

**MEMORANDUM OF UNDERSTANDING FOR
ENHANCING WATER STEWARDSHIP BETWEEN NAPA COUNTY, NAPA COUNTY
GROUNDWATER SUSTAINABILITY AGENCY, AND STATE WATER RESOURCES
CONTROL BOARD**

This Memorandum of Understanding (“MOU”) is dated for reference purposes only this ____ day of _____, 2025 by and between Napa County, a political subdivision of the State of California (“COUNTY”), the Napa County Groundwater Sustainability Agency (“NCGSA”), and the State Water Resources Control Board (“STATE BOARD”). The COUNTY, NCGSA, and STATE BOARD may be identified as “a Party,” or collectively, as “the Parties”. Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the MOU.

RECITALS

WHEREAS, there is broad scientific consensus that climate change represents a growing danger to human health, safety, economic prosperity, and the environment; and

WHEREAS, the Water Resilience Portfolio (July 2020), prepared in response to the Governor’s Executive Order N-10-19, serves as a blueprint for equipping California to cope with more extreme droughts and floods and rising temperatures, including protecting and enhancing natural ecosystems, by strengthening “partnerships with local, federal and tribal governments, water agencies and irrigation districts,” and other interested parties to better integrate “water planning and management to steward shared watersheds and aquifers as threats evolve”; and

WHEREAS, on May 11, 2021, Governor Gavin Newsom declared a drought emergency for 41 counties (including Napa County) due to extremely low reservoir levels and drought conditions and, on October 19, 2021, the declaration was expanded to the entire state; and

WHEREAS, Napa County Board of Supervisors declared a Climate Emergency and adopted Resolution 2022-79 on June 7, 2022; and

WHEREAS, California, the COUNTY and their residents, economy, and environment have already experienced dramatic adverse effects from climate change, including more severe wildfires, rising temperatures, severe droughts, and undesirable effects on interconnected surface water and groundwater and associated ecosystems; and

WHEREAS, the Napa County General Plan Update (2008) provides many water-related goals, including to “Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations” (General Plan, Goal CON-10); and

WHEREAS, the COUNTY is currently beginning the process to update the General Plan, which will include elements related to land use, water resources, transportation, conservation, open space, housing, and safety, and will serve as the foundation for policies and implementation; and

WHEREAS, the Napa River and its tributaries are an integral part of the Napa River Watershed, where groundwater conditions and interconnected surface water respond to wetter and drier hydrologic water years, are susceptible to drought effects, and require prudent water resources management regardless of water year type; and

WHEREAS, the County, NCGSA, and its technical consultants have a long history of work in characterization of the hydrogeology and monitoring and management of groundwater resources within the County, including the development of an integrated groundwater-surface water hydrologic model (Napa Valley Integrated Hydrology Model [NVIHM]) using best available information and science; and

WHEREAS, the *Napa Valley Subbasin Groundwater Sustainability Plan* (GSP; Luhdorff and Scalmanini, Consulting Engineers, 2022) and approved by the California Department of Water Resources on January 26, 2023 specified the preparation of a *Groundwater Pumping Reduction Workplan* (LSCE and ERA Economics, 2024), which on October 14, 2021 the Groundwater Sustainability Plan Advisory Committee approved the GSP sustainable management criteria for the sustainability indicator for depletions of interconnected surface water, including the measurable objective to achieve a 10 percent reduction in average annual historical (2005-2014) pumping, and supported initiating steps to reduce Subbasin pumping following adoption of the GSP; and

WHEREAS, the Napa Valley Subbasin GSP recognized data gaps in the available information on groundwater-dependent ecosystems (GDEs) and the relationship between GDEs and interconnected surface water and groundwater, and the *Interconnected Surface Water and Groundwater Dependent Ecosystem Workplan: Napa Valley Subbasin* (LSCE and Stillwater Sciences, 2024) was prepared to incorporate many aspects of the California Environmental Flows Framework to characterize GDE habitat conditions and flow relationships and refine sustainable management criteria for interconnected surface water in the Napa Valley Subbasin; and

WHEREAS, on August 11, 2022, Governor Gavin Newsom issued the Administration's strategy document, *California's Water Supply Strategy, Adapting to a Hotter, Drier Future*, which "outlines California's strategy and priority actions to adapt and protect water supplies in an era of rising temperatures"; and

WHEREAS, the COUNTY together with numerous local agencies in the county prepared the *Napa Valley Drought Contingency Plan* (Brown and Caldwell, 2022) to address multiple impacts associated with California's drought from 2012 to 2016 to provide supply reliability and resilience and to adapt to future uncertainties by implementing drought contingency strategies, integrated regional water management, and drought mitigation among the agencies to cooperatively address water supply reliability concerns and drought preparedness on a mutually beneficial and regionally focused basis; and

WHEREAS, the COUNTY Board of Supervisors formally adopted Resolution 2022-178 on December 6, 2022 to recognize the Human Right to Water Policy, set forth in California Water Code section 106.3, and the County established safe and clean water for human use as County policy that informs the County when implementing policies and regulations affecting water supply reliability and water resources sustainability for the benefit of present and future generations, protecting domestic wells and water systems, and protecting the environment consistent with public trust principles, as well as potential future threats due to drought, while not impacting water rights or expanding or

creating new county obligations; and

WHEREAS, on January 30, 2024, Governor Gavin Newsom issued the Administration’s document, *California Salmon Strategy for a Hotter, Drier Future: Restoring Aquatic Ecosystems in the Age of Climate Change*, which “outlines a path to a healthier, thriving salmon population in California, but achieving this result will have broader benefits beyond salmon”, and promotes “working with local partners on locally driven solutions and coordinating on options for incentivizing the reduction of diversions and groundwater pumping”; and “working together, state agencies and partners will depending on available resources...by 2026, complete supply-demand assessment pilot projects in three watersheds to better manage water allocations and provide data for local water management decisions,” and “expand to at least 12 additional watersheds by 2029.”; and

