

RESOLUTION NO. _____

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS ADOPTING
THIS HUMAN RIGHT TO WATER POLICY INCLUDING PROTECTION OF
PUBLIC HEALTH, THE ENVIRONMENT CONSISTENT WITH PUBLIC TRUST
PRINCIPLES, AND ALL BENEFICIAL USES, TO ENSURE PRUDENT WATER
RESOURCE MANAGEMENT AND EFFICIENT USE, FOR THE BENEFIT OF
PRESENT AND FUTURE GENERATIONS**

WHEREAS, on September 26, 2012, Governor Jerry Brown signed Assembly Bill 685 (AB 685) establishing a state policy that every human being has a human right to safe, clean, affordable, and accessible drinking water; and

WHEREAS, California Assembly Bill 685, colloquially known as the Human Right to Water Bill, went into effect on January 1, 2013; and

WHEREAS, AB 685 added California Water Code section 106.3 to the, which provides, in part, “It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.”; and

WHEREAS, the State Water Resources Control Board expanded the scope of its public health responsibility when, on February 3, 2015, the Board clarified and revised its mission statement as follows: “To preserve, enhance, and restore the quality of California’s water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.” The Board adopted the Human Right to Water as a core value on February 16, 2016 (Resolution No. 2016-0010); and

WHEREAS, in accordance with California Water Code section 106.3, in April 2021, the Department of Water Resources (Department) incorporated the human right to water into departmental policy to further the Department’s mission to manage the water resources of California for sustainability and resilience to benefit the State’s people and environment and establish that the Department shall implement the Human Right to Water Policy (Policy). Among other actions, the Department will assess and understand the impact and vulnerabilities of water access and affordability, inclusive of, but not limited to social, economic, environmental, and public health factors; 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 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 Board of Supervisors desires to formally recognize the Human Right to Water Policy set forth in Water Code section 106.3; and

WHEREAS, the Board of Supervisors further desires that County policies and actions consider protection of the environment, public health, and all beneficial uses, including public trust principles and prudent water resource management and efficient use, for the benefit of present and future generations; and

WHEREAS, the Board of Supervisors further desires to declare that this Policy extends to all residents of Napa County, including disadvantaged individuals, groups and communities in rural and urban areas; and

WHEREAS, this Policy is not intended to expand any obligation of the County to provide water, to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to law, or to apply to water supplies for new development; and

WHEREAS, the implementation of this Policy shall not infringe on the rights or responsibilities of any public water system; and

WHEREAS, through this Policy, the County intends to establish safe and clean water for human use as county policy and intends for this Policy to inform the County when implementing policies and regulations affecting water supply reliability and water resources sustainability and to protect domestic wells and water systems, and to protect 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.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors hereby adopts this Human Right to Water Policy and directs that other County policies and actions consider protection of public health, environmental protection consistent with public trust principles, and to ensure prudent water resource management and efficient use for the benefit of present and future generations while not impacting water rights or expanding or creating new county obligations.

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

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

ABSTAIN: SUPERVISORS _____

ABSENT: SUPERVISORS _____

NAPA COUNTY BOARD OF SUPERVISORS

By: _____
 RYAN GREGORY, Chair of the
 Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: <i>Chris R.Y. Apallas</i> Date: November 30, 2022 Doc. No. 84291	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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