CONSERVANCY BOARD
Karen Mitchoff, Chair
Contra Costa County
Leo Winternitz, Vice-Chair
Appointed Public Member
Keely Bosler
California Department of Finance
Wade Crowfoot, Secretary
California Natural Resources Agency
Senator Bill Dodd
Ex-Officio Member
Assemblymember
Jim Frazier
Ex-Officio Member
Sandi Matsumoto
Appointed Public Member
Katherine Miller
San Joaquin County
Don Nottoli
Sacramento County
Jim Provenza
Yolo County
Dolly Sandoval
Appointed Public Member
Skip Thomson
Solano County
Vacant
Appointed Public Member

LIAISON ADVISORS
Russell Callejo
U.S. Bureau of Reclamation
Steve Chappell
Suisun Resource Conservation District
Moira McEnespy
California Coastal Conservancy
Steve Goldbeck
San Francisco Bay Conservation and Development Commission
Martha Ozonoff
Yolo Basin Foundation
Maria Rea
National Marine Fisheries Service
Paul Souza
U.S. Fish and Wildlife Service
Stu Townsley
U.S. Army Corps of Engineers
Michael Villines
Central Valley Flood Protection Board
Erik Vink
Delta Protection Commission

AGENDA
Meeting of the
Board of Directors and Liaison Advisors for the
SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY
Wednesday, September 25, 2019
9:00 am – 1:00 pm
Delta Conservancy Conference Room
1450 Halyard Drive, Suite 6, West Sacramento, CA 95691

1. Call to Order and Pledge of Allegiance
2. Welcome, Roll Call, and Introductions
3. Public Comment (New Business)
4. Consent Calendar (Action Item)
   ▪ Approval of July 24, 2019 Meeting Summary (Attachment)
5. Executive Officer’s Report, Campbell Ingram
   ▪ Program Update (Attachment)
   ▪ Budget and Expenditure Report (Attachment)
6. Program and Policy Subcommittee Update, Debra Kustic (Attachment)
7. Consideration of Change to Board Meeting Schedule, Campbell Ingram
   (Action Item) (Attachment)
8. Request for Approval of Revised Delta Conservancy Delegation of Authority to the Executive Officer, Campbell Ingram (Action Item) (Attachment)
9. Request for Approval of Proposition 68 Grant Guidelines Draft for Public Comment, Robyn Krock (Action Item) (Attachments)
10. Request for Approval to Amend the Scope of Work for the Nutria Eradication Project, Phase 2, Aaron Haiman (Action Item) (Attachment)
11. Request for Approval of a Grant Award for the Elk Slough Fish Passage and Flood Improvement Project, Laura Jensen (Action Item) (Attachment)
12. Proposition 1 Program Update, Aaron Haiman (Attachment)
13. Delta Stewardship Council Update, Amanda Bohl
14. Delta Protection Commission Update, Erik Vink
15. California Delta Conveyance Update, Greg Farley
16. Potential Agenda Items for the December 4, 2019 Board Meeting, Campbell Ingram (Attachment)

17. Public Comment

18. ADJOURN

- Attachments and additional information are on the Delta Conservancy’s website at: http://www.deltaconservancy.ca.gov.

- If you need reasonable accommodation due to a disability, please contact us at least five (5) days prior to the meeting date at (916) 375-2084 or contact@deltaconservancy.ca.gov. This contact information may also be used for any questions you may have.

- Public comments are generally limited to three (3) minutes but may be more or less at the discretion of the Board Chair.

- The Board may consider the agenda items listed above in a different order at the Delta Conservancy Board meeting, pursuant to the determination of the Board Chair. All items appearing on this agenda, whether or not listed expressly for action, may be deliberated upon and subject to action at the discretion of the Delta Conservancy Board.
Agenda Item 1 – Call to Order & Pledge of Allegiance
Meeting called to order at 9:08 a.m. by Chair Katherine Miller.

Agenda Item 2 – Tour and Presentation of Delta Conservancy Funded Bee’s Lake Habitat Restoration Plan Site
Presentations by Traci Michel of the City of West Sacramento, Doug Brown of Doug Brown and Associates, and project team members.

Agenda Item 3 – Welcome, Roll Call, and Introductions
Meeting continued at 10:40 a.m. after the project site tour. After the Pledge of Allegiance, roll call was taken. Agenda items were heard by the Board in the order indicated below.

Board Members Present: Katherine Miller, Dolly Sandoval, Christopher Lief, Sandi Matsumoto, Don Nottoli, Jim Provenza, Skip Thomson, Leo Winternitz, Karen Mitchoff, Bryan Cash

Ex Officio Members Present: None

Liaison Advisors Present: Sandra O’Roak, Steve Chappell, Erik Vink, Jim Waters, Daniel Welsh

Agenda Item 4 – Public Comment
None.

Agenda Item 5 – Board Elections
Executive Officer Campbell thanked Chair Miller and Vice Chair Sandoval for their service and opened nominations for the position of Chair and Vice Chair of the Sacramento-San Joaquin Delta Conservancy Board for the 2019-2020 year.

MOTION: Supervisor Thomson moved, seconded by Supervisor Miller, to nominate Supervisor Mitchoff as Board Chair and Board Member Winternitz as Vice Chair.

No other nominations were moved.
A roll call vote was taken by the Board to approve the motion. The motion passed unanimously.

Supervisor Miller passed the gavel and Supervisor Mitchoff assumed the Chair position.

Agenda Item 6 – Consent Calendar

MOTION: Supervisor Nottoli moved, seconded by Supervisor Provenza, to approve the following.
- May 22, 2019 Board Meeting Summary and Action Items

A voice vote was taken by the Board to approve the motion. The motion passed unanimously.

Agenda Item 7 – Executive Officer’s Report

Executive Officer Campbell Ingram briefed the Board as follows.

- The office expansion is on schedule to be finished the second week in August.
- Executive Officer Ingram attended the monthly coordination meeting for the Interagency Nutria Team on July 22, 2019 and reports they have taken more than 656 animals which is an increase of 130 from last month. There have been no further nutria sightings in the Rough and Ready Island area.
- The Conservancy has executed a contract for third party verification of carbon emission reduction credits on DWR wetlands on Sherman and Twitchell Islands.
- Conservancy staff published final reports from Delta Mercury Exposure Reduction Program’s Community Grant Program recipients and technical support is ongoing.
- Executive Officer Ingram and staff attended a meeting at the Delta Protection Commission on May 28, 2019 where the Delta Marketing Task Force gave input on the Delta recreation map and sign design.
- The Conservancy is supporting the Delta Protection Commission in the Fall Coastal Cleanup Day on September 21, 2019.
- Board Directives from the May 22, 2019 meeting all pertained to Proposition 1 grants and were addressed during agenda items 12 and 14.

Deputy Executive Officer Debra Kustic presented the Budget and Expenditure Report. The report has a new format generated from the standardized state accounting system which is provided to the Conservancy quarterly. It was proposed the report be provided to the Board every other meeting. Supervisor Nottoli suggested if the reports are quarterly that we call out anomalies at each meeting. Board Member Matsumoto requested the format be altered to include all of the funds on a single page.

Agenda Item 8 – Program and Policy Subcommittee Update

Executive Officer Ingram presented an update on the June 19, 2019 meeting of the Program and Policy Subcommittee.

- Conservancy staff met with the Board of Directors for the Yolo Basin Foundation to further explore the potential to partner with the Delta Conservancy to implement Proposition 68 eligible projects. The group is amenable to continuing discussions as Proposition 68 projects are identified.
• The Subcommittee continued discussion from previous meetings exploring the feasibility, potential benefits, and challenges of the Conservancy holding easements and/or title to land on behalf of the State.
• Program Manager Laura Jensen updated the Subcommittee on Proposition 68 and farmer engagement in the Delta. Ms. Jensen met with Delta farmers and discussed if they had needs for studies or agricultural analysis that would benefit Delta agriculture. The farmers did not identify specific needs but expressed a willingness to engage if one was identified.
• The Subcommittee discussed the Board meeting schedule and requested that staff present the topic at the July 24, 2019 Board meeting.
• Staff brought to the Subcommittee a proposal to raise the Executive Officer’s delegation of authority to execute contracts above the current $50,000 maximum. The Delegation of Authority allows the Executive Officer to execute contracts in such amounts as may be necessary to carry out the Strategic Plan, the Implementation Plan or other adopted plan or policy resolution of the Board. Delegation to the Executive Officer to execute contracts other than as specified is limited to $50,000. Executive Officer Ingram suggested discussing at the August Subcommittee meeting proposed revisions to the funding cap and provisions to address time constraints.

**Agenda Item 9 – Consideration of Change to Board Meeting Schedule**
Executive Office Ingram proposed a change to the meeting schedule from six (6) meetings per year to five (5) by eliminating the meeting during the holiday months (November/December). After discussing possible meeting schedules, staff was asked to send out a Doodle poll to Board members to help find the schedule that works best. Staff will present the results of the poll at the September Board meeting.

**Agenda Item 10 – Consideration of Resolution 18-06 Regarding Workers’ Compensation**
Deputy Executive Officer Kustic presented Resolution 2019-01 which clarifies Delta Conservancy Board Members are not eligible for workers’ compensation insurance coverage and, deems volunteers to be employees thus making them eligible for workers’ compensation insurance.

**MOTION:** Board Member Winternitz moved, seconded by Board Member Sandoval, to adopt Resolution 19-01.

**Public Comment**
None.

*A roll call vote was taken by the Board to approve the motion. The motion passed unanimously.*

**Agenda Item 11 – 2019 Implementation Plan and 2017-2022 Strategic Plan – Update on Progress Toward Achieving Goals and Objectives**
Deputy Executive Office Kustic presented the mid-year update to the Strategic and Implementation Plans. The Conservancy is on track to meet its goals and there are no immediate concerns. Deputy Executive Office Kustic proposed that the Board consider Strategic Plan Goal 1, Objectives 1 and 2 (agricultural sustainability) and the corresponding Implementation Plan tasks to be complete given the work done to engage Delta farmers and the lack of an identified need for a specific analysis of the Delta agricultural system. The Board expressed a preference for designating the analysis objective “inactive”. There was no public comment.
Agenda Item 14 – Consideration of Staff Recommendation Related to Proposition 1 Grant Funding for the Implementing Resilient Circulation and Drainage Project in Suisun Marsh Managed Wetlands for Improved Wildlife Habitats and Water Quality Project

Board Member Steve Chappel recused himself. Executive Office Campbell Ingram presented the staff recommendation to deny funding for the project. John Takakawa, Operations Manager for Suisun Conservation District presented salient facts about the project and requested the Conservancy fund the project.

**MOTION:** Supervisor Thomson moved, seconded by Supervisor Provenza, to send this project back to staff to review, to work with the applicant to see what the deficiencies are, give the applicant an opportunity to address them, and bring a recommendation to the Board at a future meeting.

A roll call vote was taken by the Board to approve the motion. The vote was four aye and six nays. The motion did not pass.

**MOTION:** Board Member Sandoval moved, seconded by Board Member Cash, to deny funding for the Implementing Resilient Circulation and Drainage Projects in Suisun Marsh Managed Wetlands for Improved Wildlife Habitats and Water Quality project.

A roll call vote was taken by the Board to approve the motion. The vote was seven aye and three nays. The motion passed.

Agenda Item 12 – Proposition 68 Program Update

Community Projects Supervisor Robyn Krock presented key points of the Proposition 68 grant guidelines that are being drafted. The Community and Economic Enhancement Grant Program will be collaborative and non-competitive with no specific application deadlines. Applying will be a two-step process of a concept proposal followed by a full proposal. There will be an assessment process before staff brings any projects to the Board to consider funding. A discussion draft of the grant guidelines are scheduled to be posted on the Conservancy’s website on Monday, August 19, 2019 for review and discussion at the August 21, 2019 Program and Policy Subcommittee meeting. Draft grant guidelines will be presented at the September 25, 2019 Board meeting, and if approved will be posted on the Conservancy’s web site for a thirty- day public comment period. Staff requested the Board provide information on public meetings where a presentation by the program lead, Robyn Krock, would be helpful.

Agenda Item 13 – Proposition 1 Grant Program Update

Environmental Scientist Aaron Haiman provided an update on the Proposition 1 Grant Program.

**Cycle 4:** Applicants pending approval.

- Mello/Jensen Heirs Sandhill Crane Preserve project. Staff met with the applicant and are waiting for information from the applicant.
- Elk Slough Fish Passage and Flood Improvement. Staff and the project team will host a workshop at end of the month and the path forward will depend on the outcome of the workshop.
- Phase 1 San Joaquin River Floodplain Restoration and Floodway Enhancement at Banta Carbona. Staff met with the project team and recommended the applicant bring their project before the Interagency Adaptive Management Implementation Team (IAMIT) to serve as an expert panel to provide input.
• Of the seven projects which were approved, five have met all of their conditions and two are very close to meeting their conditions. The nutria project has indicated they will seek an amendment that staff anticipates bringing to the Board for consideration in September.

**Cycle 3:** Of the eight Cycle 3 projects, six have executed grant agreements and two are on the verge of being executed.

**Cycle 2:** Of the four Cycle 2 projects three have executed grant agreements and one is on the verge of being executed.

**Cycle 1:** All seven of the grant agreements have been executed. Two of the grants are almost closed.

**Agenda Item 15 – Delta Stewardship Council Update**
Amanda Bohl provided the Delta Stewardship Council (Council) update. On July 23, 2019 the Council co-hosted a Social Science Task Force workgroup on human dimensions in research. An economist, social scientist, and sociologist presented perspectives on Delta issues and the group will develop a white paper, which they anticipate completing by the end of the year. There is a Council meeting on July 25, 2019 with teleconference options. Meeting materials are posted online, including a mid-year workplan update. There was a Delta Plan Interagency Implementation meeting on July 15, 2019 focusing on the Governor’s water resilience portfolio executive order. Finally, the ecosystem amendment updating chapter four of the Delta Plan should have a public review draft available this fall.

