



-- DRAFT ACTION MINUTES --

AGENDA

SPECIAL MEETING

Thursday, November 3, 2016, 3:00 p.m.

Napa County Office of Education
2121 Imola Avenue, Napa CA 94559

--- Note Special Meeting Location ---

Board of Directors

- Susan Boswell
Tosha Comendant
Diane Dillon
Marita Dorenbecher
Jeri Gill
David Graves
Gary Kraus
Jason Lauritsen
Kenneth Leary
Gretchen Stranzl
McCann
Alfredo Pedroza
Brent Randol
Kimberly Richard
Scott Sedgley
Pamela Smithers
Peter White

Alternates

- Keith Caldwell
Barry Christian
Paul Dohring
Richard Hall
Irais Lopez-Ortega
Mary Luros
Belia Ramos

Staff

Patrick Lowe,
Secretary
Natural Resources
Conservation Mgr.,
Public Works

Jeff Sharp,
Principal Planner,
Public Works

Robert C. Martin,
Legal Counsel
Deputy Counsel,
County Counsel's
Office

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Napa, CA
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1. CALL TO ORDER AND ROLL CALL (Chair)

David Graves (as Vice Chair) called the meeting to order.

Members Present: Tosha Comendant, Marita Dorenbecher, Jeri Gill, David Graves, Gary Kraus, Alfredo Pedroza, Brent Randol, Kimberly Richard, Scott Sedgley, Pamela Smithers, Peter White

Members excused: Susan Boswell, Diane Dillon, Jason Lauritsen, Kenneth Leary, Gretchen Stranzl, McCann

Members absent: None

Staff present: Patrick Lowe, Jeff Sharp, Chris Apallas

2. APPROVAL OF ACTION MINUTES from September 22, 2016 (Chair) (2 min)

Approved as presented.

Table with 15 columns: SB, TC, DD, MD, JG, DG, GK, JL, KL, GSMC, AP, BRI, KR, SS, PS, PW. Row 1: E, E.

3. PUBLIC COMMENT - In this time period, anyone may comment to the Council regarding any subject over which the Council has jurisdiction, or request consideration to place an item on a future Agenda. No comments will be allowed involving any subject matter that is scheduled for discussion as part of this Agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Council as a result of any item presented at this time. (Chair)

Gary Margadant, Mt. Veeder Rd., thinks the WICC should look into the flow bypass requirements for dams for Conn, Rector and Bale creeks and believes the municipalities should release water to keep the stream from going dry. Mr. Margadant ask how many of the Council and public rely upon a wells for their water.

Gordon Evans, Atlas Peak Rd., announced that he emailed a letter to the Council addressing his concerns from the September 22nd meeting. Mr. Evans appreciated those who have responded. Mr. Evans said that swimming holes are dry/shallow or covered with algae and that you can no longer kayak the river and that Chinook salmon could be seen from the Zinfandel Lane bridge. Mr. Evans said that the hillsides were mostly lush woodlands dotted with modest vineyards. Now Mr. Evans says that deforestation, runoff and siltation and over-pumping of groundwater has

*devastated our riparian areas that were once the Napa River and led to loss of flora and fauna and carbon sequestration. Mr. Evans said the title of WICC includes the words watershed and conservancy and not to lose sight of those words when making recommendations on the Sustainable Groundwater Management Act (SGMA) alternative to the Board of Supervisors.*

*Chris Malan, Atlas Peak Rd., presented an SF Chronicle article “Fisheries Hit Hard by Vast Sea Change.” Ms. Malan said the SF Bay Estuary is a premier estuary. Ms. Malan says we can no longer recreate in the upper reaches of the Napa River because there is no water, or if there is water, it is polluted pools. Ms. Malan said she could kayak the river seven years ago and that it is not possible today. Ms. Malan says that everyone who lives in Napa is responsible for what happens to the bay and that there is a law that says the municipalities should be releasing water below their dams.*

*Pam Smithers clarified that the WICC will not be making recommendations today but is rather serving as a conduit for public comments and discussion on the SGMA process and Basin Analysis Report. Gordon Evans responded that he only wanted to paint a historical picture and what has transpired overtime. Ms. Smithers said everyone is welcome to comment individually. Patrick Lowe added that the WICC’s role is community education and outreach related to groundwater and that is why the discussion on SGMA and the Basin Analysis Report is setup in a workshop format.*

*Scott Sedgley added that the members of the Council take what they hear at these meetings back to their respective organizations and municipalities, and are effective at that level to lobby for things to happen.*

