



## Process and Criteria for Waiving the Recording of Landowner Access Agreements for Delta Conservancy Agreements

### Process

- 1) **Request.** Grantee or Applicant submits to Conservancy staff a formal, justified, and written request to waive the requirement of recording a landowner access agreement against the deed of the property with the County in which the project site is located.
- 2) **Review.** Conservancy staff review the waiver request, assess each of the evaluation criteria, and route waiver request through the Ecological and Community Programs Manager, Deputy Executive Officer, and Executive Officer in preparation for consideration by the Board.
- 3) **Decision.** The Board will, within its complete discretion, consider and vote on waiver request.
- 4) **Documentation.** If approved by the Board, the Grantee will be required to execute a landowner access agreement with the Conservancy as outlined in the grant agreement.

### Evaluation Criteria for Waiving Landowner Access Agreements

- Does the landowner have an incentive to retain or remove the project?
- What is the land development potential if it is sold?
- What is the likelihood that the project would be removed if the property were sold or developed?
- Does the project provide a net benefit to the landowner?
- For how long has the land been under the same ownership?
- If the project is not approved for funding, what is lost?
- Is the landowner a public entity or is the project in collaboration with a public entity?
- Does the landowner have other government contracts that the project relates to?
- Has California Environmental Quality Act requirements/public comment occurred? What are the results?