



**Consideration of Award of Proposition 1 Grant Program Funds for the Ulatis Creek Habitat Restoration Project  
Staff Recommendation**

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This agenda item presents for Board consideration a recommendation to award Proposition 1 Grant Program funding for the Ulatis Creek Habitat Restoration Project.

**PROJECT OVERVIEW**

<b>Applicant</b>	Solano Resource Conservation District
<b>Project ID</b>	2208
<b>Project Type</b>	Implementation
<b>County</b>	Solano
<b>Funding Request</b>	\$359,639
<b>Total Project Cost</b>	\$452,888
<b>Funding Recommendation</b>	\$359,639
<b>Score</b>	91/100

**RECOMMENDATION**

Conservancy staff recommends that the Board consider the Final Initial Study and Mitigated Negative Declaration for the Ulatis Creek Habitat Restoration Project prepared by Solano Resource Conservation District as the Lead Agency in accordance with the California Environmental Quality Act, and adopt Resolution 2022-01 that makes Responsible Agency Findings that all necessary mitigation measures have been included in the project to eliminate any significant effects on the environment, and that no additional mitigation measures within the Board’s authority are necessary.

Contingent upon the Board’s adoption of Resolution 2022-01, Conservancy staff recommends that the Board approve up to \$359,639 in grant funding for the Ulatis Creek Habitat Restoration Project proposed by the Solano Resource Conservation District conditional upon the applicant receiving a Delta Plan Certification of Consistency for the project and verification of water rights of the landowner. Staff prepared the text below based on staff’s best understanding of the information provided in the application. Conservancy staff and the Professional Review Panel consisting of the following agencies: California Department of Fish and Wildlife, Delta Protection Commission, Delta Stewardship Council, California Department of Food and Agriculture, California Department of Water Resources and the United States Fish and Wildlife Service scored this proposal against the established criteria. Conservancy staff contacted local governments and districts, water agencies, and tribes via the local notification process to receive comments and ensure project support. Prior to entering into a grant agreement, staff will work with the applicant to further refine the project’s scope of work.

### **PROJECT SUMMARY**

The proposed Ulatis Creek Habitat Restoration Project will result in the installation of 20 acres of riparian woodland habitat along the north bank of Ulatis Creek in Solano County. A total of 1,880 native trees/shrubs and 25,000 forb/sedge plugs will be planted, 100 pounds of wildflowers will be seeded, and invasive plants (including *Arundo donax*) will be controlled throughout the project site. The proposed project will add 20 acres of habitat adjacent to a former project site, creating more continuous riparian habitat that provides valuable resources for wildlife, shades the waterline along Ulatis Creek, and showcase effective conservation efforts on working lands.

### **ENVIRONMENTAL COMPLIANCE**

This implementation effort is considered a project under the California Environmental Quality Act (CEQA). On October 20, 2021, Solano Resource Conservation District, as the Lead Agency under CEQA, submitted a Notice of Determination based on the results of an Initial Study that found potential significant project impacts on biological resources, cultural resources, and hydrology and water quality; determined all of the identified impacts can be reduced to insignificant levels through implementation of Mitigation Measures outlined in the Initial Study; and prepared a Mitigated Negative Declaration for the project to satisfy the requirements of CEQA. Conservancy staff, in fulfilling the Conservancy's role as a Responsible Agency, have reviewed these documents and findings, and staff recommends that the Board make Responsible Agency Findings concluding that all necessary mitigation measures have been included in the project to eliminate significant effects on the environment.

### **COST SHARE**

The cost share amount is 20 percent of the project budget. The applicant will provide \$6,000 as in-kind services through staff time to assist in regional and watershed conservation efforts. The landowner will provide \$62,000 in federal match from a grant with the United States Natural Resources Conservation Service Environmental Quality Incentive Program and \$3,150 in-kind services through labor on managed grazing and project planning. Fibershed, a non-profit third party certifier of Climate Beneficial Wool, will provide \$12,099 in-kind match through labor for planting of native vegetation and \$10,000 to fund avian surveys and purchase of planting supplies.

### **ALIGNMENT WITH STATE PRIORITIES**

The project is consistent with and directly and specifically links to multiple actions and priorities identified in the Conservancy's governing statute, the Conservancy's strategic plan, the Delta Plan, and in other state and regional plans. Considerations are made to promote wildlife conservation, ecosystem, and economic restoration, enhance flood plain habitat (with carbon sequestration benefits), and to help to improve water quality.

### **LONG TERM VIABILITY**

The proposal describes long-term management that will cover the required 15-year duration. The applicant will commit to working with the National Resource Conservation Service at the project site over 15 years, through 2041, to ensure project establishment and long-term success. Site visits by staff from the District will ensure continued communication with the landowners, visual assessment of plant establishment, and the opportunity to evaluate new management challenges that require updated approaches over the long-term.

### **LOCAL SUPPORT**

The proposal demonstrates local support and includes a resolution of support from the project's county Board of Supervisors. The proposal details an approach to inform and consult with affected parties and to avoid, reduce, and mitigate conflicts with existing and adjacent land uses. The applicant acquired letters of support from their cost sharing and cost leveraging partners, and formed close relationships with the Delta Stewardship Council, Solano County Water Agency, Point Blue Conservation science, and several other local and federal organizations.

### **SCIENTIFIC MERIT**

The proposal describes and references the scientific basis of the project and incorporates the best available science. The proposal demonstrates efforts to develop an adaptive management approach consistent with the Delta Plan's adaptive management framework and with sufficient capacity and resources to implement. The climate impacts/benefits are addressed, and the proposal provides a mechanism for incorporating climate change considerations into the project. An accurate estimate of the project's climate/carbon sequestration success will be evaluated over the 20 years post installation. Species richness surveys will be conducted pre and post installation to gather data on the project's outcome. The data will be made publicly available to help other researchers better understand similar reclamation projects.

### **ADDITIONAL CONSIDERATIONS**

Prior to submitting their proposal, the applicant shared with Conservancy staff reluctance from the landowner to record the landowner access agreement against the property deed with Solano County. The Conservancy typically requires that the access agreement be recorded against the property for projects on private land. The applicant, Solano Resource Conservation District (SRCD), has a long and successful partnership with the landowner and stated the landowner recently received a Natural Resources Conservation Service (NRCS) Environmental Quality Incentive Program grant which also requires a 15-year contract. The NRCS grant is for separate conservation related work but at the same project site. The land has been owned by the same family for over one hundred years and the owners have a long history of supporting conservation efforts. The applicant requests that the Conservancy allow the landowner to sign a land access agreement but waive the requirement that the landowner record the land access agreement against the property deed. Given the landowner's longstanding commitment to conservation, their partnership with SRCD, and their corresponding grant from NRCS, staff recommends granting their request.

### **SUGGESTED MOTION LANGUAGE**

Three separate motions are required.

Move to adopt Resolution 2022-01, which makes Responsible Agency Findings that all necessary mitigation measures have been included in the Ulatis Creek Habitat Restoration Project.

Move to award funding up to \$359,639 to the Solano Resource Conservation District for Ulatis Creek Habitat Restoration Project conditional upon the applicant receiving a Delta Plan Certification of Consistency and verification of water rights of the landowner.

Move to approve the applicant's request to waive the requirement for recording the executed grant agreement against the deed of the property, conditional upon the Conservancy receiving and approving a landowner access agreement.

**CONTACT**

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FIGURE 9.6 ULATIS CREEK HABITAT RESTORATION PROJECT AREA