**4. PUBLIC WORKSHOP: PRESENTATION, DISCUSSION AND PUBLIC COMMENT ON THE:  
NAPA VALLEY GROUNDWATER SUSTAINABILITY – A BASIN ANALYSIS REPORT FOR THE NAPA VALLEY  
GROUNDWATER SUBBASIN (DRAFT PLAN) (APPROX. 2 HRS 30 MINS)**

Napa County and its consultants have completed work on a Basin Analysis Report to meet the requirements of the California Sustainable Groundwater Management Act (SGMA). The report is a sustainability alternative defined under SGMA. The *Napa Valley Groundwater Sustainability – A Basin Analysis Report for the Napa Valley Subbasin*, provides an analysis of the basin demonstrating it has operated within its sustainable yield for a period of 10 years or more and is being managed consistent with the goals of SGMA and California Department of Water Resources regulations.

The WICC is providing this workshop to update the community on the County’s SGMA implementation efforts and to provide an opportunity for community input.

Public Workshop

1. Brief overview of SGMA and Local Implementation
2. Presentation and Review of the Basin Analysis Report
3. Comments and Questions from the Council and Public
4. Next Steps

*David Graves introduced the workshop and provided two quotes for the Council/public to ponder, regarding the use of models to help our understanding, and that there will be additional opportunities for comments on the plan (report) once it goes to the State Department of Water Resources for review and acceptance. Mr. Graves gave an overview of the workshop format and introduced Patrick Lowe.*

*Alfredo Pedroza assured everyone that there will be another opportunity to comment on the process and report when it is presented to the Board of Supervisors on December 13<sup>th</sup>.*

Patrick Lowe announced the availability of items around the room, including: signup sheets, speaker cards, FAQs, response to comments document, display maps locating the subbasin, a hard-copy of the draft report, information about the self-monitoring program and equipment available to well owners. Mr. Lowe reviewed the purpose of the workshop and provided the Council with an overview of the Sustainable Groundwater Management Act (SGMA) and timeline, the basin prioritization process conducted by State Department of Water Resources (DWR), the location of the Napa Valley Subbasin, what Groundwater Sustainability Agencies (GSA) and Plans (GSP) include, and what an alternative submittal contains (for the Napa Valley Subbasin, the alternative is an analysis of basin conditions, i.e., the Basin Analysis Report). Mr. Lowe outlined the State's role in the process, summarized the County's groundwater planning, management and research since the 2008 General Plan, and discussed the County's groundwater level monitoring program and annual reporting. Mr. Lowe outlined next steps in the County's SGMA process, noting the draft report will be presented to the Board of Supervisors on December 13, 2016, for their review and approval to submit it to DWR prior to January 1, 2017. Mr. Lowe said the County's annual monitoring report should come out in April 2017, and model updates are planned for the County's DHI MIKESHE surface/groundwater model if funding assistance from the State can be obtained. Updates to the Basin Analysis Report would be due by 2022 and work would start right away on preparing updates to the report; which would involve bringing elements to the WICC for review and comment.

Chris Malan asked if questions asked today will be answered before December 13<sup>th</sup>. Mr. Lowe confirmed. Yes. Comments that can be addressed today will be answered and others will be addressed in the response to comments document.

Mr. Lowe noted that written comments on the draft report received through Wednesday, November 9<sup>th</sup> will be included in the response to comments document, which will be included in the Board of Supervisor's agenda packet for Board's December 13<sup>th</sup> meeting. Comments are welcome beyond the 9<sup>th</sup>, but agenda deadlines may limit the ability to address late comments in the response to comments document that will go to the Board of Supervisors.

Audience comment – asked for clarification of the model used by the County to look at the hydrologic impacts of vineyard development related to the general plan update. David Graves answered it was the MIKE SHE from DHI (Danish Hydrologic Institute). Mr. Lowe noted that information about that model is available in the technical appendices for the General Plan Update of 2008.

Audience comment – When the alternate plan (report) is submitted to the Board of Supervisors on December 13<sup>th</sup>, and if they choose not to submit it, running past the due date, what are the repercussions? Mr. Lowe responded saying an expedited path would be needed to create a groundwater sustainability agency (GSA) by June 30, 2017 and that interim eligibility for DWR grant funding could be lost. He added that staff would recommend submittal of the alternative plan regardless, because you are not precluded from forming a GSA at any time. Submittal would provide more time to form the GSA after the June 30<sup>th</sup> deadline if that is the wish of the Board of Supervisors.

