



SUPPLEMENTAL AGENDA ITEM AGENDA STAFF REPORT

Control: 26001967

MEETING DATE: 10/27/2026
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): District 3
SUBMITTING AGENCY/DEPARTMENT: County Executive Office
DEPARTMENT CONTACT PERSON(S): Thomas Miller, 714-834-6019
Dylan Wright, 714-480-2788

REASON ITEM IS SUPPLEMENTAL: A supplemental ASR is needed because this is a complex, multi component negotiation, and final deal terms have required additional time for staff and IRWD to resolve and were not completed until after the filing deadline. Board approval on October 27, 2026, is necessary to meet the schedule for work in and around sensitive habitat. Deferring the item to later Board meeting would delay the project including necessary seismic, safety and design improvements associated with the Santiago Creek Dam Improvement Project.

JUSTIFICATION: This request is supplemental because Irvine Ranch Water District only recently finalized the documents for the Project. Board approval on October 27, 2026, is necessary to meet the schedule for work in and around sensitive habitat. Deferring the item to later Board meeting would delay the project including necessary seismic, safety and design improvements.

SUBJECT: Easements and Agreements with Irvine Ranch Water District for the Santiago Creek

CEO CONCUR	COUNTY COUNSEL REVIEW	CLERK OF THE BOARD
Concur	Approve agreement to form	DISCUSSION
		3 Votes Board Majority

Budgeted: Yes	Current Year Cost: See Financial Impact Section.	Annual Cost: See Financial Impact Section
Staffing Impact: No		Sole Source: No
Current Fiscal Year Revenue: \$139,000	Funding Source: Fund 299: 100%	County Audit in Last 3 years: No
Levine Act Review Completed? Yes		
Prior Board Action: N/A		

RECOMMENDED ACTION(S):

1. Make the following California Environmental Quality Act (CEQA) findings:

a. Irvine Ranch Water District (IRWD), as lead agency under CEQA for Santiago Creek Dam Improvement Project, certified Final Environmental Impact Report (EIR) SCH # 2023050097 on November 10, 2025. The County of Orange as a responsible agency under CEQA Guidelines Section 15381, has reviewed and

considered the Final Environmental Impact Report prepared by IRWD and certifies that it has done so, pursuant to CEQA Guidelines Section 15050(b).

b. There are no significant environmental effects within the jurisdiction of the County of Orange which require a finding on the part of the County of Orange.

c. The circumstances of the project are substantially the same as described in EIR SCH # 2023050097 and no substantial changes have been made in the project, no substantial changes have occurred in the circumstances under which the project is being undertaken, and no new information of substantial importance to the project which was not known or could not have been known when EIR SCH # 2023050097 was certified has become known.

d. There are no feasible alternatives or feasible mitigation measures within the separate authority of the County of Orange to impose, which would substantially lessen or avoid any significant effect the project would have on the environment, pursuant to CEQA Guidelines section 15096 (g)-(h).e. As a responsible agency, the County of Orange is authorized, pursuant to Guidelines section 15096, to rely on the EIR SCH # 2023050097 certified by IRWD.

2. Approve and authorize the Chief Real Estate Officer or designee to execute the Easement and Reimbursement Agreement between the County and Irvine Ranch Water District, to document various easement exchanges, mutually required consent, environmental review, and cost allocation, in connection with the Santiago Creek Dam Improvement Project at Irvine Lake in substantially the same form as Attachment N.

3. Approve and authorize the Chief Real Estate Officer or designee to execute the various easements and License Agreement between the County and Irvine Ranch Water District, to document the property rights exchanges in a recordable format, in connection with the Santiago Creek Dam Improvement Project, at Irvine Lake in substantially the same form as Attachments A through M.

4. Approve and authorize the Chief Real Estate Officer or designee to make minor modifications to the Easement and Reimbursement Agreement, easement deeds, License Agreement, and other documents, provided such modifications do not substantially alter the financial or affirmative obligations of the County, upon County Counsel approval, and to execute any collateral instruments related thereto and perform any other administrative processes needed to complete the easement exchange and record the Easements and facilitate the Santiago Creek Dam Improvement Project at Irvine Lake.

SUMMARY:

Approval of the Easement and Reimbursement Agreement, various easement agreements, and License Agreement, between the County of Orange and Irvine Ranch Water District will support Irvine Ranch Water District's Santiago Creek Dam Improvement Project located at Irvine Lake.

