Napa County

Board of Supervisors Chambers 1195 Third Street, Third Floor Napa, CA 94559



Agenda

*Consolidated

Tuesday, May 30, 2023 9:00 AM

Board of Supervisors Chambers 1195 Third Street, Third Floor

Board of Supervisors

Joelle Gallagher, District 1 Ryan Gregory, District 2 Anne Cottrell, District 3 Alfredo Pedroza, District 4 Belia Ramos, District 5

* This is a simultaneous meeting of the Board of Supervisors of Napa County, Napa County Public Improvement Corporation, Silverado Community Services District, Monticello Public Cemetery District, In-Home Support Services Public Authority of Napa County, Lake Berryessa Resort Improvement District, Napa Berryessa Resort Improvement District, Napa County Housing Authority, and the Napa County Groundwater Sustainability Agency.

www.countyofnapa.org

GENERAL INFORMATION

The Board of Supervisors meets as specified in its adopted annual calendar on Tuesdays at 9:00 A.M. in regular session at 1195 Third Street, Suite 310, Napa, California 94559. The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the Clerk of the Board of the Napa County Board of Supervisors. Requests for disability related modifications or accommodations, aids or services may be made to the Clerk of the Board's office no less than 72 hours prior to the meeting date by contacting (707) 253-4580.

The agenda is divided into three sections:

CONSENT ITEMS - These matters typically include routine financial or administrative actions, as well as final adoption of ordinances that cannot be both introduced and adopted at the same meeting. Any CONSENT ITEMS can be discussed separately at the request of any person. CONSENT ITEMS are usually approved with a single motion.

SET MATTERS - PUBLIC HEARINGS - These items are noticed hearings, work sessions, and items with a previously set time.

ADMINISTRATIVE ITEMS - These items include significant policy and administrative actions and are classified by program areas. Immediately after approval of CONSENT ITEMS if the time for hearing SET MATTERS has not arrived, ADMINISTRATIVE ITEMS will be considered.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection after the meeting. Availability of materials related to agenda items for inspection does not include materials which are exempt from disclosure under the California Government Code.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD:

ON A MATTER ON THE AGENDA

Please proceed to the podium when the matter is called and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board, but is generally limited to three minutes.

ON A MATTER NOT ON THE AGENDA

Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of Napa County and its related districts and agencies. Public comment is limited to three minutes per speaker. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. The Board is here to listen to everyone who wishes to address them, but everyone has the responsibility to act in a civil manner. Please remember this meeting is being recorded and broadcast on live television. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Board from taking any action today on matters raised during public comment.

How to Watch or Listen to the Napa County Board of Supervisors Meetings

The Napa County Board of Supervisors will continue to meet pursuant to the annually adopted meeting calendar available at the following link:

https://www.countyofnapa.org/1429/Board-of-Supervisors-Special-Districts-C

The Board realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Board of Supervisors reserves the right to conduct the meeting without remote access.

Please watch or listen to the Board of Supervisors meeting in one of the following ways:

- 1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa Suite 305.
- 2. Watch via YouTube at https://www.youtube.com/@NapaCounty/streams.
- 3. Watch online at https://napa.legistar.com/Calendar.aspx (click the "In Progress" link in the "Video" column).
- 4. Watch on Napa Valley TV Channel 28.
- 5. Watch on Zoom via www.zoom.us/join (Meeting ID: 842-343-169) or listen on Zoom by calling 1-669-900-6833 (Meeting ID: 842-343-169).

If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:

- 1. Leave a voice mail on the public comment line at 707-299-1776 (comments will be limited to three minutes).
- 2. Email your comment to publiccomment@countyofnapa.org.

Your comment will be shared with all members of the Board of Supervisors.

For more information, please contact the Clerk of the Board's office at 707-253-4580 or email clerkoftheboard@countyofnapa.org.