**Agenda Item 16 – EcoRestore Update**
Bryan Cash will provide an update at the September 25, 2019 meeting.

**Agenda Item 17 – California Delta Conveyance Updates**
No update

**Agenda Item 18 – Delta Protection Commission Update**
Erik Vink, Executive Director of the Delta Protection Commission (Commission), presented an update. The Commission is finishing the update of the agricultural section of the Economic Sustainability Plan and beginning on the recreation and tourism segment. The goal is to form recommendations to forward to the Council to consider including in the Delta Plan. The Commission has been tasked with creating the Great California Delta Trail to connect the San Francisco Bay Trail with the Sacramento River Trail and they are starting work on a Great Delta Trail Master Plan.

**Agenda Item 19 – Potential Agenda Items for the September 25, 2019 Board Meeting**
Tentative agenda items for the September 25, 2019 Board meeting

• Consideration of draft Proposition 68 grant guidelines for public comment
• Consideration of budget amendments for the Nutria Eradication Project Phase Two Proposition 1 grant
• Consideration of Proposition 1 grant funding for the Elk Slough Fish Passage and Flood Improvement project
Agenda Item 20 – Public Comment
None

Board Directives to Staff
None

MEETING ADJOURNED by Chair Mitchoff at 12:50 p.m.

Contact
Jessica Adel, Fiscal and Board Analyst
Sacramento-San Joaquin Delta Conservancy
Email: Jessica.adel@deltaconservancy.ca.gov
Phone: (916) 376-4022
EXECUTIVE OFFICER’S REPORT
September 25, 2019

PROGRAM UPDATE

OFFICE EXPANSION
The Conservancy has taken occupancy of the newly expanded space and the project is nearly complete with only minor work remaining to install audio visual equipment, signage, and some furniture items; Americans With Disabilities Act updates; and touch up painting. We are very pleased with the outcome.

ECOSYSTEM RESTORATION PROGRAM
Nutria Eradication:
The Executive Officer regularly attends monthly Nutria Interagency Eradication Team meetings. The latest report including updated numbers and map locations is in the board packet as agenda item 5, attachment 2.

Delta Mercury Exposure Reduction Program:
The Conservancy, in partnership with the Central Valley Regional Water Quality Control Board (Water Board), Department of Public Health, and Office of Environmental Health Hazard Assessment (OEHHA), continues to work with community-based groups, local agencies, and others to implement the Delta Mercury Exposure Reduction Program (MERP). The Water Board and Conservancy staff are working collaboratively to post fish consumption advisories in the Delta. To date, 65 signs have been posted throughout all five Delta counties. Conservancy staff is implementing the Delta MERP Fish Consumption Advisory Sign Posting Evaluation with the Southeast Asian Assistance Center (SAAC) to evaluate the effectiveness of the fish consumption advisories that have been posted. Of the 65 sign posting locations, surveys will be conducted at 25 total sites across all five counties. The final report will be submitted by SAAC on December 30, 2019.

Delta Interagency Invasive Species Coordination Team:
The Delta Interagency Invasive Species Coordination (DIISC) Team convened the 2019 Delta Invasives Symposium on August 29, 2019 at the University of California – Davis UC Conference Center. The symposium had the theme “Remote Sensing Applications for Management” and had more than 140 registered participants. Conservancy staff led the planning effort as well as moderated and presented at the event. The purpose of the DIISC Team is to foster communication and collaboration among California state agencies, federal agencies, research and conservation groups, and other stakeholders that detect, prevent, and manage invasive species and restore invaded habitats in the Delta. Conservancy staff continues to lead and facilitate the DIISC Team.
Portfolio Recommendations Group:
In response to a request in the Governor’s Executive Order Number N-10-19 calling for public input for a Resilient Water Portfolio, an ad hoc, unsponsored effort, called the Portfolio Recommendations Group (PRG), brought together more than 80 opinion leaders from urban water agencies, tribes, environmental groups, irrigation districts, environmental justice groups, fire leaders, flood agencies, business and watershed groups. Over the course of several months, four plenary meetings and multiple phone conferences, the group developed a suite of recommendations that is currently being finalized and will be forwarded to the Governor during the week of September 16, 2019. The group broke into subgroups to identifying the top-tier recommendations in six categories: Human Right to Water, Diverse Water Supplies, Healthy Waterways, Groundwater, Climate Resilient Watersheds, and Delta. The priorities were refined by the subgroups and the overall group. The Conservancy Executive Officer participated in the Delta group, which includes representatives from Contra Costa, San Joaquin, and Solano Counties, and has signed the document as a participant and supporter of the recommendations.

COMMUNITY AND ECONOMIC ENHANCEMENT PROGRAM
Sacramento-San Joaquin Delta Week: The Conservancy staff supported Senator Dodd’s office in the development of a Senate Resolution for Sacramento-San Joaquin Delta Week, the week of September 21, 2019, to highlight the significance and importance of the Delta. Staff provided review of the resolution and a press release including quotes from the Executive Officer.

ETHICS COURSE REMINDER FOR BOARD MEMBERS
The Fair Political Practices Commission requires that Conservancy Board Members complete an ethics course every other year on odd years. Board Members will need to have this accomplished by December 31st of this year. Those of you who have not completed the course will be notified by email with a link to the online course.

REMINder OF MEETING DATE CHANGE
Please remember that we have changed our November board meeting to the alternate meeting date of December 4, 2019 due to the conflict with the Thanksgiving Holiday.

BOARD DIRECTIVES TO STAFF – None

DELTA CONSERVANCY BUDGET AND EXPENDITURE UPDATE
Agenda Item 5 (Attachment 3): Budget and Expenditure Report

CORRESPONDENCE
None.

Contact
Campbell Ingram, Executive Officer
Sacramento-San Joaquin Delta Conservancy
Email: campbell.ingram@deltaconservancy.ca.gov
Phone: (916) 375-2089
Nutria Eradication Program Update

Field Update

Since implementing the Nutria Eradication Incident Command System in March 2018, the California Department of Fish and Wildlife’s redirected field crews, along with three USDA-Wildlife Services trappers and the California Department of Food and Agriculture’s delimitation crews, have:

- Completed full and/or rapid assessments on over 510K acres
- Executed entry permits with over 2500 landowners
- Set up 936 camera stations
  - Conducted 4100 camera checks
- Confirmed nutria within 170 sites (Figure 1)
- Deployed 1590 trap sets for a total of 20,242 trap nights
- Taken or accounted for the take of 697 nutria (since Mar 2017; Figure 1)
  - Merced- 586
  - San Joaquin- 70 (69 from Walthall Slough)
  - Stanislaus- 38
  - Mariposa- 2
  - Fresno- 1
- Necropsy data has shown:
  - 1.15 sex ratio (M:F)
  - Of the females captured:
    - 35% of juvenile (2-6 mos.) females have been pregnant
    - 65% of subadult (6-14 mos.) females have been pregnant
    - 74% of adult (>14 months of age) females have been pregnant
  - 919 fetal nutria have been documented
  - Litter size ranged from 2-11, with an average of 6.0
    - Average litter size for adult females (> 14 mos.) in California is 6.6
As of August 19, 2019, 697 nutria have been taken or otherwise confirmed taken in California, with the following distribution of take by county: Merced – 586; San Joaquin – 70; Stanislaus – 38; Mariposa – 2; Fresno – 1; Tuolumne – 0; confirmed present.
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**TOTALS**

| TOTAL PS & OE & E         | $37,798,680 | $229,559 | $37,569,121 |
| REIMBURSEMENT             | ($250,408)  | ($9,865) | ($240,543)  |
| GRAND TOTAL               | $37,548,272 | $219,693 | $37,328,578 |

Footnote: Unallocated Operating Expense & Equipment: General Fund-$141,080, Prop 1- $203,403, Prop 68- $333,699
Program and Policy Subcommittee Update

August 21, 2019

In attendance were Board Member Jim Provenza and Liaison Advisor Sandra O’Roak; Deputy Attorney General Nicole Rinke, counsel to the Conservancy; Executive Officer Campbell Ingram; Deputy Executive Officer Debra Kustic; and several Conservancy staff.

Proposition 68 Program
Community Projects Supervisor Robyn Krock presented the Discussion Draft of the Proposition 68 Grant Guidelines. With a community and economic enhancement priority, the program will fund grants for recreation and tourism, historic and cultural preservation, and environmental education. Applications will be non-competitive and can be submitted at any time once the final guidelines are posted. The assessment process, which will help determine if projects are viable and appropriate for funding, was discussed. The Conservancy will work with the applicants during the proposal development and assessment process with the goal of bringing projects to the Board ready for approval. There will be a strong focus on disadvantaged communities. Funding for the grants begins this fiscal year.

Next Steps:
The final draft of the Proposition 68 Grant Guidelines will be brought to the September 25, 2019 Board Meeting for consideration. If approved by the Board, the Conservancy will post them for a 30-day public comment period and conduct a public meeting. The Final Proposition 68 Grant Guidelines will likely be ready for Board consideration at the December 4, 2019 meeting.

Delegation of Authority
Executive Officer Ingram presented suggested language for revisions to the Delegation of Authority to execute contracts. The suggested language delegates to the Executive Officer the authority to execute contracts up to $200,000. Additionally, the language suggests a process that requires Chair and Vice Chair approval for time sensitive contracts, exceeding $200,000, that would be negatively impacted by waiting until the next Board meeting. The suggested language also states that all non-administrative expenditures greater than $10,000 will be reported to the Conservancy Board. There was discussion regarding the amount of the cap and whether, for contracts approved by the Chair/Vice Chair, staff should place an item on the agenda for discussion at the next Board meeting.

Next Steps:
Staff will present a recommendation for consideration at the September 25, 2019 Board meeting.
Land Ownership
Continued talks are occurring and there is nothing new to report at this time.

Future Agenda Items
None

Public Comments
None

Contact
Debra Kustic, Deputy Executive Officer
Sacramento-San Joaquin Delta Conservancy
Email: debra.kustic@deltaconservancy.ca.gov
Phone: (916) 375-2086
Consideration of Changes to the Board Meeting Schedule

Staff Report

This agenda item presents a recommended schedule for Board meetings for the calendar year 2020.

RECOMMENDATION
Staff recommends the Board approve the Board meeting schedule described below for the calendar year 2020.

DESCRIPTION
To improve efficiency of Conservancy operations, staff recommends going to a five per year Board meeting schedule. The schedule would include meetings in January, March, May, July and October. This schedule avoids holiday conflicts in November and December and will allow sufficient Board interaction to conduct Conservancy business. Based on a poll circulated to voting Board members, the forth Wednesday of the month, from 9:00 am to 1:00 pm remains the date and time that can accommodate the greatest number of members. To maintain availability in the event an additional Board meeting is necessary, Board members are asked to mark their calendars for the fourth Wednesday of the off months February, April, June and September.

SUGGESTED MOTION LANGUAGE:
Move the Board approve a schedule of Board meetings for calendar year 2020 with meetings in January, March, May, July and October, on the fourth Wednesday of the month from 9:00 am to 1:00 pm.

Contact
Campbell Ingram, Executive Officer
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Request for Approval of Revised Delta Conservancy Delegation of Authority to the Executive Officer

Staff Report

This agenda item presents revised language for the Delegation of Authority to the Executive Officer.

RECOMMENDATION
Staff recommends the Board approve revised Delegation of Authority to the Executive Officer as described below and in the attached.

DESCRIPTION
To improve efficiency of Conservancy contracting processes, staff has provided suggested revisions to the Delegation of Authority (DA) to the Executive Officer to limit the delegated authority for all contracts to $200,000. Additionally, for time sensitive contracts that exceed $200,000, approval by the Chair and Vice Chair is proposed. All non-administrative expenditures greater than $10,000 will be reported to the Conservancy Board at regularly scheduled Board meetings.

BACKGROUND
Current language in the DA, as interpreted, is unnecessarily restrictive and regularly causes delays and inefficiencies in contracting processes. Staff has reached out to other agencies of similar size and believes authority up to $200,000 is appropriate for the Conservancy. Existing language, provided below, has been interpreted to limit authority to $50,000; however, the language as written indicates no authority limit if expenditures are associated with program and planning recognized within the Board approved Strategic Plan and Implementation Plan. Suggested language extends the authority to cover all expenditures by the Conservancy.

Existing Language
To enter into contracts for technical or other services, as needed for the purpose of program and project development or planning:

a. in such amounts as may be necessary to carry out the Conservancy's interim and final Strategic Plans, Action Plan, or other adopted plan or policy resolution of the Conservancy board and
b. in amounts not to exceed $50,000 per contract, including extensions and amendments (or such other amount as may hereafter be authorized by the Conservancy), for program and project development or planning other than under (a) above.
Suggested Language
To enter into contracts for technical or other services, as needed for the purpose of program and project development or planning as may be necessary to carry out the Conservancy’s Strategic Plan, annual Implementation Plan, or other adopted plan or policy resolution of the Conservancy board:

a. in such amounts not to exceed $200,000 per contract, including extensions and amendments or
b. with approval from the Conservancy Chair and Vice Chair for amounts greater than $200,000 if approval is time sensitive and the Board meeting schedule would cause unnecessary delays or negative impacts and
c. all non-administrative expenditures greater than $10,000 will be reported to the Conservancy Board.

SUGGESTED MOTION LANGUAGE:
Move the Board approve the Delegation of Authority to the Executive Officer per revised language in Agenda Item 8, Attachment 2.

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Delta Conservancy

Delegation of Authority to the Executive Officer

September 25, 2019

“The Delta Conservancy hereby delegates to the Executive Officer the authority to administer the regular and day-to-day affairs and responsibilities of the Conservancy, including the functions and powers specified below, as necessary or appropriate for the sound management of the agency. The authority delegated herein shall be carried out in a manner consistent with applicable laws and regulations, State procedures, and Conservancy policies.

“The Executive Officer may delegate to other staff any part of his or her functions, powers, or authority, but the Executive Officer shall at all times be responsible for assuring that the affairs of the Conservancy are fully and faithfully discharged.