WHEREAS, the COUNTY together with the state and local partners prepared the *SB 552-Drought Resilience Plan* (Napa County, 2024) to aid the County in preparing for and identifying drought and water shortage risks and proposed short-term response actions and long-term mitigation strategies and actions and also prepared the draft *Napa County Regional Climate Action and Adaptation Plan* (in progress), which aims to reduce greenhouse gas emissions and increase resilience to climate change impacts throughout the Napa region and promote preparedness for climate-related hazards such as extreme weather, wildfires, and floods by strengthening critical infrastructure, restoring natural ecosystems, and improving emergency responses; and

WHEREAS, the COUNTY through climate-related initiatives, and the NCGSA through Napa Valley Subbasin GSP implementation, will develop an improved understanding of water use, including groundwater and interconnected surface water, and the various conservation measures that have been already or could be implemented by agriculture and other stakeholders to save water, help buffer drought year effects on natural resources, and support efforts to achieve watershed resiliency in a changing climate; and

WHEREAS, the STATE BOARD established the Supply and Demand Assessment Unit (SDA) in 2022 to develop water supply models and refine water demand data throughout California; and

WHEREAS, the STATE BOARD is developing an integrated hydrologic model for the main purpose of estimating available surface water throughout the Napa River Watershed. The estimated surface water from the hydrologic model can then be used in a water allocation tool to simulate how much of the watershed water demand can be met. The STATE BOARD is interested in coordinating with the NCGSA on use of the groundwater model portion of the NVIHM to better estimate available surface water in the Napa Valley Subbasin with consideration of groundwater discharged to surface water; and

WHEREAS, the President’s Council of Advisor’s on Science and Technology in *Improving Groundwater Security in the United States* (December 2024) emphasizes “collaborative efforts among state agencies, local governments, and stakeholders are crucial for developing and implementing effective management strategies”; and

WHEREAS, the Parties recognize that planning and actions to address current and future climate change impacts must be guided by the best available science, including state and local knowledge and the best available local data to coordinate activities for the development and use of modeling tools to assess

interconnected surface water and groundwater conditions in the Napa River Watershed; and

WHEREAS, the Parties recognize the importance of collaborative efforts to effectively communicate the work occurring to advance our understanding of interconnected surface water and groundwater conditions and water resources management, including water conservation and pumping reduction, needed to enhance stewardship of ecosystems in the Napa River Watershed; and

WHEREAS, the STATE BOARD'S use of the groundwater portion of the NCGSA's NVIHM model does not replace the suitability and utility of the complete NVIHM for Napa Valley Subbasin GSP purposes or other countywide water resources management applications; and

WHEREAS, the Parties now wish to enter this MOU to set forth cooperative sharing of data and information, as well as community outreach, including roles and responsibilities of the Parties for outreach, engagement, and education efforts to accomplish increased water conservation throughout Napa County for the benefit of present and future generations and in consideration of public trust principles.

NOW, THEREFORE, COUNTY, NCGSA, and STATE BOARD agree to the following sharing and coordination:

1. The STATE BOARD's consultant will implement the attached Napa River groundwater modeling workplan addendum.
2. The NCGSA will provide the STATE BOARD with the groundwater portion of its NVIHM (groundwater component of the MODFLOW-One Water Hydrologic Model, NVIHM version 1) to couple with the STATE BOARD's hydrologic model. Preliminary results of the STATE BOARD model (including the subsurface conceptualization, aquifer parameterization, calibration, and water budget details) will be shared at completion of each model development milestone with the COUNTY, NCGSA, and technical consultants during development.
3. The STATE BOARD will hold meetings to provide updates on its progress at Napa County Technical Advisory Group meetings, as requested
4. The STATE BOARD will hold meetings with the public as appropriate (e.g., at completion of the workplan, new model updates including NVIHM version 2).
5. The STATE BOARD, COUNTY, and NCGSA staff will continue to engage in an open data sharing relationship and meet as necessary to coordinate their modeling efforts.
6. This MOU may be amended only by mutual written agreement of all the Parties. This MOU shall commence upon the signatures of all Parties involved,
7. This MOU may be terminated by mutual written consent of all the Parties. A Party may terminate its participation in this MOU upon 60 days written notice to the other cooperating Parties.
8. This MOU may be executed in multiple counterparts, each of which will be deemed an original but all of which taken together will constitute one and the same instrument.

[Signature pages follow]

IN WITNESS WHEREOF, this MOU was executed by the Parties hereto as of the last date of execution below.

**NAPA COUNTY GROUNDWATER
SUSTAINABILITY AGENCY**

By: _____
Anne Cottrell, Chair
NCGSA Board of Directors

“NCGSA”

NAPA COUNTY, a political subdivision of the
State of California:

By: _____
Anne Cottrell, Chair
Board of Supervisors

“COUNTY”

APPROVED AS TO FORM Office of County Counsel By: <i>Chris R.Y. Apallas</i> Deputy County Counsel Date: <u>April 17, 2025</u>	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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**STATE WATER RESOURCES CONTROL
BOARD**



Erik Ekdahl
Deputy Director for the Division of Water Rights

April 22, 2025
(Date)