- 1. CALL TO ORDER; ROLL CALL
- 2. PLEDGE OF ALLEGIANCE
- 3. APPROVAL OF MINUTES
- 4. PRESENTATIONS AND COMMENDATIONS
- 5. DEPARTMENT HEAD REPORTS AND ANNOUNCEMENTS
- 6. CONSENT ITEMS SPECIAL DISTRICTS
- 7. CONSENT ITEMS
- 8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS
- 9. PUBLIC COMMENT
 For all matters not listed on the agenda but within the jurisdiction of the Board of Supervisors and Special Districts. (see page 1)
- 10. ADMINISTRATIVE ITEMS SPECIAL DISTRICTS
- 11. ADMINISTRATIVE ITEMS

County Executive Office

A. Interim County Executive Officer, acting as the Director of Emergency Services, requests adoption of a Resolution (see Attachment 1) terminating the State of Local Emergency due to drought conditions that are occurring in Napa County. (CONTINUED FROM MAY 16, 2023)

<u>23-0913</u>

Attachments: Resolution

Figure 1
Figure 2
Figure 3

- 12. SET MATTERS OR PUBLIC HEARING SPECIAL DISTRICTS
- 13. SET MATTERS OR PUBLIC HEARINGS
- 14. LEGISLATIVE ITEMS
- 15. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS
- 16. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS
- 17. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

18. CLOSED SESSION

A. (i) PUBLIC EMPLOYEE APPOINTMENT

23-0961

(Government Code Section 54957(b)(1))

Title: County Executive Officer

(ii) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency Representative: Human Resources Director Unrepresented Employee: County Executive Officer

19. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, JUNE 6, 2023 AT 9:00 A.M.

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON FRIDAY, MAY 26, 2023 BY 5:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE BOARD OF SUPERVISORS AND AVAILABLE FOR PUBLIC INSPECTION.

Neha Hoskins (By e-signature)

NEHA HOSKINS, Clerk of the Board



Napa County

Board Agenda Letter

1195 THIRD STREET SUITE 310 NAPA, CA 94559 www.countyofnapa.org

Main: (707) 253-4580

Board of Supervisors Agenda Date: 5/30/2023 File ID #: 23-0913

TO: Board of Supervisors

FROM: David Morrison - Interim County Executive Officer

REPORT BY: Kendra Bowyer - Emergency Services Officer

SUBJECT: Adoption of a Resolution Terminating the State of Local Emergency Due To

Drought Conditions

RECOMMENDATION

Interim County Executive Officer, acting as the Director of Emergency Services, requests adoption of a Resolution (see Attachment 1) terminating the State of Local Emergency due to drought conditions that are occurring in Napa County. (CONTINUED FROM MAY 16, 2023)

EXECUTIVE SUMMARY

On March 8, 2022, the Board of Supervisors proclaimed a State of Local Emergency due to drought conditions in Napa County, pursuant to Resolution No. 2022-29. Government Code section 8630(c) requires local agencies to revisit proclamations of local emergency at least once every 60 days until the local emergency is terminated.

PROCEDURAL REQUIREMENTS

- 1. Staff reports.
- 2. Public comments.
- 3. Motion, second, discussion and vote on the item.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? Yes Is it currently budgeted? No

Where is it budgeted? If costs are incurred as a result of the drought staff will return to

the Board with any appropriation increases.

Is it Mandatory or Discretionary?

Discretionary

Is the general fund affected? No

Board of Supervisors	Agenda Date: 5/30/2023	File ID #: 23-0913	
Future fiscal impact:	Ongoing drought conditions and related emergency response actions may result in future fiscal impacts to the County. Drought cycles historically last for several years		
Consequences if not approved:	If the resolution is not adopted the County may not be eligible for emergency response funding from the State.		
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit		

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: This proposed activity is not subject to CEQA pursuant to CEQA Guidelines section 15060(c)(3) because the activity is not a project pursuant to section 15378, and because it will not result in a direct or reasonably foreseeable indirect physical change in the environment pursuant to section 15060(c)(1).

