

**CALENDAR ITEM
C27**

A 4
S 3

02/20/15
PRC 9074.9
B. Terry

**ACCEPTANCE OF A QUITCLAIM DEED AND
ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE**

LESSEE:

Stanly Ranch Vineyards, LLC

APPLICANT:

Napa Sanitation District
1515 Soscol Ferry Road
Napa, CA 94558

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Napa River, adjacent to Assessor's Parcel Numbers (APN) 046-400-025, 047-240-024, and 047-240-025, near the city of Napa, Napa County.

AUTHORIZED USE:

Continued use, maintenance, and operation of an existing 20-inch inside diameter (ID) recycled water pipeline and a 6-inch ID sanitary sewer force main.

LEASE TERM:

35 years, beginning February 20, 2015.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

OTHER PERTINENT INFORMATION:

1. On June 21, 2013, the Commission authorized a 35-year General Lease – Right-of-Way Use, PRC 9074.1, with Stanly Ranch Vineyards, LLC (Stanly Ranch) for the installation, use, maintenance, and operation of a 20-inch ID recycled water

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pipeline and a 6-inch ID sanitary sewer force main. That lease will expire on June 20, 2048.

2. The pipelines were installed to provide a wastewater infrastructure system for future residential homes and wineries serviced by the Napa Sanitation District (NSD). Commission staff informed the Commission at its June 21, 2013, meeting that, once the conveyance system facilities were fully operational, the NSD would assume ownership of the operation facilities. The pipeline construction was completed in February 2014. The Applicant has now submitted an application for a General Lease – Public Agency Use.
3. The Lessee executed a quitclaim deed releasing its interest in the Lease to the State. Staff recommends acceptance of the quitclaim deed and issuance of a new lease.

APN's 047-240-024 and 047-240-025 are located on the west side of the Napa River (River) adjacent to the Lease Premises and are owned by the California Wildlife Conservation Board. The Applicant has temporary rights to use those lands and is currently in the process of obtaining a permanent easement to provide vehicular ingress and egress to the Lease Premises. NSD owns three contiguous parcels located on the east side of the river, APN's 057-010-010, 046-400-015, and 057-010-038 which provides sufficient access to the pipeline if needed for maintenance purposes.

4. **Acceptance of a Quitclaim Deed:** The staff recommends that the Commission find that the subject acceptance of a quitclaim deed does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

5. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class

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1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Acceptance of a Quitclaim Deed: Find that the subject acceptance of a quitclaim deed is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

Issuance of Lease: Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

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AUTHORIZATION:

1. Authorize acceptance of a quitclaim deed for Lease No. PRC 9074.1, a General Lease – Right-of-Way Use, issued to Stanly Ranch Vineyards, LLC, effective February 19, 2015.

2. Authorize issuance of a General Lease – Public Agency Use to the Napa Sanitation District beginning February 20, 2015, for a term of 35 years, for continued use, maintenance, and operation of an existing 20-inch ID recycled water pipeline and a 6-inch ID sanitary sewer force main, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

EXHIBIT A
LEASE DESCRIPTION

PRC 9074.9

A 20.00 foot wide strip of tide and submerged land situated in the bed of the Napa River, Napa County, State of California, the centerline of which is as follows:

Commencing at Benchmark "81 E", PID JT9208, as listed in the data sheet published by National Geodetic Survey. Said Benchmark CCS83 Zone II (2010.00) coordinates of North 1852255.25, East 6483033.4060, US survey feet.

Thence South 53°41'03" West, 4111.77 feet, to Benchmark "48 F", PID JT9113 as listed in the data sheet published by National Geodetic Survey. Said Benchmark CCS83 Zone II (2010.00) coordinates of North 1849820.11, East 6479720.29 US survey feet.

Thence South 59°40'25" West, 690.68 feet, to the True Point of Beginning of the herein described strip. Said Point being on the easterly boundary of Lot 18 of Final Map 5539, Book 24 of Maps, Page(s) 23-32, Official Record of Napa County.

Thence South 75°15'33" East, 489.5 feet more or less to the ordinary high water mark of the left bank of the Napa River, being the point of termination of the herein described strip.

The sidelines of said strip shall be prolonged or shortened so as to commence at the ordinary high water mark of the right bank of the Napa River, and terminate at the ordinary high water mark of the left bank of said Napa River.

Basis of bearings for the above description is the California Coordinate System (NAD 83), Zone 2, EPOCH:2010.0000. All distances are grid distances.

This description was prepared by me on April 19, 2013, in conformance with the California Professional Land Surveyors Act.

END OF DESCRIPTION



Richard A. Maddock, PLS 8131

Exp. Date 12/31/2014



