

**GRAC MEETING SUMMARY(s)
and
SUMMARY STAFF MEMO**

**Water Availability Analysis (WAA)
and Groundwater Ordinance**

**April 8, 2014
Board of Supervisors**

MEETING SUMMARY *(excerpt on WAA)*

Groundwater Resources Advisory Committee

December 12, 2013 - 15th Committee Meeting

Prepared by the Center for Collaborative Policy, CSUS

SUMMARY OF GRAC MEMBERS' PERSPECTIVES ON REVISING WAA PROCESS

Aside from a consensus recommendation for the County to address technical deficiencies, members had two broadly different perspectives on the value of revising the WAA process.

- **First Perspective**
 - The need to completely revise the WAA process remains unconvincing.
 - The project should undergo other appropriate analyses only if the project fails the water usage criteria or is challenged.
 - Well-to-surface water criteria should not be included.
 - Challenges are too infrequent to warrant changing the WAA process. Some challenges are unavoidable because they are based on personal relationships and conflicts.
 - We need to consider how the less affluent applicants will be affected.
 - The County should focus on developing incentives and educate the public rather than adopting the proposed revisions, which could divide members of the public.
- **Second Perspective**
 - Staff desire to do a fair and competent job for the public. If staff believe they need better tools to address this issue, their recommendations should be supported.
 - Some opponents will challenge a project despite available information, but the revised WAA may also stop challenges by opponents who are genuinely looking for more evidence to satisfy their concerns.
 - The current WAA process is scientifically inadequate and does not work. There is no way of knowing how many wells are affected by neighbor withdrawals under the existing permitted uses.
 - The water usage criteria are not appropriate for all sub-areas.

MAJORITY VOTE: The GRAC could not reach consensus on the proposed revision to the WAA process. The majority of GRAC members recommended the County maintain the existing WAA process, not revise the well-to-well interference criterion, and not add a new criterion for well-to-surface water interference.

- Members in the majority included: Ms. Michelle Benvenuto, Mr. Tucker Catlin, Mr. Donald Gleason, Mr. Michael Haley, Mr. Peter McCrea, Mr. Charles Slutzkin, Mr. Jim Verhey, Mr. Duane Wall, Mr. Dale Withers, and Mr. Steve Soper.
- Members in the minority included: Mr. Alan Galbraith, and Mr. David Graves.



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Steven E. Lederer
Director

To: Groundwater Resources Advisory Committee (GRAC)

From: Steve Lederer, Director

Date: October 7, 2013

Subject: Framework of Possible Changes to the Water Availability Analysis (WAA)

The purpose of today's agenda item is to further discuss with the GRAC the framework of possible changes to the Water Availability Analysis (WAA), and to obtain GRAC direction on two specific issues, as discussed further below.

As discussed at our last meeting, the WAA was first put in place in the early 1990's, and has been used successfully ever since (with minor revisions) as a tool for analyzing DISCRETIONARY projects (such as wineries, new vineyards on slopes over 5%, restaurants, hotels, etc.) that propose to use groundwater. There are three key areas of evaluation to consider in the context of the WAA:

- **Water Usage:** The current WAA includes a section for evaluating proposed **water usage**, and thresholds for acceptable use. These thresholds (1 acre-ft allowed/acre of land on the valley floor, 0.3 acre ft allowed/acre of land in the MST, and 0.5 acre-ft allowed/acre of land in all other areas) have been successfully "field tested", and LSCE's work also finds them technically defensible. No changes are proposed in this area, although at the GRAC's direction, we've explicitly addressed the "no net increase" criterion that applies in the MST.
- **Well to Well Interference:** The current WAA also contains a "**well to well interference**" analysis (known as Phase 2) which is used only when the initial water usage standards (as discussed above) are exceeded. The Phase 2 analysis is a pumping test which was (theoretically) designed to identify both well capacity and "well to well" interference. Unfortunately, the phase 2 process has not worked well from a practical standpoint, and LSCE's analysis finds it questionable from a technically defensible standpoint. The framework of a new "well to well" interference process is discussed below, and is the basis for the first question we are asking of the GRAC today:

Question: Do you understand/conceptually agree with the frame work of the new process for establishing Well-to-Well interference?