“The foregoing delegation to the Executive Officer includes the authority:

1. To appoint other Conservancy staff; to assign duties and functions to staff; to establish procedures governing staff operations; and to administer all Conservancy personnel matters.

2. To administer and oversee the Conservancy's budgetary and fiscal affairs subject to the right of the Conservancy board to review and provide direction on the proposed annual budget.

3. To execute contracts and other instruments or documents on the Conservancy's behalf, as necessary in order to carry out the resolutions of the Conservancy board, or any other authority delegated herein.
4. To administer and manage all real and personal property within the Conservancy's ownership or control; and to enter into agreements for the management of property owned or controlled by the Conservancy, including construction or maintenance of Conservancy facilities, provided that, prior to the execution of such agreements, the Conservancy shall have authorized the expenditure of funds for the purpose.

5. To lease and sub-let office space, to purchase or lease equipment, and to procure other materials, supplies, and technical services, and to enter into contracts for such purposes, in such amounts as may be necessary or appropriate to meet the ongoing needs of administration.

6. To enter into contracts for technical or other services, as needed for the purpose of program and project development or planning as may be necessary to carry out the Conservancy's Strategic Plan, annual Implementation Plan or other adopted plan or policy resolution of the Conservancy Board:
   a. in such amounts not to exceed $200,000 per contract, including extensions and amendments or
   b. with approval from the Conservancy Chair and Vice Chair for amounts greater than $200,000 if approval is time sensitive and the Board meeting schedule would cause unnecessary delays or negative impacts and
   c. all non-administrative expenditures greater than $10,000 will be reported to the Conservancy Board.

7. To apply for funds for the support of the Conservancy's programs and projects; to negotiate and enter into agreements to accept funds, to make representations in support of such applications or agreements, to assign or accept the assignment of grant funds and applications, and to meet
agreed conditions; provided, that:

a. all expenditures not previously authorized by the Conservancy, or within the Executive Officer's delegated authority, shall remain subject to Conservancy authorization; and

b. any agreement which, at the time it is executed, requires further Conservancy authorization before it can be implemented, shall be rescindable in the Conservancy's sole discretion and without liability to the Conservancy.

8. To prepare and issue public notices of Conservancy board meeting, and meeting agendas.

9. To place on the Conservancy's consent calendar (if any) matters which the Executive Officer believes to be non-controversial, subject to the right of any Conservancy board member to remove any item from the consent calendar, and subject to such other direction as the Conservancy may provide from time to time.

10. To reimburse members of the Conservancy board and members of advisory boards or committees established by the Conservancy, for their actual and necessary expenses, including travel expenses, incurred in attending board or committee meetings.

11. To make determinations regarding the applicability of exemptions from the requirements of the California Environmental Quality Act (CEQA) and to prepare, circulate and tile all documents which are necessary to comply with CEQA, provided, that the Conservancy reserves the authority to review, certify and adopt necessary findings in connection with environmental impact reports and negative declarations.

12. To provide and make available technical information, expertise, and other non-financial assistance to public agencies,
nonprofit organizations, and tribal organizations to support program and project development and implementation.

13. To award grants and enter into grant agreements consistent with the Conservancy's enabling legislation and the grant and program guidelines to be adopted by the Conservancy board;

14. To prepare, certify, and file documents pertaining to the adoption, amendment or repeal of regulations, and to conduct public hearings to receive comments on proposed rulemaking, as necessary to support the rulemaking activities and actions of the Conservancy.

15. To oversee the management of the Conservancy's records and to respond to requests for inspection or copies of Conservancy records under the California Public Records Act.

16. To represent the adopted positions of the Conservancy or, in the absence of such adopted positions, the views of the Conservancy staff, in communications with the Legislature, other public entities, and the public.

17. In coordination with the Office of the Attorney General, or other duly approved counsel:
   a. to defend against any legal actions brought against the Conservancy;
   b. as necessary in order to protect Conservancy property or other interests against damage or loss, and with prior notification to the Conservancy, to file and prosecute legal actions on the Conservancy's behalf; and
   c. to settle small claims court actions on the Conservancy's behalf, provided, that the Conservancy shall
be notified of any such settlement no later than the following Conservancy board meeting.

18. With respect to monetary or non-monetary claims arising outside of litigation: to grant, deny, settle or compromise such claims if they are brought against the Conservancy; and to pursue, settle, or compromise such claims if they are brought on the Conservancy's behalf; subject to such dollar limits as the Conservancy may, by resolution, require for specific categories of claims; and provided, that the Conservancy shall be notified of any such settlement no later than the following Conservancy board meeting.

19. To designate a member of the staff to serve as Acting Executive Officer, or one or more members of the staff to perform specified functions of the Executive Officer, in the event that the Executive Officer is absent or becomes unable to perform his or her regular duties. In the event of the death or incapacity of the Executive Officer, any such designation shall survive, unless it expires by its own terms, or is rescinded or modified by the Conservancy board."
Request for Approval of Proposition 68 Grant Guidelines Draft for Public Review

Staff Report

This agenda item presents the Community and Economic Enhancement Grant Program Draft Grant Guidelines (Grant Guidelines) to the Board for consideration.

RECOMMENDATION

Staff recommends that the Board approve the Community and Economic Enhancement Grant Program Draft Grant Guidelines, so that it may be released for public comment.

DESCRIPTION

Staff has prepared a draft of the Community and Economic Enhancement Grant Program Draft Grant Guidelines (Grant Guidelines). The grant program has been designed to promote a robust Delta economy and support the vitality of Delta communities.

Staff conducted community outreach to gather information on potential projects and help inform development of the Grant Guidelines, ensuring that the Conservancy’s Proposition 68 program meets the needs of Delta communities within the scope of the Conservancy’s mission and priorities. Outreach included presentations at community meetings; meetings organized by other agencies, such as the Delta Protection Commission; providing public comment at city council meetings; and informal conversations with stakeholders. Staff will maintain outreach once the program is open for proposals.

Additionally, staff participates in agency-wide bond coordination meetings, has met with other conservancies, and has reviewed other Proposition 68 programs to aid in developing a program that is consistent with state implementation of the bond.

Staff received support for the general application process and program methodology from the Board at the May and July 2019 Board meetings and from the Delta Protection Commission. Staff presented a discussion draft of the Grant Guidelines to the Program and Policy Subcommittee in August 2019. Feedback from the subcommittee and Delta Protection Commission has been incorporated into the draft document presented to the Board in this agenda item.

If the Board approves the draft Grant Guidelines, staff will:

1. Post the draft Grant Guidelines for public comment by October 1, 2019.
2. Notice, through the Conservancy’s email listserv and social media, that the Grant Guidelines are available for public comment.
3. Host a public meeting to solicit comments on the draft Grant Guidelines.
5. Review and edit the Grant Guidelines as appropriate based on comments received.
6. Request that the Board approve the final Grant Guidelines at the December 4, 2019 Board meeting.
7. Open the program to project proponents on January 2, 2020, contingent upon Board approval of the Grant Guidelines in December.

The Draft Grant Guidelines are included as an attachment to this report.

BACKGROUND
Proposition 68 is the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Public Resources Code (PRC), Division 45) that was passed by California voters on June 5, 2018. Proposition 68 makes $12,000,000 available to the Conservancy to use for the purposes specified in its governing statute (Sacramento-San Joaquin Delta Conservancy Act, Public Resources Code, Division 22.3). The Conservancy’s Proposition 68 Grant Program will fund projects that support community and economic development in the Delta in a manner that is complementary to ecosystem restoration and other Conservancy programs.

SUGGESTED MOTION LANGUAGE:
I move that the Board approve the Community and Economic Enhancement Grant Program Draft Grant Guidelines.

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Community and Economic Enhancement Grant Program

DRAFT GRANT GUIDELINES

January 2020

FUNDED BY THE
California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018
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A. Purpose of this Document
This document serves as the Grant Guidelines (Guidelines) for the Sacramento-San Joaquin Delta Conservancy’s (Conservancy) Community and Economic Enhancement Grant Program (Grant Program) and provides guidance on how to apply. This non-competitive grant program focuses on increasing tourism and public access to recreational opportunities in order to promote a robust Delta economy.

B. Contact Information
More information can be found at the Conservancy’s Community and Economic Enhancement Grant Program website. For questions or assistance, please contact the Conservancy at prop68@deltaconservancy.ca.gov.

C. Background
The Conservancy works collaboratively and in coordination with local communities, leading efforts to protect, enhance, and restore the Delta’s economy, agriculture and working landscapes, and environment, for the benefit of the Delta region, its local communities, and the citizens of California.

The Sacramento-San Joaquin Delta (Delta) is a unique natural resource of local, state, and national significance, and possesses a distinct natural and cultural heritage. The Delta is a 1,300-square mile estuary, the largest on the west coast of North and South America. It is home to more than 500,000 people, and is a world-class recreational destination. The unique heritage of the Delta was recognized in March 2019, when the Sacramento-San Joaquin Delta National Heritage Area (NHA) was signed into legislation. An NHA is a “large lived-in landscape” where “natural, cultural, and historic resources combine to form a cohesive, nationally important landscape” (National Park Service, https://www.nps.gov). The factors that contribute to the Delta’s importance are fundamentally intertwined: enhancing Delta communities and economies can play a valuable role in preserving the Delta’s myriad natural, cultural, and historic values.

In June 2018, voters approved the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018 (Proposition 68) (Division 45 of the Public Resources Code (PRC) Section 80000 et seq.), which identifies $12 million for the Conservancy to use according to its governing statute for its specified purposes (PRC 45 Sec. 80110). Proposition 68 recognizes the importance of tourism to rural economies, the need for recreation for health and well-being, and a historic underinvestment in outdoor infrastructure in disadvantaged communities around the state.
D. Community and Economic Enhancement Program Priorities

The Conservancy seeks to fund a breadth of projects that benefit Delta communities through the Community and Economic Enhancement Grant Program. The Conservancy will prioritize funding for projects that address recreation and tourism, historic and cultural preservation, and environmental education in order to sustain the Delta’s heritage and enhance the unique values of the Delta today. All proposed projects must be consistent with statewide priorities as identified in Proposition 68, the Conservancy’s governing statute (Division 22.3 of the PRC) and current strategic plan, the Delta Plan, and the Economic Sustainability Plan for the Sacramento-San Joaquin Delta. The following provides information about program priorities. Examples are included for reference and are not all-inclusive.

1. Recreation and Tourism

Expand recreation and tourism opportunities in the Delta that are compatible with the unique natural and cultural value of the Delta. Examples include:

   a. Design, construction, or expansion of:
      i. Public docks
      ii. Water or hiking trails
      iii. Bike routes
      iv. Community parks or picnic sites
      v. Public boating infrastructure including ADA (Americans with Disabilities Act)-accessible boating facilities
      vi. Sidewalks and other walking paths that promote tourism

   b. Design and installation of kiosks, visitor centers, or permanent signage that promote recreation and tourism

   c. Improvement of publicly-owned levees (other than routine or periodic maintenance activities) for better recreational access

   d. Development of agritourism that supports Delta communities and promotes public access to and education about agriculture and working landscapes in the Delta

2. Historic and Cultural Preservation

Preserve the historic and cultural significance of the Delta to increase opportunities for community access to, and awareness of, those resources. Examples include:

   a. Renovation of a historic building for public use
   b. Development of a culturally-relevant historic district
3. **Environmental Education**
   Increase awareness about the value of and challenges facing wildlife, ecosystems, and other natural aspects of the Delta.
   
   a. Design and installation of kiosks, visitor centers, or permanent signage that promote environmental education
   b. Permanent displays that promote education about the Delta as a region
   c. Design and installation of multilingual additions to existing educational signage

**NOTE:** The Conservancy may consider projects that do not directly address one of these priorities, but that provide significant benefit to the Delta and that are aligned with other requirements as outlined in these Grant Guidelines.

E. **Disadvantaged and Severely Disadvantaged Communities**

Proposition 68 requires that at least 20 percent of all funding be spent on projects that serve severely disadvantaged communities (SDAC) (PRC 45 Sec. 80008(a)(1)). The Conservancy will actively seek to fund projects that benefit disadvantaged communities (DAC) and SDACs. An SDAC is a community with a median household income less than 60 percent of the statewide average. A DAC is a community with a median household income less than 80 percent of the statewide average (PRC 45 Sec. 80002). Mapping resources available for the purpose of identifying SDACs and DACs by census track and/or block group are available on the Parks for All Californians website (http://www.parksforcalifornia.org/communities) and the Disadvantaged Communities Mapping Tool (https://gis.water.ca.gov/app/dacs/). The Conservancy may consider other means of identifying SDACs and DACs as well.

Conservancy-funded projects must be bond eligible (see Bond Eligibility under Section G. Program Eligibility). Examples of ways in which a bond-eligible project might benefit a DAC or SDAC include, but are not limited to, the following.

- Training and workforce education
- Job opportunities
- Recreational amenities
- Educational opportunities
- Increased resilience to climate change
- Reduced flooding
- Reduced pollution burden

The Conservancy will prioritize projects that serve DACs and SDACs for its technical assistance efforts.
F. Project Types
The Conservancy will grant funds for the planning or implementation phase of a bond-eligible project.

Planning Projects
Planning projects advance pre-project activities necessary for a specific, bond-eligible, on-the-ground implementation project. Please note that receiving a planning grant does not guarantee that an implementation grant will be awarded for the same project.

Examples of planning project activities include:

- Project scoping: partnership development, outreach to impacted parties, stakeholder coordination, negotiation of site access or land tenure
- Planning and design: engineering design, identifying appropriate best management practices
- Environmental compliance: permitting, California Environmental Quality Act (CEQA) activities, Delta Plan consistency

Pilot projects are a special type of planning project, and must inform the development of a specific, bond-eligible, on-the-ground implementation project. Pilot projects that are large in scale or duration may be considered implementation projects.

Implementation Projects
Implementation projects are specific, bond-eligible, on-the-ground projects that result in the construction, improvement, or acquisition of a capital asset that will be maintained for a minimum of 15 years. Implementation projects are “shovel-ready” projects.