BACKGROUND AND DISCUSSION

On May 10, 2021, the Governor issued a Proclamation of a State of Emergency declaring drought in several counties, including Napa. On March 8, 2022, the Board of Supervisors proclaimed a State of Local Emergency due to drought conditions in Napa County, pursuant to Resolution No. 2022-29. Since October 1, 2022, Napa has received nearly 32 inches of rain, which exceeds the normal Napa Valley annual rainfall for the water year and community members have asked if the region is still in a drought and whether an emergency is still needed. While drought conditions have ended, a significant need to continue groundwater management efforts still exists.

Drought Status

According to the US Drought Mitigation Center (https://droughtmonitor.unl.edu/), there are currently no drought conditions within Napa County. As explained below, although the three-year drought has ended, there are still adverse conditions that will continue to affect the Napa Valley groundwater subbasin.

Warming, Variable Weather

The first recorded six-year drought in California history was from 1987-1993. Since then, there was a five-year drought in 2012-2017, as well as two three-year droughts in 2007-2009 and 2020-2022. These events are part of a changing California climate where "we are experiencing extreme, sustained drought conditions in California and across the American West caused by hotter, drier weather. Our warming climate means that a greater share of the rain and snowfall we receive will be absorbed by dry soils, consumed by thirsty plants, and evaporated into the air" (California's Water Supply Strategy, Adapting to a Hotter, Drier Future. Governor's Office, August 2022).

Napa County is experiencing these same weather extremes. Attachments 2 and 3 show Napa Valley groundwater pumping, temperature, and evaporative drought demand for the period from 1988 to 2022; all of these parameters show increasing trends, especially during the recent hotter, drier years. During eight of the past ten years, dry to very dry conditions occurred, while only two years were wet to very wet. Concurrently, the evaporative drought demand -- a thirstier atmosphere - was observed in eight of those years. Temperatures, relative to the 20th century average, have increased since the 1960s.

The patterns of rainfall also have implications. Water Year 2022 (October 1, 2021 to September 30, 2022) received nearly 22 inches or 79 percent of the average rainfall and the timing of the precipitation was highly abnormal with much of the precipitation occurring during Fall 2021. January through March 2022 were very dry months, and very little precipitation occurred the remainder of the year, resulting in increased groundwater pumping to compensate.

Preliminary Data for Water Year 2023

The Napa Valley groundwater subbasin is highly sensitive to weather extremes. Recent Spring 2023 groundwater level measurements for wells in the Napa Valley Subbasin Groundwater Sustainability Plan (GSP) monitoring network indicate that notable increases in groundwater levels have occurred across much of the Subbasin since Spring 2022. However, these increases, while highly encouraging, are not sufficient to address requirements as adopted by the County Supervisors in their role as the Groundwater Sustainability Agency (GSA).

A total of 27 groundwater level Representative Monitoring Site (RMS) wells are included in the GSP. These wells have Sustainable Management Criteria (SMC) that are used to define when groundwater conditions are causing Undesirable Results in the Subbasin. In turn, Minimum Thresholds (MTs) define the numeric thresholds for groundwater conditions that may lead to Undesirable Result. Under the Sustainable Groundwater Management Act of 2014 (SGMA), Undesirable Results are defined for each of six sustainability indicators in the GSP. This system of criteria, thresholds, and results are used to support Measurable Objectives which establish specific, quantifiable goals for the maintenance or improvement of the groundwater conditions to achieve the sustainability goal for the basin.

Although many of the RMS wells measured in Spring 2023 contain higher groundwater levels than in Spring 2022, projections of potential groundwater level conditions in Fall 2023 suggest groundwater levels in three of the wells may fall below the MT values and almost half will fail to meet the Measurable Objective values.

While the wetter winter of 2022-2023 appears to have achieved a notable recovery in groundwater levels since 2022; this alone is unlikely to be sufficient to maintain the resilience of Subbasin water resources due to future

climatic uncertainty and variability. As a very recent example, Water Year 2022 precipitation replenished only a portion of the groundwater storage depleted in 2020 to 2021; the cumulative volume of groundwater in storage was still significantly depleted at -14,370 acre-feet (see Attachment 4). To date in Water Year 2023, with the recent rains and total precipitation of 32 inches, groundwater in storage increased by about 18,000 acre-feet. As of Spring 2023, the cumulative groundwater storage change is about + 4,800 acre-feet; however, the four-month period remaining in Water Year 2023 is when most groundwater extraction (with little recharge) will occur. These anticipated groundwater extractions average approximately 18,150 acre-feet annually (based on 2015-2022 total annual pumping) and will reduce groundwater storage.