- **Well to Surface Water Interference:** The current WAA does not contain standards for evaluating “well to surface water” interference. The lack of this standard became a “make or break” issue on a recent small vineyard project that was located in proximity to a small stream that feeds the Napa River. Opponents of the project raised the issue that the project’s well would reduce flows in the tributary stream, which is a habitat for endangered species. In the absence of adopted standards, the only methods of countering the opponent’s arguments were expensive project specific consultant studies and an EIR, which were outside the applicant’s ability to conduct. The project therefore died. This leads us to the second question of the day:

Question: Do you think the County should establish procedures/thresholds for the well to surface water issue, or is the project example described infrequent enough that standards aren’t warranted?

Here is a summary of the three aspects of the WAA:

Criteria	Current WAA	Proposed WAA
Water Usage	Exists	No change
Well to well interference	Exists	Proposed change to method
Well to surface water interference	Does not address	Proposed to include

The basic steps of a well to well interference analysis are as follows:

- First tier analysis: If project well is >500 feet away; no further action (Note: the well to be used for the project (the “project well”) could be an existing or new well)
- Second Tier analysis evaluates the site specific conditions and evaluates things such as:
 - Distance to nearest well
 - Hydrogeologic setting
 - Well construction details (i.e. design pump rates, depth, screen and seal depths)
 - Operational procedures

In addition to changing the process of doing the well to well analysis, the draft proposed changes to the WAA would require the well to well analysis for all applicable (i.e. discretionary) projects, whereas the current procedure only requires this step of the analysis if the water usage thresholds are exceeded. The basic steps of the well to surface water procedure are similar, but the threshold distance in tier one is expected to be 1500 feet. A Flow Chart showing the basic steps of the three aspects (water use, well to well, and well to surface water) of the WAA is attached.

Pending the direction provided by the GRAC today, next steps would include:

1. Establish Ad Hoc Committee (3-4 members?) to work out details and wording of the WAA procedures;
2. December 12 GRAC Meeting: Ad Hoc Committee presents draft document (LSCE available to answer questions); receive comments from full GRAC
3. February 27 GRAC Meeting: Approve final WAA document/also final GW Ordinance document
4. April 24 GRAC Meeting: Wrap-up