Land acquisitions are a special type of implementation project or may be a component of a larger implementation project. Property acquired through this program must be purchased from a willing seller and in compliance with current laws governing acquisition of real property by public agencies for an amount not to exceed fair market value (Government Code (GOV) Section 7260 et seq.).

NOTE: For implementation projects, California Environmental Quality Act (CEQA) compliance must be completed prior to grant award.

G. Program Eligibility
To be considered for funding through the Conservancy’s Community and Economic Enhancement Grant Program, eligibility must be met in four areas: bond, geographic, applicant, and project eligibility.
Bond Eligibility
Proposition 68 is a general obligation bond. General obligation bond funds must be spent on the construction, acquisition, or long-term improvement of capital assets. Capital assets are defined as tangible property that has an expected useful life of no less than 15 years (GOV Sec. 16727(a)).

Geographic Eligibility
The Conservancy will fund projects within or benefitting the Delta and Suisun Marsh as defined in PRC Section 85058. A map can be found at this link: <link to be inserted in final document>

The Conservancy may fund a project outside the Delta and Suisun Marsh if the Conservancy Board makes all the findings described in the Sacramento-San Joaquin Delta Reform Act of 2009, Section 32360(g). <link to be inserted in final document> These include:

- The project implements the ecosystem goals of the Delta Plan.
- The project is consistent with the requirements of any applicable State and federal permits.
- The project will provide significant benefits to the Delta.

Applicant Eligibility
Applicants eligible for funding under this program are:

- California public agencies. California public agencies include any city, county, district, or joint powers authority; State agencies; or California public colleges and universities.

- Nonprofit organizations. “Nonprofit organization” means an organization that is qualified to do business in California and qualified for exempt status under Section 501(c)(3) of Title 26 of the United States Code (PRC 45 Sec. 80002(j)). An eligible nonprofit organization has among its principal charitable purposes preservation of land for scientific, recreational, scenic, or open-space opportunities, protection of the natural environment, preservation or enhancement of wildlife, preservation of cultural and historical resources, or efforts to provide for the enjoyment of public lands (PRC 22.3 Sec. 32310(f)).

Project Eligibility
To be eligible to receive a grant from the Conservancy under this program, projects must:

- Provide significant benefit to the Delta.
- Show consistency with program objectives and priorities as defined in these Grant Guidelines.
- Show consistency with the Conservancy’s mission and enabling legislation.
• Align with the Delta Plan.
• Comply with Proposition 68, State General Obligation Bond Law (GOV Sec. 16727), and other applicable State and federal laws.

Ineligible Projects
Projects not eligible for funding under Proposition 68 include:
• Planning projects that do not advance an eligible implementation project.
• Projects dictated by a legal settlement or mandated to address a violation of, or an order (citation) to comply with, a law or regulation.
• Projects that subsidize or decrease the mitigation obligations of any party.

H. Cost Share
Cost share is cash or in-kind contributions to the project borne by private, local, State, and federal funding partners other than the Conservancy. Cost share encourages and demonstrates collaboration and cooperation. Consistent with provisions of Proposition 68, all applicants are encouraged to provide cost share to support their project (PRC 45 Sec. 80001(b)(2)). Conservancy staff will consult with applicants to determine if cost share is available. Applicants stating that they have a cost share component must provide commitment letters from cost share partners before a proposal is recommended for funding; these letters must specifically confirm the dollar amount committed, including cost share from in-kind contributions.

I. Eligible Expenses
Only costs incurred during the Grant Funding Term are eligible for reimbursement (See Section N. Grant Awards and Agreements below).

Direct Costs
Direct costs are for work specified in the scope of work, terms, and conditions of the grant agreement, and that are distinctly related to tasks and expenditures to implement the project as described in the grant agreement. The Conservancy will fund direct costs related to personnel services, operating expenses (general), operating expenses (subcontractor), operating expenses (equipment), and acquisition costs.

Indirect Costs
Indirect costs do not have a specific direct relationship to the project but are required for completion of the project. The Conservancy funds indirect costs, not to exceed twenty (20) percent of the sum of grant-funded direct costs for personnel services and operating expenses (general).
J. **Ineligible Expenses**

Grant funding may not be used to:

- Establish or increase an endowment or legal defense fund.
- Make a monetary donation.
- Pay for food or refreshments.
- Pay for tours.
- Purchase computer software that is not a component of a capital asset that is a project deliverable in the grant agreement.
- Pay for eminent domain processes.
- Subsidize or decrease the mitigation obligations of any party.

K. **Application Process**

The Conservancy’s Community and Economic Enhancement Grant Program is a non-competitive program without proposal submission deadlines. This section provides a summary of the application and review process.

**Concept Proposal**

Concept proposals may be submitted at any time to initiate consideration of a project by the Conservancy. Applicants must submit a concept proposal using the Community and Economic Enhancement Grant Program Concept Proposal Form. (Program materials will be available on the Conservancy’s website.) The Conservancy will review each concept proposal as it is submitted. Once reviewed, the Conservancy will confer with the applicant to discuss the project concept, request additional information as needed, and discuss next steps. An in-person meeting and/or a site visit may also be deemed necessary at this time.

**Viability Assessment**

Based on information gathered during the concept proposal stage, along with input from technical experts if needed, Conservancy staff will evaluate the viability of the proposed project by assessing if the proposed project:

- Is technically and financially feasible;
- Is likely to provide locally-supported benefits to the Delta; and
- Will significantly advance the Conservancy’s community and economic enhancement priorities.
Full Proposal
If Conservancy staff determines that a project concept appears to be viable, staff will work with the applicant to develop the concept into a full proposal. The Conservancy may provide technical assistance to facilitate the development of project proposals. The Conservancy may also assist in project implementation. Projects benefitting DACs will receive priority for the Conservancy’s technical assistance efforts.

Proposal Assessment
Conservancy staff will continually assess the project as they work with the applicant to develop the project proposal. Conservancy staff will consult external experts as needed.

Conservancy staff will not recommend that the Conservancy Board fund a proposal unless the following criteria have been addressed to the satisfaction of the Conservancy and the applicant.

1. **Project Design**
   - Are the project’s purpose, goals, deliverables, and schedule clear? Is the project well designed to meet the needs that the project addresses?

2. **Public Benefits**
   - Will the project provide multiple tangible, enduring, public benefits with a high likelihood of being realized? Does the project have reasonable performance measurements and a clear plan for tracking them? Will the project benefit disadvantaged or severely disadvantaged communities?

3. **Alignment with State and Other Priorities**
   - Does the project align with priorities identified in the following? <links to be inserted in final document>:
     - Proposition 68
     - The Conservancy’s mission, governing statute, and strategic plan
     - The Delta Plan
     - Economic Sustainability Plan for the Sacramento-San Joaquin Delta
     - Other relevant local, regional, State, and federal plans

4. **Project Readiness**
   - Is the project ready to proceed promptly if funded? For planning projects, will planning activities advance the project toward implementation in a timely manner? For implementation projects, how complete is project planning, including the status of CEQA and permitting efforts?
5. **Community and Institutional Support**
   Does the project have public and relevant institutional support at the local, regional, State, or federal scale? Is the local community, or are other stakeholders, engaged in project planning or delivery? For planning projects, is there a plan to develop community support?

6. **Cost Share**
   Is cost share provided for this project?

7. **Project Budget**
   Is the budget adequate and reasonable for the project? Are costs clearly identified and justified?

8. **Project Team**
   Does the project team have sufficient experience and capacity to implement the project and to manage a State grant? Have necessary partnerships been developed?

9. **Long-Term Management**
   For planning projects, are next steps identified for movement towards a bond eligible implementation project? For implementation projects, is a plan clearly identified for long-term management and sustainability of the project for a minimum of 15 years?

**Board Consideration**
Once a proposal is assessed to be complete, Conservancy staff will make a recommendation to the Board for consideration of funding.

**NOTE:** The Conservancy will consider the geographic distribution of projects, project benefits related to disadvantaged and severely disadvantaged communities, reasonableness of costs, available funding, and diversity of project types, and may prioritize projects based on these considerations.

**Application Process Steps**

**Step 1:** Applicant completes concept proposal form and submits to the Conservancy.

**Step 2:** Conservancy staff reviews concept proposal and confers with applicant. Site visit conducted if necessary.

**Step 3:** Conservancy staff reviews information gathered, consults with technical experts if needed, and assesses if proposed project fits within the grant program and appears viable.
Step 4: If project appears to be viable, Conservancy staff works with applicant to develop full proposal.

Step 5: Conservancy staff completes proposal assessment and makes recommendation to the Board.

Step 6: Board considers approval of funding for final proposal.

L. Privacy Rights
Please note: once an applicant has submitted a proposal to the Conservancy, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package, are waived. All proposals are public records under the California Government Code Sections 6250-6276.48 and will be provided to the public upon request.

M. Program Requirements
Performance Monitoring
Performance measures are used to track progress toward project goals and objectives. They provide a means of reliably measuring and reporting the implementation and effectiveness of a project and how it contributes value to the Delta and state. Performance measures will be developed to reflect the unique benefits of individual projects. Conservancy staff may provide assistance in development of performance measures.

All implementation, acquisition, and pilot project proposals will include a performance monitoring and assessment framework that identifies the performance measures that will be used to demonstrate public benefits for 15 years following the end of the Grant Funding Term (See Section N. Grant Awards and Agreements below), how they will be monitored and assessed, and how monitoring data will be reported.

Environmental Compliance
Activities funded under this grant program must comply with applicable, local, State, and federal laws and regulations, including the California Environmental Quality Act (CEQA), the Delta Plan, and other environmental permitting requirements. Conservancy staff may assist the applicant with the compliance process; however, the applicant is solely responsible for project compliance. Applicants should be prepared to submit any permits, surveys, or reports that support the status of their environmental compliance.

If a project is subject to CEQA, compliance must be completed prior to grant award. Funds for construction will not be disbursed until all required environmental compliance and permitting documents have been received by the Conservancy, including certification of consistency with the Delta Plan.
Long-Term Management
The goal of long-term management is to foster the ongoing success of the project, ensuring that the benefits arising from the project endure beyond the end of the Grant Funding Term. Proposals will describe future project management or land management activities, explaining how the project, once implemented, will be stewarded for at least 15 years thereafter. Properties restored, enhanced, or protected, and facilities constructed or enhanced with funds provided by the Conservancy shall be operated, used, and maintained consistent with the purposes of the grant.

California Conservation Corps
Consistent with Proposition 68 recommendations, all implementation projects that involve a site improvement component shall consult with representatives of both the California Conservation Corps and California Association of Local Conservation Corps (Corps) to determine the feasibility of Corps participation. Projects that do not include a site improvement component are exempt, but applicants are still encouraged to consult with the Corps to explore opportunities for collaboration. The Corps’ Bond Guidelines describe the consultation process.

Local Notifications
In compliance with the Conservancy’s governing statute, the Conservancy will notify local government agencies – such as counties, cities, and local districts – and relevant tribal entities about projects in their area being considered for grant funding. The Conservancy will work with applicants to make all reasonable efforts to address concerns raised by local governments and tribal entities.

N. Grant Awards and Agreements
For each awarded grant, the Conservancy will develop a grant agreement with detailed provisions and requirements specific to that project. (A draft grant agreement template will be available on the Conservancy’s Grant Program web page.) Please be aware that for grants awarded by the Conservancy, the following apply.

- Grantees will receive funding only during the Grant Funding Term, generally three years, during which time grantees may incur and be reimbursed for grant-related expenses. For implementation projects, the Grant Term will extend for an additional 15 years beyond the end of the Grant Funding Term, during which time projects must be maintained. Grantees will be held to the terms of the grant agreement until the end of the Grant Term.
- Grant awards are conditional upon funds being available from the State.
• In all but the most extenuating circumstances, grant funding will be paid in arrears on a reimbursement basis (with the exception of acquisition costs). All expenses require supporting documentation and are subject to audit.

• Grantees must have adequate proof of land tenure allowing the grantee access to the property to construct and maintain the project. Land tenure must be in place prior to the disbursement of funds. Proof of permission to access the project site is required for planning projects for which site access is required and the grantee is not the landowner.

• The grantee is required to certify as part of the grant agreement that the grantee is responsible for complying with all federal, State, and local laws that apply to the project.

• Grantees will not be paid:
  o If the grantee has been non-responsive or does not meet the conditions outlined in the grant agreement;
  o For costs for which alternative funding has been received;
  o For project changes that are not eligible; or
  o For work done after the grantee requests to end the project.

• All grantees will be required to provide regular progress reports and a final report. The final report must be approved by Conservancy staff prior to the release of the final disbursement of grant funds. Specific reporting requirements will be included in the grant agreement.

• To the extent practicable, grantees shall inform the public that the project received funds through the Delta Conservancy and from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (PRC 45 Sec. 80001(b)(3)). Grantees shall recognize the Conservancy, in a manner approved in advance by the Conservancy, on signs, websites, press or promotional materials, advertisements, publications, or exhibits that they prepare or approve and that reference the project. For implementation projects, grantees shall post signs at the project site acknowledging the source of the funds. Size, location, and number of signs shall be approved by the Conservancy before they are produced.

• Grants awarded through the Conservancy’s Community and Economic Enhancement Grant Program may be subject to prevailing wage provisions of Part 7 of Division 2 of the California Labor Code (CLC), commencing with Section 1720. The grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law to do so. Any questions regarding interpretation of the CLC should be directed to the Director of the Department of Industrial Relations (DIR), the State department having jurisdiction in these matters. For details, please refer to the DIR website at http://dir.ca.gov <link to be inserted in final document>. 

