

# Napa County seeking \$1.57 million in state back payments

02/22/2015 - BARRY EBERLING [beberling@napanews.com](mailto:beberling@napanews.com)

If proposed state legislation passes, Napa County might finally receive required but neglected California Department of Fish and Wildlife payments that over 13 years add up to a \$1.57 million debt.

The state agency owns more than 29,000 acres of land in Napa County for wildlife areas. State code requires the agency to pay counties money in lieu of the property taxes they received when the land was privately owned.

But the state has failed to make payments since 2001-02 and owes 36 counties a total of \$18.7 million.

State Sen. Lois Wolk, D-Davis, and Sen. Jim Nielsen, R-Gerber, have introduced legislation to try to change this. The bill would appropriate money from the state general fund to the Department of Fish and Wildlife to make the back payments, though without interest or penalties.

Rural counties made an unsuccessful push in 2013 to receive the back payments. Similar legislation sponsored by Wolk last year failed to advance from the Senate Appropriations Committee.

Napa County Board of Supervisors Chairwoman Diane Dillon said she didn't know how the county might use the money, if it finally receives it. For that matter, she didn't know if all the money would go to county coffers or be split among the county, cities, schools and other taxing agencies.

Neither did Auditor-Controller Tracy Schulze. The county is awaiting instruction from the state on this issue, she said.

Dillon sees signs that the latest legislative effort to secure the repayments could succeed.

"I do because the state budget is in much better shape," Dillon said.

California owes Napa County the second-highest total of back payments among the 36 counties. The only county owed more money over 13 years is Riverside County at \$2.9 million.

Annual payments due to Napa County total \$137,545. The amount has doubled since 2001-02 as the state added local wildlife area lands.

The state owes Napa County \$75,732 annually for 8,195 acres in the Napa-Sonoma Marshes Wildlife Area south of the city of Napa and west of American Canyon. This area of sloughs, levees and tidal marshes is part of the Pacific Flyway and is used by hunters, birdwatchers, anglers, boaters and hikers.

Sacramento owes Napa about \$60,633 annually for 21,297 acres of the Knoxville Wildlife Area. This area north of Lake Berryessa near the Yolo County line has vegetation that can tolerate the unusual serpentine soils found there.

Finally, it owes Napa \$1,179 annually for the 414 acres at the Cedar Roughs Wildlife Area in the hills between Napa Valley and Lake Berryessa. This area provides access to the 6,350-acre Cedar Roughs Wilderness Area owned by the Bureau of Land Management, with its huge stand of Sargent cypress trees.

Officials with the Department of Fish and Wildlife didn't respond Thursday and Friday to requests to explain why the agency hasn't made the payments.

Gov. Jerry Brown in his proposed 2015-16 budget included funding to make in lieu tax payments to counties for the coming fiscal year, though not back payments for the past 13 years.

"The governor is making a concrete effort to deal with outstanding liabilities," Dillon said. "One way to deal with liabilities is not to continue to add to them."

Wolk spokesman Michael Erke said the governor has shown a willingness to fund the payments going forward. The bill is an attempt to also get the counties what they are owed from the past, he said.

[http://napavalleyregister.com/news/local/napa-county-seeking-million-in-state-back-payments/article\\_549daa29-d34a-57bc-8511-3c5ad955c82b.html](http://napavalleyregister.com/news/local/napa-county-seeking-million-in-state-back-payments/article_549daa29-d34a-57bc-8511-3c5ad955c82b.html)