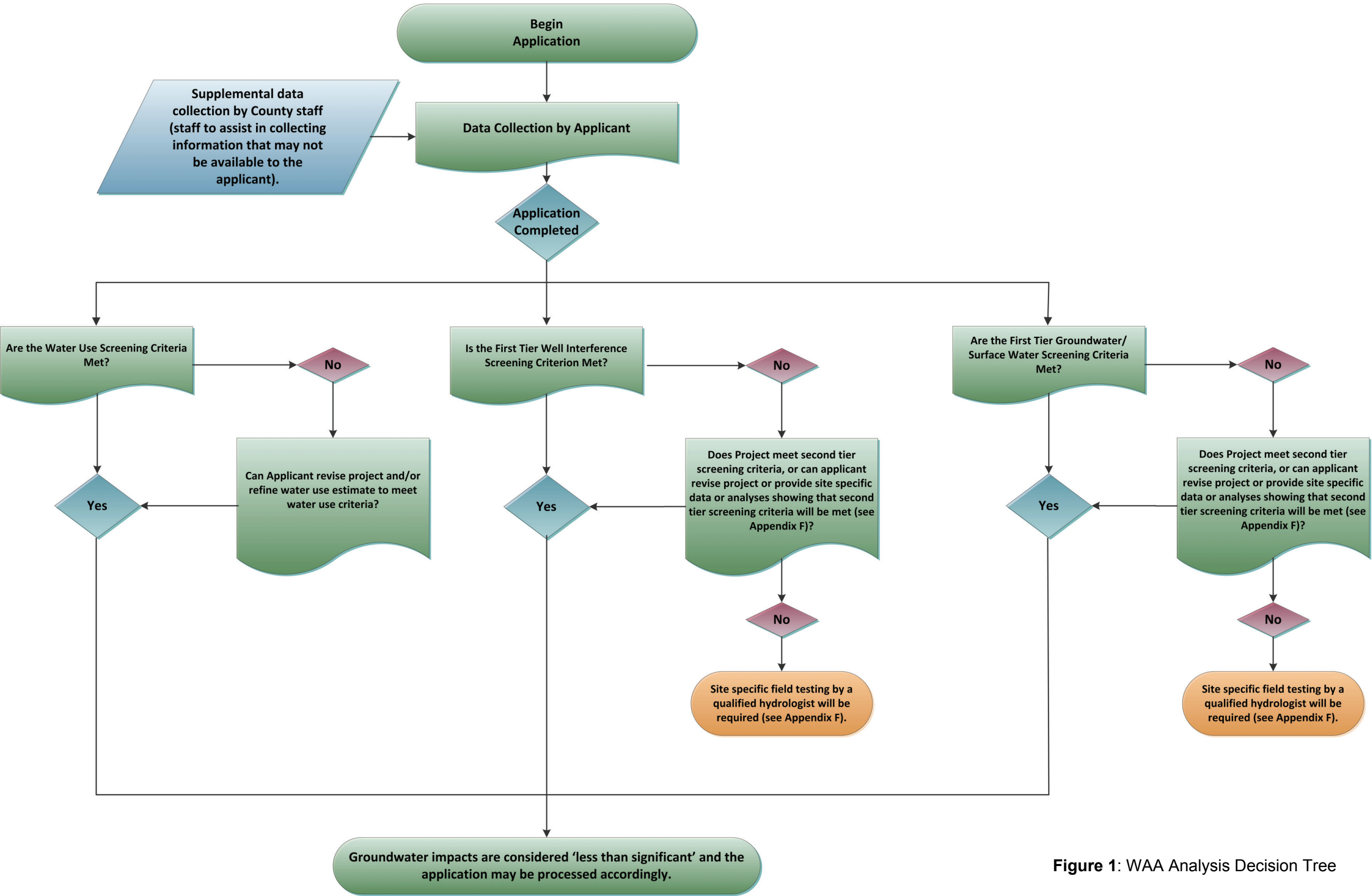


Figure 1: WAA Analysis Decision Tree

MEETING SUMMARY *(excerpt on Groundwater Ordinance)*

Groundwater Resources Advisory Committee

June 27, 2013 - 12th Committee Meeting

Prepared by the Center for Collaborative Policy, CSUS

5. Presentations and Discussion Items

b. Review, Discussion, and Recommendations on the Updated Draft Groundwater Ordinance/Permit Process

Ms. Hillary Gitelman, Napa County, provided an overview of the Updated Draft Groundwater Ordinance/Permit Process. Most changes were minor grammatical edits. The Committee reviewed revisions made since the prior meeting in April and made additional recommendations to help achieve an appropriate balance between specificity and flexibility.

MEETING SUMMARY *(excerpt on Groundwater Ordinance)*

Groundwater Resources Advisory Committee

April 25, 2013 - 11th Committee Meeting

Prepared by the Center for Collaborative Policy, CSUS

5. Presentations and Discussion Items

d. Review of Draft Groundwater Ordinance & Permit Process Update

At the last meeting the Committee received the Technical Memorandum: Groundwater Planning Considerations and Review of Napa County Groundwater Ordinance and Permit Process, prepared by LSCE for the County in January 2011. Ms. Christine Secheli, Napa County, reviewed proposed revisions to the County's Groundwater Ordinance. The Committee commented on the revisions and made suggestions for clarification or further direction.