



SACRAMENTO - SAN JOAQUIN

**DELTA CONSERVANCY**

A California State Agency

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## October 26, 2022 Board Meeting Summary and Action Items

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### AGENDA ITEMS

#### Agenda Item 1 – Call to Order

Meeting called to order at 9:02 a.m. by Chair Mashburn.

#### Agenda Item 2 – Welcome, Roll Call, and Introductions

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

#### Board Members Present:

- Mitch Mashburn – teleconference
- Sandi Matsumoto
- Bryan Cash
- Gayle Miller – teleconference
- Kathy Miller – teleconference
- Don Nottoli – arrived after vote on agenda item 4
- Jim Provenza
- Dolly Sandoval
- Diane Burgis – teleconference

#### Ex-Officio Members Present:

- Assembly Member Timothy Grayson
- Les Spahnn

#### Liaison Advisors and Counsel Present:

- Marge Kolar
- Bruce Blodgett – teleconference
- Brooke White
- James Waters – teleconference
- Nicole Rinke, Counsel

#### Agenda Item 3 – Public Comment

None

#### Agenda Item 4 – Consent Calendar

**Motion:** Board Member Cash moved, seconded by Supervisor Provenza that the Board approve the following:

- July 26, 2022 Board Meeting Summary and Action Items

A roll call vote was taken. The motion passed with 6 ayes and 2 abstains.

### **Agenda Item 5 – Executive Officer’s Report**

The Executive Officer briefly highlighted several items on the staff report. He thanked four exiting Board members – Don Nottoli, Katherine Miller, Karen Mitchoff and Dolly Sandoval – as their terms expire December 31<sup>st</sup>. Karen Buhr was introduced as the new Deputy Executive Officer, and staff promotions of Brenda Lusk to Administration Manager, and Jessica Adel to Administration Supervisor were recognized. The Conservancy received an appropriation of \$36 million in Nature Based Solutions funding, which will be addressed in agenda item 11. The Conservancy continued equity and inclusion work by preparing a plan per Governor’s Executive Order N-16-22. Further reporting included Delta science activity, media mentions, and addressing previous board directives.

Supervisor Don Nottoli arrived at 9:09 a.m. after the consent calendar vote, and Nicole Rinke arrived at 9:11 a.m.

### **Agenda Item 6 – Ecosystem Restoration and Climate Adaption Grant Program Update**

Conservancy staff highlighted items from the staff report, which has been renamed Ecosystem Restoration and Climate Adaption Grant Program (ERCA) to reflect the project work and how it relates to new funding source. A table has been added to the staff report to describe the funding sources within the program. Cycle 5 grant agreements have been drafted and we are quickly working toward execution. Three more Proposition 1 projects have closed with reports available on request.

### **Agenda Item 7 – Community Enhancement Grant Programs Update**

This agenda item was presented before agenda item 6. Conservancy staff highlighted items from the staff report, which includes a new table to describe the funding sources within the program. The Freeport Delta Gateway Monuments grant was executed, and a site visit is planned. A concept proposal was received for the Delta Aquatic Center.

### **Agenda Item 8 – Consideration of the Process and Criteria for Waiving the Recording of Landowner Access Agreements for Conservancy Agreements**

Staff and counsel did an assessment of the background, practices, and risks for not recording landowner access agreements and determined that, in some cases, it would be acceptable to execute the access agreement, but not record it against the property deed. A process and criteria were detailed to consider future requests.

**Motion:** Board Member Matsumoto moved, seconded by Supervisor Don Nottoli, to approve the Process and Criteria for Waiving the Recording of Landowner Access Agreements for Conservancy Agreements as presented in this agenda item. Including adding additional criteria for taking into consideration the total award amount.

A roll call vote was taken. The motion passed unanimously with 9 ayes.

### **Agenda Item 9 – Consideration of California Environmental Quality Act (CEQA) Responsible Agency Findings and Award of a Proposition 1 Ecosystem Restoration and Climate Adaption Program Grant for the Ulatis Creek Habitat Restoration Project**

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. Conservancy staff

provided highlights from the staff report including details of the CEQA findings. Three separate motions were required for the project to move forward.

**Motion:** Supervisor Mashburn moved, seconded by Board Member Sandoval, 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.

A roll call vote was taken. The motion passed unanimously with 9 ayes.

**Motion:** Supervisor Mashburn moved, seconded by Supervisor Burgis, to award funding up to \$359,639 of Proposition 1 funds 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.

A roll call vote was taken. The motion passed unanimously with 9 ayes.

**Motion:** Supervisor Mashburn moved, seconded by Supervisor Provenza, 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.

A roll call vote was taken. The motion passed unanimously with 9 ayes.

#### **Agenda Item 10 – Delta Drought Response Program Update**

For the 2023 water year the Conservancy has been awarded an additional \$11,700,000 from the California Department of Water Resources to continue administering the Delta Drought Response Pilot Program. The program utilizes the same partners, with the addition of The Nature Conservancy, and a modified solicitation process to include an auction method of bidding. 120 bids were received by the October 18, 2022 deadline, with requests nearly double the available funds. The Selection Committee is reviewing the bids using an optimization model developed by The Nature Conservancy. A Board meeting will be held on November 16<sup>th</sup> to consider staff recommendations for grants.

#### **Agenda Item 11 – Overview of Nature Based Solutions and Delta Subsidence/Carbon Management**

The Executive Officer provided an overview of the Conservancy's effort to reduce subsidence in the Delta and related carbon emissions, and provided initial expectations for the recently appropriated Nature Based Solutions – Wetland's funding of \$36 million.

#### **Agenda Item 12 – Potential Agenda Items for the January 25, 2023 Board Meeting**

- Consideration of the Delta Conservancy 2023 Implementation Plan
- Consideration of Award(s) of Community Enhancement Grant Program
- November 16, 2022 Board Meeting for consideration of Delta Drought Response Pilot Program grants, solicitation for Nature Based Solutions work, and updated General Grant Guidelines.

**Meeting Date: January 25, 2023**  
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**Agenda Item: 4**  
**Attachment: 1**

**Agenda Item 13 – Public Comment**  
None

**BOARD DIRECTIVES TO STAFF**  
None

**MEETING ADJOURNED** by Chair Mashburn at 10:40 a.m.

**CONTACT**

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