



Board Agenda Item 55

DATE: July 13, 2021

TO: Board of Supervisors

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

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

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute the Cost Share Agreement with the Fresno Irrigation District, the City of Clovis, and the City of Fresno for Consultant Services from Austin Ewell Related to Legislative Support for Big Dry Creek Reservoir Operational Changes, effective upon execution through December 31, 2021, total not to exceed \$21,500.

Approval of the recommended action would allow for the County's participation in the retention of Austin Ewell as a consultant to assist with making key legislative contacts to gain legislative support for the reoperation of Big Dry Creek Reservoir. The Agreement also includes a contribution to Fresno Irrigation District for prior consulting work by Austin Ewell including successful efforts to add language to the United States Congress 2020 Water Resources Development Act to allow for the study of the reoperation of Big Dry Creek Reservoir and work with the United States Army Corps of Engineers to complete initial studies regarding the reoperation of Big Dry Creek Reservoir. 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 Department would not be able to participate in the abovementioned effort.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The County's total share of cost is \$21,500, which is comprised of the County's 25% share of costs for the consultant on the project (\$9,000) and 25% share of costs (\$12,500) for the consultant previously hired to assist with getting the required language added to the 2020 Water Resources and Development Act. Sufficient appropriations and estimated revenues are included in the Department's Water and Natural Resources, Org. 43600300 FY 2021-2022 Recommended Budget.

DISCUSSION:

The Fresno County Stream Group is a multi-agency collaborative between the Cities of Fresno and Clovis, Fresno County, the 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 Fresno County, the Stream Group is seeking approval to reoperate the Big Dry Creek Reservoir including the completion of the required USACOE studies and evaluations.

In cooperation with the USACOE Sacramento District, FMFCD has gained information on the needed technical studies for evaluating a reoperation of the Big Dry Creek Reservoir and Dam. Considering California's Sustainable Groundwater Management Act (SGMA) and the need to sustainably manage groundwater resources, the Stream Group has focused on strategies to maximize usage of surface waters 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 members met with Austin Ewell, a local attorney and consultant with experience in water related matters and retained him to assist with gaining legislative support for the reoperation effort going forward. The total cost for the consultant on the project will not exceed \$36,000 for calendar year 2021 with the County being responsible for a 25% share of costs incurred after execution of the agreement, up to \$9,000.

FID had previously hired the Consultant to assist with getting the required language added to the 2020 Water Resources and Development Act at a total cost of \$50,000. The Consultant was successful in that effort and in addition to the engagement of the Consultant for gaining the legislative support, the County would like to contribute a proportionate share of FID's costs, totaling \$12,500 for the prior work performed by the Consultant.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Cost Share Agreement with FID and the Cities of Clovis and Fresno

CAO ANALYST:

Ron Alexander