



July 27, 2022 Board Meeting Summary and Action Items

AGENDA ITEMS

Agenda Item 1 – Call to Order

Meeting called to order at 9:01 a.m. by Chair Nottoli.

Agenda Item 2 – Welcome, Roll Call, and Introductions

After roll call, and the pledge of allegiance, agenda items were heard by the Board in the order indicated below.

Board Members Present:

- Don Nottoli
- Bryan Cash
- Mitchel Mashburn
- Gayle Miller-teleconference
- Karen Mitchoff-teleconference
- Jim Provenza-teleconference
- Dolly Sandoval
- Leo Winternitz

Ex-Officio Members Present:

- None

Liaison Advisors and Counsel Present:

- Marge Kolar
- Erik Vink-arrived during Agenda Item 9
- Steve Chappell-left after Agenda Item 8
- Nicole Rinke, Counsel-by teleconference

Agenda Item 3 – Public Comment

None

Agenda Item 4 – Board Elections

Chair Nottoli opened nominations for the position of Chair and Vice Chair of the Sacramento-San Joaquin Delta Conservancy Board for the Fiscal Year 2022-23.

Motion: Board Member Sandoval moved, seconded by Board Member Winternitz, that the Board approve the nomination of Mitchell Mashburn as Chair and Sandi Matsumoto as Vice Chair of the Sacramento-San Joaquin Delta Conservancy for the Fiscal Year 2022-23.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Executive Officer Ingram thanked Chair Nottoli and Vice Chair Matsumoto for their service for the past year, and Supervisor Mashburn assumed the Chair position.

Agenda Item 5 – Consent Calendar

Motion: Board Member Winternitz moved, seconded by Board Member Gayle Miller that the Board approve the following.

- May 25, 2022 Board Meeting Summary and Action Items

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item 6 – Executive Officer’s Report

The Executive Officer briefly highlighted several items within the written report. This was the last meeting for Deputy Executive Officer Debra Kustic due to her retirement. Her replacement, Karen Buhr, was introduced and will assume the role on August 15, 2022. New staff members Maya Garrett, Ecological and Community Programs Analyst; Anjali Shakya, Environmental Scientist; and Geraldine Walker, Retired Annuitant, were introduced. Brenda Lusk was promoted to Administrative Manager.

The report also highlighted the teleworking policy and the Delta Drought Response Pilot Program (DDRPP) program. The staff works in the office every other Monday. The DDRP continues with site visits and monitoring. An amendment is in process to provide an additional eleven million, four hundred and eighty thousand in funding to run the program again this planting season.

Agenda Item 12 was pulled from the agenda because a Board Resolution is not necessary as the Conservancy will not be the lead agency on the project.

Agenda Item 7 – Proposition 1 Ecosystem Restoration and Water Quality Grant Program Update

Conservancy staff highlighted items from the staff report and presented further updates.

- Prop 1 Cycle 5 was covered in Agenda Item 9.
- Delta Waterway Habitat Restoration Planning, Project 1804, is in the process of executing an amendment, which was approved at the May board meeting.
- The Three Creeks Parkway Restoration Project #2, Project 1711, funding period closed on June 30, 2022, and staff are completing the closeout process.

Agenda Item 8 – Community Enhancement Grant Programs Update

Conservancy staff highlighted items from the staff report, which includes:

- Proposition 68 and the Fiscal Year 2021/22 Climate, Access, and Restoration appropriation. We have eight active projects, one awarded project, and four working proposals.
- Freeport Delta Gateway Monuments will be considered at the Sacramento County Board of Supervisors on September 28, 2022.
- Concept proposals are being received on a continuous basis.

Agenda Item 9 – Consideration of Awards and Applicable Resolutions to Adopt California Environmental Quality Act (CEQA) Responsible Agency Findings for the Fifth Cycle of the Proposition 1 Ecosystem Restoration and Water Quality Grant Program

Conservancy staff presented funding recommendations for six projects from the Cycle 5 proposal solicitation, of the Proposition 1 Ecosystem Restoration and Water Quality Grant Program. The local notification process closed July 25, 2022, with no comments. Conservancy recommends funding all six projects. Program staff introduced each project while Dr. Rachel Wigginton, Sr. Environmental Scientist, provided environmental compliance background on projects as needed.

