



**Napa County Regional Park  
and Open Space District**

Harold Kelly  
*Director Ward One*

Tony Norris  
*Director Ward Two*

Guy Kay  
*Director Ward Three*

Dave Finigan  
*Director Ward Four*

Myrna Abramowicz  
*Director Ward Five*

## AGENDA

### BOARD OF DIRECTORS SPECIAL MEETING

**Monday April 20, 2009 2:00 P.M.**  
1195 Third Street, Third Floor, Napa, CA 94559

#### GENERAL INFORMATION

Agenda items will generally be considered in the order indicated below, except for Set Matters, which will be considered at the time indicated. Agenda items may from time to time be taken out of order at the discretion of the President.

The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the District Secretary. Requests for disability related modifications or accommodations, aids, or services may be made to the Secretary's office no less than than 48 hours prior to the meeting date by contacting (707) 259-8603.

Any member of the audience desiring to address the District on a matter on the Agenda, please proceed to the rostrum and, after receiving recognition from the President, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit you comments to the specific subject under discussion. Time limitations shall be at the discretion of the President.

State law requires agency officers (Directors and Officers) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the Conservation, Development and Planning Department Office at 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

#### 1. Call to Order

#### 2. Public Comment

In this time period, anyone may address the Board of Directors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the President. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

### 3. Set Matters

#### A. 2:10 pm

Discussion with Registrar of Voters regarding the November 2008 Napa County Regional Park and Open Space District Election

### 4. Administrative Items

- A. Consideration of and potential approval of Minutes of Board of Directors meeting of March 9, 2009.
- B. Consideration of and potential action on state legislation:
  - i. Assembly Bill 979 (Berryhill)—local regulation of fishing and hunting
  - ii. Senate Bill 211 (Simitian)—formation of regional park and open space district in Santa Cruz County.
- C. Consideration of report from the Board ad hoc subcommittee working on the development of a District non-profit foundation, and potential direction on next steps.
- D. Receipt of report on expenditures, encumbrances and donations approved by the General Manager.
- E. Update on planning and improvements at the District's Moore Creek property (oral report)
- F. Update on Skyline Wilderness Park Master Plan and rezoning (oral report)
- G. Review of Projects Status Report.

### 5. Announcements by Board and Staff

In this time period, members of the Board of Directors and staff will announce meetings, events and other matters of interest. No action will be taken by the Board on any announcements.

### 6. Agenda Planning

In this time period, members of the Board of Directors and staff will discuss matters for possible consideration at future meetings. No action will be taken by the Board other than whether and when to agendize such matters, unless specifically noted otherwise.

### 7. Adjournment



Napa County Regional Park  
and Open Space District

## **STAFF REPORT**

Date: April 20, 2009

Agenda Item: 3.A

Subject: Discussion with Registrar of Voters regarding the November 2008 Napa County  
Regional Park and Open Space District Election

### Recommendation

Discuss the November 2008 election process and costs with the Registrar of Voters

### Background

In approving the invoice for the November 2008 elections several Board members had questions about the process and costs associated with the election. The Registrar of Voters John Tuteur has offered to attend this meeting of the Board to answer any remaining questions that Board members may have. Summary data about the election which was provided to the Board at the last meeting are attached for reference purposes.

<b>Regional Parks and Open Space Consolidated General Election, November 4, 2008</b>		
<b>Regional Parks and Open Space</b>		
<b># of Registered Voters</b>		<b>13,975</b>
<b># of Votes Cast</b>		<b>12,038</b>
<b>% Turnout</b>		<b>86.1%</b>
<b># of Measures</b>		<b>0</b>
<b># of Polling Places</b>		<b>7</b>
<b># of Candidates' Statements</b>		<b>2</b>
<b># of Translations</b>		<b>1</b>
<b>County Statistics</b>		
<b># of Registered Voters</b>		<b>71,523</b>
<b># of Votes Cast</b>		<b>60,366</b>
<b>% Turnout</b>		<b>84.4%</b>
<b># of Polling Places</b>		<b>41</b>
<b>Category</b>	<b>Costs Shared Among Entities</b>	<b>RPOS Share</b>
<b>Administrative Costs</b>	<b>3</b>	<b>\$5,145</b>
<b>Publications</b>	<b>14</b>	<b>\$234</b>
<b>Polling Places</b>	<b>3</b>	<b>\$4,801</b>
<b>Ballots</b>	<b>3</b>	<b>\$3,894</b>
<b>*Vote by Mail</b>	<b>3</b>	<b>\$9,372</b>
<b>Candidate Costs</b>	<b>0</b>	<b>\$698</b>
<b>Electronic Votes</b>	<b>3</b>	<b>\$1,569</b>
<b>Tabulation &amp; Canvass</b>	<b>3</b>	<b>\$1,789</b>
<b>*Sample Ballot Books</b>	<b>3</b>	<b>\$4,138</b>
<b>Payments from Candidates</b>		<b>-\$1,197</b>
<b>TOTAL</b>		<b>\$30,442</b>

\*Costs for candidate statements are included in these categories.  
Credits are shown when a candidate paid us directly.



