TO: Board of Supervisors
FROM: Steven Lederer - Director of Public Works
        Airport
REPORT BY: Kathy Wagenknecht, Staff Services Analyst II - 259-8683
SUBJECT: Certificate of Acceptance for Avigation and Hazard Easement Deed - APN 057-170-001-000

RECOMMENDATION
Director of Public Works requests authorization for the Chair to sign a Certificate of Acceptance of Avigation and Hazard Easement Deed for Renewable Properties Land 3, LLC (Assessor’s Parcel Number 057-170-001-000) to preserve the Napa County Airport's right to engage in and support aviation uses and to prevent the subject property from being used in a manner which creates avigation hazards.

EXECUTIVE SUMMARY
The subject Avigation and Hazard Easement Deed is required as a prerequisite to issuance of a building permit because the parcel is located within Zones C & D of the Airport Land Use Compatibility Plan for the Napa County Airport. As owner of the Airport, Government Code section 27281 requires that the Certificate of Acceptance be signed by the County prior to recordation.

FISCAL & STRATEGIC PLAN IMPACT
Is there a Fiscal Impact? No
County Strategic Plan pillar addressed: Effective and Open Government

ENVIRONMENTAL IMPACT
Categorically exempt from CEQA pursuant to 14 California Code of Regulations section 15301 – Class 1:
operation or maintenance of existing facility, in that the purpose of the easement is to facilitate continued operation of the existing Napa County Airport by preventing future interference with aviation on, over, and in the immediate vicinity of the Airport from uses conducted on the property subject to the easement.

BACKGROUND AND DISCUSSION

The purpose of an Avigation and Hazard Easement Deed is to preserve for the Napa County Airport, the right to continue to engage in, and support aviation uses at the Airport; even though, when reasonably operated, such uses may incidentally result in noise, vibrations, fumes, dust, and the emission of fuel particles affecting the property subject to the easement, when such uses are occurring in the airspace above such property. These easement deeds also prevent adjacent properties from being used in a manner which creates avigation hazards such as glare, radio interference, and excessively tall ground-based obstructions. As a recorded easement, the deed will also serve to formally notify the property owner and their successors in interest that the parcel is close to an airport, and due to such proximity may be subject to such noise, vibrations, fumes, and building/landscaping restrictions.

Parcels requiring avigation and hazard easement deeds are those having an Airport Compatibility Combination District zoning designation as defined in County Code Section 18.80. These easements are required by Napa County Code section 18.80 and 15.08.040(A)(4) as a prerequisite to issuance of a building permit for the property subject to the easement.

The parcel in question lies within Zones C & D of the Airport Land Use Compatibility Plan for the Napa County Airport (map attached for reference). More specifically, the project is a commercial renewable energy facility located on Soscol Ferry Road within the Napa Valley Business Park Specific Plan area, comprising of approximately 15 acres on a 22.4 acre parcel. It consists of two arrays that will generate a total of approximately 2 megawatts AC of solar energy to be sold to Marin Clean Energy (MCE) that will power 750 homes per year.

As owner of the Airport, Government Code section 27281 requires that the Certificate of Acceptance be signed by the County and attached to the deed prior to recordation.

SUPPORTING DOCUMENTS

A. Compatibility Map

CEO Recommendation: Approve
Reviewed By: Mary Booher