

**NAPA COUNTY RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS,  
STATE OF CALIFORNIA, DECLARING A STATE OF LOCAL  
EMERGENCY DUE TO PERVASIVE TREE MORTALITY**

**WHEREAS**, on May 10, 2021, the Governor of the State of California (Governor) issued a proclamation of a state of emergency across most counties in California, including Napa County, as a result of severe drought conditions; and

**WHEREAS**, on October 19, 2021, the Governor expanded his proclamation of a state of emergency statewide, due in part to the meteorological summer in California and the rest of the western United States being the hottest on record; and

**WHEREAS**, on March 8, 2022, the Board of Supervisors proclaimed a state of local emergency due to severe drought conditions in Napa County, pursuant to Resolution No. 2022-29; and

**WHEREAS**, on March 28, 2022, the Governor issued Executive Order No. N-7-22 providing direction on emergency drought relief. The Executive Order explains that the “21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record” and that “the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water”; and

**WHEREAS**, drought conditions exacerbate damage to conifers because water-stressed trees are less resilient; and

**WHEREAS**, the California Department of Forestry and Fire Protection conducted aerial and group surveys in Napa and Lake Counties in December of 2021 and January of 2022, revealing widespread conifer mortality; and

**WHEREAS**, the current drought is reducing the vigor and health of conifers in Napa County leaving the trees vulnerable to insect attack, and fire damage (specifically scorching of bark and cambium) can continue to kill trees for five years or more after the fire event; and

**WHEREAS**, at its regular meeting of July 12, 2022, the Board of Supervisors heard a presentation on local tree mortality from experts in both entomology and tree mortality, including Dr. Michael Jones, University of California Cooperative Extension, and Mr. Christopher Lee, California Department of Forestry and Fire Protection; and

**WHEREAS**, local monitoring indicates that Napa County is currently experiencing significant conifer mortality due to the ongoing drought, and that mortality is being exacerbated by

populations of bark beetles because fire and drought-stressed conifers provide ideal host material for a bark beetle population to establish and grow; and

**WHEREAS**, tree mortality is widespread and pervasive in Napa County, presenting conditions of disaster or of extreme peril to the safety of persons and property as defined in Government Code section 8558(c)(1), due to substantial risk of dead and dying trees fueling high intensity wildfires imperiling persons, structures, crops and wildlife, destroying watersheds with incredible ecological diversity, and releasing huge quantities of greenhouse gases to the atmosphere; and

**WHEREAS**, remedial measures, such as removal of dead and dying trees, are far beyond the capabilities and resources of the County and its residents, requiring the combined forces of local, state, and federal government agencies to accomplish; and

**WHEREAS**, Government Code section 8630 and Napa County Code section 2.80.060(A)(1) authorize the Napa County Executive Officer, acting as the Director of Emergency Services, to request the Board of Supervisors to proclaim the existence or threatened existence of a local emergency;

**NOW, THEREFORE, BE IT RESOLVED** by the Napa County Board of Supervisors as follows:

1. The Board hereby finds a state of local emergency exists throughout Napa County due to pervasive tree mortality.
2. During the existence of this local emergency the Napa County Executive Officer, as the Director of Emergency Services, is authorized to exercise those emergency powers and duties set forth in Napa County Code section 2.80.060(A)(7).
3. Until the local emergency is terminated the powers, functions, and duties of the Napa County Executive Officer/Director of Emergency Services and the emergency organization of Napa County shall be those prescribed by State law and the ordinances, resolutions, and approved emergency services plans of Napa County.
4. The County Purchasing Agent or designees' contracting authority for professional services shall be increased by two hundred seventy-five thousand dollars (\$275,000) per vendor or contractor for any services deemed necessary or appropriate to respond to or aide in remediation, mitigation or recovery efforts due to pervasive tree mortality in Napa County.
5. The Board of Supervisors respectfully requests the Governor take the following actions:
  - a. That the Governor proclaim a State of Emergency in Napa County due to pervasive tree mortality; and
  - b. That the Governor request the Secretary of the U.S. Department of Agriculture to designate tree mortality (treatment) areas in Napa County pursuant to section 8204

of the Agriculture Act of 2014 (16 U.S.C. § 6591a), for purposes of addressing insect threats on federal land and seeking additional federal program support; and

- c. That the Governor request a Presidential Declaration of Emergency or Major Disaster for this emergency.

6. The Napa County Executive Officer or designee is directed to send a copy of this resolution declaring a state of local emergency to the Director of the Governor's Office of Emergency Services.

7. This declaration of local emergency will be reviewed by the Board of Supervisors at least every 60 days until terminated, pursuant to Government Code section 8630(c), to determine whether to continue or terminate the local emergency if conditions warrant.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED**  
by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_

NOES: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_

ABSENT: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_

NAPA COUNTY, a political subdivision of  
the State of California

By: \_\_\_\_\_  
RYAN GREGORY, Chair of the  
Board of Supervisors

APPROVED AS TO FORM Office of County Counsel  By: <u>Thomas C. Zeleny</u> Interim County Counsel  Date: <u>August 23, 2022</u> PL Doc. No. 76520	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS  Date: _____ Processed By: _____  Deputy Clerk of the Board	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors  By: _____
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