Request for Approval to Amend the Scope of Work for the Nutria Eradication Project, Phase 2

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Nutria Eradication Project – Phase Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grantee</td>
<td>California Department of Fish and Wildlife</td>
</tr>
<tr>
<td>Project Number</td>
<td>Prop 1-1813</td>
</tr>
<tr>
<td>Award Year</td>
<td>2019</td>
</tr>
<tr>
<td>County</td>
<td>Multiple</td>
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<td>Category</td>
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<td>Amended Request Amount</td>
<td>$8,483,080.00</td>
</tr>
<tr>
<td>Amendment Request (Term, Scope or Budget)</td>
<td>Scope</td>
</tr>
</tbody>
</table>

Staff Report

This agenda item presents to the Board for consideration a request to amend the scope of work for the Nutria Eradication Project – Phase Two grant (#Prop 1-1813).

RECOMMENDATION

Staff recommends that the Board approve an amendment to the scope of work for the Nutria Eradication Project – Phase Two to reduce the nutria detector dog project from three years to two, add purchase of twelve vehicles, and add construction of nutria pens.

DESCRIPTION

The grantee (California Department of Fish and Wildlife) has requested an amendment to the scope of work and budget for the Nutria Eradication Project – Phase Two. The requested changes to the scope of work are being presented to the Board for consideration. This agreement has not yet been executed; changing the scope prior to executing the grant agreement will allow this grant to move forward in the most efficient manner.

The grantee is requesting to change the scope as follows.

1) Reduce the nutria detector dog project from three years to two; due to delays in the start of this project, there is insufficient time to spend all of the funds in the current grant budget within the grant funding term.

2) Purchase additional project vehicles that are needed for project personnel to carry out nutria eradication activities throughout the extensive area of this project.
3) Construct nutria pens to hold captive nutria that will be necessary for the Judas nutria project. Judas nutria are sterilized, collared nutria that will be used to detect remaining wild nutria during the final stages of eradication. The grantee will capture and breed Judas nutria now, to ensure that they are available as nutria become scarce over the course of the project.

The requested changes to the scope of work will require corresponding budget changes, which Conservancy staff can process should the Board approve the amended scope of work. The budget changes will reduce the amount of funding in the nutria detector dog subcontractor line item. Those funds will be moved into a new line item for the procurement of twelve (12) project vehicles, a new line item for the construction of nutria holding pens, and to the personnel and indirect cost categories to cover the hiring of scientific aids to allow project staff to economically cover twice the area.

Specifically, the budget changes necessary if the scope of work is amended are:
1. Reduce the nutria detector dog subcontract line item by $1,046,835;
2. Add a new line item for the procurement of twelve (12) vehicles with a budget of $420,000;
3. Add a new line item for the construction of nutria holding pens with a budget of $400,000;
4. Increase the personnel budget by $189,030 to allow hiring of additional scientific aides; and
5. Increase the indirect costs associated with personnel by $37,805

This amendment will not impact Proposition 1 program delivery or capacity, nor will it impact programmatic performance measures. The changes, when incorporated into the grant agreement, will not make any difference in the overall Proposition 1 budget. If the Board does not approve this amendment, the grant scope and budget will remain unchanged and the grantee will not be able to procure vehicles for staff and build infrastructure for captive nutria, impeding the grantee’s ability to start, sustain, and finalize eradication efforts.

BACKGROUND
On May 22, 2019, the Conservancy Board awarded $8,483,080 to the California Department of Fish and Wildlife (CDFW) for the Nutria Eradication Project – Phase Two. This project seeks to eradicate Nutria from California, and builds on the Conservancy’s award of $1,125,577 to CDFW on March 28, 2018 for the first phase of the Nutria Eradication project. CDFW has described a five- to seven-year program requiring up to $35 million. With Conservancy funding, CDFW has secured $16.1 million to be spent over the next three years with funding coming from general fund, CDFW, US Department of Agriculture, and the Wildlife Conservation Board. CDFW continues to seek additional funding. Nutria cause significant negative ecological and economic impacts, including damage to wetlands, riparian habitat, restoration efforts, levees and other infrastructure, agriculture crops, and water supplies. This project is proposed to prevent the spread of Nutria further into the Delta, limiting their ability to harm Delta ecosystems, water quality, infrastructure, and agriculture. This project is to be carried out across the state of California in areas of suitable Nutria habitat. This project will take place both inside and outside of the legal Delta on both public and privately-owned land that is currently in a wide range of uses including commercial agriculture, private duck clubs, and public preserves and refuges.

SUGGESTED MOTION LANGUAGE:
Move that the Board approve an amendment to the scope of work for the Nutria Eradication Project – Phase Two grant to:
• Reduce the nutria detector dog program from three years to two,
• Add purchase of twelve vehicles, and
• Add construction of nutria pens.

Contact
Aaron N.K. Haiman, Environmental Scientist
Sacramento-San Joaquin Delta Conservancy
Email: aaron.haiman@deltaconservancy.ca.gov
Phone: (916) 376-4023
August 15, 2019

Campbell Ingram
Executive Officer
Sacramento-San Joaquin Delta Conservancy
1450 Halyard Drive, Suite 6
West Sacramento, CA 95691

REQUEST TO AMEND PROPOSED BUDGET – NUTRIA ERADICATION PROJECT-
PHASE TWO

Dear Mr. Ingram:

The California Department of Fish and Wildlife (CDFW) is requesting a formal amendment of the proposed project budget previously approved at the Delta Conservancy’s May 2019 Board Meeting. This request proposes to shift one [of three] year’s worth of funding ($1,046,835) out of the nutria-detection dog contract and into new line items to fund twelve (12) project vehicles ($420,000) and construction of Judas nutria pens ($400,000), with the remainder to fund increased temporary help ($189,030) and indirect costs ($37,805). As the dynamics on the ground have changed, CDFW has attempted to adapt to meet the project needs. This amendment will allow us to be more responsive with a greater chance of success.

Through internal redirection of vehicles and the recent BCP for the nutria eradication, CDFW has procured a portion of the required project vehicles. However, there is still a critical need for additional vehicles to facilitate the work of the staff funded by this grant, who contribute largely to the 17 teams of field staff expected to conduct surveys, trapping, and Judas releases/tracking across a project area spanning from north of San Pablo Bay to the Kings River. Without inclusion in the grant budget CDFW is unable to procure/lease these vehicles, effectively impeding the work of these grant-funded staff.

Similarly, the Judas nutria project, which is partially funded by this grant, requires long-term (10-20 year) availability of live nutria in order to meet its ultimate objectives of detecting and locating the last few remaining nutria in the State and helping to verify localized eradications as the campaign progresses. Given that this is an eradication, within a few years, at most, we expect to struggle to find a sufficient number of nutria for the Judas project. The Judas nutria pens are needed to securely house 1-2 breeding pairs of nutria; juvenile nutria until maturation, sterilization, telemetry-outfitting, and release; post-surgical/outfitted nutria; and injured/recuperating Judas nutria over the life of the eradication campaign. Construction of these pens is critical to the Judas project’s longevity and efficacy, and most importantly the overall success of the eradication effort.
The redirection of funding proposed in the amended budget makes optimal use of shifting needs and will have no negative impacts upon the overall eradication project.

Prior to committing to the establishment of a nutria detector dog program in California, CDFW and the U.S. Department of Agriculture (USDA) have agreed to first implement field trials to evaluate the expected efficacy in California. Though the dogs have been an effective tool in the Chesapeake Bay, the habitats they work and are trained to work in vary substantially from the environmental conditions in California. CDFW and USDA are currently pursuing a contract to bring to California two (2) dog/handler teams from the Chesapeake Bay Nutria Eradication Project and the nutria dog/handler training instructor from the USDA National Detector Dog Training Center to conduct seasonal field trials (under variable water conditions). These trials will evaluate the accuracy of dog teams in California and efficacy of training strategies, with the goals of ensuring confidence in the tool prior to establishing a long-term effort and identifying any potential training or implementation modifications necessary to optimize efficacy in California.

These trials will conclude in either spring or fall of 2020. As a result, the earliest CDFW could confidently enter into a contract for the detector dogs would be Fall 2020. Given that this grant is expected to begin in early October 2019 and conclude in early October 2022, the three years of dog contract funding in the approved grant budget cannot be feasibly expended as originally proposed and requires a reduction to two years (2020-2022). This warranted reduction coincides with our critical and justified need for vehicle and construction funding.

Should this amendment not be approved, the field staff funded by this grant will be significantly inhibited in their ability to complete the tasks and deliverables of this grant, threatening the successful completion of this project and the broader nutria eradication effort.

We appreciate your consideration of the proposed budget amendment and will look forward to your determination. If you need any additional information or have questions, please do not hesitate to contact me at (916) 654-4267 or Valerie.cook@wildlife.ca.gov.

Respectfully,

Valarie Cook
Nutria Eradication Program Manager
California Department of Fish and Wildlife

Enclosure:
Nutria Eradication Project-Phase Two Amended Budget Tables 5-6
Request for Approval of a Grant Award for the Elk Slough Fish Passage and Flood Improvement Project

Staff Report

This agenda item presents the Elk Slough Fish Passage and Flood Improvement Project to the Board to consider award of Cycle 4 Proposition 1 Ecosystem Restoration and Water Quality Grant Program funding.

RECOMMENDATION
Staff recommends the Board approve funding up to $984,695 for the Elk Slough Fish Passage and Flood Improvement project.

DESCRIPTION
Staff recommends a two-phased funding plan for the Elk Slough Fish Passage and Flood Improvement project, proposed by Reclamation District 999. The first phase of funding, $251,600, would be spent on the development of a feasibility study to determine the project’s potential to benefit listed fish species (Phase 1), as described below. The second phase of funding, $733,095, would be available to the project team upon the completion of a feasibility study that has been reviewed by key technical experts and approved by Conservancy staff. The second phase of funding would be used to conduct additional public outreach, develop project design plans, conduct necessary CEQA compliance, and prepare an implementation grant application (Phase 2).

Reclamation District 999 submitted a full proposal requesting $989,695 for the Elk Slough Fish Passage and Flood Improvement project as part of the Conservancy’s fourth Proposition 1 grant solicitation cycle. During the proposal review process, reviewers questioned whether this project would lead to ecosystem benefits because the proposal did not definitively explain whether the feasibility of improving salmon habitat at Elk Slough had been analyzed. At the May 22, 2019 Board meeting, staff did not recommend funding for the project. The Board directed Conservancy staff to meet with the applicant, determine if they are able to clarify information and address concerns raised by the review panel, conduct a feasibility review to determine the ecosystem benefit, and bring a recommendation to the Board for consideration no later than the September 2019 meeting.
In the intervening time period, Conservancy staff worked with the project team to host a workshop attended by technical experts from local, state, and federal agencies. The goal of the workshop was to assess the feasibility of the project and identify its potential benefits to salmonids. Workshop participants expressed interest in the project and a desire to see further analysis of the potential impacts on and benefits to salmon. Participants suggested that the project team consider analyzing:

- existing baseline conditions within Elk Slough, particularly as related to salmonid usage/life stage,
- the impact of the proposed project on baseline conditions,
- the threat posed to salmon by predation, and
- the impact of the proposed project on water supply.

Conservancy staff worked with the project team to formulate a scope of work (see attachment 2) for the feasibility study, which has been reviewed by Carl Wilcox, Policy Advisor to the Director on the Delta, with the California Department of Fish and Wildlife; Ted Sommers, Lead Scientist, with Department of Water Resources; and Ruth Goodman, Marine Habitat Resource Specialist and Brian Ellrott, Recovery Coordinator, both with the National Oceanic and Atmospheric Administration Fisheries branch. Many – but not all – aspects of the feasibility study align with the early tasks and deliverables proposed in the grant proposal submitted to the Conservancy. Staff is recommending that a portion of the funds requested in the proposal to the Conservancy be used to cover those activities described in the feasibility study scope of work that align with the proposal; the remainder of the costs associated with the feasibility study will be paid for by the Sacramento Area Flood Control Agency (SAFCA). SAFCA has provided approximately $300,000 to this project to date because of the agency’s interest in advancing a multi-benefit project that meets local, state, and federal interests, and is committed to supporting the project through the feasibility stage. The table below outlines how the proposed feasibility study aligns with the tasks and budget proposed to the Conservancy, and where additional funding will be brought in.

### Phase 1 Funding Table

<table>
<thead>
<tr>
<th>Grant Application Tasks</th>
<th>Delta Conservancy Phase 1 Feasibility Study Funding</th>
<th>SAFCA’s Pre-feasibility and Feasibility Study Funding</th>
</tr>
</thead>
<tbody>
<tr>
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<td>N/A</td>
<td>Approx. $300,000 (spent to date)</td>
</tr>
<tr>
<td>Task 1: Grant Management</td>
<td>$9,500</td>
<td>N/A</td>
</tr>
<tr>
<td>Task 2: Define Existing Environmental Conditions</td>
<td>$116,600</td>
<td>$90,000*</td>
</tr>
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<td>Task 3: Conduct Detailed Hydrodynamic Modeling</td>
<td>$116,000</td>
<td>$20,000</td>
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</tr>
<tr>
<td>Phase 1 Funding Request</td>
<td><strong>$251,600</strong></td>
<td><strong>$420,000</strong></td>
</tr>
</tbody>
</table>

*Approximately $10,000 of the Task 2 funds contributed by SAFCA will be used to collect available predatory density data from existing studies and to estimate comparative travel times.*
The project team expects to complete the feasibility study by July 2020. Conservancy staff will work with the project team to ensure that the feasibility study has been informed and reviewed by appropriate technical experts.

If the Board awards funding for Phases 1 and 2 for this project, Conservancy staff will enter into one grant agreement for both phases of the project, for an amount not to exceed $989,695. Phase 1 of the grant agreement will include tasks related to the development of a feasibility study, for an amount not to exceed $251,600. The grant agreement will include a provision that Conservancy staff must provide approval to proceed prior to the start of work on Phase 2 tasks. Upon completion of Phase 1, Conservancy staff will reevaluate the project to determine whether it should advance to Phase 2, the planning phase. If the feasibility study developed in Phase 1 demonstrates that it will provide ecological benefits for salmon, the remainder of the grant amount, $733,095, will be available to complete Phase 2 planning tasks.