Under the GSP, when a drought occurs, regulations require the GSA to demonstrate how extractions and recharge will be managed as necessary to ensure that reactions in groundwater levels or storage during a drought are offset by increases in groundwater levels or storage during other periods within the SMC for the chronic lowering of groundwater levels. The recent precipitation events and natural recharge have shifted the Subbasin from a depleted condition (negative cumulative storage volume) to a positive cumulative storage volume at this time, which helps to demonstrate the potential replenishment that can be achieved when a very wet year occurs. However, it is still incumbent on the GSA to demonstrate how extractions through the balance of the water year will be managed to avoid Undesirable Results.

The spring groundwater level dataset is just one of many datasets, including the groundwater levels outside of the Subbasin, used to evaluate groundwater conditions over the course of a water year. Other analyses to determine whether undesirable results will persist for interconnected surface water cannot be completed until after the end of Water Year 2023. Based on experience from prior years, it is expected that the Undesirable Result for reduction in groundwater storage will persist until further replenishment of the groundwater basin occurs and there is less groundwater extraction.

Undesirable Results in Water Years 2021 and 2022 and Response Actions

Just as the groundwater subbasin responds rapidly to a wet year, it responds rapidly to drought. At the conclusion of Water Year 2022, more than 40 percent of the RMS sites in the GSP groundwater level monitoring network exceeded MTs. More importantly, two Undesirable Results occurred - depletion of interconnected surface water and a reduction in groundwater storage. The weather extremes and corresponding adverse effects have demonstrated the vulnerability of the Subbasin to climate change. Circumstances in the Subbasin leading to these Undesirable Results prompt the need to address these undesirable conditions and require management by the GSA to help the subbasin become sustainable.

Groundwater Management Activities to Address Deficiencies and Achieve Sustainability

GSP implementation includes ongoing assessment, monitoring, analysis, and actions to avoid Undesirable Results and ensure sustainability. Four workplans, enhanced by the expertise of the Napa County Technical

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Advisory Group (TAG), guide implementation of the GSP management actions. The plans include:

- 1. Stormwater Resource Plan (completed)
- 2. Interconnected Surface Water and GDEs Workplan (Fall 2023)
- 3. Napa County Vineyard, Winery and Other Water Conservation Workplan (Fall 2023)
- 4. Groundwater Pumping Reduction Workplan (Fall 2023)

On June 7, 2022, the County Board of Supervisors adopted a reduced water use criterion and reinforced considerations of mutual well interference and interconnected surface water and groundwater, where the latter considerations were already included in the 2015 Water Availability Analysis (WAA). These requirements were not put in place as a result of the State of Local Emergency. A range of factors resulted in the change to the water use criterion:

- MT exceedances and a reduction in groundwater storage that had already occurred in Water Year 2021
- Governor's Executive Order (EO) (N-7-22) and updated as (EO) (N-3-23) on February 13, 2023
- Compliance with California Water Code §106.3
- Recent court decisions including public trust considerations
- County's mission to manage the water resources within the County for sustainability and resilience to benefit the County's beneficial users
- Napa Valley Subbasin GSP sustainability goal

Although the Governor, through EO N-5-23, rolled back some of the drought emergency provisions in late March 2023, due to current water conditions, the Governor's Emergency Order remains in place and the remaining criteria for the County's action remain. The reduced water use criterion currently in effect (0.3 acrefeet per acre for new wells in the Subbasin) may be adjusted up or down in the future, as the County's Groundwater Ordinance and updates to the WAA are considered, the three groundwater management workplans underway are completed, and pending information from ongoing monitoring and analysis of the sustainable management criteria becomes available.