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Director Ward One

Tony Norris  
Director Ward Two

Guy Kay  
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Dave Finigan  
Director Ward Four

Myrna Abramowicz  
Director Ward Five

## DRAFT MINUTES

### BOARD OF DIRECTORS REGULAR MEETING

Monday March 9, 2009 2:00 P.M.  
1195 Third Street, Third Floor, Napa, CA 94559

1. Call to Order

Meeting was called to order by President Finigan at 2:00 p.m.  
Directors Harold Kelly, Tony Norris, Guy Kay, and Myrna Abramowicz, Dave Finnigan present.

2. Public Comment

None

3. Set Matters

None

4. Administrative Items

A. Consideration of and potential approval of Minutes of Board of Directors meeting of February 9, 2009 and special meeting of February 28, 2009.

February 9, 2009 Minutes were approved with corrections.

HK-GK-MA-TN-DF

February 28, 2009 Minutes were approved as presented.

GK-TN-MA-HK-DF

B. Consideration of Resolution adopting a policy on accepting donations and mitigations **associated with development projects.**

Motion to add language with the first "whereas" indicating more specifically the types of donations which are covered by the policy.

Motion by TN.

No second to the motion.

Motion does not pass.

Motion to just add the phrase "including but not limited to".

MA-TN-HK-GK-DF

- C. Consideration and potential approval of Memorandum of Understanding with the Napa Valley Vine Trail Coalition.  
 Directors voted to approve the MOU with an amendment to paragraph seven indicating the District's participation was subject to the District having available resources.  
 HK-MA-TN-GK-DF
- D. Consideration and potential approval of budget amendment and authorization for payment to Napa County Election Division for November 4, 2008 election.  
 Directors voted to approve the budget amendment.  
 HK-TN-MA-GK-DF
- E. Receipt of report on expenditures, encumbrances and donations approved by the General Manager.  
 John Woodbury gave the report.
- F. Review of Projects Status Report.  
 John Woodbury gave the report with discussions on Berryessa Estates, Blue Ridge and Berryessa Peak, Camp Berryessa, Lake Hennessey, Miliken Reservoir, Moore Creek, Napa River Ecological Reserve, Skyline Park, Oat Hill Mine Trail, Rector Ridge and Bay River Trail.

5. Announcements by Board and Staff

- ▶ John Woodbury announced that Earth Day is April 25, 2009.
- ▶ John Woodbury announced that May 2, 2009 Napa Valley College, Queen of the Valley Medical center and the City of American Canyon are hosting their annual Healthy People, Healthy Planet 2009 Faire which links public health and healthcare to the outdoors.
- ▶ Director Myrna Abramowicz announced that she and John Woodbury will be meeting with folks representing the South Napa Wetlands.

6. Agenda Planning

- ▶ Director Dave Finigan requested to reschedule the April 13, 2009 regular meeting to another date in April.

7. Adjournment

Meeting was adjourned to the next special meeting of the Park & Open Space District (date to be determined)

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DAVE FINIGAN, Board President

ATTEST:

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MELISSA GRAY  
 District Secretary

Key

Vote: HK = Harold Kelly; TN = Tony Norris; GK = Guy Kay; DF = David Finigan; MA = Myrna Abramowicz

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: April 20, 2009  
 Agenda Item: 4.B  
 Subject: Consideration of and potential action on Assembly Bill 979 (Berryhill)—local regulation of fishing and hunting, and Senate Bill 211 (Simitian)—formation of regional park and open space district in Santa Cruz County.

### Recommendation

Adopt District positions on, and authorize the Board President and/or General Manager to send letters communicating the District's position on the following bills:

- AB 979 (Berryhill)—oppose
- SB 211 (Simitian)—support

### Background

Assembly Bill 979 provides that the state fully occupies the field of hunting and fishing, and that unless otherwise expressly authorized by the Fish and Game Code or other state or federal law, the commission and the department are the only entities that may adopt or promulgate regulations regarding the taking of fish and game on any lands or waters within the state. The only exception to this preemption of local regulatory control is to protect health and safety “in those rare and limited instances where state laws and regulations have not already provided a reasonable level of public Health and safety, by allowing a local ordinance to affect the taking of fish and game within the territorial jurisdiction of the local agency, if the ordinance is both necessary to protect public health and safety and only incidentally affects the state preempted field of hunting and fishing. The ordinance shall not indiscriminately extend or apply to any area in which the taking of fish and game may occur in a manner that does not endanger public health and safety or to any lands or waters owned or managed by the state or federal government.