BACKGROUND
The Elk Slough Fish Passage and Flood Improvement project is proposed to prepare a detailed design plan for Elk Slough that the applicant asserts will restore a critical anadromous fish passage, enhance shaded riverine aquatic habitat, substantially improve the slough's water quality, and implement flood improvements for the legacy Delta community of Clarksburg by installing flood gates at the upper and lower ends of Elk Slough and improving the levees to accommodate increased flow velocities through the slough and to improve their flood protection performance. The applicant claims that these benefits will be achieved by more directly connecting Elk Slough to the Sacramento River, and thus provide an alternative route for federally-threatened winter run and spring-run Chinook salmon migrating through the Delta. This project is located in Yolo County.

SUGGESTED MOTION LANGUAGE:
Move the Board approve a grant not to exceed $984,695 to Reclamation District 999 for the Elk Slough Fish Passage and Flood Improvement Project.

Contact
Laura Jensen, Program Manager I
Sacramento-San Joaquin Delta Conservancy
laura.jensen@deltaconservancy.ca.gov
Phone: (916) 375-2087
Elk Slough Fish Passage and Flood Improvement Plan Phase 1 Feasibility Study

Scope of Work

Project Description

The Elk Slough Fish Passage and Flood Improvement Plan Feasibility Study (Feasibility Study) is being proposed to evaluate the feasibility of restoring fish passage to a critical anadromous fish migration route within the Sacramento-San Joaquin Delta. Elk Slough historically provided a natural migration corridor for anadromous fish through the Delta (A Delta Transformed, SFEI). Restoration would provide an alternative migration route that bypasses the deeply channelized and riprap-lined routes of the Sacramento River and other Delta channels that are available today. However, Elk Slough’s historic connection to the Sacramento River near Clarksburg was nearly severed over 60 years ago with the construction of the Sacramento River Flood Control Project, which constructed an embankment with a culvert across the inlet to Elk Slough. Following construction of this project, Elk Slough became a dead-end channel with no ability for salmonids and other anadromous species in the Sacramento River to migrate through the slough.

Elk Slough is one of the few channels in the Delta that avoided the extensive riparian vegetation removal that occurred throughout the Delta in the 1960s in response to U.S. Army Corps of Engineers flood control mandates. As such, it embodies the densely-vegetated and sinuous character of Delta channels that were widely represented prior to the agricultural transformation of the Delta. Consistent with its historic character, more than 97 percent of the 9.5 miles of levees along both sides of the slough contain mature riparian vegetation. However, due to recent large storm events and the associated damage done to the slough’s levees due to high flows entering the slough from the south, the California Department of Water Resources has been selectively installing riprap to fortify the levees. These repairs are anticipated to continue and accelerate along Elk Slough, with the progressive loss of habitat values, unless alternative flood improvements are identified.

The Feasibility Study proposes to evaluate the benefits of reconnecting Elk Slough to the Sacramento River by removing the levee segment that separates the two water bodies. Removing this levee segment would provide unrestricted water flow into Elk Slough from the river. Because this unrestricted flow would increase the potential for a levee breach along Elk Slough, the Feasibility Study would evaluate the installation of a flood gate that would replace the function of the Sacramento River levee during periods of elevated flood risk. Based on initial evaluations, the flood gate would be expected to remain fully open year round and to be closed only during large storm events that generate high flood water stages in the river. In addition, the Feasibility Study would evaluate the installation of a flood gate at the downstream
end of Elk Slough. The purpose of the downstream flood gate would be to prevent high stages from Sutter Slough from backing up into Elk Slough putting severe pressure on the levees. As with the flood gate at the upstream end, the downstream flood gate would be expected to remain fully open year round and to be closed only during large storm events that generate high flood water stages in Sutter Slough. Levee improvements that directly integrate riparian habitat restoration would also be evaluated in the Feasibility Study.

The project is expected to benefit anadromous fish by opening a relatively pristine distributary channel for fish to use as they migrate through the Delta. Based on the natural sinuosity of the channel and density of riparian vegetation, the conditions along Elk Slough likely provide enhanced migration and rearing opportunities for fish compared to most other available migration routes through the Delta. In addition, by construction of the project, flood flows into Elk Slough would be reduced, thereby reducing stress to the levees and allowing preservation of the existing habitat within Elk Slough. The project also includes the evaluation of bioengineered bank protection improvements. These bioengineered improvements would be implemented on an as needed basis when erosion and/or slope stability sloughing occurs and would have the goal of minimizing environmental impacts while enhancing habitat along Elk Slough.

**Funding Request**

To conduct the planning necessary to position the Elk Slough Restoration Plan for implementation, Reclamation District 999 is requesting that the Delta Conservancy fully fund the grant application submitted on December 18, 2018. However, in response to project feasibility questions raised during the application’s review, Reclamation District 999 is proposing to conduct the planning effort in two phases. Phase 1 would include preparing a Feasibility Study to determine the project’s potential to benefit listed fish species. Phase 2 would include conducting additional public outreach, developing project design plans, conducting necessary CEQA compliance, and preparing an implementation grant application.

During Phase 1 Feasibility Study development, the project applicant team would work closely with key regulatory agency fish scientists to assess whether project implementation would benefit listed fish species. Following completion of the Feasibility Study, the project applicant team would brief Delta Conservancy staff on the results of the Feasibility Study and the outcome of the regulatory agency outreach efforts. If staff is comfortable with the Feasibility Study’s findings and the results of the regulatory agency consultation efforts, then the project applicant team would initiate Phase 2 of the grant agreement.

Most of the tasks necessary to conduct the Feasibility Study are included in the first four tasks of the original grant application. However, some additional work not included within these
tasks will be necessary to complete the Feasibility Study. This additional work is proposed to be conducted by the Sacramento Area Flood Control Agency (SAFCA), a project teaming partner. SAFCA has committed to leveraging Delta Conservancy funding to assist in completing the Feasibility Study. As part of this commitment, SAFCA has funded significant pre-planning efforts, including the preparation of a detailed Reconnaissance Study. In addition, SAFCA will provide bridge funding during grant agreement development and will fund the efforts outside of the grant agreement that are necessary to answer outstanding project feasibility questions. The following table breaks down the Phase 1 funding request and SAFCA’s role in funding the development of the Feasibility Study.

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The detailed scope of work identifying the tasks to be completed for the Phase 1 Feasibility Study and the parties responsible for completing each task are described below.

Feasibility Study Scope Development

On December 18, 2018, Reclamation District 999 submitted an application to the Delta Conservancy to fund the preparation of a planning study to evaluate reconnecting Elk Slough to the Sacramento River. During the Conservancy’s evaluation process, several questions were raised by reviewers regarding the project’s feasibility. On July 31st, 2019, the Delta Conservancy convened a group of fisheries biologists representing state and federal regulatory agencies to discuss these questions. A summary of the key questions raised during this meeting are provided below followed by preliminary response by the project applicant team.
Following this meeting, the project applicant team worked with the Delta Conservancy to identify how these questions could be more fully addressed through the preparation of a Feasibility Study. Therefore, embedded in each response are the tasks that would be implemented by the project applicant team to more fully address the key questions raised by the fisheries biologists.

Outstanding Questions and Scope Tasks

1. What are the existing habitat conditions within Elk Slough?

Scope Task: As originally proposed in the grant application, existing habitat conditions in Elk Slough will be characterized to further evaluate the potential fish passage and rearing benefits of reconnecting Elk Slough to the Sacramento River. Environmental data will be collected seasonally both in Elk Slough and the adjacent Sacramento River to characterize the range of environmental conditions that currently exist in Elk Slough relative to conditions in the Sacramento River. Key indicators of habitat quality (e.g., water temperature, dissolved oxygen, turbidity) for the target species will be measured and used to further evaluate the potential benefits of reconnecting Elk Slough to the Sacramento River.

This task will include identifying the project area boundary and preparing a baseline assessment of the overall environmental conditions including the conditions of the slough levees. Existing topography, bathymetry, substrate composition, mean flow velocity, and tidal flux data will be collected and summarized from past studies, including the Sacramento River Delta 3D Mapping Project Technical Report (Freshwater Map 2014). Existing hydrology will be characterized using existing historical flow and stage data from the Sacramento River. Within Elk Slough, up to 4 remote continuous monitoring stations will be installed to measure water level, temperature, and dissolved oxygen. Available geotechnical data will be used to characterize the stability/suitability of the soils at the slough entrance and along the levees to pass the flow range necessary to support fish passage and to protect the area from flood and scour impacts, seismic events, and hydraulic changes due to climate change.

Relationship to Grant Application Task: This task is consistent with Task 2: Define Existing Environmental Conditions included in the grant application with the exception of collecting data from the Sacramento River. Funding allocated to Task 2 in the grant is proposed to be used to generate the following deliverables included in the grant application. Any data collection efforts in the Sacramento River will be funded by SAFCA.

Grant Deliverable: Existing Environmental Conditions Report
Monitoring Station Installation
2. **Does Elk Slough provide habitat for salmonids that is better than would be experienced in the Sacramento River?**

A major benefit of the project is the restoration of fish migration and rearing opportunities in a historical Delta channel that has retained a number of the key attributes that once supported large numbers of native fishes, including high channel sinuosity, abundant riparian vegetation, and natural substrates. These attributes are associated with high prey densities (e.g., aquatic/terrestrial invertebrates), cover, and velocity refugia, and therefore are expected to enhance rearing and foraging opportunities for juvenile salmonids and other anadromous species that depend on the Delta for additional rearing and growth prior to their seaward migration (e.g., Chinook salmon fry, juvenile sturgeon). Restoring a direct connection with the Sacramento River is also expected to enhance habitat conditions in Elk Slough by improving water quality through beneficial effects on water temperature, dissolved oxygen, and contaminants; creating more dynamic physical habitat through increased sediment inputs; and increasing productivity and food web support through increased inputs of organic matter and nutrients.

**Scope Task:** In conjunction with the evaluation of existing habitat conditions (see Task 2 discussion above), the potential rearing and foraging benefits of Elk Slough will be evaluated by comparing prey densities in Elk Slough, Sutter or Steamboat Slough, and the Sacramento River. This evaluation will be conducted during the primary migration and rearing periods of juvenile Chinook salmon (January through April) and will include bi-weekly plankton and benthic sampling to characterize taxonomic composition and densities (abundance and biomass) of invertebrates in the water column and bottom substrates. Water depth and velocities, water temperature, and dissolved oxygen will be measured concurrently with invertebrate sampling. This task will be conducted in coordination with ongoing zooplankton monitoring being conducted by DWR in the Sacramento River (Sherwood Harbor) as part of the IEP Monitoring Program. The results will also be compared to the results of other studies and data on prey abundance in habitats known to support high growth rates of juvenile salmonids (e.g., Knagg’s Ranch floodplain habitat). In response to comments provided by Brian Ellrott with NOAA Fisheries, predatory density data available within existing studies will be collected and compared for Elk, Sutter and Steamboat Sloughs. Also, travel lengths will be quantified for juvenile salmon and available flow velocity information will be used to develop rough estimates of comparative travel times to better understand the benefits of Elk Slough as a migration route.

**Relationship to Grant Application Tasks:** This task includes components that are identified in Task 2: Define Existing Environmental Conditions, including specifically evaluating the baseline conditions and conducting water monitoring and sampling. Funding allocated to Task 2 in the
grant is proposed to be used to generate the following deliverables included in the grant application. The collection of predator and prey density information outside of Elk Slough will be funded by SAFCA.

**Grant Deliverable:**
- Existing Environmental Conditions Report
- Monitoring Station Installation

3. Will the reconnection between Elk Slough and the Sacramento River result in salmonid predation that is greater than currently occurs in the Sacramento River?

Higher inflows resulting from the reconnection of Elk Slough to the Sacramento River are expected to improve habitat conditions in Elk Slough because of more positive flow rates (i.e., reducing tidal influence and creating more riverine conditions) and potentially higher turbidity, factors that have been linked to shorter travel times, improved survival, and lower predation risk of juvenile salmonids. Although few studies have been able to directly address the role of predation in outmigrant survival, recent studies using modern fish tracking methods (acoustical telemetry) have provided a means of evaluating differences in reach-specific survival that include the effects of predation as well as other factors that affect overall survival through the Delta. These efforts include recent studies designed to evaluate differences in survival of sub-yearling smolts (fall- and spring-run) that use alternative migration routes through the Delta, including Sutter, Steamboat, and Georgiana sloughs, and the mainstem Sacramento River (Eric Chapman, personal communication).

**Scope Task:** To further address this question, a white paper will be prepared to review relevant studies and ongoing investigations on route selection and survival of salmonids in the Delta, and synthesize this information with knowledge of predator life history, habitat requirements, and behavior to evaluate the relative risk of predation as it relates to the proposed reconnection of Elk Slough to the Sacramento River. The potential for the flood gate structures to act as predator hot spots for entering/exiting juveniles will be assessed. This task will include a review of the studies being conducted by DWR to evaluate Salmon Survival Engineering Solutions, as required by the 2009 Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project Reasonable and Prudent Alternative Action IV.1.3. Potential engineering solutions being explored by DWR include installing barriers to keep salmon out of Georgiana Slough and Three-Mile Slough, both of which are downstream of Elk Slough on the Sacramento River. In addition, the information collected regarding predator densities and juvenile salmonid travel times in response to comments provided by Brian Elrott with NOAA Fisheries and as described in response to question 2 above, will be integrated into this paper.
The regulatory agency stakeholder group formed by the Delta Conservancy will be closely consulted in developing this white paper. This engagement will occur through the formation of a Technical Advisory Committee (TAC) that will consist of the regulatory agency stakeholder group, Delta Conservancy staff, and the project applicant team. The regulatory agency stakeholder group is assumed to include the following agencies: NOAA Fisheries, US Fish and Wildlife Service, California Department of Water Resources, California Department of Fish and Wildlife, and the Delta Stewardship Council. The TAC will meet every six weeks through the completion of Phase 1.