Vicki Kretsinger Grabert, Luhdorff & Scalmanini Consulting Engineers (LSCE), provided a presentation outlining the prepared Basin Analysis Report (alternative to a GSP – analysis of conditions) and reviewed comments received to date and refinements made. Ms. Kretsinger reviewed the content requirements of an alternative GSP per state law. The report covers a longer base-period than required (28 yrs rather than 10) and illustrates sustainable groundwater conditions within the Napa Valley Subbasin. The report is very large and compiles groundwater work conducted over the past seven plus years. The report contains objectives and goals and sets thresholds and metrics to measure and monitor groundwater sustainability into the future. 113 wells are currently included in the monitoring program. Conditions in the main valley Subbasin (in the alluvium) have been stable overall for decades. In general, the spring depth to groundwater on the valley floor is relatively shallow (10-30'), exhibiting conditions of a full basin. There is an interaction between surface and groundwater, connectivity of which varies spatially along the river system and by time of year. The river has had no-flow days documented as far back as the 1930's, mostly associated with periods of dry (drought) years and dry periods within individual years (seasonally). Groundwater does contribute to the

*total volume of stream flow. The Napa River system is sensitive to climatic changes/variability through changes in precipitation.*

*Reid Bryson, Luhdorff & Scalmanini Consulting Engineers (LSCE), defined sustainability according to SGMA regulations and reviewed the scale of the analysis conducted for the report, including setting the base period, establishing the water budget and components of various model inputs to test past and future sustainability of the Subbasin. Annual variations in the Subbasin are driven by precipitation, upland runoff and streamflow. The long-term net average annual storage of the Subbasin is positive at 5,900 AFY (modeled from 1988 to current). A future modeling scenario was also evaluated for 2016-2025. Sustainable yield is not a fixed number and can vary from year to year and overtime. Estimated sustainable yield for the Subbasin (based upon observed pumping) has been in the range of 17,000-20,000 AFY.*

*Ms. Kretsinger reviewed other chapters in the report and discussed the establishment of sustainability indicators and required quantifiable metrics to set minimum thresholds and measurable objectives to avoid “causing undesirable results.” The “depletion of surface water” is a key sustainability metric for the Napa River system. Fall groundwater elevation levels serve as good proxies for minimum stream flow objectives and thresholds, and serve as proxies for other sustainability indicators. The goal would be to meet or exceed a set range of measurable objectives to maintain or improve groundwater conditions. Annual reports are required as part of the new SGMA regulations, much of which is already being done and will continue into the future. Annual reports by the County will cover the entirety of the County and not just the Napa Valley Subbasin. Every five years a more comprehensive assessment is required under SGMA. Best management practices are included in the report and will be updated with new BMPs now under development at DWR. Table 10-1 in the report provides a set of recommendations to maintain and protect groundwater sustainability and improve our understanding of the groundwater system. Next steps include responding to comments received, preparation of a final draft Basin Analysis Report, presentation of that report to the Board of Supervisors on December 13<sup>th</sup> and submittal of the final report to DWR before January 1<sup>st</sup>.*

*Mike Hackett asked what assumptions were used to determine the future scenario in the report. Mr. Bryson said that the future scenario was based upon modeled precipitation, evapotranspiration, and current and projected land use in the Napa Valley Subbasin.*

*David Graves mentioned the code reference to the SGMA regulations for those interested in reading it – CA Code of Regulations (CCR) Title 23 Division 2 Chapter 1.5 Subchapter 2.*

*Chris Benz, Napa Sierra Club, expressed appreciation for the work that went into the analysis. Ms. Benz commented on the discrepancy between the calculated water budget showing an increase of 6,000 AFY and what is observed which is stable groundwater levels and that there is significant uncertainty of the upland runoff, surface water outflow and baseflow components of the model. Can you give us an idea of how much uncertainty there is in the estimates (+ or – how many AFY)? What type and location of additional monitoring would help determine upland inflow contributions to the basin? Our local concern is that change in the ground cover on the hillsides (deforestation) could affect the inflow of rainwater into the basin. How can we look at this in greater detail now and in the future?*

*Ms. Kretsinger responded stating that the basin characterization used in the report for the valley floor could be expanded in the future to look more closely at geology in the hillsides to better inform hillside input components in the model.*

