water Agency Property To The City Of Santa Rosa For Multiple Projects, And To Heather Coe, A Private Individual, For Access And Utility Rights.

**Recommended Action:**

A) Consider four proposed easement agreements between Sonoma County Water Agency and City of Santa Rosa to convey permanent property rights to City of Santa Rosa required for their projects, in a form approved by County Counsel; and
B) Consider a proposed easement agreement between Sonoma County Water Agency and Heather Coe, a private individual, for private access rights, a gravel driveway, and utility rights on Sonoma County Water Agency property, in a form approved by County Counsel; and
C) In accordance with Section 9 of Sonoma County Water Agency's enabling legislation, direct staff to return to the Board of Directors at a future scheduled Board meeting for approval of the proposed easement agreements, determine that the easement agreements will not adversely affect Sonoma County Water Agency, and adopt Responsible Agency Findings Pursuant to the California Environmental Quality Act.

(Third and Fifth District) (4/5th Vote Required)

**Executive Summary:**
The City of Santa Rosa (City) has requested easements to portions of Santa Rosa Creek lands and Colgan Creek lands owned by Sonoma County Water Agency (Sonoma Water) for flood control at four separate locations: 1) Delta Pond Access and Reclaimed Waterline easement on APN 130-040-014 and 130-210-028, 2) Pierson Street Rehabilitation project easement on APN 125-051-068, 3) Santa Rosa Creek Trail - Dutton Avenue Access (East Side) at 330 Hewett Street as-built easement on APN 010-700-013 and 010-700-016, and 4) Corby Avenue Sidewalk Gap Closure project easement on APN 037-215-043.

Additionally, Heather Ann Coe has requested an easement from Sonoma Water for ingress and egress, permission to install a gravel driveway, and for utility rights on Sonoma Water aqueduct properties located at APN 083-040-063, 083-040-071, and 083-040-087, for access to her property located at 5940 Anderson Rd, Forestville (APN 083-040-061).

This item requests that the Board of Directors (Board) consider approval of easement agreements to grant easements on portions of Sonoma Water property at the locations identified above.

**Discussion:**

**Easements to City of Santa Rosa:**

Sonoma Water owns and maintains Santa Rosa Creek and Colgan Creek which provides flood protection within the City. The City has requested that Sonoma Water grant perpetual easements to portions of Sonoma Water's Santa Rosa Creek at three different locations for separate projects and at Colgan Creek for a sidewalk improvement project the City is planning to construct.

City's Delta Pond Access and Reclaimed Waterline easement: The Delta Pump Station delivers pressurized reclaimed water from City's Delta Pond to the West College mainline. The Pump station is accessed through Sonoma Water's flood control road on the SW side of Santa Rosa Creek. Sonoma Water and City propose to establish a permanent access and waterline easement over Sonoma Water's flood control road on the SW side of Santa Rosa Creek on APN 130-040-014 and 130-210-028.

City's Pierson Street Rehabilitation project will consist of the following: Reconstruction of Pierson Street from West Third Street to Santa Rosa Creek. Within the limits of the street paving, the existing 6" water main will be replaced with a new 8" water main. Valves, meter boxes, services will be replaced and two fire hydrants will be added. In these same limits of the street paving, the existing 6" sewer main will be replaced, including laterals, manholes, and cleanouts. Storm drain and drainage inlets will be added to alleviate standing water along Pierson Street providing storm runoff into Santa Rosa Creek on APN 125-051-068.

Santa Rosa Creek Trail - Dutton Avenue Access (East Side) at 330 Hewett Street as-built easement: City previously constructed the Dutton Avenue Path to Santa Rosa Creek Trail under a revocable license issued by Sonoma Water, and now Sonoma Water and City propose to establish a permanent easement covering the existing 10-foot-wide Pedestrian / Bicycle access pathway. The easement agreement will establish maintenance responsibilities and any future reconstruction requirements covering the built improvements by City on Sonoma Water's property. California Regional Water Quality Control Board and Sonoma Water have established a Soil Management Plan covering any future reconstruction of the access pathway on the property located on APN 010-700-013 and 010-700-016.

The Corby Avenue Sidewalk Gap Closure project: City is requesting a permanent sidewalk easement on a portion of Sonoma Water's property located at Colgan Creek behind the 2000 block of Corby Avenue. The City will close the existing sidewalk gaps with the AC pathway, install a pedestrian bridge over Colgan Creek, and improve the southwest corner curb ramp to meet the current ADA Standards.

**Easement to Private Property Owner:**

Additionally, Heather Ann Coe (Owner) has requested an easement from Sonoma Water for ingress and egress, permission to install a gravel driveway, and for utility rights on Sonoma Water aqueduct properties located at APN 083-040-063, 083-040-071, and 083-040-087. The granting of the easement will allow Owner access to her landlocked property located at 5940 Anderson Rd, Forestville (APN 083-040-061). Owner is planning to install a modular home on the vacant parcel. The easement agreement will also allow future utilities as needed with prior approval by Sonoma Water.

