



Agenda Date: 5/23/2006
Agenda Placement: 9A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: John Woodbury, Principal Planner , 259-5933
SUBJECT: Use of Oat Hill Mine Road as a Public Trail

RECOMMENDATION

Director of Conservation, Development, and Planning requests discussion and possible direction regarding the feasibility of opening Oat Hill Mine Road as a public, non-motorized recreational trail, including possible direction to staff regarding identification of potential liability issues, costs, and funding sources.

EXECUTIVE SUMMARY

Oat Hill Mine Road was abandoned by the County as a public road in 1978 after repeated accidents involving off-road vehicles. Resolution 78-124, which abandoned the road, nonetheless reserved the right for the County to take back utility and/or public road easements in the future. The County has never exercised these rights. As a result, the public's right to use this trail is legally clouded.

Despite its closure as a public road in 1978, the road's popularity as a hiking and bicycling trail has grown dramatically. However, after thirty years of neglect the trail is suffering from erosion and vegetation encroachment. If the Board is supportive of preserving Oat Hill Mine Road as a recreational trail in concept, staff will investigate the feasibility and process for the County to exercise its easement rights, control erosion, stabilize banks, and provide a staging area at the base of the trail next to Calistoga. Staff will also research issues concerning identification of potential liability issues, costs, and funding sources.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Parks
Is it Mandatory or Discretionary?	Discretionary

Discretionary Justification:	The Board may wish to direct staff to undertake the investigation of the feasibility of opening Oat Hill Mine Road as a non-motorized recreational trail for the purposes of expanding public access to open spaces. The cost of staff time to conduct the feasibility study is estimated to not exceed \$10,000.
Is the general fund affected?	Yes
Future fiscal impact:	Most of the costs of staff time to conduct the feasibility study will be accrued to FY 06-07. The proposed budget for FY 06-07 contains sufficient funds in the parks and open space budget category to cover estimated costs.
Consequences if not approved:	The feasibility study would not be undertaken, the trail would continue to deteriorate, and its future status would continue to remain unresolved.
Additional Information:	None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Oat Hill Mine Road was abandoned by the County as a public road in 1978 after repeated accidents involving off-road vehicles. Resolution 78-124, which abandoned the road, nonetheless reserved the right for the County to take back utility and/or public road easements in the future. The County has never exercised these rights. As a result, the public's right to use this trail is legally clouded.

Oat Hill Mine Road climbs rapidly after leaving the junction of Highway 29 and Silverado Trail in the City of Calistoga, providing sweeping views of the Napa Valley and beyond. It has become a very popular route for hikers and mountain bicyclists, appealing to County residents and visitors alike. The trail has a passionate following of supporters, including individuals, environmental organizations and outdoor recreation clubs.

The first one-half mile of the road traverses private property, then enters State Park and State School lands. It eventually connects to Aetna Springs Road before continuing further north. It also links to the Palisades Trail owned by State Parks. The road provides access to several thousand acres of public open space, and has the potential to serve as a major trail within a county-wide park system.

Physically, the road is seriously deteriorating in several locations. The worst of these is at the lower entrance, where the road rises up from and parallels Highway 29. A several hundred foot-long road cut associated with Highway 29 has undermined the Oat Hill Mine Road and caused small sections of the old roadbed to slide away. Further, lack of maintenance has resulted in serious erosion from stormwater runoff in a few areas. Finally, along some sections of the upper trail, vegetation growth has nearly completely blocked access.

Access to the trail on the Calistoga end is less than ideal. Some trail users park in a small lot on private property next to the start of the trail, despite signs indicating it is private property. Other users park on city streets across Highway 29, or in a vacant lot across the street which is now the subject of a development proposal before the City of Calistoga. Caltrans is currently preparing plans for a redesign of the Highway 29 and Silverado Trail intersection, where the Oat Hill Mine Road starts. This redesign may offer an opportunity to develop a staging area for the trail, provided the County indicates now its interest in seeing the road formally opened as a trail.

If the Board is supportive of opening Oat Hill Mine Road as a recreational trail, staff will investigate the feasibility and process for the County to exercise its easement rights, control erosion, stabilize banks, and provide a staging area at the base of the trail next to Calistoga. The recommended investigation would be carried out by staff in the Conservation, Development and Planning and Public Works Departments, and the County's Risk Manager, and would include the following tasks:

1. Determine the location of the 60 foot road easement relative to the physical location of the road.
2. Determine, through a cursory review, the initial scope and order of magnitude of cost for repairing erosion and bank slippage problems.
3. Identify options for providing a convenient and safe staging area for trail users, both at the City of Calistoga trailhead and at the terminus of the motorized section of Aetna Springs Road.
4. Determine potential liability costs in the event the County exercises the easement.
5. Initiate discussion with affected private property owners to address issues such as trespass, liability and resource protection.
6. Identify potential partners and sources of funding for repairing, improving and maintaining the road as a public trail. If the County forms a regional park and open space district, the district could well become the entity responsible for managing the trail where it traverses private land, while State Parks may be able to take responsibility for the section that traverses their land.

Once the feasibility study is complete, staff would report back to the Board and seek direction on whether to schedule and budget for the needed work.

SUPPORTING DOCUMENTS

A . Map of Oat Hill Mine Road

CEO Recommendation: Approve

Reviewed By: Andrew Carey