*Gary Margadant, asked questions on behalf of someone who left – Is pond evaporation included in the analysis and is climate change considered in the report? Will the dredging of the Napa River have any effect on the absorption of water into the ground? Mr. Margadant is concerned with the problem areas found inside the valley, i.e. Petra Dr. What type of criteria is used to determine these problem areas? Mr. Margadant suggests other problem areas: Dunaweal Rd., somewhere near St. Helena, and Dry Creek Rd. at Orchard Ave. Mr. Margadant asked if extensive discussions about proposed winery use of groundwater is enough for the County to revisit SGMA and the sustainable use of groundwater? Are the change and/or clustering of well drilling permits in an area an indication that there is going to be a problem? The groundwater level charts*

shown in the 2016 CASGEM report, fig. 2.6, show depths 40-130' and that those areas are the problem areas. Is that what is used to determine these problem areas or is it just complaint driven? The Grand Jury Report of 2014-15 says that Napa County should develop contingency planning for a sustained drought. This report is focused only on the Napa Valley Subbasin. Mr. Margadant suggests that the Board of Supervisors revise their response to the Grand Jury saying that this process will address that need. Mr. Margadant said that Santa Clara and Orange County are doing a great job with groundwater and that Napa County should look to them to see what management is being done. Mr. Margadant said the he will submit additional written comments.

Gordon Evans, said the report emphasizes the need for monitoring and sharing of water data. Mr. Evans was glad to finally get his well monitored for the self-monitoring program. Mr. Evans wants to help the County to help us all, but he has heard these comments/remarks "depends if we are interested in a particular well or area," "we don't want to incur extra expense," "the County will except data and reports but may not do anything," "hillside data is not required by the State. Maybe if there is enough interest we will do that," and "people are afraid to turn data over to the County." Mr. Evans would like to know how serious is the County is about the voluntary well monitoring program?

David Graves commented that the Groundwater Resources Advisory Committee (GRAC) spent a lot of time discussing data confidentiality and many in the community are concerned about their static well level data being widely available to anyone.

Mr. Evans responded that when a neighbor's well failed, he went to the Assessor's office and looked at the 'parcel report' which stated there was not a groundwater problem. That statement on the parcel report was apparently put on the report by a third party vendor to mean no study was conducted; which was confusing for the casual observer or one who may purchase the parcel. A common down to earth common sense explanation of the data and numbers is needed.

Chris Malan, said if we have undesirable results in a medium or high priority basin you must do a groundwater management plan. Moving forward with an Alternate Plan in March before DWR regulations and BMPs were approved is putting the cart before the horse, not knowing what the management tools are. A GSP will map out what we will have to do to manage the aquifer sustainably. DWR has determined the Napa Valley Subbasin is in moderate decline since 1950. The monitoring data show that. All of the charts should show a regression line showing the decline overtime on recharge and groundwater levels. We are dewatering the mainstem near St. Helena. The Alternative is wishy-washy on management and does not provide distinctive management tools and objectives to reach a sustainable yield. The public wants management and groundwater for their children. The Alternative plan says there is a big problem with groundwater quality, particularly with boron, arsenic, nutrients/nitrogen – why do we want that to get worse? We have land subsidence (albeit under a foot) in several areas of the County - the land is sinking. Ms. Malan will submit more comments. Ms. Malan would like LSCE's work to be peer reviewed. More public involvement is needed. An ad-hoc group was formed but Ms. Malan was not asked to be on it – it included no environmental groups, which was a gap. Ms. Malan would like the report to project the trajectory we are on given land use and where we are headed, for example the thousands of acres of deforestation and losing our recharge.

Michele Benvenuto, commented on the ad-hoc committee mentioned by Chris Malan. Ms. Benvenuto clarified that if the reference was to the Groundwater Resources Advisory Committee (GRAC), that committee was formed via an application process and was appointed by the Board of Supervisors and included the Sierra Club and 15 members representing a broad spectrum of the community. Only two positions on the GRAC were held by the wine industry.

Chris Malan, responded to Ms. Benvenuto saying that the GRAC was pre SGMA and the document references an ad-hoc committee and she doesn't know what that reference referred to.

Pam Smithers commented that it is very important that we pick the right wells to represent the basin, referencing Table 7-2 in the report. Some of these selected wells are newer wells and/or are right on the river. Is it possible to select other additional wells that are not so close to the river given the need to understand the upland runoff component and achieve the goal to select wells to study the surface flow

*interaction of the basin? Do the selected wells fulfill that need/goal? The report talks about declines in some wells. Do we need less wells near the river, or should we add more wells that show decline, to those that we are setting minimum thresholds? The County should commit more money to fill some of the data gaps that are mentioned in the report (e.g. a well in the south area to measure salinity). A larger distribution of these special wells across the basin where thresholds are monitored would show the public that we are representing the entire basin with these selected wells. If money is a constraint, consider adding more of these wells over time. Ms. Smithers noted that the 6,000AFY projected excess of water in the basin is only 2.5% of the total inflows to the basin. If that number is wrong we could be in trouble. Is the 6,000 number high enough given the assumption that land use is being held constant at 2011 levels? 6,000 seems like a slim "positive" number.*

*Steve Donoviel added that a stratified randomized selection of the wells in the network would be a better representation of the basin as a whole. Mr. Donoviel added, why aren't the hills being monitored? That is where the future growth and deforestation will occur. The valley floor is sold-out. It is short-sided not to sample the hillsides too.*

*Patrick Lowe said that they have answers to all of the questions raised and will provide them in the response to comments table. Mr. Lowe pointed out that the State DWR will be the ultimate arbitrator of whether or not the basin is sustainable. The job of the County is to provide the State with the information they have requested in order to make that assessment.*

*Pam Smithers complemented staff and the consultants for making refinements to the document and water budget based upon comments received at the last meeting WICC workshop, adding that those changes show that you are really listening to the comments received and lends to the trust of the public.*

*Kimberly Richard asked why the role of deforestation on soil moisture is left out of the scope of analysis for the Basin Analysis Report? Deforestation plays a role in climate, groundwater and hillside erosion. Ms. Richard would like more detail than what was provided in the response from the September 22<sup>nd</sup> meeting; where it was stated that deforestation is out of the scope of the analysis. Please elaborate more on why deforestation was not included since it plays a vital role.*

**5. UPDATE, REPORT, DISCUSSION AND POSSIBLE ACTION:**

a) Report and discussion on possible amendment of the Council's Bylaws (Staff) (10 mins)

*Approved amendment to the bylaws as presented.*

<i>SB</i>	<i>TC</i>	<i>DD</i>	<i>MD</i>	<i>JG</i>	<i>DG</i>	<i>GK</i>	<i>JL</i>	<i>KL</i>	<i>GSMC</i>	<i>AP</i>	<i>BRI</i>	<i>KR</i>	<i>SS</i>	<i>PS</i>	<i>PW</i>
<i>E</i>		<i>E</i>					<i>E</i>	<i>E</i>	<i>E</i>						

b) Other reports and updates (Staff/Council) (5-10 mins)

*None provided.*

**6. INFORMATIONAL ANNOUNCEMENTS:**

Exchange of informational announcements and events (Staff/Council/Public) (5-10 mins)

*None provided.*

**7. FUTURE AGENDA ITEMS:**

Discussion of possible items for future agendas (Staff/Council) (5 mins)

*None provided.*

8. NEXT MEETING:

**January 26, 2017 – 3:00 p.m.**

2751 Napa Valley Corporate Drive, South Campus, Building A  
 First Floor, Madrone Conference Room, Napa CA 94558

*Next meeting date announced by staff. The WICC's November 17, 2016 meeting will be canceled.*

9. ADJOURNMENT (Chair)

*Meeting adjourned.*

SB	TC	DD	MD	JG	DG	GK	JL	KL	GSMC	AP	BRI	KR	SS	PS	PW
E		E					E	E	E						

**Note:** If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability. Please contact Jeff Sharp at 707-259-5936, 804 First St., Napa CA 94559-2623.



**Voting Key**

If not unanimous, votes will be tallied (N = No; A = Abstained, E = Excused) using the following Board Member abbreviations: SB = Susan Boswell; TC = Tosha Comendant; DD = Diane Dillon; MD = Marita Dorenbecher; JG = Jeri Gill; DG=David Graves; GK = Gary Kraus; JL = Jason Lauritsen; KL = Kenneth Leary; AP = Alfredo Pedroza; BRI=Brent Randol; KR=Kimberly Richard; SS = Scott Sedgley; PS = Pamela Smithers; RS = Rita Steiner; GSMC = Gretchen Stranzl McCann; PW = Peter White; Alternates: KC = Keith Caldwell; BC=Barry Christian; PD = Paul Dohring, ILO = Irais Lopez-Ortega, ML = Mary Luross, BR2 = Belia Ramos.

Example Key:

SB	TC	DD	MD	JG	DG	GK	JL	KL	AP	BRI	KR	SS	PS	RS	GSMC	PW
E			A				N		A							