AB 979 would effectively prevent the District from setting any standards for how and when hunting could occur on District properties. While hunting and fishing may be appropriate at various District properties now or in the future, the proposed legislation removes the ability of the District to protect wildlife species, and limit access to sensitive environments, and from a practical standpoint makes all District parks serve first and foremost as hunting preserves.

Senate Bill 211 authorizes the formation of a special park and open space district in Santa Cruz County pursuant to Section 5500 of the Public Resources Code. The supporters of this legislation have closely followed the experience of the Napa County Regional Park and Open Space District; they have asked for the support of our District in that we are the most recently formed entity using this code section, and they believe our experiences offer valuable evidence in support of the approach envisioned by this legislation.

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 979**

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**Introduced by Assembly Member Tom Berryhill**

February 27, 2009

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An act to add Sections 1020 and 1021 to the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

AB 979, as amended, Tom Berryhill. Hunting or fishing: local regulation.

The California Constitution provides for the delegation to the Fish and Game Commission of powers relating to the protection and propagation of fish and game. Existing statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibia, and reptiles in accordance with prescribed laws. Under existing law, the Department of Fish and Game exercises various functions with regard to the taking of fish and game. Under existing law, a city or county exercises certain limited authority with regard to the regulation of fish and game for the protection of public health and safety.

This bill would provide that the state fully occupies the field of hunting and fishing. The bill would also provide that unless otherwise expressly authorized by the Fish and Game Code or other state or federal law, the commission and the department are the only entities that may adopt or promulgate regulations regarding the taking of fish and game on any lands or waters within the state, *except as specified*.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.



*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1020 is added to the Fish and Game Code,  
2 to read:

3 1020. (a) The Legislature finds and declares all of the  
4 following:

5 (1) The California Supreme Court in *In re Makings* (1927) 200  
6 Cal. 474, determined that Section 25½ of Article IV of the  
7 California Constitution, as currently set forth in Section 20 of  
8 Article IV, prohibits local governmental entities from regulating,  
9 or interfering with, fish and game matters and places this  
10 responsibility with the Legislature in order to conserve California's  
11 fish and wildlife populations and permit the largest use of fish and  
12 game compatible with the reasonable protection thereof.

13 (2) The Fish and Game Commission was established in 1870  
14 to assist in the science-based management of California's fish and  
15 wildlife resources. The California Constitution permits the  
16 Legislature to delegate to the commission certain powers relating  
17 to the management of fish and game, and the Legislature has  
18 delegated to the commission regulatory powers over the taking  
19 and possession of fish and game, as set forth in this code.

20 (3) Hunting and fishing are statistically among the safest outdoor  
21 recreational activities, particularly as they relate to impacts on the  
22 general public, and are already well regulated by the state through  
23 mandatory safety requirements, weapons laws, and regulations  
24 adopted by the commission. Additional local regulation is both  
25 unnecessary and significantly impedes the uniform, science-based  
26 administration of fish and game laws. Hunting and fishing activities  
27 are also compatible with other recreational uses on many public  
28 lands and waters throughout the state.

29 (b) In enacting this section and Section 1021, it is the intent of  
30 the Legislature to affirm, subject to applicable federal law, the  
31 exclusive legal authority granted to the commission and the  
32 department with regard to the taking and possession of fish and  
33 game and thereby ensure necessary comprehensive statewide  
34 control by the commission and the department over all fish and  
35 game matters for wildlife conservation purposes and the protection  
36 of, and access to, hunting and fishing opportunities for the public.  
37 It is further the intent of the Legislature to protect public health  
38 and safety in those rare and limited instances where state laws and

1 regulations have not already provided a reasonable level of public  
 2 ~~health and safety at those times and places.~~ *health and safety by*  
 3 *allowing a local ordinance to affect the taking of fish and game*  
 4 *within the territorial jurisdiction of the local agency, if the*  
 5 *ordinance is both necessary to protect public health and safety*  
 6 *and only incidentally affects the state preempted field of hunting*  
 7 *and fishing. The ordinance shall not indiscriminately extend or*  
 8 *apply to any area in which the taking of fish and game may occur*  
 9 *in a manner that does not endanger public health and safety or to*  
 10 *any lands or waters owned or managed by the state or federal*  
 11 *government.*

12 SEC. 2. Section 1021 is added to the Fish and Game Code, to  
 13 read:

14 1021. (a) The state fully occupies the ~~fields~~ *field* of hunting  
 15 and fishing pursuant to this code, regulations adopted by the  
 16 commission pursuant to this code, and Section 20 of Article IV of  
 17 the California Constitution, *and all local regulations are subject*  
 18 *to this section.*

19 (b) The commission, the department, or any other governmental  
 20 entity legally authorized to affect the taking of fish and game on  
 21 navigable waters held in public trust shall, to the extent possible,  
 22 ensure that the fishing and hunting rights of the public guaranteed  
 23 under Section 25 of Article I of, and Section 4 of Article X of, the  
 24 California Constitution, are protected in a manner consistent with  
 25 those provisions.