Relationship to Grant Application Tasks: The development of a white paper was not included in the grant application and will be funded by SAFCA. However, this task includes components of Task 2: Define Existing Environmental Conditions, and Task 4: Conduct Community Outreach. Task 2 includes developing the Existing Environmental Conditions Report and the results of the white paper will be integrated into the Existing Environmental Conditions Report. In addition, the white paper will be developed in close consultation with the TAC and Task 4 includes engaging directly with resource and regulatory agency representatives to ensure the project meets state and federal objectives. SAFCA is also proposing to provide funding to support these tasks. Funding allocated to Tasks 2 and 4 in the grant is proposed to be used for these components to generate the following deliverables included in the grant application.

- **Grant Deliverable:**
  - Existing Environmental Conditions Report
  - Formation of a Technical Advisory Committee (TAC)
  - Outreach Meeting Agendas and Summaries

4. **What is the expected timing and frequency of gate operations at the upstream and downstream ends of Elk Slough?**

The proposed Project would include replacing the existing Sacramento River culvert connection with a new crossing for County Road E9, and new operable gates at the upstream and downstream ends of Elk Slough. The existing upstream culvert has an operable gate and is capable of providing flood risk reduction benefits. However, it is an obstruction to fish passage due to its small cross sectional area, deep submergence, and excessive length. The proposed gate structure and bridge replacement would facilitate fish passage by providing physical and hydraulic conditions consistent with the swimming capabilities and behavior of the target species. The proposed upstream and downstream gate structures would provide flood risk reduction benefits by providing the ability to limit the water surface in Elk Slough and limit the volume of water available should a levee breach occur.

The gates’ priority operation during non-flood periods would be to remain fully open to allow anadromous fish passage. The gates would be closed briefly during Sacramento River floods. In
preparation of the grant application, gate operations were evaluated reflecting two potential Elk Slough threshold water surfaces. The threshold water surface elevations were 18.0 and 16.5 feet. These elevations were based on the height of the existing levees along Elk Slough.

Observed stage information was compiled and analyzed to estimate the number and duration of gate closure events that would have occurred from 2008 through 2018 if the gates were closed at a threshold water surface elevation of 18.0 feet and 16.5 feet. At a threshold water surface elevation of 18.0 feet there were five events of closure at the inlet of Elk Slough with durations ranging from 2 to 23 days. There were no closure events at the outlet of Elk Slough. At a threshold water surface 16.5 feet the number of closure events were 9 with durations ranging from 2 to 32 days at the inlet. The number of closure events at the outlet was 2 with durations from 4 to 7 days.

**Scope Task:** The analysis summarized above provides an understanding of the range of closure dates that would be expected with project implementation in relation to juvenile and adult salmonid presence. However, more detailed hydrodynamic modeling is proposed to more precisely define the anticipated operational windows for the two gates.

Hydrodynamic modeling will be undertaken using a model developed specifically for the project site. This modeling will be used to understand the hydrologic and hydraulic impacts associated with more directly connecting Elk Slough to the Sacramento River. It will also be used to better understand the project’s potential to facilitate fish passage and modify potential predator habitat in Elk Slough (Task 3), and modify sediment transport, deposition, levee stability, channel erosion potential, and vegetative cover in Elk Slough and the Sacramento River. The modeling will also be used to identify how the project could be adapted to respond to larger flow events associated with climate change. Sufficient modeling runs will be conducted to support the development of the Salmon HQT analysis. The hydrodynamic modelers will work through an iterative process with the fisheries biologists conducting the Salmon HQT analysis to be able to identify the project design that would optimize salmon survival. The results of the Salmon HQT analysis will be summarized in a memorandum that will be used to inform the project design.

**Relationship to Grant Application Tasks:** This task is consistent with Task 3: Conduct Detailed Hydrodynamic Modeling. The modeling is expected to generate the necessary hydrodynamic information that would be necessary to more precisely define the operational parameters of the two gates. Funding allocated to Task 3 in the grant is proposed to be used to generate the following deliverables included in the grant application.

**Grant Deliverable:** Hydrodynamic Modeling Output Files and Graphics
Salmon HQT Memorandum
5. How will the diversion of water into Elk Slough affect downstream water users?

Elk Slough was historically connected to the Sacramento River as an open channel. Its connection to the Sacramento River was reduced to a small box culvert with the construction of County Road E9. Due to the location of the Slough within the Sacramento River Delta System, it is anticipated that simply returning the Slough’s connection to an open channel will not significantly affect water supply deliveries to Central Valley Project (CVP) South of Delta water service contractors and wildlife refuges.

To assess the potential south of Delta water supply impacts of the proposed Elk Slough Project, the results of the water supply impact assessment conducted for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (YBSHRFPP) were reviewed. The YBSHRFPP was selected as a reference project for the Elk Slough Project due to its location within the Sacramento River and Delta (Figure 1).

The YBSHRFPP is being implemented to improve fish passage and increase floodplain rearing habitat in the Yolo Bypass and lower Sacramento River basin. The YBSHRFPP would divert up to approximately 6,000 cubic feet per second (cfs) of water from the Sacramento River, at stages below the current weir crest elevation, into the Yolo Bypass through a new gate structure within the Fremont Weir. The diverted flows would return to the Sacramento River in the vicinity of Rio Vista. The diversions would not occur during the spring and summer months.

Based upon the results of the YBSHRFPP water supply impact assessment, it was concluded that the changes to the State and CVP South of Delta deliveries for monthly and annual long-term and dry and critical year averages would be less than significant. The results are presented in the report titled “Yolo Bypass Salmonid Habitat Restoration & Fish Passage Environmental Impact Statement/Environmental Impact Report Final May 2019.”

A hydraulic assessment of Elk Slough was conducted to estimate flows in the slough under varying stages in the Sacramento River. The results are presented in the report titled “DRAFT Reconnaissance Study Elk Slough Flood Control and Habitat Improvement Project Yolo County CA, May 24, 2019.” Under Project conditions, flows in Elk Sough were estimated to generally range from approximately 1,000 cfs to 2,000 cfs during the winter. Because the diverted flows are relatively low and would return to the River in essentially the same location as the YBSHRFPP, the Project impacts on winter South of Delta water deliveries would be anticipated to be less that significant as well.

Unlike the YBSHRFPP, flows from the Sacramento River into Elk Slough would occur during the summer months. It’s estimated that these flows would generally be on the order of 1,000 cfs. This diversion could affect flows from the Sacramento River into the Cross Canal.
**Scope Task:** The assessment included in the YBSHRFPP EIS/EIR provides some context for understanding the project’s potential effects on downstream water rights. However, to specifically address concerns raised by state and federal water contractors, an evaluation of the project’s effects on water rights will be conducted. This includes conducting the hydrodynamic modeling necessary to quantify the volume of water that would be diverted into Elk Slough during a variety of flow conditions. Direct engagement with state and federal water contractors will be conducted to ensure the assessment is directly addressing this question. This engagement will occur as part of the community outreach effort identified in the grant application.

**Relationship to Grant Application Tasks:** This task includes components of Task 2: Define Existing Environmental Conditions, Task 3: Conduct Detailed Hydrodynamic Modeling, and Task 4: Conduct Community Outreach. Task 2 includes evaluating the water rights associated with diverting water into Elk Slough. As part of this evaluation, the downstream effects will necessarily need to be described. Task 3 includes conducting the hydrodynamic modeling that will be necessary to determine how much water would be diverted into Elk Slough during multiple time periods and various seasonal conditions. The hydrodynamic model will also be used characterize changes in water velocities and hydraulic conditions at the head and interior of Elk Slough. Task 4 includes engaging directly with agency representatives to ensure the project meets state and federal objectives, including water supply objectives. Funding allocated to Tasks 2, 3 and 4 in the grant is proposed to be used for these components to generate the following deliverables included in the grant application.

**Grant Deliverable:**
- Water Rights Memorandum
- Hydrodynamic Modeling Output Files and Graphics
- Formation of a Technical Advisory Committee (TAC)
- Outreach Meeting Agendas and Summaries

**Schedule**

The schedule of tasks identified in the table below is based on SAFCA authorizing the consultant team to initiate tasks that are outside of the grant application immediately following the Delta Conservancy Board’s decision regarding entering into a grant agreement with Reclamation District 999 at the September 25th Board meeting. The SAFCA funded tasks would continue during the period when the grant agreement is being put into place and following its execution. This schedule assumes a grant agreement would be executed between the Delta Conservancy and RD 999 in January 2020.
<table>
<thead>
<tr>
<th>Tasks</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form a Technical Advisory Committee</td>
<td>October 2019</td>
</tr>
<tr>
<td>Initiate Preparation of Existing Environmental Conditions Report</td>
<td>October 2019</td>
</tr>
<tr>
<td>Initiate Hydrodynamic Modeling</td>
<td>November 2019</td>
</tr>
<tr>
<td>Complete Salmon Survival White Paper</td>
<td>January 2020</td>
</tr>
<tr>
<td>Install Water Quality Monitoring Stations</td>
<td>February 2020</td>
</tr>
<tr>
<td>Complete Water Rights Memorandum</td>
<td>March 2020</td>
</tr>
<tr>
<td>Complete Hydrodynamic Modeling</td>
<td>April 2020</td>
</tr>
<tr>
<td>Complete Salmon HQT Assessment</td>
<td>April 2020</td>
</tr>
<tr>
<td>Complete Existing Environmental Conditions Report</td>
<td>Early June, 2020</td>
</tr>
<tr>
<td>Present Report and Outreach Findings to Delta Conservancy Staff</td>
<td>July 2020</td>
</tr>
</tbody>
</table>
Proposition 1 Program Update

Staff Report

Cycle 4 Update
At the May 22, 2019 Board meeting, the Board directed staff to work with applicants for three projects and present recommendations for each for consideration at a future Board meeting. Staff has been working with the three applicants as directed to address the concerns raised during the Cycle 4 review process. An update is provided on each project.

- **Mello/Jensen Heirs Sandhill Crane Preserve, submitted by the Agricultural-Natural Resources Trust (#Prop 1-1801)**. The applicant is scheduled to submit materials to staff in September. Pending review of those materials, staff is planning to bring a recommendation for this project to the Board on December 4, 2019.

- **Elk Slough Fish Passage and Flood Improvement, submitted by Reclamation District 999 (#Prop 1-1807)**. Staff is presenting a recommendation for this project to the Board at this meeting (see agenda item 11).

- **Phase 1 San Joaquin River Floodplain Restoration and Floodway Enhancement at Banta-Carbona, submitted by Banta-Carbona Irrigation District (#Prop 1-1810)**. The applicant has not submitted any of the materials discussed at the June 25, 2019 meeting with Conservancy staff. Staff is working with the applicant to determine their interest in continuing with this process. Staff is planning to bring an update on this project to the Board at the next Board meeting.

Approved Project Update
In its first four grant cycles, the Conservancy committed approximately $35.3 million for Proposition 1 projects. A brief overview of each grant cycle, including the status of each funded project for which there is an active or pending grant agreement and a map of all approved project locations (Figure 1), is provided herein.

**Cycle 4 – Fiscal Year 2018-2019**
The Board awarded approximately $11.0 million for seven projects (six planning and one implementation). Staff is working with grantees to negotiate grant agreements. Five projects have met their conditions, and two projects are continuing to work on satisfying their conditions; New information is highlighted.
Blacklock Restoration: Phragmites Control Study (Planning)

Amount Awarded $387,440
County Solano
Conservancy ID Prop 1-1803
Grantee Department of Water Resources
Overview Test methods for controlling invasive species in future restoration at the Blacklock restoration site.
Grant Agreement Status Grant Agreement Pending
Update New Information: Staff is developing a grant agreement.

Delta Waterways Habitat Restoration Planning (Planning)

Amount Awarded $347,481
County Solano
Conservancy ID Prop 1-1804
Grantee Solano Resource Conservation District
Overview Planning for restoration and enhancement of waterways and edge habitats on working lands in Solano County.
Grant Agreement Status Grant Agreement Pending
Update Staff is developing a grant agreement.

Paradise Cut Conservation and Flood Management Project, Phase 2 (Planning)

Amount Awarded $265,254
County San Joaquin
Conservancy ID Prop 1-1806
Grantee San Joaquin Resource Conservation District
Overview Outreach and planning to advance the Paradise Cut Flood Bypass in San Joaquin County.
Board Action/Deadline Conditional Approval – September 2019
Conditions/Status Information needed to complete the Financial Management Systems Questionnaire and Cost Allocation Plan
Certification of accuracy of the proposal
Work flow document explaining phases of the project and relationship between sedimentation study and mitigation report
Grant Agreement Status Grant Agreement Pending
Update New Information: The grantee has met all conditions. Staff is developing a grant agreement.
<table>
<thead>
<tr>
<th>Lower San Joaquin Riparian Corridor (Planning)</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Amount Awarded</strong></td>
<td>$522,027</td>
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<tr>
<td><strong>County</strong></td>
<td>San Joaquin</td>
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<tr>
<td><strong>Conservancy ID</strong></td>
<td>Prop 1-1808</td>
</tr>
<tr>
<td><strong>Grantee</strong></td>
<td>American Rivers</td>
</tr>
<tr>
<td><strong>Overview</strong></td>
<td>Planning for restoration of floodplain and riparian habitat along the lower San Joaquin River.</td>
</tr>
<tr>
<td><strong>Board Action/Deadline</strong></td>
<td>Conditional Approval – September 2019</td>
</tr>
<tr>
<td><strong>Conditions/Status</strong></td>
<td>Clearer explanation of funding for and use of carbon models</td>
</tr>
<tr>
<td><strong>Grant Agreement Status</strong></td>
<td>Grant Agreement Pending</td>
</tr>
<tr>
<td><strong>Update</strong></td>
<td>New Information: The grantee has met all conditions. Staff is preparing grant agreement.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Marsh Creek Channel Restoration (Planning)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Amount Awarded</strong></td>
<td>$519,494</td>
</tr>
<tr>
<td><strong>County</strong></td>
<td>Contra Costa</td>
</tr>
<tr>
<td><strong>Conservancy ID</strong></td>
<td>Prop 1-1809</td>
</tr>
<tr>
<td><strong>Grantee</strong></td>
<td>American Rivers</td>
</tr>
<tr>
<td><strong>Overview</strong></td>
<td>Planning for restoration of floodplain and riparian habitat along Marsh Creek.</td>
</tr>
<tr>
<td><strong>Grant Agreement Status</strong></td>
<td>Grant Agreement Pending</td>
</tr>
<tr>
<td><strong>Update</strong></td>
<td>Staff is developing a grant agreement.</td>
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</table>

<table>
<thead>
<tr>
<th>Nutria Eradication Project, Phase 2 (Implementation)</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Amount Awarded</strong></td>
<td>$8,483,080</td>
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<td><strong>County</strong></td>
<td>Multiple</td>
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<tr>
<td><strong>Conservancy ID</strong></td>
<td>Prop 1-1813</td>
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<tr>
<td><strong>Grantee</strong></td>
<td>California Department of Fish and Wildlife</td>
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<tr>
<td><strong>Overview</strong></td>
<td>Surveys for and removal of invasive species to minimize or avoid impacts to wetland habitats and water quality.</td>
</tr>
<tr>
<td><strong>Grant Agreement Status</strong></td>
<td>Grant Agreement Pending</td>
</tr>
<tr>
<td><strong>Update</strong></td>
<td>New Information: Staff is developing a grant agreement. A proposed amendment to this grant will be discussed in agenda item 10.</td>
</tr>
</tbody>
</table>
Oakley Creekside Park Restoration (Planning)

Amount Awarded: $436,465  
County: Contra Costa  
Conservancy ID: Prop 1-1814  
Grantee: City of Oakley  
Overview: Planning for restoration of floodplain and riparian habitat along Marsh Creek.  
Grant Agreement Status: Grant Agreement Pending  
Update: New Information: Staff is developing a grant agreement.

