

<p>TNBC</p> <p>The Natomas Basin Conservancy</p> <p>Web site: www.natomasbasin.org</p>	<p>Regular Meeting of the Board of Directors</p> <hr/> <p>4:00 p.m. 2150 River Plaza Drive, #460 Sacramento, CA (<i>meeting in Suite 400</i>)</p>	<p>Upcoming Regular Meetings</p> <hr/> <ul style="list-style-type: none"> • February 3 (2010) • March 3 • April 7 	<p><i>t h e</i> NATOMAS BASIN <i>c o n s e r v a n c y</i></p> <p>December 2, 2009</p>
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Agenda

Agenda format and readings tips

• *Agenda packet sections*

Agenda packet #	Section name	What's included
①	Agenda	This is the main agenda. Reading this section will provide the reader with an understanding of the plan for the meeting.
②	Supplemental materials	On some agenda items, there are handouts that are more extensive than can be covered in the "Discussion" section of the main agenda. These materials are included in agenda packet #2.
③	Executive Director's packet	The Executive Director includes items of general interest to the Board of Directors in agenda packet #3. The items in this packet are for general information, not action.
④	Executive Session	Material in this packet is for Board members' information in closed, executive session. It is confidential and not made public.

• *Item organization*

This agenda is prepared in order to facilitate understanding of the Conservancy Board of Director's agenda packet. Each agenda item is numbered in the far left-hand column. Then, as the reader moves from left to right, more information is provided. Ultimately, the far right-hand column presents a discussion of the agenda item.

1	Call to Order	Call to Order of the Regular Meeting of the Board of Directors	Admin.	Ø	○ The Board President will call the meeting to order if a quorum is present. Announcements by the Board President or Executive Director may be made at this time.
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• *Exhibit symbols attendant with agenda item*

Agenda exhibit symbol in the "Pg." column	Definition
Ø	There is no supplemental information that accompanies an agenda item.
①	There is more information in supplemental handouts.
2.21	Means that in agenda packet number 2, there will be supporting information on page 21.

• *Staff agenda item recommendations symbols*

In the "Discussion" column, there are a series of symbols used, also in order to facilitate quick understanding. These indicate the status of staff recommendations.

Agenda exhibit symbol in the "Pg." column	Definition
○	There is no staff recommendation on the matter.
⊕	Staff recommends approval.
●	Staff does not recommend approval.

TNBC The Natomas Basin Conservancy Web site: www.natomasbasin.org	Regular Meeting of the Board of Directors	Upcoming Regular Meetings	 December 2, 2009
	4:00 p.m. 2150 River Plaza Drive, #460 Sacramento, CA <i>(meeting in Suite 400)</i>	<ul style="list-style-type: none"> • February 3 (2010) • March 3 • April 7 	

#	Section	Item	Type	Pg.	Discussion
1	Call to Order	Call to Order of the Regular Meeting of the Board of Directors	Admin.	Ø	○ The Board President will call the meeting to order if a quorum is present. Announcements by the Board President or Executive Director may be made at this time.
2	Action	Approval of the Minutes	Consent	2.1	⊕ The Board President will request approval of the minutes of the Board of Directors meeting of October 7, 2009.
3	Action	Land management services agreement with Sopwith Farms	Consent	2.9	<p>⊕ The Conservancy has engaged the services of Sopwith Farms over the years to conduct certain field work on Conservancy preserves. The arrangement is defined in a contract between the Conservancy and Sopwith Farms. The contract makes clear the rights and responsibilities of both parties, includes indemnification, instructs that the Conservancy be named as an additional insured, that Sopwith Farms holds the Conservancy harmless, and makes certain it is clear that Sopwith Farms is a contractor and not an employee or agent of the Conservancy, among other matters.</p> <p>Staff recommends that the Board of Directors authorize an extension of the agreement with Sopwith Farms. The Conservancy does not have, and does not intend to have, an exclusive arrangement with Sopwith Farms, as the Conservancy uses multiple contractors to conduct field work, and the agreement is cancelable by either party with 30 days notice, with or without cause.</p> <p>The proposed extension of the existing agreement includes the following provisions: 1.) extends the agreement's termination date from December 31, 2009 to December 31, 2011, 2.) requires an inspection of all marsh complexes from a minimum of once per week to twice per week, 3.) expands the amount of services billed in any one month without prior approval from \$10,000 to \$25,000.</p>
4	Discussion	2010 budget presentation	Action	①	○ The proposed 2010 budget will be presented to the Board for adoption. A draft of the 2010 Conservancy budget was shared with the Board at the October 2009 Board of Directors meeting