26 (c) Unless otherwise expressly authorized by this code or other  
 27 state or federal law, the commission and the department are the  
 28 only entities in this state that shall adopt or promulgate regulations  
 29 regarding the taking of fish and game on any lands or waters within  
 30 the state. This subdivision does not prohibit a private landowner  
 31 or his or her designee from restricting the taking of fish and game  
 32 on property that he or she owns in fee title, during the period of  
 33 ownership.

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AMENDED IN SENATE MARCH 26, 2009

**SENATE BILL**

**No. 211**

**Introduced by Senator Simitian**  
*(Principal coauthor: Assembly Member Monning)*  
 (~~Coauthor: Assembly Member Monning~~)

February 23, 2009

An act to amend Section 5514 of, and to add Section 5506.14 to, the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

SB 211, as amended, Simitian. ~~Regional district: Park district formation:~~ County of Santa Cruz.

Existing law generally authorizes the formation of a district by a petition requesting the creation and maintenance of a district, describing the exterior boundaries, signed by at least 5,000 electors residing within the territory proposed to be included in the district, and presented to the board of supervisors of the county containing the largest area within the proposed district.

Existing law also ~~permits~~ *authorizes* proceedings for the formation of a regional park district, regional park and open-space district, or regional open-space district in specified counties of the state to be initiated by resolution of the county board of supervisors adopted after a noticed hearing, and specifies the contents of the resolution, in lieu of the petition and related proceedings required under the above provisions.

This bill, in addition, would ~~permit~~ *authorize* the formation of a ~~regional~~ district in the County of Santa Cruz ~~to be, except as specified, if the exterior boundaries of the proposed district are coterminous with the exterior boundaries of the county and are initiated by a specified~~

resolution of the county board of supervisors, after a hearing noticed in accordance with specified procedures, in lieu of the petition and related proceedings required under the above provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 5506.14 is added to the Public Resources  
 2 Code, to read:

3 5506.14. ~~A proceeding for the formation of a regional-~~*(a) If*  
 4 *the exterior boundaries of a proposed district are coterminous*  
 5 *with the exterior boundaries of the County of Santa Cruz, except*  
 6 *for territory within the boundaries of the Midpeninsula Regional*  
 7 *Open Space District on the effective date of this act, proceedings*  
 8 *for formation of a district in the County of Santa Cruz may be*  
 9 *initiated by resolution of the county board of supervisors, adopted*  
 10 *after a hearing noticed in accordance with Section 6064 of the*  
 11 *Government Code, in lieu of the petition and related proceedings*  
 12 *specified in this article.*

13 *(b) The resolution shall do all of the following:*

14 *(1) Name the proposed district and state the reasons for forming*  
 15 *it.*

16 *(2) Describe the methods by which the district will be financed.*

17 *(3) Specify that the proposed district shall be governed by a*  
 18 *board of five directors who shall be elected in accordance with*  
 19 *this article and, notwithstanding Section 5515, specify that the*  
 20 *boundaries of the five wards or subdistricts shall be drawn*  
 21 *according to the boundaries of supervisorial districts.*

22 *(4) Call and give notice of an election to be held in the proposed*  
 23 *district pursuant to subdivision (b) of Section 5514. Formation of*  
 24 *the district is not subject to the Cortese-Knox-Hertzberg Local*  
 25 *Government Reorganization Act of 2000 (Division 3 (commencing*  
 26 *with Section 56000) of Title 5 of the Government Code).*

27 *(5) Include any other matters necessary to the formation of the*  
 28 *district.*

29 SEC. 2. Section 5514 of the Public Resources Code is amended  
 30 to read:

31 5514. (a) The board of supervisors of the county having the  
 32 largest area within the proposed district shall, if the petition, after

1 the hearing, has been approved, in whole or in part, have  
2 jurisdiction to proceed further with the calling of an election within  
3 the boundaries of the proposed district as described in the resolution  
4 passed at the conclusion of the hearing, and shall, either as a part  
5 of the same resolution or by a later resolution, call an election  
6 within the proposed district for the purpose of determining whether  
7 the district shall be created and established and, if necessary, for  
8 the purpose of electing the first board of directors therefor in case  
9 the district is created.

10 (b) In a district proposed to be formed pursuant to Section  
11 5506.5, 5506.11, ~~or~~ 5506.12, *or* 5506.14, the resolution calling  
12 the election may provide for a single ballot measure or separate  
13 ballot measures on the question of formation, establishment of an  
14 appropriations limit authorized by Section 4 of Article XIII B of  
15 the California Constitution, the authority to tax pursuant to Section  
16 5566, and the authority to sell bonds pursuant to Section 5568, or  
17 any combination of those questions.