Bay Point Habitat Restoration Project (Implementation)

Amount Awarded: $2,100,000  
County: Contra Costa  
Conservancy ID: Prop 1-1701  
Grantee: East Bay Regional Park District  
Overview: Restore 44 acres of wetland and grassland and 5,595 linear feet of saline emergent marsh channel at Bay Point Regional Shoreline Park  
Grant Agreement Status: Active as of 4/10/19  
Update: New Information: The grantee is working on a site access agreement and entering the project in EcoAtlas.

Restoration Planning at River Garden Farms: Improving aquatic habitat resiliency on working lands along the Sacramento River (Planning)

Amount Awarded: $661,189  
County: Yolo  
Conservancy ID: Prop 1-1702  
Grantee: American Rivers  
Overview: Develop restoration design plans for seven different project sites at River Garden Farms to restore ecosystem function in floodplain, wetland, and riparian habitats and provide habitat connectivity on a working farm  
Grant Agreement Status: Active as of 1/22/19  
Update: New Information: Grantee staff changes have resulted in a slow start to this project. Project partners are outlining roles and responsibilities.
Knightsen Wetland Restoration and Flood Protection Project (Planning)

**Amount Awarded**: $1,225,000  
**County**: Contra Costa  
**Conservancy ID**: Prop 1-1709  
**Grantee**: East Contra Costa County Habitat Conservancy  
**Overview**: Advance planning for restoring wetlands and managing and treating storm water on public land in Knightsen  
**Grant Agreement Status**: Active as of 3/20/19  
**Update**: New Information: The grantee has selected the primary subcontractor for the project.

Grizzly Slough Floodplain Restoration Project at the Cosumnes River Preserve (Implementation)

**Amount Awarded**: $8,700,800  
**County**: Sacramento  
**Conservancy ID**: Prop 1-1710  
**Grantee**: Department of Water Resources  
**Overview**: Restore wetland and riparian habitat to the 334-acre site by breaching the levee and reintroducing tidal and seasonal flooding, and by establishing native vegetation  
**Grant Agreement Status**: Grant Agreement Pending  
**Update**: New Information: Staff is developing a grant agreement. Staff requested information necessary for the development of this grant agreement and is waiting for the grantee to respond.

Three Creeks Parkway Restoration Project #2 (Implementation)

**Amount Awarded**: $999,318  
**County**: Contra Costa  
**Conservancy ID**: Prop 1-1711  
**Grantee**: American Rivers  
**Overview**: Add one acre of habitat to the current Three Creeks Parkway Restoration project, thereby enhancing the ecological benefits of that project while satisfying flood conveyance needs to protect the local area, and allowing the larger project to move forward  
**Grant Agreement Status**: Active as of 7/26/2019  
**Update**: New Information: A grant agreement has been executed.
Bees Lakes Habitat Restoration Plan (Planning)

Amount Awarded $592,500  
County Yolo  
Conservancy ID Prop 1-1712  
Grantee City of West Sacramento  
Overview Develop a detailed habitat restoration plan to restore disturbed riparian habitat, control non-native species, improve pond water quality, and improve the ability of the Bees Lakes area to support listed species  
Grant Agreement Status Active as of 1/9/19  
Update New Information: The project is progressing on schedule. The grantee is collecting site information and assembling data.

Stone Lakes Restoration Project (Planning)

Amount Awarded $635,573  
County Sacramento  
Conservancy ID Prop 1-1713  
Grantee Ducks Unlimited Inc.  
Overview Planning to restore approximately 257 acres of seasonal wetland and 39 acres of riparian seasonal wetland, and enhance 20 acres of existing low-quality wetland on the Stone Lakes National Wildlife Refuge  
Grant Agreement Status Active as of 4/2/19  
Update New Information: This project is progressing on schedule. The grantee has completed the conceptual restoration plan and the 30 percent design plan.

Nutria Eradication Project (Implementation)

Amount Awarded $1,125,577  
County Multiple  
Conservancy ID Prop 1-1718  
Grantee California Department of Fish and Wildlife  
Overview Eliminate nutria from all known and discovered locations in California to prevent nutria from causing significant ecological damage in the Delta  
Grant Agreement Status Active as of 1/14/19  
Update This project is progressing on schedule.
Cycle 2 – Fiscal Year 2016-2017
The Board awarded approximately $4.4 million for four projects (one planning and three implementation). Three Grant Agreements have been executed, and one has been delayed due to permitting issues. New information is highlighted.

**Dutch Slough Revegetation (Implementation)**
- **Amount Awarded**: $2,900,000
- **County**: Contra Costa
- **Conservancy ID**: Prop 1-1602
- **Grantee**: Reclamation District 2137
- **Overview**: Establish and maintain 468 acres of native tidal marsh, riparian, and grassland vegetation at the Dutch Slough restoration site
- **Grant Agreement Status**: Grant Agreement Pending
- **Update**: New Information: A grant agreement has been executed.

**Petersen Ranch: Working Waterway Habitat Enhancement Project (Implementation)**
- **Amount Awarded**: $444,795
- **County**: Solano
- **Conservancy ID**: Prop 1-1605
- **Grantee**: Solano Resource Conservation District
- **Overview**: Restore 13.5 acres of riparian habitat and improve water quality through improved cattle management practices on approximately 525 acres of active farmland along Lindsey Slough
- **Grant Agreement Status**: Active as of 9/1/17
- **Update**: The project is progressing on schedule.

**Restoration of Priority Wetlands for Endangered Species at the Cosumnes River Preserve (Implementation)**
- **Amount Awarded**: $943,549
- **County**: Sacramento
- **Conservancy ID**: Prop 1-1608
- **Grantee**: Sacramento County Regional Parks
- **Overview**: Restore 110 acres of freshwater wetlands to benefit listed species
- **Grant Agreement Status**: Active as of 1/8/18
- **Update**: The project is progressing on schedule.
**Investigations of restoration techniques that limit invasion of tidal wetlands (Planning)**

**Amount Awarded** $107,655  
**County** Contra Costa  
**Conservancy ID** Prop 1-1612  
**Grantee** The Regents of the University of California (UC Davis)  
**Overview** Identify improved methods for tidal wetland revegetation that reduce invasion by non-native plants at Dutch Slough  

**Grant Agreement Status** Active as of 1/8/18  
**Update** The project is progressing on schedule. Experimental plots are being maintained.

**Cycle 1 – Fiscal Year 2015-2015**  
The Board awarded approximately $3.9 million to seven projects (four planning and three implementation). To date, six Grant Agreements have been fully executed. New information is highlighted.

**Yolo Bypass Wildlife Area Habitat and Drainage Improvement Project (Implementation)**

**Amount Awarded** $2,000,000  
**County** Yolo  
**Conservancy ID** Prop 1-Y1-2015-003 (1503 on map)  
**Grantee** Ducks Unlimited  
**Overview** Implement habitat and working landscape enhancements in the Yolo Bypass Wildlife Area  

**Grant Agreement Status** Active as of 6/18/19  
**Update** New Information: Due to heavy rains earlier this year, the project site flooded, but this should not result in project delays. The grantee is working on the site access agreement, and the 401 Clean Water Act permit from the US Army Corps of Engineers.
### Fish Friendly Farming Certification Program for the Sacramento-San Joaquin Delta (Planning)

<table>
<thead>
<tr>
<th>Amount Awarded</th>
<th>$89,450</th>
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<tbody>
<tr>
<td>County</td>
<td>All Delta Counties</td>
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<tr>
<td>Conservancy ID</td>
<td>Prop 1-Y1-2015-005 (1505 on map)</td>
</tr>
<tr>
<td>Grantee</td>
<td>California Land Stewardship Institute</td>
</tr>
<tr>
<td>Overview</td>
<td>Develop a program to work with farmers to improve water quality, that is specific to the crops and water quality concerns in Delta counties</td>
</tr>
<tr>
<td>Grant Agreement Status</td>
<td>Active as of 1/9/17</td>
</tr>
<tr>
<td>Update</td>
<td>New Information: Management of this grant has raised concerns about the grantee’s capacity and responsiveness. These concerns have been presented to the grantee verbally, in writing, and at an in-person meeting on August 28, 2019 with written follow up. Staff is working with the grantee to ensure that the project remains viable. Staff anticipates bringing an amendment to extend the term of this grant to the Board for consideration at the December 4, 2019 Board Meeting.</td>
</tr>
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</table>

### Three Creeks Parkway Restoration Project (Implementation)

<table>
<thead>
<tr>
<th>Amount Awarded</th>
<th>$836,409</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>Contra Costa</td>
</tr>
<tr>
<td>Conservancy ID</td>
<td>Prop 1-Y1-2015-009 (1509 on map)</td>
</tr>
<tr>
<td>Grantee</td>
<td>American Rivers</td>
</tr>
<tr>
<td>Overview</td>
<td>Convert denuded flood control channel at the confluence of Marsh, Sand, and Deer Creeks into a healthy stream corridor</td>
</tr>
<tr>
<td>Grant Agreement Status</td>
<td>Active as of 6/27/17</td>
</tr>
<tr>
<td>Update</td>
<td>New Information: The project is progressing on schedule. An amendment was sent to the grantee for signature in June of 2019. Staff is waiting on the grantee to sign the amended agreement. Staff have regularly inquired as to the status of the amendment and been informed that the grantee is making minor modifications.</td>
</tr>
</tbody>
</table>
Paradise Cut Conservation and Flood Management Planning Project (Planning)

Amount Awarded $99,924
County San Joaquin
Conservancy ID Prop 1-Y1-2015-012 (1512 on map)
Grantee San Joaquin Resource Conservation District
Overview Develop a conservation and flood management plan for a new flood bypass at Paradise Cut

Grant Agreement Status Closed as of 6/30/19
Update New Information: The funding term has ended. The grantee has submitted a final report for Conservancy staff to review.

Wildlife Corridors for Flood Escape on the Yolo Bypass Wildlife Area Project (Implementation)

Amount Awarded $688,195.64
County Yolo
Conservancy ID Prop 1-Y1-2015-016 (1516 on map)
Grantee Yolo Resource Conservation District
Overview Restore up to 5 miles (22 acres) of floodway-compatible wildlife and pollinator habitat, providing a transit corridor for wildlife during floods

Grant Agreement Status Active as of 1/24/17
Update New Information: Due to heavy rains earlier this year, the project site flooded, but this should not result in project delays. To comply with the Army Corps of Engineers section 408 Rivers and Harbors Act permit, an historian visited the site to assess the historic and cultural significance of the trestle mounds, but found no such significance. Consideration of this permit is planned to go before the Central Valley Flood Protection Board at their September or October meeting. The grantee is continuing planting and weed control activities.
Lower Marsh and Sand Creek Watershed Riparian Restoration Planning Project (Planning)

**Amount Awarded** $73,493

**County** Contra Costa

**Conservancy ID** Prop 1-Y1-2015-019 (1519 on map)

**Grantee** American Rivers

**Overview** Improve restoration project efficiency within the Marsh/Sand Creek watershed through development of a programmatic CEQA document and permit, including storm water planning.

**Grant Agreement Status** Active as of 10/19/16

**Update** New Information: The project is on schedule and set to close on December 31, 2019.

**Background**
The Conservancy’s Proposition 1 Ecosystem Restoration and Water Quality Grant Program funds $50 million in multi-benefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities. The Grant Program is a two-step process, requiring both a concept proposal and a full proposal. Full proposals are subject to a rigorous scoring and evaluation process by both staff and a professional review panel, and are recommended for funding based upon score and funding availability.

**Contact**
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Phone: (916) 376-4023
Figure 1. Map of Funded Projects
*Please note, due to design constraints, this map does not meet Web Content Accessibility Guidelines 2.0. For assistance with this map, please contact the Delta Conservancy at (916) 375-2084 or contact@deltaconservancy.ca.gov.
Potential Agenda Items for the December 4, 2019 Board Meeting

Staff is seeking input from the Board regarding additional agenda items for the December 4, 2019 Board meeting.

A tentative list of agenda items beyond the normal standing items includes:

- Request for approval of final Proposition 68 Grant Guidelines
- Consideration of Mello/Jensen Heirs Sandhill Crane Preserve project

Contact
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