Navigating the New Normal

The Governor's office continues to emphasize that "while recent storms have helped ease drought impacts, regions and communities across the state continue to experience water supply shortages, especially communities that rely on groundwater supplies that have been severely depleted in recent years." The Governor's office also stated that "next winter's hydrology is uncertain and the most efficient way to preserve the State's improved surface water supplies is for Californians to continue their ongoing efforts to make conservation a way of life" (EO N-5-23). On March 28, 2023, a presentation to the Napa County GSA on the

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Water Year 2022 Annual Report concluded with the recommendation --whether it's drought or deluge - that "conservation be a Napa way of life."

During the May 11, 2023 Napa County Technical Advisory Group (TAG) meeting, the TAG members provided feedback on GSP implementation efforts, including their perspectives on climate change adaptation and building resiliency to climate variability and future drought. The following key points from those deliberations follow.

- 1. The need for conservation will not go away.
- 2. There is a need to think beyond just water conservation towards building a buffer and resilience.
- 3. During wet years it is important to hold some water over either in the ground or in surface water for sustaining the drier years.
- 4. Conservation is an ongoing effort that does not depend on the type of water year.
- 5. The County should think beyond SGMA and instead look at managing the water for many, many decades to come.
- 6. The groundwater and interconnected surface water system is very responsive; it is a system that receives some amount of recharge annually during the rainy season and then that water is extracted and used in the dry season; however, we just don't have that much reservoir storage capacity or even groundwater storage capacity, so there is a need for behavior change.

Staff believe that future water management will require building climate resiliency through public education and outreach, expanding water conservation across all sectors, facilitating recharge and use of alternative water sources to help mitigate drought effects, and developing tools and technologies to refine water management strategies. In addition to completing the above workplans, updating the WAA, and revising the Groundwater Ordinance, staff is preparing the SB 552 Drought Resilience Plan and is working with local jurisdictions on preparing a Regional Climate Action Plan - all of which will inform the BOS/GSA about potential water management approaches to build and improve climate resiliency.

Drought Emergency

Government Code section 8630(c) requires local agencies to revisit proclamations of local emergency at least once every 60 days until the local emergency is terminated. During the State of Local Emergency, the powers, functions and duties of the Director of Emergency Services and the emergency organization of the County shall be those prescribed by state law, and by ordinance and resolution of Napa County.

Based on current ground and surface water conditions, staff recommends terminating the drought State of

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Emergency.

NAPA COUNTY RESOLUTION NO. _____

RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, PROCLAIMING THE TERMINATION OF THE STATE OF LOCAL EMERGENCY DUE TO THE 2021-2022 DROUGHT

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, local agencies must revisit a state of local emergency every 60 days pursuant to California Government Code section 8630(c); and

WHEREAS, on March 24, 2023, the Governor rolled back most drought emergency provisions implemented in 2021 due to current water conditions, though Executive Order N-5-23; and

WHEREAS, according to Executive Order N-5-23, the March 3, 2023, snow survey conducted by the Department of Water Resources and partner agencies found that most regions of the Sierra Nevada are above average for snow water content, and some regions are nearing record amounts of snow; and

WHEREAS, Napa County has received at least 32 inches of rain since October 1, which exceeds our normal annual rainfall for the water year; and

WHEREAS, the U.S. Drought Monitor data from the National Drought Mitigation Center no longer classifies Napa County as experiencing drought; and

WHEREAS, local agencies must terminate a state of local emergency once conditions warrant, pursuant to California Government Code section 8630(d);

NOW, THEREFORE, **BE IT RESOLVED** by the Napa County Board of Supervisors, that the state of local emergency due to the 2021-2022 drought is hereby terminated.