BACKGROUND INFORMATION:

Irvine Ranch Water District ("IRWD") is the fee owner of the dam and reservoir facility commonly known as Irvine Lake or the Santiago Reservoir ("Reservoir Property"). The reservoir is formed by the Santiago Creek Dam, which was completed in 1933 and certified by the State of California, Departments of Water Resources and Safety of Dams. IRWD uses water from the Reservoir Property to supply water to its customers.

In 2012, IRWD initiated seismic evaluations of the existing outlet tower which determined that the freestanding structure was seismically unstable. In 2017, IRWD initiated a multi-phase spillway condition assessment. The assessment found that the aging spillway was nearing the end of its useful life and that its design, while acceptable at the time of construction, does not meet current standards. In 2021, IRWD identified an opportunity to enhance the safety of the Santiago Creek Dam embankment through its proposed Santiago Creek Dam Improvement Project (“Project”).

The primary objective of the Project is to rehabilitate and replace the dam’s outlet tower and spillway facilities and to modify the reservoir embankment to support continued operation of these facilities to provide a long-term water resource benefit. The Project will meet or exceed current seismic, safety and design requirements, while preserving and restoring local water supplies, increasing the storage capacity of the Reservoir Property, and increasing regional water resiliency, safety and reliability. These improvements are anticipated to begin construction by the end of 2026 and are anticipated to take four to five years to complete.

The Project requires coordination between IRWD and several County of Orange departments including County Executive Office Real Estate, Orange County Waste and Recycling (“OCWR”), and Community Resources/OC Parks. There are several easement exchanges planned between the County and IRWD for various permanent improvements and temporary construction impacts in connection with the Project. Due to the complexity of the Project, an Easement and Reimbursement Agreement was prepared which documents the various Easements and a License Agreement required to complete the Project, which are shown in Attachment O. The County will receive approximately \$139,000 from IRWD as compensation for the various easement rights granted to IRWD and for the License Agreement. CEO Real Estate staff has validated this amount as fair compensation for the rights being granted.

The Project also includes relocation of a Southern California Edison (“SCE”) power line and easement. The SCE design, construction, and coordination costs associated with relocating the overhead powerlines that provide power for OCWR operations will be paid for initially by IRWD. OCWR will reimburse IRWD after receipt of a written invoice.

By approving these documents, the Board will provide the property rights required by IRWD for the Project, including the relocation of the SCE easement for the power transmission lines impacted by the Project.

Compliance with CEQA: IRWD as lead agency under CEQA for this project, certified Final EIR SCH # 2023050097 on November 10, 2025. The County of Orange, as a responsible agency under CEQA Guidelines section 15381, has reviewed and considered the Final EIR prepared and certified by IRWD and certifies it has done so. As a responsible agency, the County of Orange is authorized by Guidelines section 15096 to rely on the Final EIR certified by IRWD.

General Plan Conformity: This Project is in conformance with the Orange County General Plan.

FINANCIAL IMPACT:

Pursuant to the Terms of the Easement and Reimbursement Agreement, the County will receive approximately \$139,000 from IRWD as compensation for the various easement rights granted to IRWD and for the License Agreement. OCWR has agreed to reimburse IRWD for the costs of relocating SCE’s overhead power line. OCWR has also agreed to place gravel on an existing dirt road to provide access to SCE’s new utility pole, which will serve the OCWR property. The cost of the power line relocation and gravel placement have not yet been determined.

STAFFING IMPACT:

N/A

REVIEWING AGENCIES/DEPARTMENTS:

OC Community Resources

OC Waste & Recycling

ATTACHMENTS:

Attachment A - Access Easement

Attachment B - Vehicular Access Easement Across Landfill

Attachment C - Drainage Easement to County

Attachment D - Slope and Rock Anchor Wall Easement

Attachment E - Amended Easement Agreement

Attachment F - Spillway Easement

Attachment G - Temporary Construction and Access Easement

Attachment H - Vehicular Access Easement to Inlet-Outlet Structure

Attachment I - Embankment Easement

Attachment J - Electrical Easement County to SCE

Attachment K - Electrical Easement IRWD to SCE

Attachment L - Reciprocal Access Easement Near Boat House

Attachment M - Well Project License Agreement

Attachment N - Easement and Reimbursement Agreement

Attachment O - Easement and License Location Maps