Agenda Item Attachment 9.2, Project ID 2204, Little Franks Tract Invasive Weed Removal and Restoration Project

Conservancy staff recommended that the Board approve up to \$427,706 in grant funding for the Little Franks Tract Invasive Weed Removal and Restoration Project proposed by the Contra Costa Resource Conservation District conditional upon successful resolution of equipment purchase requirements and weed removal methodology.

Motion: Supervisor Mitchoff moved, seconded by Board Member Cash, to award funding up to \$427,706 to the Contra Costa Resource Conservation District from the Proposition 1 Ecosystem Restoration and Water Quality Grant Program, for the Little Franks Tract Invasive Weed Removal and Restoration Project conditional upon the items noted in the Additional Considerations section of the staff recommendation.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item Attachment 9.3, Project ID 2207, Yolo Bypass Wildlife Area Habitat and Drainage Improvement Project, Phase Two

Conservancy staff recommended that the Board approve up to \$887,516.29 in grant funding for the Yolo Bypass Wildlife Area Habitat and Drainage Improvement Project, Phase Two proposed by Ducks Unlimited.

Motion: Supervisor Provenza moved, seconded by Chair Mashburn, to award funding up to \$887,516.29 to Ducks Unlimited from the Proposition 1 Ecosystem Restoration and Water Quality Grant Program for the Yolo Bypass Wildlife Area Habitat and Drainage Improvement Project, Phase Two. Not exempt from California Environmental Quality Act (CEQA). California Department of Fish and Wildlife (CDFW) is the lead agency.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item Attachment 9.6, 9.7, 9.8 Project ID 2208, Ulatis Creek Habitat Restoration Project

Conservancy staff recommended that the Board consider the Final Initial Study and Mitigated Negative Declaration for the Ulatis Creek Habitat Restoration Project proposed by Solano Resource Conservation District, the lead agency in accordance with CEQA, and adopt Resolution 2022-01 that requires Responsible Agency Findings that all necessary mitigation measures are 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.

The Conservancy typically requires that a land access agreement be signed and recorded against the property for projects on private land. The applicant requested that the Conservancy allow the landowner to sign a land access agreement but waive the requirement to record it against the property deed. The board discussed the matter, and it was decided that the Conservancy Counsel should provide a legal review of the subject and report back at the October 26, 2022, board meeting. The project would be brought back for consideration at that time.

Agenda Item Attachment, 9.10, 9.11 Project ID 2209, Improving Hydrological Resiliency of Managed Wetlands in Suisun Marsh

Conservancy staff recommended that the Board consider the Final Environmental Impact Statement/Environmental Impact Report for the Suisun Marsh Habitat Management, Preservation, and Restoration Plan (Suisun Marsh Plan), and adopt Resolution 2022-02 that requires Responsible Agency Findings indicating consistency with the Suisun Marsh Plan, and that no additional mitigation measures within the Board's authority are necessary, and concurs with the lead agency's statement of overriding considerations.

Motion: Supervisor Mashburn moved, seconded by Board Member Sandoval, to adopt Resolution 2022-02, which makes Responsible Agency Findings that Improving Hydrological Resiliency of Managed Wetlands in Suisun Marsh implements the Suisun Marsh Plan and that all necessary mitigation measures have been included.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Motion: Supervisor Mashburn moved, seconded by Board Member Winternitz, to award funding up to \$542,546 to the Suisun Resource Conservation District for Improving Hydrological Resiliency of Managed Wetlands in Suisun Marsh conditional upon the items noted in the staff recommendation.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item Attachment 9.12 Project ID 2211, Marsh Creek Reservoir Restoration and Total Mercury Reduction Planning Project

Conservancy staff recommended that the Board approve up to \$350,000 in grant funding for the Marsh Creek Reservoir Restoration and Total Mercury Reduction Planning Project proposed by Contra Costa County Flood Control and Water Conservation District (the District) conditional upon approval of findings for a project site located outside of the legal Delta.