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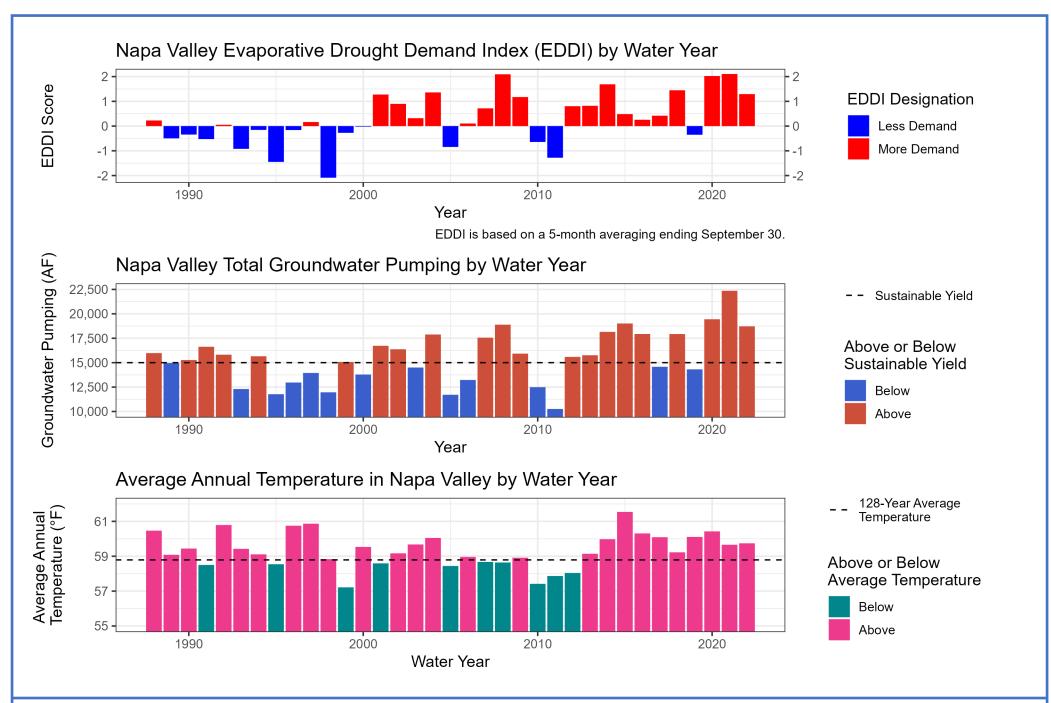
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PL Doc. No. 91683

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 30th day of May, 2023, by the following vote:

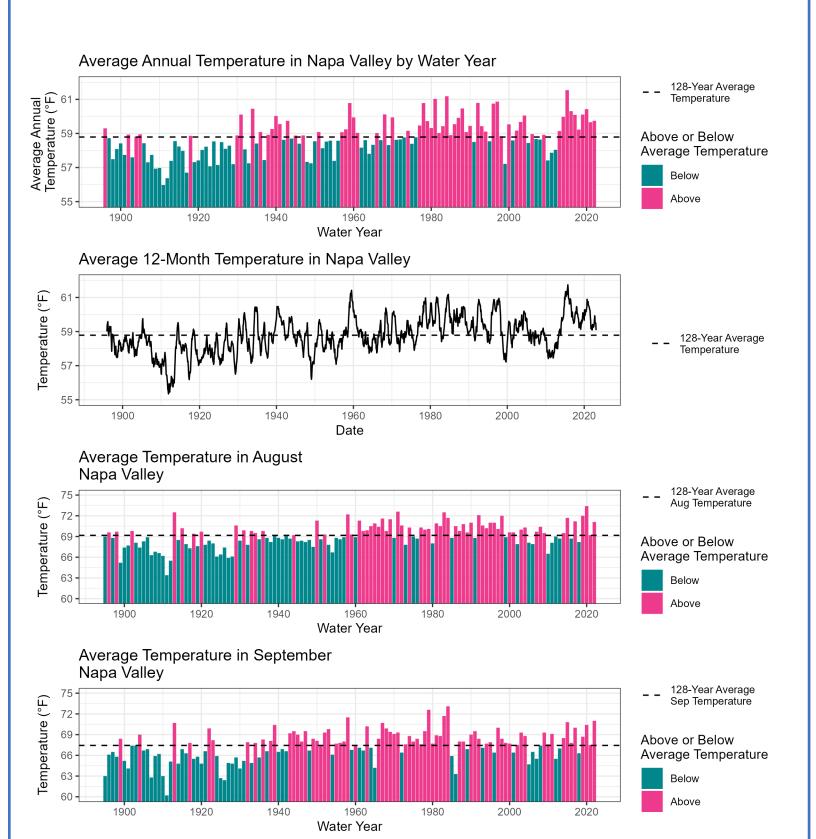
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	NOES:	SUPERVISORS		
	ABSTAIN:	SUPERVISORS		
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BELIA RAMOS, Chair of the			OS, Chair of the	
		Board of Supervisors		
	AS TO FORM unty Counsel	APPROVED BY THE N BOARD OF SUPE		ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors
				Clerk of the Board of Supervisors
By: <u>Thomas C</u> Deputy Cor	C. Zeleny unty Counsel	Date:Processed By:		By:
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Date: May 2 PL Doc. No. 9168		Deputy Clerk of the Boar	d	





