

# County Of Sonoma Agenda Item Summary Report

Clerk of the Board Use Only

Meeting Date

Held Until

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Agenda Item No:

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**Department:** Sonoma County Water Agency

**4/5 Vote Not Required**

**Contact:**  
Jay Jasperse

**Phone:**  
(707) 547-1959

**Board Date:**  
10/20/2009

**Deadline for Board Action:**

**AGENDA SHORT TITLE:** Russian River Cooperative Management Practices.

**REQUESTED BOARD ACTION:**

1. Authorize the General Manager/Chief Engineer of the Sonoma County Water Agency (Agency) to execute the First Amended Agreement for the Development of Russian River Cooperative Water Management Practices between the Agency and Wagner & Bonsignore Consulting Civil Engineers (\$50,000) in substantially the form as the draft presented to this Board, following review and approval by County Counsel as to form and by Risk Management as to insurance requirements.
2. Authorize the Agency's General Manager/Chief Engineer to amend the Agreement provided amendments do not cumulatively increase the total cost to the Agency by more than \$25,000 and do not substantially change the scope of work.

**CURRENT FISCAL YEAR FINANCIAL IMPACT**

**EXPENDITURES:**

**ADDITIONAL FUNDS REQUIRING BOARD APPROVAL:**

Estimated Cost	\$50,000	Contingencies (Fund Name:)	\$0
Amount Budgeted	\$50,000	Unanticipated Revenue (Source:)	\$0
Other Available Appropriations (Explain Below)	\$0	Other Transfers (Source:)	\$0
Additional Requested	\$0	Additional Funds Requested	\$0

**Explanation (if required):** Funding is available in the FY 09/10 Budget for the Fund entitled Water Supply - Russian River Projects (Account No.674515-6570).

**Prior Board Action:** None.

**Alternatives – Results of Non-Approval:** None.

**Background:**

One of the challenges the Sonoma County Water Agency (Agency) faces managing the Russian River system is that it is obligated under its state water rights to maintain minimum stream flows throughout the Russian River and Dry Creek but only has physical control in three areas: Coyote Valley Dam, Warm Springs Dam, and the pumping facilities at Wohler and Mirabel. Hundreds of diverters, principally agricultural but also municipal and domestic, take water at different points along the system but there is no mechanism in place for coordinating these diversions. The importance of coordination has increased with decreased summer flows (June-October) in the river due to recent drought conditions, the listing of three fish species as threatened or endangered under the federal Endangered Species Act, and the reductions in and increased variability of Pacific Gas & Electric's Potter Valley Project diversions. In addition, the National Marine Fisheries Service (NMFS) 2008 Biological Opinion (BO) for the Agency's existing operations required that the Agency seek State Water Resources Control Board (SWRCB) approval to immediately reduce summer Russian River mainstem stream flows. The Agency has petitioned the SWRCB in response to this requirement. The BO also requires significant physical improvements to Dry Creek and possible future instream flow reductions, if those improvements do not provide adequate protection for fish.

Given these constraints to Russian River summer flows, the Agency is actively involved in a number of coordination and outreach efforts with the agricultural community intended to assist in better managing flows. These efforts include the work by Wagner & Bonsignore, described below, work under the Dry Creek Agreement, approved by the Board in 2009, and additional BO implementation efforts on Dry Creek. The Agency also attends meetings of the Frost Protection Task Force formed in response to fish kills during the 2008 frost season that resulted in a request by NMFS that the SWRCB increase its regulatory presence to prevent fishery harm during frost season.

**SELECTION PROCESS:**

Wagner & Bonsignore was selected because the firm has extensive experience and a client base in the Russian River watershed and has provided consulting support over the last 10 years for the successful development of the Dry Creek Agreement. The Agency does not have the resources or expertise to conduct the work with in-house staff.

**HISTORY OF THIS ITEM:**

On June 23, 2009, the Agency and Wagner & Bonsignore entered into an agreement (\$25,000) for the Development of Russian River Cooperative Water Management Practices (W/B Agreement). This item requests authority to increase funding for work now underway by the consulting firm Wagner & Bonsignore to develop new Russian River cooperative water management practices.

Under the original W/B Agreement, the consultants established an agricultural water users working group with landowner representatives from the Mendocino, Alexander Valley and Russian River Valley regions. Five working group sessions have been held to facilitate a cooperative non-regulatory approach to flow management challenges, including those posed by frost protection and the BO requirements. In addition, two technical working group subcommittee sessions have been held. The agricultural community has participated through its representatives and also by funding the participation of the law firm of Ellison, Schneider & Harris, a firm with extensive water rights expertise and clients in the watershed. Agency staff have been active participants in all meetings. The working group results will be documented by Wagner & Bonsignore in a technical memorandum that will identify goals and objectives and contain specific recommendations for each geographic region, including recommendations regarding organizational structures for landowner groups and cost sharing mechanisms. The working group has identified a need to develop additional data to support coordination efforts. In addition, because a cooperative approach provides better state and federal funding opportunities, it will be helpful if the region works together to develop a plan to pursue regional funding. Such a plan would include monitoring, studies and development of analytical tools to enable data-based management decisions (by the Agency for its stream flow management operations, and by agricultural and other Russian River water users for their water use).

The proposed Amended W/B Agreement is on file with the Clerk; along with a "Working Copy" showing changes from the original agreement. The Amended W/B Agreement would fund tasks beyond those contemplated by the original agreement. Some of this work has already been completed by the consultant. The new work includes participating in and documenting the work of the Technical Sub-Group, and preparing a detailed outline of the plan needed to pursue funding development of a hydrological data improvement plan.

The General Manager/Chief Engineer also requests that the Board authorize up to an additional \$25,000 for this Agreement, to be used only if he determines that work is progressing satisfactorily and further coordination efforts are in the Agency's best interests.

**TERMINATION:**

The Agreement includes provisions for the Agency's General Manager/Chief Engineer to terminate the Agreement.

**Attachments:** None.

**On File With Clerk:** Amended Agreement (1 copy) and (1) "Working Copy" of Amended Agreement showing changes.

**CLERK OF THE BOARD USE ONLY**

**Board Action (If other than "Requested")**

**Vote:**