Review: Sonoma Water staff has reviewed the proposed plans for the projects outlined above and determined that granting easements for the individual projects will not impact Sonoma Water's use of the properties and

will not adversely affect Sonoma Water. City and Owner understand and agree that any improvements completed as part of their projects respectively will be considered their sole property and that they shall maintain all the project improvements within the easement areas at their sole cost and expense.

General Plan: In accordance with Section 65402 of California Government Code, Sonoma Water requested the City of Santa Rosa Planning Division to determine whether the granting of easements would conform with their General Plan for the project locations. As the City of Santa Rosa Planning Division did not respond within 40 days to the request, per Section 65402 of the California Government Code, the granting of these easements by this Board is deemed to be in conformance with their General Plan.

In accordance with Section 65402 of California Government Code, Sonoma Water requested the County of Sonoma Planning Division to determine whether the granting of easements would conform with their General Plan for the project locations. As the County of Sonoma Planning Division did not respond within 40 days to the request, per Section 65402 of the California Government Code, the granting of the easement by this Board is deemed to be in conformance with the County's General Plan.

Consideration: Section 9 of Sonoma Water's enabling legislation requires that any easement granted to a private entity must be granted for adequate consideration. Sonoma Water has determined that the value of the easement is $8,177. Owner has made a $5,000 deposit to offset staff time costs related to processing the easement agreement and related Board agenda items and agrees to compensate Sonoma Water for the value of the easement. The total compensation of $13,177 to be received from the property owner is less than full cost recovery for the grant of easement from Sonoma Water.

Section 9 of Sonoma Water's enabling legislation provides that an easement conveyed to the City may be released or conveyed to another public entity with or without consideration. Sonoma Water and the City have mutually agreed to grant easements between parties for similar projects without consideration to assist in processing the conveyance of property rights needed for one another's projects.

As required by Section 9, Sonoma Water proposes to return to the Board, with a resolution if required, demonstrating that the grant of easements will not adversely affect Sonoma Water in any way, and make findings and file Notices of Determination as a responsible agency under the California Environmental Quality Act (CEQA). The proposed CEQA findings for the Heather Coe easement will be based on the review and completed by Sonoma County as a lead agency.

**County of Sonoma Strategic Plan:**
N/A

**Sonoma Water Strategic Plan Alignment:**
N/A

**Racial Equity:**

**Was this item identified as an opportunity to apply the Racial Equity Toolkit?**
No

**Prior Board Actions:**
None.

**FISCAL SUMMARY**

| **Expenditures** | **FY26-27 Adopted** | **FY27-28 Projected** | **FY28-29 Projected** |
|---|---|---|---|
| Budgeted Expenses | $33,209 | | |
| Additional Appropriation Requested | | | |
| **Total Expenditures** | **$33,209** | | |
| **Funding Sources** | | | |
| General Fund/WA GF | | | |
| State/Federal | | | |
| Fees/Other | $33,209 | | |
| Use of Fund Balance | | | |
| General Fund Contingencies | | | |
| **Total Sources** | **$33,209** | | |

**Narrative Explanation of Fiscal Impacts:**

Easement to Private Property Owner:

Budgeted amount of $8,215 is available from FY 2026/2027 appropriations from the Sonoma Water General Fund. $4,215 was expended in FY2025/2026. The property owner deposited payment of $5,000 to offset the cost of staff time (estimated at $11,000) and related administrative costs for the Board agenda items incurred in FY 2026/2027 (proportionally estimated at $1,500). Owner will additionally pay Sonoma Water $8,177 for the value of the easement. No additional appropriation is required.

Easements to City of Santa Rosa:

Budgeted amount of $24,994 is available from FY 2026/2027 appropriations from the Flood Control Zone 1A Fund. $11,006 was expended in FY2025/2026. Sonoma Water and City of Santa Rosa have mutually agreed to grant easements between parties for similar projects without acquisition costs to assist in processing the conveyance of property rights needed for one another's projects. Cost of Sonoma Water in staff time is estimated at $30,000 and related administrative costs for the Board agenda items incurred in FY 2026/2027 are proportionally estimated at $6,000. No additional appropriation is required.

| **Staffing Impacts:** | | | |
|---|---|---|---|
| **Position Title (Payroll Classification)** | **Monthly Salary Range (A-I Step)** | **Additions (Number)** | **Deletions (Number)** |
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**Narrative Explanation of Staffing Impacts (If Required):**

None

**Attachments:**

Attachment 1 - Project Map Pierson Street

Attachment 2 - Project Map Delta Pond
Attachment 3 - Project Map Corby Avenue
Attachment 4 - Project Map Santa Rosa Creek Trail
Attachment 5 - Project Map Coe Easement

**Related Items "On File" with the Clerk of the Board:**
Sample - City of Santa Rosa Easement Agreement
Draft - Coe Easement Agreement