August 17, 2015

City of Napa
Post Office Box 660
Napa, CA. 94559

Re: Napa City Council Agenda for August 18, 2015 – Agenda Item 14.A

Dear Mayor Techel and Members of the Napa City Council,

Napa County shares the City’s concern for protecting the critical municipal water supplies in Lake Hennessey and Milliken Reservoir. Protecting these sources was the reason for the County adopting special standards for proposed development in Sensitive Domestic Water Supply Drainages (County Code Section 18.108.027 et al.). Maintaining an abundant and clean source of water for the county’s largest city has always been a priority, but this issue has taken on an even greater urgency given the current drought. Because of this issue’s importance, accurate and complete information is essential to sound resource management and decision making. In order to enhance the clarity of this discussion, I offer the following comments:

The staff report for this item indicates that: “In 2015 with the increase in the health of the economy and popularity of Napa, there has been an uptick in vineyard conversions.” The report goes on to say that: “In 2012 it was recognized that vineyard conversion and development activities had slowed due to the economy and that fertilizer and pesticide application practices have improved since 2007. However, the amount of vineyard development activity has increased significantly in 2015.” It is correct that the number of acres approved for Erosion Control Plans (ECPs) has increased in the last two years. Since 1992, Napa County has approved an average of 512 acres of new vineyard plantings each year. In 2014, a total of 803 acres were approved, with 892 acres approved in 2013. Currently, pending ECPs in the unincorporated area represent an additional 919 acres of vineyard development. While these numbers are well above the 23-year average, they are small compared to the period of 1997 through 1999, when between 1,400 and 1,900 acres of new vineyards were approved annually.

The staff report later states that: “There has been an increase in pressure for development and vineyard conversion in the last five years with the establishment of Circle S Ranch Project and two recently proposed vineyard projects.” It is true that several of the largest ECP proposals have been approved in recent years or are currently pending. These include Circle S Ranch (344 gross acres) approved in 2011; Suscol Mountain (451 gross acres) approved in 2013; and Walt Ranch (507 gross acres) currently in process. I assume that the other recently proposed vineyard project referred to is Kongsgaard (24 gross acres), also currently in process, although it is much smaller than the other projects cited. (Please note that the acreages refer to gross acres, which include farm roads and other accessory uses. The net acreage of planted vineyards is significantly smaller.)

Please note that concerning both the Kongsgaard and Walt Ranch projects, City staff commented on the potential environmental impacts of each proposal, with suggested recommendations. County staff is evaluating the City’s comments on both projects. The Mitigated Negative Declaration (MND) for Kongsgaard is still being reviewed. With regards to Walt Ranch, it is expected that the Final Environmental Impact Report (EIR), including
responses to the City’s comments, will be available for public review around the end of October. I encourage the Council to defer discussion of any specifics regarding either pending proposal, until the County has had an opportunity to complete its analysis and formally respond to the City’s concerns.

From the staff report: “This (Milliken) watershed has historically experienced minimal development when compared to the larger Hennessey watershed.” I agree. Over the past 10 years, the County has only considered two ECP applications in the Milliken watershed: the approved Circle S Ranch project and the pending Kongsgaard proposal. The area of the two projects represents 349 acres, or 5.9% of the 6,200 acre Milliken drainage area. County ECPs approved over the past 10 years account for a total of 174 acres, or only 0.5 percent of the total Hennessey watershed.

“The items that are on the Draft CCL4 list include compounds that are derivatives of pesticides, herbicides, and hormones.” Clearly, the County cannot enforce draft regulations. In addition, according to the most recent Annual Pesticide Use Report issued by the County Agricultural Commissioner, of the 100 chemicals shown on the Draft CCL4 list, only three were applied on vineyards in Napa County in 2013 and only on a total of 8,995 acres countywide (assuming no overlapping usage). I want to assure the Council that chemical use in vineyards is limited and occurs under strict regulation by the Agricultural Commissioner’s office.

Finally, the staff report concludes by suggesting several long-term implementation items, including the following:

“Establish a revised County Ordinance to increase restrictions on development in sensitive watershed areas to limit the water quality impacts to the watershed.

Require development in watershed to monitor the creek water quality upstream and downstream of the project runoff and submit data directly to the Water Division.

Impose mitigation measures on development in sensitive watershed areas that is shown to degrade water quality in order to contribute to watershed protection investments and water treatment improvements.”

As the Council knows, the City does not have the land use authority to unilaterally adopt ordinances, condition development, or impose mitigation measures on land use development within the unincorporated area. However, the County remains open and available for inter-agency discussions on these topics and other areas of mutual interest that impact the broader community.

Please contact me if you have any questions or require assistance regarding the issues addressed in this letter. Thank you for the opportunity to make these comments available for the City Council’s consideration.

Respectfully,

David Morrison,
Director

cc: Board of Supervisors
    County Executive Officer
    County Counsel
    Public Works Director