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				<p>for review and discussion. The Conservancy budget is integrated with the NBHCP Finance Model, so that the document submitted for action is one document. The consolidation of the two documents was recently introduced with the intention of reducing the chance of differing budget numbers and because of the consistency it afforded.</p> <p>The 2010 Budget and Finance Model is now submitted for acceptance along with a request to the City of Sacramento to adopt the Finance Model's indicated fee from the current fee of \$38,133 per acre (\$20,633 with land dedication) to \$41,111 per acre (\$26,111 with land dedication). [These numbers are subject to final calculation adjustments, which, if any, are expected to be minor.] The primary reason for the proposed increase is the State of California's termination of Williamson Act subventions and resultant expectant increases in property taxes.</p> <p>This item requests:</p> <ol style="list-style-type: none"> 1.) approval of the proposed 2010 Conservancy Budget, 2.) acceptance of the 2010 Finance Model recalculation, and 3.) adoption of a resolution to be submitted to the City of Sacramento as follows: <p>A RESOLUTION RECOMMENDING ADJUSTMENT IN THE NATOMAS BASIN HABITAT CONSERVATION PLAN FEE TO THE CITY OF SACRAMENTO</p> <p>WHEREAS, the Conservancy is charged with implementing the Natomas Basin Habitat Conservancy Plan (NBHCP), and</p> <p>WHEREAS, in order to accomplish its mission the Conservancy receives fees paid to it which are normally collected by the City of Sacramento, and these fees are in turn conveyed to the Conservancy, and</p> <p>WHEREAS, as required by the NBHCP, each year the Conservancy evaluates the costs associated with implementation of the NBHCP and determines if the fees are adequate, and</p> <p>WHEREAS, the Conservancy has re-run the NBHCP Finance Model that has been used to evaluate the adequacy of funds necessary to implement the NBHCP, and</p> <p>WHEREAS, when the fee is deemed in need of adjustment to permit continued successful implementation of the NBHCP, the Conservancy has requested that the City of Sacramento approve a fee level that is adequate, and</p> <p>WHEREAS, in order to adequately finance the NBHCP's implementation given current levels of income and expense, the Conservancy believes that the current fee must be increased.</p>
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					<p>NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE NATOMAS BASIN CONSERVANCY THAT,</p> <p>1. The Conservancy believes an NBHCP fee of \$38,133.00 per developed acre ("base fee") be increased to \$41,111 per developed acre and requests the City of Sacramento establish this new, requested fee level.</p> <p>2. The Conservancy believes a fee increase from \$20,633 per developed acre to \$26,111.00 per developed acre with satisfactory land dedication is necessary in lieu of paying the Land Acquisition Fund portion of the NBHCP fee, and requests the City establish this new, requested fee level.</p>
5	Action	Approve amendment to the Biological Effectiveness Monitoring Program ("BEM Program") document	Action	①	<p>⊕ Over the course of the past couple of years, Conservancy staff and the Conservancy's biological effectiveness monitoring contractor, ICF International (formerly, ICF Jones & Stokes), have reviewed the need for changes and refinements to the Biological Effectiveness Monitoring Program document ("BEM Program document"). This is the document that serves as the foundation to the Conservancy's biological monitoring function. The outcome of the review is that some changes were proposed, and such changes need the approval of the NBHCP TAC, which approval was unanimously received September 9, 2009.</p> <p>Recommendations for changes to the BEM Program document are proposed to the Board for ratification. These have been discussed and worked on since December 2007 as well as at the last Conservancy Board meeting on October 7, 2009. The review consisted of review and discussions by Conservancy staff, ICF International and two independent biostatisticians. The discussions and reviews were designed to evaluate ways to refine the BEM Program document.</p> <p>As a result of this review, and in an effort to more generally periodically review monitoring compliance and needs, conclusions have been reached. All parties agree that refinements can be made to provide a tighter, clearer linkage between the BEM Program document and the NBHCP. Accordingly, we have proposed minor changes to the BEM Program document based on the following:</p> <ul style="list-style-type: none"> •The BEMP document would benefit from further definition of the term <i>effectiveness</i>. •Distinguishing more clearly the differences between the terms "population trends" and "relative abundance" is warranted. •More detail on the specific methods of

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					<p>analysis is indicated.</p> <ul style="list-style-type: none"> •Additional detail regarding the link between the data collected and the evaluation of effectiveness would be helpful. •We need to establish thresholds for “other covered species.” •There are some shortfalls with respect to evaluating the effectiveness of the Operating Conservation Program with respect to western pond turtles that need attention. <p>The proposed update to the BEM Program document attempts to address these issues by adding language to the document to clarify and expand on the general procedures already defined. Importantly, no changes to actual sampling methodology are proposed, with the exception of additional sampling for western pond turtle to be conducted once every 5 years. Language was added to better define <i>effectiveness</i>, to more explicitly state the linkages between the data collected and the evaluation of effectiveness, and to more accurately describe the methods of analysis used. In addition, a threshold for “other covered species” was added to the BEM Program document, which, when triggered, would require consideration of a review of the Operating Conservation Program.</p> <p>Staff recommends the Board accept the NBHCP Technical Advisory Committee approval and recommendation, and staff’s recommendations to amend the BEM Program document as presented.</p>
6	Discussion	City of Sacramento report	No action	Ø	○ Report from the City of Sacramento regarding HCP-related activity and other topics.
7	Discussion	Financial statement review	No action	2.25	○ A financial statement update will be provided for the period ended October 31, 2009 (unaudited).
8	Discussion	Property tax review	No action	2.41	○ The Conservancy’s property tax bill is a very significant part of the overall annual costs. Staff will update the Board on property taxes assessed and paid and Williamson Act issues.
9	Discussion	SAFCA - Conservancy Habitat Management Agreement Framework analysis	No action	①	○ Staff will review with the Board an analysis conducted by Economic and Planning Systems (EPS) on behalf of SAFCA. The analysis covers the cost of habitat management for the Natomas Levee Improvement Program (NLIP) that will be conducted by the Conservancy. A cash flow analysis will be discussed.
10	Public Comments	Public Comments	No action	Ø	○ Opportunity for members of the public to address the Conservancy’s Board of Directors.
11	Executive Director’s Report	Executive Director’s Report	No action	①	○ Various matters for Board members’ general information.

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12	Adjournment	Adjournment	Admin.	Ø	○ Official adjournment of the meeting.
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