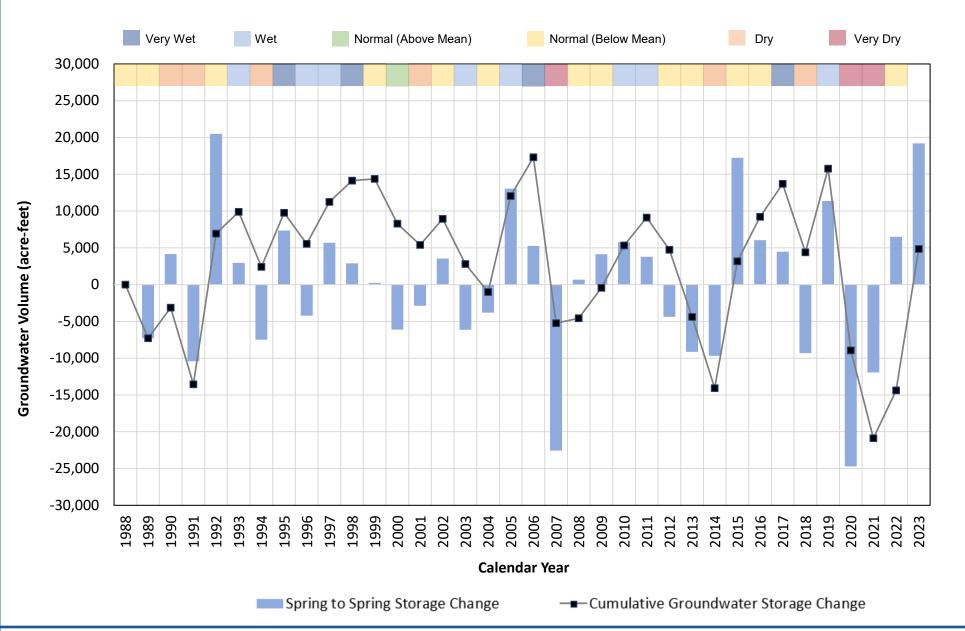
Napa Valley Evaporative Drought Demand Index, Pumping, and Temperature Summary from 1988 – 2022

Figure 1





Napa Valley Temperature Record From 1895 to 2022



2022\22-042 Napa County - Napa Valley Subbasin GSP Implementation 3-Years Technical Services\GIS\GW_Storage_calcs\Change_in_GW_Storage_Results_20230518.x



Napa Valley Subbasin Estimated Groundwater Storage Change from Groundwater Levels (Spring to Spring)

Groundwater storage change - Updated 05/18/2023

Figure 3



Napa County

Board Agenda Letter

1195 THIRD STREET SUITE 310 NAPA, CA 94559 www.countyofnapa.org

Main: (707) 253-4580

Board of Supervisors Agenda Date: 5/30/2023 File ID #: 23-0961

TO: Board of Supervisors

FROM: David Morrison - Interim County Executive Officer

REPORT BY: Neha Hoskins - Clerk of the Board

SUBJECT: County Executive Officer Position

RECOMMENDATION

(i) PUBLIC EMPLOYEE APPOINTMENT

(Government Code Section 54957(b)(1))

Title: County Executive Officer

(ii) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency Representative: Human Resources Director

Unrepresented Employee: County Executive Officer