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# California State Senate



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## **Fact Sheet (DRAFT) Senate Bill 211 (Simitian) Santa Cruz Open Space District**

### **Summary:**

Current law provides for the creation of an open space district in Santa Cruz County under the state's Regional Park, Park and Open Space, and Open Space Districts Law (Public Resources Code §5500 et seq.). SB 211:

- Authorizes formation of the district to be initiated by resolution of the board of supervisors adopted after a public hearing, in lieu of a petition and related procedures;
- Provides for the district board members to be elected in accordance with current law, but specifies that five district boundaries must be drawn according to supervisorial districts;
- Exempts formation of the district from the Cortese-Knox-Hertzberg Act since the open space district boundaries are coterminous with county boundaries, except for territory within the Midpeninsula Regional Open Space District;
- Requires the board of supervisors to describe the methods by which the open space district will be financed; and
- Authorizes the board of supervisors to provide for a single ballot measure or separate ballot measures on the question of formation, financing, or any combination of those questions.

### **Need for the bill:**

The Land Trust of Santa Cruz County, sponsor of SB 211, wants exceptions to the state's open space district law that are similar to those in certain other counties. These provisions follow information provided to the Land Trust from Santa Cruz County residents. SB 211 responds to the Land Trust's desire to create an open space district that is based on this information.

**Staff Contact:** Randy Pestor (916) 651-4108

**Date:** 3/30/09



Napa County Regional Park  
and Open Space District

## **STAFF REPORT**

Date: April 20, 2009

Agenda Item: 4.C

Subject: Consideration of report from the Board ad hoc subcommittee working on the development of a District non-profit foundation, and potential direction on next steps.

### Recommendation

Receive report from the ad hoc subcommittee and provide direction as needed on next steps.

### Background

An ad hoc subcommittee was formed by the Board in 2007 to investigate the feasibility for and to design a proposal forming a non-profit organization to support the District. Subcommittee members Guy Kay and Tony Norris have met several times with staff and with the assistance of Elizabeth Wroblecka have prepared a concept for how the organization would be structured and what its purposes would be (see attached). This concept will be discussed at the meeting.

## NAPA OUTDOORS FOUNDATION

### FACT SHEET

**Background:** The Napa Outdoors Foundation will be a nonprofit corporation whose purpose is to raise private funds and public support for the work of the Napa County Regional Park and Open Space District. The Napa Outdoors Foundation will accept donations of money, land, and in-kind services and will lobby for open space political initiatives when appropriate. The Foundation's fundraising efforts will include: corporate and individual gift solicitations, direct mail, grant writing, planned giving, events, and a membership program.

**Mission Statement:** The Napa Outdoors Foundation supports the Napa County Regional Park and Open Space District which provides opportunities for all Napa County residents and visitors to recreate, enjoy and learn about the County's exceptional natural environment.

**Vision:**

- All people who live in Napa County are able to have a meaningful experience in the natural world which enhances their health and quality of life;
- Residents support future policy initiatives to preserve open space in Napa County because they understand the importance of and tangible benefits from protected land;
- The economic vitality of the County is enhanced because visitors to Napa County not only appreciate the world famous wine and excellent restaurants, but through outdoor recreation also enjoy a direct connection to the natural beauty of the County that encourages them to stay longer and come back again and again.

**Programs:** The Foundation raises funds on an as needed basis to support special projects of the Napa County Regional Park and Open Space District. In addition, the Foundation annually raises funds to provide ongoing support for core program initiatives.

1. Campership – Napa Outdoors Foundation raises funds to provide scholarships so that children from low-income families residing in Napa County can spend time at Moore Creek Park, Camp Berryessa and other District open space lands enjoying a variety of recreational activities and nature study.
2. Parks Express – Transportation is provided to organized groups making it possible for all of Napa County's residents to partake in the natural beauty all around us. Examples of groups receiving funding for transportation to the great outdoors include Veterans, disabled, schools, and seniors.
3. Environmental Restoration – Funds are raised to conduct habitat restoration on land and parks owned by the District. Areas in need of restoration currently include: Moore Creek Park, Berryessa Vista Park, and Napa River Ecological Reserve.
4. Trail Building – One of the District's core principals is to provide public access to open space in Napa County along multi-use trails for hiking, biking, and horseback riding. The District owns the rights to several trails that it is working to improve and make accessible so all people can enjoy the benefits of outdoors recreation.
5. Membership – Individuals and families can enjoy the many benefits of membership, including free or discounted access to park facilities, (parking, camping, etc) members-only events, and knowing they are supporting the protection and enjoyment of the natural resources of Napa County.





Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: April 20, 2009

Agenda Item: 4.D.

