



## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Martha Burdick for Robert Peterson - Director  
Public Works  
**REPORT BY:** Gladys Coil, Staff Services Analyst II, 259-8603  
**SUBJECT:** Acceptance of Conservation Easement from Creekside Gateway Business Park

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### **RECOMMENDATION**

Director of Public Works requests authorization for the Chair to sign a Certificate of Acceptance of an Easement Deed, pertaining to Sheehy Creek, for Habitat Conservation and Open Space Access from Creekside Gateway Business Park. (Assessor's Parcel Nos. 057-210-048 and 057-210-052)

### **EXECUTIVE SUMMARY**

On February 7, 2006, the Board authorized the Chair to sign a Certificate of Acceptance of an Easement Deed for Habitat Conservation and Open Space Access from Napa Valley Gateway for all except two parcels. The proposed action is for the two remaining parcels which are owned by Creekside Gateway Business Park. This is in conformance with a condition imposed by the Department of Fish and Game relating to the approval of the Final Subdivision Maps for Napa Valley Gateway.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	County Service Area No. 3
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Napa Valley Gateway Limited Owners Association of which Creekside Business Park will be members 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: Creekside Gateway Business Park 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. According to the approved Negative Declaration, the proposed project had no potentially significant environmental impacts.

### **BACKGROUND AND DISCUSSION**

On February 7, 2006, the Board authorized the Chair to sign a Certificate of Acceptance of an Easement Deed for Habitat Conservation and Open Space Access from Napa Valley Gateway for all except two parcels. The proposed action is for the two remaining parcels which are owned by Creekside Gateway Business Park. This is in conformance with a condition imposed by the Department of Fish and Game relating to the approval of the Final Subdivision Maps for Napa Valley Gateway.

The area encompassed by the deed has been restored by the Grantor and has a pathway that provides public access along 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 requires the Grantor to bear all maintenance costs associated the area and trail. It also allows the County an option to transfer the easement to a Park and Open Space District if one is formed. 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. 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.

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, done with the approval of the Department of Fish and Game. 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.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey