

COASTAL CONSERVANCY

Staff Recommendation
November 21, 2024

PHINNEY ACQUISITION: MOORE CREEK PARK EXPANSION

Project No. 24-041-01
Project Manager: Virgilio Cusay

RECOMMENDED ACTION: Authorization to disburse up to \$704,000 to the Land Trust of Napa County to acquire the approximately 523-acre Phinney property for the protection and enhancement of open space, wildlife corridors, and scenic and natural resources; and public access compatible with such uses. The property will be transferred to the Napa County Regional Park and Open Space District to expand the adjacent Moore Creek Park and for long-term management.

LOCATION: Angwin, Napa County

EXHIBITS

- Exhibit 1: [Project Location Maps](#)
Exhibit 2: [Site Photographs](#)
Exhibit 3: [Project Letters](#)
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RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed seven hundred four thousand dollars (\$704,000) to the Land Trust of Napa County (“the grantee”) to acquire the approximately 523-acre Phinney property in Napa County (Assessor’s Parcel Nos. 025-030-010, 025-030-017, and 025-060-005) for the protection and enhancement of open space, wildlife corridors, and scenic and natural resources; and public access compatible with such uses.

This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for the acquisition, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy (Executive Officer):

- a. All relevant acquisition documents for the acquisition including, without limitation, the appraisal, purchase and sale agreement, deed, escrow instructions, environmental or hazardous materials assessment, and title report;
 - b. A baseline conditions report; and
 - c. Evidence that sufficient funds are available to complete the acquisition.
2. The grantee shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
 3. The property acquired under this authorization shall be managed and operated for the protection and enhancement of open space, wildlife corridors, and scenic and natural resources; and public access compatible with such uses. The property shall be permanently dedicated to those purposes by an appropriate instrument approved by the Executive Officer.
 4. If requested by the Conservancy, the grantee, or any future landowner, shall permit designation of a segment of the Bay Area Ridge Trail on the Phinney Property.
 5. The grantee shall submit any master plan for the property to the Conservancy for review for consistency with the acquisition purposes.
 6. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property or in a nearby publicly-viewable area, the design and location of which are to be approved by the Executive Officer.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.
3. The Land Trust of Napa County is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends the Conservancy disburse up to \$704,000 to the Land Trust of Napa County (LTNC) to acquire the approximately 523-acre Phinney property (the Property) in the town of Angwin (including Napa County's Assessor's Parcel Nos. 025-030-010 (48.98 acres), 025-030-017 (313.89 acres), and 025-060-005 (160.00 acres) in Napa County for the protection and enhancement of open space, wildlife corridors, and scenic and natural resources; and public access compatible with such uses (the "project") (Exhibit 1, Figure 1).

The Property is adjacent to 9,000 acres of protected lands (Exhibit 1, Figure 2) and acquisition of the property will fill an important gap within a priority wildlife corridor. The Conservation Lands Network (CLN) gives the entire Property its highest ranking, “essential,” (Exhibit 1, Figure 3) making it a key piece to meeting local and state conservation goals. LTNC has partnered with the Napa County Regional Park and Open Space District (NOSD) to acquire this Property and include it within NOSD’s network of protected lands for long-term management. To accomplish this goal, LTNC will facilitate the transaction whereby NOSD will ultimately take title. This method capitalizes on each partner’s expertise by making use of LTNC’s extensive background with real estate transactions as well as NOSD’s experience with sustainable land management. This proposed acquisition will accomplish the following outcomes:

- Preserve 523 acres of land in a sensitive riparian zone connecting the conifer-covered ridges of Angwin with the oak woodlands of the Lake Hennessey Watershed.
- Protect habitat connectivity and support wildlife movement between 9,000 acres of adjacent protected lands (Exhibit 2, Figure 1), promoting biodiversity and facilitating maintenance of ecological processes. The Property also fills a key gap in a priority wildlife corridor (Exhibit 1, Figure 4) identified in the CLN 2.0 Report as “essential” and provides important habitat linkages for a variety of wildlife that move between the eastern ridges of Napa County.
- Expand the size of Moore Creek Park, a 1,600-acre park which includes a roughly 700-acre property acquired by NOSD in 2008 with funding from the Conservancy, to approximately 2,100 acres. An existing collaborative partnership between NOSD and the Napa County Resource Conservation District (RCD) for co-managing Moore Creek Park will extend to the Phinney addition once acquired, allowing the use of the Conservancy-funded Moore Creek Park Forest Management Plan for wildfire resilience and forest health. Acquiring the Property is part of a long-term strategy in NOSD’s “District Master Plan – 2019 Amendment” to expand and increase protection for the Lake Hennessey Watershed.
- Protect the length of Moore Creek, one of the main sources of water for Lake Hennessey, the local water supply for City of Napa residents. The Property is the final piece needed to protect the entire length of this creek.
- Provide public access by potentially dedicating trail as a multi-use Bay Area Ridge Trail segment. The Property contains four miles of an existing limited-use trail known as Dan’s Wild Ride (Exhibit 1, Figure 5) that may be suitable for dedicating as a Bay Area Ridge Trail segment, allowing hikers, bikers, and equestrians to enjoy the unspoiled natural beauty (Exhibit 2, Figure 2) of the Property. There is also potential to add a few miles of new trails to connect to Moore Creek Park’s existing 25-mile trail network. Enhance parts of the property to benefit the natural communities and listed species that occupy the property. Twelve special-status plant and tree species, including Napa False Indigo (Exhibit 2, Figure 3) and Green Jewelflower, are known to occur on the property, five of which received a very high ranking for rarity by the California Native Plant Society. Wildlife observed in adjacent protected lands include species of special

concern, such as Townsend's big-eared bat and burrowing owl, as well as fully protected species, such as mountain lion and bald eagle.

Acquisition of the property will prevent residential development, helping protect a large contiguous landscape of open space. Maintaining this landscape allows species to move, find refuge, and establish resting and rearing areas, all of which is critical to their survival. The main purposes of the acquisition are for conservation and public access.

Site Description: The Property (Exhibit 2, Figure 4) is located in the hills south of Pope Valley about 2.7 miles east southeast of Angwin and 16 miles north of the City of Napa. The Property overlooks Chiles Valley to the east and is situated on the eastern slope of the Napa (Howell Mountain) Range. A network of protected lands including Las Posadas State Forest and Moore Creek Park abut the Property on multiple sides. Access to the Property exists through a gated private road, which passes over two adjacent ownerships from the west side of Chiles Pope Valley Road. Much of the area around the site is comprised of larger parcels ranging from developed vineyard and rural residential uses to undeveloped land suitable for open space and recreation.

A mix of habitat types are found on the Property, including forest, woodland, brushland (Exhibit 2, Figure 4), and grassland habitats. Twelve special status species, including Napa False Indigo and Green Jewelflower, were found on the Property--five of these received a very high ranking for rarity by the California Native Plant Society. Approximately 266 plant species were identified during recent surveys, of those, 88% are native.

Grant Applicant Qualifications: LTNC is a 501(c)(3) nonprofit whose mission is to preserve the character of Napa County by permanently protecting land. LTNC has been in operation since 1976 with an established track record of working successfully with a wide range of landowners, funders, and stakeholders. LTNC has completed over 280 real estate transactions, holds and monitors 159 conservation easements, and owns over 21,500 acres of preserves. In the last ten years, LTNC has protected 41,950 acres, through 70 completed acquisitions, working with a wide range of partners and funders, including the Conservancy, Wildlife Conservation Board, CAL FIRE, California Natural Resources Agency, California Department of Conservation, California Department of Fish and Wildlife, US Natural Resources Conservation Service, Moore Foundation, and others. In total, LTNC has now protected nearly 95,000 acres.

NOSD was established by the voters of Napa County in 2006 for the purpose of preserving open space resources throughout the county and providing opportunities for the public to learn about and enjoy the natural world. NOSD currently protects just over 5,343 acres through fee title ownership and manages another 9,282 acres owned by partners. These lands include 215 miles of trails.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

Selection Criteria

1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.

See the “Consistency with Conservancy’s Strategic Plan” section below.

2. Project is a good investment of state resources.

An appraisal of the Property, completed in July 2024, established a valuation of \$1,780,000. Therefore, the purchase price of \$1,700,000 is a bargain sale and represents a good value for land of this size. LTNC has budgeted \$4,000 for closing costs which are reflected in the total project cost in the Project Financing section below. The proposed project to acquire the Property is a good investment of state resources because it will contribute to meeting the state’s biodiversity and climate action goals as outlined in the Strategic Land Acquisition section of the Pathways to 30 x 30 Report. This proposed project is also consistent with three Recreation and Open Space policies (ROS-1, ROS-11, and ROS-15) of the Napa County General Plan.

3. Project benefits will be sustainable or resilient over the project lifespan.

The project is being implemented as part of a strategy informed by the NOSD “District Master Plan – 2019 Amendment” to increase the footprint of Moore Creek Park for the protection of the Lake Hennessey Watershed. Once acquired, NOSD will plan for and manage the Property for long-term sustainability, increasing the Property’s resilience to threats of wildfire and climate change. NOSD will also maintain existing public access trails and potentially construct new trails with sustainability in mind by minimizing areas of disturbance and reduce erosion through thoughtful trail design.

4. Project delivers multiple benefits and significant positive impact.

Acquisition of the Property will deliver multiple benefits including: 1) permanently protecting the Property from development, thereby protecting a critical Napa County wildlife corridor and habitats for sensitive species; 2) improving climate resilience by promoting coordinated management efforts across more than 9,000 acres of contiguous protected land, thereby enhancing their conservation values; 3) protecting water resources for the City of Napa by maintaining feeder streams to Lake Hennessey on the Property; and 4) providing public access to a highly scenic, open-space resource of regional importance in the Bay Area, including a potential link in the regional Bay Area Ridge Trail (Exhibit 2, Figure 6).

5. Project planned with meaningful community engagement and broad community support.

The acquisition and management planning for the Property is the result of a coordinated effort between local community organizations and agencies including NOSD, LTNC, RCD, Bay Area Ridge Trail Council, Redwood Trails Alliance, and the City of Napa Water Division. Members of the public are especially engaged with volunteer trail maintenance events (Exhibit 2, Figure 7). In addition to these efforts, the acquisition is supported by elected officials of the State Legislature, Napa County Board of Supervisors, and the City of Napa; and staff of the Napa County Resource Conservation District, City of Napa, Bay Area Ridge Trail Council, and the Redwood Trails Alliance.

PROJECT FINANCING

Coastal Conservancy	\$704,000
Metropolitan Transportation Commission (pending)*	\$1,000,000
Project Total	\$1,704,000

Conservancy funds are anticipated to come from an FY 2022/23 appropriation from the General Fund to the Conservancy for “urgent sea level adaptation and coastal resilience needs using nature-based solutions or other strategies.” (The Budget Act of 2022, SB 154 as amended by the Budget Act of 2023, SB 101). The climate resilience funds are available as described in Section 52 of Chapter 258 of the Statutes of 2021, which sets forth a detailed description of the purposes of the climate resilience funds, including projects for the purpose of the San Francisco Bay Area Conservancy Program. The proposed project is consistent with this funding source because it is within the San Francisco Bay Area and helps achieve the goals for the San Francisco Bay Area Conservancy Program established pursuant to Chapter 4.5 of Division 21 of the Public Resources Code, which is discussed in more detail below.

*The second source of funds is expected to come from the Metropolitan Transportation Commission’s Priority Conservation Area Grant Program, funded through the One Bay Area Grant program.

Unless specifically identified as “Required Match,” the other sources of funding and in-kind contributions described above are estimates. The Conservancy does not typically require matching funds or in-kind services, nor does it require documentation of expenditures from other funders or of in-kind services. Typical grant conditions require grantees to provide any funds needed to complete a project.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is being undertaken pursuant to Chapter 4.5 of Division 21 of the Public Resources Code. Section 31162 authorizes the Conservancy to award grants for projects in the nine-county San Francisco Bay Area to help achieve regional resource goals.

The proposed authorization is consistent with Section 31162(a) because the proposed project is located within the nine-county Bay Area, and it will help achieve the San Francisco Bay Area Conservancy Program goal of improving public access to and around the Bay, without having a significant adverse impact on agricultural operations and environmentally sensitive areas and wildlife, through the potential completion of a segment of a ridge trail system (i.e., the Bay Area Ridge Trail).

Section 31162(b) authorizes the Conservancy to award grants for projects that protect natural habitats and connecting corridors, watersheds, scenic areas, and other open space resources of regional importance. The proposed project will protect natural habitat and connecting corridors by preventing development and allowing management for climate resilience.

CONSISTENCY WITH CONSERVANCY'S [2023-2027 STRATEGIC PLAN](#):

Consistent with **Goal 3.1 Conserve Land**, the proposed project will conserve 523 acres of open space that supports implementation of the Napa County Regional Park and Open Space District "District Master Plan – 2019 Amendment".

Consistent with **Goal 3.2 Restore or Enhance Habitats**, the proposed project will protect wildlife corridors to connect already conserved landscapes and waterways.

CEQA COMPLIANCE:

The project is statutorily exempt from review under the California Environmental Quality Act pursuant to Public Resources Code section 21080.28, which exempts a public agency granting funds for acquisition of land for certain purposes, including restoration of natural conditions, and preservation of open space and land for park purposes. The recommended authorization is to grant funds to a public entity to acquire land to preserve and restore natural resources and to preserve open space and land for public access purposes. Environmental review will occur before any physical changes to the land occur.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.