Subject: Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager

### Recommendation

### Background

Section III.A (7) authorizes the General Manager to bind the district for supplies, materials, labor and other valuable consideration, in accordance with board policy and the adopted District budget, up to \$10,000 for non-construction purposes and up to \$25,000 for construction purposes, provided that all such expenditures are subsequently reported to the Board of Directors. Section III.A(8) of the By-Laws authorizes the General Manager to apply for grants and receive donations, subject to reporting such actions to the Board of Directors.

Pursuant to this authorization, the following information is provided to the Board.

Date	Purpose	Recipient	Amount
03/10/2009	Moore Creek Expenses	John woodbury reimbursement	\$15.45
03/02/2009	BLM application fees	Bureau of Land Management	\$200.00
03/10/2009	Transportation	John Woodbury reimbursement	\$46.20
2/24/2009	Moore Creek - Furniture	De La Briandais family	\$2,000.00
3/18/2009	MOORE CREEK CEQA FILING FEE	Napa County Recorder	50.00
4/1/2009	Moore Creek - Wall Heater	Reliable Refrigeration	\$2,880.00

## Plan of Projects

Status Report for April 20, 2009

<u>Name of Project</u>	<u>Description</u>	<u>Status</u>
Bay/River Trail -- American Canyon to Napa	An 8+ mile recreational trail between the cities of American Canyon and Napa generally following the Napa River and interior levees of associated wetlands.	Feasibility study completed. Environmental review has been completed, and a Use Permit obtained, for the first phase of the project (American Canyon to Green Island Road. The District has been awarded a \$1,032,300 grant from the California River Parkway Grant Program; this grant was frozen in December 2008 pending resolution of the State budget crisis. The City of American Canyon has obtained an easement from the Department of Fish and Game for a spur trail that will provide a direct connection to the Napa River, and the City and District are close to an agreement with the Napa-Vallejo Waste Management Authority for another spur trail that would loop around the landfill. The County Board of Supervisors has approved \$50,000 for the District to complete CEQA for the remainder of the trail. The District has prepared a draft MOU with DFG for the phase one trail, which is now under review by DFG. <u>BCDC has been asked by the Bay Trail Project, the Coastal Conservancy and others to require DFG to enforce its condition that the Bay Trail be constructed on the pond 10 levee.</u>
Berryessa Estates	Acquire 160 acres next to Berryessa Estates from BLM at no fee through their Recreation and Public Purpose Act procedure. Would serve as a wilderness park for local residents eventually be the northern trailhead for a trail between Berryess Estates and Pope Canyon.	CDF and the Pope Valley Volunteer Fire Department have added a proposal to construct a fire substation on a corner of the property. CDF has indicated its crews will most likely be available to clear brush for a combined firebreak and trail. <u>A community meeting with about two dozen attendees was held March 10, 2009 at the Pope Valley Farm Center to get input from and determine level of support in the community. The draft R&amp;PP application to BLM has been submitted.</u> The District has completed the donation to the District of a small, 0.2 acre property that provides critical access to the northeast corner of the property.
Berryessa Vista	Planning and stewardship of this 224 acre wilderness park.	Volunteers working with the District have completed detail GIS mapping showing all existing roads, creek crossings, vista points and potential campsites. Continuing damage by off-road vehicles trespassing on the property was noted. A letter introducing the District and the park adjacent and nearby landowners is in preparation, and planning for signage and gate(s) is underway. A key adjacent property is expected to be on the market in the coming year.
Blue Ridge/Berryess Peak Trail	Obtain right of way and construct trail to provide public access to extensive federal lands on Blue Ridge and to Berryessa Peak	Obtained donated trail easement from the Ahmann family to close gaps between existing public lands on Blue Ridge. Undertook a reconnaissance of the trail route in December 2008. Based on this reconnaissance, a revised easement description has been drafted, approved by the landowner and recorded. <u>Two retired professionals with experience in preparing botanical surveys and environmental review documents have volunteered to prepare the environmental review for the property this spring.</u>
Camp Berryessa	Redevelopment of former Boy Scout Camp into a group/environmental education camp.	MOU with Bureau of Reclamation has been approved by BOR and by the District granting District an 18 month period to develop a plan for the camp. Questa Engineering has begun the market analysis and prepared some initial design concepts; soil testing for wastewater disposal design is on hold while the BOR completes a cultural survey for the site. <u>The BOR has plans to temporarily operate primitive camping at the site this summer due to the temporary closure of up to four of the other resorts at the lake.</u>
District Non-profit Foundation	Organize a non-profit foundation to raise funds for District projects	<u>The ad hoc committee of the Board of Directors which has been working with staff in developing the foundation concept will report on their progress at the April 20th meeting.</u>

<p>Lake Hennessey North Shore Trails Would open up several miles of existing dirt access road, and construct approximately 1 mile of new single track trail, into a loop trail system on the north side of Lake Hennessey, and connecting to the planned Moore Creek Open Space Park trail system.</p>	<p>This project is being combined with the Milliken Ridge Trail project for purposes of seeking City of Napa approvals to construct and operate trails on their property. A presentation to the Napa City Council is tentatively scheduled for <u>May 2009</u>.</p>
<p>Milliken Reservoir Trails and Picnic Area Would construct approximately 3 miles of Bay Area Ridge Trail plus additional feeder and loop trails, along with a staging and picnic area</p>	<p>The feasibility study has been completed, and accepted by the Board of Directors. After review by City of Napa staff, the proposal has been modified, and a presentation on the modified plan is tentatively scheduled for City Council review in <u>May</u>. <u>Staff met with property owners to the north of the Milliken property to discuss potential extensions of the trail to the north and northwest.</u></p>
<p>Moore Creek Open Space Park Development Development of open space park on 673 acres acquired by the District adjacent to City of Napa watershed lands at Lake Hennessey to protect habitat, provide recreational trails, and overnight camping facilities.</p>	<p>Escrow closed on December 24, 2008. An initial planning charette with community experts was held February 28 and 41 people attended. Improvements to the rental house and main ranch house on the property are in process. A joint VO-CAL volunteer weekend is scheduled for May 15-17 to reroute a section of the existing road/trail to remove it from the streambed. <u>VO-CAL held a two day crew leader training session at the ranch house in March with about 20 volunteers. The County Road Crew has provided some excess gravelly soil to fill a low spots in the existing access road, and will do more in the future.</u></p>
<p>Napa River Ecological Reserve Restoration Remove invasive plants and restore native vegetation in the entryway meadow, replace damaged signage and information panels, restorate the interior trail and interpretive elements, and if feasible install a seasonal bridge.</p>	<p>The State Coastal Conservancy has approved a \$100,000 grant for habitat restoration, environmental education and improved signage; this grant was frozen in December 2008 pending resolution of the State budget crisis. A Notice of Exemption under CEQA has been filed on this project. The grant contract has been signed and the District's partners on the project have met to review approaches and roles. DFG has signed a landowner agreement to allow the work to proceed. The District is continuing to work with the Resource Conservation District on grant contract documents. One of the District's proposed partners, Acorn Soupe, closed its doors due to financial difficulties; the RCD will assume the student environmental education responsibilities which Acorn Soupe had been slated to provide. The District has assumed the County's role in managing the preserve under the joint management agreement with DFG. The deteriorated information kiosk, which had become a serious eyesore, was removed in November 2008.</p>
<p>Napa River Ecological Reserve Maintenance Routine maintenance to remove litter and graffiti</p>	<p>RFP issued in Oct 2008 seeking a non-profit contractor to provide the maintenance, and a maintenance contract with Options3 started January 1, 2009.</p>
<p>Newell Preserve Improvements Provide on-site water supply for group campground and so cattle can be restricted from access to riparian areas.</p>	<p>As part of the arrangement with the land trust on the District's purchase of Berryessa Vista, the land trust is willing to use some of the proceeds from the transaction to fund a well pump and distribution system at the Preserve. However, the first well drilled by the City of American Canyon came up dry. <u>The City has dropped plans for digging any more test wells. Instead, another attempt to extend a city water line to the property is being considered.</u></p>
<p>Oat Hill Mine Trail Grand opening to the Oat Hill Mine Trail with weekend of signage installation, brush removal and erosion control</p>	<p>A major volunteer work party weekend took place May 16-18, 2008, and the trail was then formally opened. A second group of 18 volunteers in November 2008 spent a day doing additional erosion control work. The judge hearing the legal challenge to the trail in December 2008 denied the substance of all of the issues raised by the plaintiff; the County is now waiting to see whether the plaintiff will drop the challenge or appeal the ruling.</p>
<p>Rector Ridge/Stags Leap Ridge Trail Construction of staging area and 6+ miles of Ridge Trail climbing east from Silverado Trail near Rector Creek.</p>	<p>CEQA on this project was completed several years ago--though this may require minor updating. The project concept has been approved by the District Board. Staff has met with the Pathway Home Project leadership at the Veterans Home, who are supportive of the trail as an amenity which will benefit their program. District staff with assistance from the Ridge Trail Council is preparing a draft agreement for consideration by the Veterans Home.</p>

