



Board Agenda Item 49

DATE: October 24, 2023

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Retroactive Agreement for Consultant Services Related to Big Dry Creek Reservoir
Operational Changes

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute a retroactive Cost Share Agreement for Consultant Services Related to Legislative Support for Big Dry Creek Reservoir's Operational Changes, effective January 1, 2022, through December 31, 2022, not to exceed four consecutive years, which includes a one-year base and three optional one-year extensions, total not to exceed \$60,000.

Approval of the recommended action will allow for the County's participation in continued efforts of re-evaluating Big Dry Creek Dam and Reservoir's operational efforts, in order to allow for increased water conservation storage, as proposed by the Fresno County Stream Group. This item pertains to a location within District 5.

ALTERNATIVE ACTION(S):

There are no viable alternatives. Should your Board not approve the recommended action, the County would not be able to participate in the abovementioned effort.

RETROACTIVE AGREEMENT:

The recommended agreement is retroactive to January 1, 2022. The Department discovered the agreement was not presented to the Board at an earlier Board date due to staff oversight. Safeguards have been put in place to assure that future Items pertaining to this agreement are placed on the correct Board dates. There are two pending invoices totaling \$30,000 that will be paid upon approval of the recommended action.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The County's total share of cost is \$15,000 annually with a total maximum compensation not to exceed \$60,000 for the potential four-year term. Sufficient appropriations and estimated revenues are included in the Department's Water and Natural Resources, Org. 43600300 FY 2023-24 Adopted Budget.

DISCUSSION:

The Fresno County Stream Group is a multi-agency collaborative between the Cities of Fresno and Clovis, County of Fresno, Fresno Metropolitan Flood Control District (FMFCD) and the Fresno Irrigation District (FID). The Big Dry Creek Dam and Reservoir, situated on Dry Creek, are existing flood control structures

located in an unincorporated area of Fresno County, near the intersection of State Route 168 and North Shepherd Avenue, immediately adjacent to the city limits of the City of Clovis. The flood control structures are owned by the United States Federal government and are operated by FMFCD.

The United States Army Corps of Engineers (USACOE) constructed the Big Dry Creek Dam and Reservoir in 1948, and must approve by permit any repairs, rehabilitation, replacement or fill of the Big Dry Creek Dam and Reservoir. To increase water storage and groundwater recharge capacity in the County, the Stream Group is seeking approval to reoperate the Fancher, Redbank and Big Dry Creek Reservoir including the completion of the required USACOE studies and evaluations.

In cooperation with the USACOE Sacramento District, FMFCD has a better understanding of the required technical studies for evaluating a reoperation of the Big Dry Creek Reservoir and Dam. Considering California's Sustainable Groundwater Management Act and the need to sustainably manage groundwater resources, the Stream Group has focused on strategies to maximize usage of surface water for beneficial use. To this end, reoperation of the Big Dry Creek Dam and Reservoir can provide significant public beneficial use for water resource management, consistent with the project's congressional authorization and engineered design construction.

In 2020, the Stream Group supported FMFCD's initial efforts to add language to the United States Congress 2020 Water Resources Development Act to allow for the study of the reoperation of the Big Dry Creek Reservoir and to work with the USACOE to complete initial studies regarding its reoperation. The Stream Group, through FID, contracted with Austin Ewell (Consultant), a local attorney and consultant with experience in water related matters, to gain legislative support for the reoperation effort going forward. The Cities of Fresno and Clovis, County of Fresno, and FID will equally cost share Consultant fees with a total not to exceed \$60,000 per year. The County is responsible for 25% (\$15,000) of this amount, per year.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Cost Share Agreement

CAO ANALYST:

Salvador Espino