Motion: Supervisor Mitchoff moved, seconded by Board Member Sandoval, that the Board approve findings for a project site located outside of the legal Delta for the Marsh Creek Reservoir Restoration and Total Mercury Reduction Planning Project with the District.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Board Member Sandoval moved, seconded by Chair Mashburn, to award funding up to \$350,000 to the Contra Costa Flood Control and Water Conservation District from the Proposition 1 Ecosystem Restoration and Water Quality Grant Program for the Marsh Creek Reservoir Restoration and Total Mercury Reduction Project.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item Attachment 9.13 Project ID 2212, Van Buskirk Multi-Benefit Ecosystem and Restoration Planning Project

Conservancy staff recommended that the Board approve up to \$467,848 in grant funding for the Van Buskirk Multi-Benefit Ecosystem and Restoration Planning Project proposed by American Rivers conditional upon the applicant providing a landowner letter of support for the project.

Motion: Board Member Winternitz moved, seconded by Supervisor Mashburn, to award funding up to \$467,848 to American Rivers from the Proposition 1 Ecosystem Restoration and Water Quality Grant Program for the Van Buskirk Multi-Benefit Ecosystem Restoration Project conditional upon the applicant providing a landowner letter of support for the project.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item 10 – Consideration of Award of a Climate, Access, and Restoration (CAR) Grant Funds for Big Break Regional Shoreline Restoration and Public Access Planning Project

Conservancy staff recommended that the Board approve up to \$390,000 in grant funding for the Big Break Regional Shoreline Restoration and Public Access Planning Project proposed by the East Bay Regional Park District.

Motion: Board Member Cash moved, seconded by Board Member Winternitz, to award funding up to \$390,000 to the East Bay Regional Parks District from the Climate, Access, and Restoration (CAR) Grant Program for the Big Break Regional Shoreline Restoration and Public Access Planning Project.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item 11 – Consideration of California Environmental Quality Act (CEQA) Responsible Agency Findings and Award of Climate, Access, and Restoration (CAR) Grant for Bees Lakes Habitat Restoration and Public Access Project

Conservancy staff presented for consideration a resolution to adopt Responsible Agency Findings based on the City of West Sacramento's Initial Study and Mitigated Negative Declaration in accordance with CEQA, and a recommendation to award Climate, Access, and Restoration (CAR) Grant Program funding for the Bees Lakes Habitat Restoration and Public Access Project.

Motion: Board Member Winternitz moved, seconded by Board Member Cash, to adopt Resolution 2022-03, which makes CEQA Responsible Agency Findings that all necessary mitigation measures have been included in the Bees Lakes Habitat Restoration and Public Access Project.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Motion: Board Member Sandoval moved, seconded by Supervisor Mashburn, to award funding up to \$2,373,800 to the City of West Sacramento from the Climate, Access, and Restoration (CAR) Grant Program for the Bees Lakes Habitat Restoration and Public Access Project.

A roll call vote was taken. The motion passed unanimously with 8 ayes.

Agenda Item 12 – Consideration of a Resolution to Adopt a California Environmental Quality Act (CEQA) Statutory Exemption for Restoration Projects (SERP) Lead Agency Determination for the Riparian Restoration at River Garden Farms

This item was pulled as the Conservancy will not be the lead agency on the project.

Agenda Item 13 – Delta Fish Friendly Farming Program Update

Conservancy staff highlighted items from the staff report.

Agenda Item 14 – EcoRestore Update

Charlotte Biggs, Program Manager II at the California Department of Water Resources, presented an update by teleconference.

Agenda Item 15 – Delta Stewardship Council Update

This item was pulled and will be updated at the October 26, 2022 Board Meeting.

Agenda Item 16 – Delta Protection Commission Update

Erik Vink, Executive Director of the Delta Protection Commission, presented an update. The Executive Officer thanked Mr. Vink for his many years of collaboration with the Conservancy as he prepares for retirement.

Agenda Item 17 – Delta Conveyance Update

Carrie Buckman, Environmental Program Manager at the Department of Water Resources, presented an update.

Agenda Item 18 – Potential Agenda Items for the October 26, 2022 Meeting

- Overview of Delta Carbon Management
- Consideration of Award(s) of Community Enhancement Grant Program
- Consideration of Award for Ulatis Creek Habitat Restoration Project
- Project site visit discussion

Agenda Item 19 – Public Comment

None

BOARD DIRECTIVES TO STAFF

- Provide a Policy discussion on recording landowner access agreements
- Provide an overview of the 2023 Delta Drought Response Pilot Program

MEETING ADJOURNED by Chair Mashburn at 11:35 a.m.

CONTACT

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