River to Ridge Trail	Lot line adjustment to legalize River to Ridge Trail as constructed (it currently encroaches on private property in two locations), and improvements to the Highway 221 entrance to the trail.	Lot line adjustment approved by Syar Properties. The California Department of General Services has decided it cannot do a lot line adjustment without legislative authorization; <u>the County is therefore sponsoring legislation carried by Assemblymember Evans to grant the necessary authority.</u> In November 2008 five Valley Oak trees were planted at the Highway 221 entrance to the trail with the assistance of a volunteer from CNPS. <u>The new information kiosk installed at the entrance in December 2008 as part of a Boy Scout project leaked during the past rains, and needs to be repaired.</u>
Skyline Park Protection	Permanent Protection for Skyline Park	Three past legislative efforts to authorize sale to the County failed due to unrelated disagreements between the state legislature and administration. The County is again pursuing legislation to authorize the County to purchase the property. Separately, the County is pursuing development of a park overlay zone to protect public lands such as Skyline Park. New language has been included in the new draft General Plan to allow development of a park overlay zone. Staff is now preparing an amendment to the Zoning Ordinance to accomplish this. Chandler and Chandler was retained in November 2008 to assist with the preparation of a Master Plan for the park; that work is now underway. <u>The advisory committee for the plan has completed three meetings.</u>
Skyline Park Improvements	Partner-sponsored improvement include a second greenhouse and a covered equestrian arena.	The proposals for a second greenhouse and a covered arena improvements were approved by the Department of General Services and by the County Board of Supervisors. The sponsors of these projects are now raising funds for implementation.
South Napa Wetlands Habitat Area	Transfer to the District those wetlands owned by the Napa County flood control district between the Napa River, Highway 29 and Newport Drive for use as habitat and nature-based recreation.	Transfer approved in concept by the flood control district. Staff led a tour of the property on May 22, 2008 in conjunction with the Napa County Watershed Symposium to discuss options and constraints at the site related to public use and environmental education. The District sponsored a workshop with high school science teachers in October to discuss ways to use the site for educational purposes. Park District staff has prepared the first draft of a transfer agreement, which is now under review by the flood district. <u>Flood District and Park District staff were scheduled to meet with members of the Yacht Club at the end of February to discuss access issues and future possible uses for the property; this meeting has been postponed and a new date is not yet set.</u>
Vallejo Lakes	Possible purchase of 1100 acres of surplus Vallejo Water District lands, of which 200 acres are located in Napa County	Staff-level discussions between the District, the Land Trust of Napa County, the County of Solano and the Solano Land Trust indicate a common desire to work together to purchase this property adjacent to Skyline Park. The City Council of the City of Vallejo has officially authorized staff to pursue surplus of the property. District staff and our partners are continuing to research issues related to the property, including potential public access locations, potential trail alignments, and easements and other encumbrances which affect the property. The State Coastal Conservancy has indicated an interest in assisting with the funding necessary to purchase the property. <u>We are now waiting for the City to complete title research for the property so that an appraisal can be prepared.</u>
Vine Trail	A Class I bicycle/pedestrian path extending from Calistoga to the Vallejo Ferry Terminal	The District has entered into an MOU with the Vine Trail Coalition to provide assistance as requested by the Coalition in receiving funds, preparing plans and environmental documents, constructing and operating the trail.
Wild Lake Ranch	Possible joint management of trails, camping and picnic areas through agreement between the Land Trust, the District and State Parks	The District is participating in the development of a strategic plan for the property, together with other public lands in the area, that is being led by the Land Trust of Napa County. The advisory committee has met once, and completed a field trip to inspect the property. The planning process has been put on hold due to the freeze in state bond funded grants.

**Completed Projects**

Berryessa Vista Acquisition	Purchase of 224 acres from the Land Trust of Napa County for use as a public park.	The purchase is complete. Invoice to the State to obtain Prop 12 reimbursement of the purchase has been submitted.
Connolly Ranch	Construction of patio, restrooms and cooking facilities	The project is complete, and the State has approved Prop 12 reimbursement for project costs.
Linda Falls	Accept conservation easement from Land Trust of Napa County to provide additional protection for this 39 acre property, which is owned by the land trust	Easement acquired in spring of 2008.
Master Plan Development		The revised draft Master Plan was approved in January 2009, and the final plan with revisions incorporated is now complete.
Moore Creek Open Space Park Acquisition	Acquisition of 673 acres in the Moore Creek Watershed	Escrow closed on December 24, 2008.
Napa River Ecological Reserve	Trash enclosure and removal of graffiti	Project completed.
Napa River Ecological Reserve	Paving the parking area, and control vehicle access through placement of rock barriers	The project is complete, and the State Prop 12 reimbursement has been received.
Napa River Flood Control Easement	Conservation easement held by District to facilitate Flood District project and grant funding	Easement completed.
River to Ridge Trail Enhancements	Installation of animal silhouettes along the entryway fence illustrating the types of birds and mammals that can be found in the area.	Installation completed through an Eagle Scout candidate project.
Skyline Park Improvements Phase I	Prop 12 funding for erosion control work on Lake Marie Road, and paving of campground loop road.	Project is complete, and Prop 12 reimbursement has been received.