



Agenda Date: 2/7/2006
Agenda Placement: 6L

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Gladys Coil, Staff Services Analyst II, 259-8603
SUBJECT: Acceptance of Conservation Easement from Napa Valley Gateway Limited

RECOMMENDATION

Director of Public Works requests authorization for the Chair to sign a Certificate of Acceptance of an Easement Deed for Habitat Conservation and Open Space Access from Napa Valley Gateway Limited, a California Limited Partnership pertaining to Sheehy Creek. (Assessor's Parcel Nos. 057-200-009; 037-210-038, 039; 057-250-008, 009, 021, 024 & 025)

EXECUTIVE SUMMARY

One condition imposed by the Department of Fish and Game relating to the approval of the Final Subdivision Map for Napa Valley Gateway Unit 4 was the dedication of a conservation easement for the areas adjacent to Sheehy Creek. Acceptance by the County of this easement deed will satisfy this requirement. The area encompassed by the deed has been restored by the Grantor, and has a pathway that can provide public access along the creek. The easement requires the Grantor to bear all costs associated with maintaining the easement area and trail, and allows the County the option to transfer the easement to Park and Open Space District if one is formed in the future. Napa County, through County Service Area No. 3 inspections, will monitor the condition of the creek and trail and notify the Grantor of any needed maintenance.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	County Service Area No. 3
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Napa Valley Gateway Limited Owners Association will maintain the

	conservation easement. County Service Area No. 3 will monitor and report any needed maintenance to the owners association.
Is the general fund affected?	No
Future fiscal impact:	None
Consequences if not approved:	Napa Valley Gateway Limited will need to find another public agency regulator to accept the conservation easement.
Additional Information:	None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Negative Declaration Prepared for Napa Valley Gateway 4. According to the approved Negative Declaration, the proposed project had no potentially significant environmental impacts. The requested action is a condition of the approved project.

BACKGROUND AND DISCUSSION

Sheehy Creek is a tributary of the Napa River. It is located between Highway 29 west of the railroad tracks just south of the City of Napa and north of the Napa County Airport. The property, encompassed by the easement, runs approximately one mile along both banks of the creek, and has an existing pedestrian trail to provide access. The area provides high quality habitat for a variety of plant and animal species commonly associated with wetland and riparian habitats in Napa County.

Since the early 1990's Napa Valley Gateway has developed the lands along the creek as independent parcels of development for businesses. Part of the development was the restoration and enhancement of the Sheehy Creek area being granted by the easement, which was done with the approval of the Department of Fish and Game. Part of that approval required the grant of a conservation easement. The enhancement and realignment improved the geomorphic and flood control functions of the creek, and involved revegetation with native plant species. Several seasonal wetlands are located in a 5-acre delta at the western most end of the creek.

A public pedestrian trail runs along the creek and Napa County owns the clear zone area abutting the creek toward the westerly end. The easement area will be monitored by the County through existing County Service Area No. 3 inspections. The Grantor is responsible for all expenses associated with maintaining the property. In the event a future Park and Open Space District is created, the easement may be transferred to that entity.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey