

# Yountville Sun

Vol. 21, No. 44

a 21st century newspaper serving the heart of the Napa Valley

Presorted  
Standard  
PERMIT NO. 15  
Yountville, CA  
94599

Postal Patron Local  
ECRWSS

March 28, 2019

## Settlement Reached in Suit Against CalVet to Release Water from Rector Dam for Fish

A comprehensive settlement has been reached as a result of a lawsuit filed by Water Audit, a public benefit corporation, against CalVet and the California Department of Fish and Wildlife (DFW) to force those agencies to coordinate a proper release of water from Rector Dam to protect the downstream fish habitat.

Rector Dam's current ability to supply water to the Town of Yountville and the Veterans Home is not at risk by this settlement, according to Water Audit attorney Bill McKibbin.

"The settlement agreement . . . memorializes both the past advancements and future commitments of CalVet toward meeting its obligations under environmental law to maintain Rector Dam in a manner which keeps fish downstream in good condition," said a statement released by CalVet's legal department.

Water Audit's legal philosophy is based on six tenets. 1. Fish are a part of the public trust. 2. Every dam owner is a public trustee. 3. FGC 5937 (known as the water for fish law) is the quantification of the public trust. 4. Trustees must account for their conduct. 5. Every Californian has standing to protect the public trust. 6. We can't manage what we don't measure.

For well over a dozen years, Water Audit has been active in Napa County, successfully employing that legal philosophy to gain water bypass agreements for dams from Calistoga on south.

After prevailing in agreements for Calistoga's Kimball Dam and St. Helena's Bell Canyon Dam, Rector Dam was next. The suit was filed in November of 2016, and this settlement has been in the making ever since.

"Our objective is the preservation of the public trust. We are simply compelling the process," said McKibbin.

CalVet has purchased and installed an automated water level measurement station in the intake tower at Rector Dam. This critical equipment is capable of taking and storing hourly measurements of water levels and will enable CalVet to monitor water flows from the dam by supplying regular data.

CalVet also retained a firm specializing in fish and aquatic biology to conduct a preliminary instream flow and stream habitat assessment for Rector Creek. The objectives of this study were to develop an interim instream flow release schedule from Rector Dam into lower Rector Creek to the benefit of downstream fish and to ascertain if there is sufficient water for such flows as well as consumptive uses. Water Audit's team of scientists is reviewing the results of the study prior to the implementation of an interim flow schedule.

In addition CalVet has secured funding for a long-term study to evaluate whether the interim flows are sufficient to keep the fish downstream of Rector Dam in good condition.

Based on the findings and recommendations of the preliminary and long-term studies, along with data collected from the new monitoring equipment, CalVet will hire a qualified consultant to develop a comprehensive plan of operation for Rector Dam.

To ensure transparency and solicit input from the public, CalVet will disclose its preliminary and long-term assessments and operations plan on

its departmental website and by notice to Water Audit.

CalVet will work with DFW to implement the goals of the settlement. This may include providing technical assistance and identifying State funding sources.

The matter of compensation for attorney's fees remains disputed and will be resolved by the court at a hearing scheduled in August.

Other costs were noted in the 2018-19 fiscal year State Budget when CalVet requested and received \$1.54 million "to make improvements needed to bring the operation of Rector Dam and Reservoir . . . into compliance with California Fish and Game Code section 5937."

That budget request included funding for five positions to staff water continuous monitoring at Rector Dam. These five positions are now an ongoing cost of \$596,000 annually.

State Sen. Bill Dodd of Napa introduced water management legislation (SB 19) in December aimed at helping the State manage its water and protecting this resource for people and the environment.

"We're faced with a constant cycle of droughts and flooding, and this bill is an important step toward managing our water for the long run," he said. "Stream gages provide important information. Unfortunately, gaps in the current system make it difficult to ensure water is going where it's needed. You can't manage what you don't measure."

## Public Invited to Discussion With Special Representative to Muslim Communities

Yountville Arts will present a unique opportunity to attend an afternoon discussion with former first-ever Special Representative to Muslim Communities Farah Pandith. This event will run from 1 to 2:30 p.m., April 6, at Yountville Community Hall.

The public is invited to attend this discussion, book signing and tea tasting.

Yountville tea artisan Lisa Silva, owner of InfuseMe LLC will offer tastings of her luxury teas.

Copperfield's Books will be on site with copies of Pandith's groundbreaking new book *How We Win: How Cutting-Edge Entrepreneurs, Political Visionaries, Enlightened Business Leaders and Social Media Mavens Can Defeat the Extremist Threat*, available for purchase and signing.

Pandith is a world-leading expert on preventing extremism and has been recognized globally for her efforts to pro-



### Another Restaurant Closes

*Hero's Cafe and Tavern at the Veterans Home closed last week, leaving the population of that community without a spot to order breakfast or lunch off of a menu and a public place to grab a beer and watch the game in the company of other fans and foes. CalVet's Acting Secretary of Communications Lindsey Sin said the shutdown is due to a retirement and is not related to the State Auditor's report on leases at the Home. While there is no date for when the cafe and tavern will reopen, Sin said, "The Home is actively in the process of selecting a new vendor and should have more information in the coming weeks." Hero's Cafe and Tavern is now the third Yountville restaurant currently dark. (Photo by Sharon Stensaas.)*

### Batter Up!

Yountville Little League is up and swinging in 2019 at Kaneshiro Field!

The Hawks are hosting a game with Calistoga tonight (Thursday) at 5 p.m., and tomorrow (Friday) at 5 p.m. the Giants will play the St. Helena Mustangs.

Saturday morning is the big event -- opening day. The public is invited to wolf down some pancakes prepared by the Yountville Kiwanis at 8:30 p.m., with opening ceremonies and the first pitch to follow at 9 a.m.

At 9:45 a.m. the Yountville Kiwanians will host the St. Helena Seadogs, at 11 a.m. the Hawks will meet the St. Helena Rockhounds and at 1 p.m. the Giants will play the St. Helena Panthers, all on the verdant home turf.

The public is encouraged to come out and cheer for the home teams!



### sundial

	High	Low
Wednesday 3/20	60	45
Thursday	63	39
Friday	54	42
Saturday	62	45
Sunday	62	40
Monday	57	47
Tuesday	63	44
Precipitation =	1.52	
Season Total =	38.18	
Last Year =	13.36	



FARAH PANDITH

mote peace.

She has served the United States for more than two decades in senior government roles. She was a political appointee under Presidents George H.W. Bush, George W. Bush and Barack Obama and is the first-ever Special Representative to Muslim Communities, serving Secretaries of State Hillary

Clinton and John Kerry.

Pandith has travelled to almost 100 countries in her various roles.

Under President George W. Bush, Pandith was the director for Middle East Regional Initiatives at the National Security Council and the chief of staff at the United States Agency for International Development's Bureau for Asia and the Near East.

She has also served on the Homeland Security Advisory Council, chairing its task force on countering violent extremism.

Pandith is a senior fellow with the Future of Diplomacy Project at the Belfer Center for Science and International Affairs at the Harvard Kennedy School, an adjunct senior fellow at the Council on Foreign Relations.

Learn more about Farah Pandith at [www.farahpandith.com](http://www.farahpandith.com).