

**From:** Michelle Benvenuto <[michelle@napawinegrowers.com](mailto:michelle@napawinegrowers.com)>

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**To:** Anne Cottrell <[anne.l.cottrell@gmail.com](mailto:anne.l.cottrell@gmail.com)>; Joelle Gallagher <[joellegPC@gmail.com](mailto:joellegPC@gmail.com)>; Dave Whitmer <[whitmer25@gmail.com](mailto:whitmer25@gmail.com)>; Jeri Hansen <[jeri@sustainablenapacounty.org](mailto:jeri@sustainablenapacounty.org)>; Andrew Mazotti <[andrewmazotti@gmail.com](mailto:andrewmazotti@gmail.com)>

**Cc:** Bordona, Brian <[Brian.Bordona@countyofnapa.org](mailto:Brian.Bordona@countyofnapa.org)>; Morrison, David <[David.Morrison@countyofnapa.org](mailto:David.Morrison@countyofnapa.org)>

**Subject:** Fwd: Recent content for Napa County WICC

Dear Planning Commissioners,

Thank you for requesting a review of Napa's Conservation Regulations. I understand the presentation on November 7th will be limited to items that pertain to the Planning Commission's scope (hence it will not review the extensive requirements for an ECP approval). It's a bit concerning that the presentation may not give an accurate picture of the full depth of the Conservation Regs and that they work hand in hand with multiple layers of other County and State rules and regulations.

Watershed protection and ground water quality/quantity are linked to the Conservation Regs and seem to be an on-going concern expressed in PC meetings. Please see attached responses from Napa County regarding questions asked during a Chris Malan led "Citizen Groundwater Empowerment Workshop". It is essential that we are all working with the same facts and the County's responses provide a great base.

Thank you,

Michelle Benvenuto  
Executive Director  
Winegrowers of Napa County

PO Box 5937  
Napa, CA 94581  
(707) 258-8668 office  
(707) 738-4847 cell  
[michelle@napawinegrowers.com](mailto:michelle@napawinegrowers.com)

You are invited to this *Citizen Groundwater Empowerment Workshop* which will provide you with essential information about the California State Legislature's *Sustainable Groundwater Management Act (SGMA)* of 2014.

Why is it important for you to attend:

“The Napa Sub-Basin aquifer is depleting over many years & recently requiring the Ca. Department of Water Resources, DWR, to re-categorize the Napa Sub-Basin from a medium priority for sustainability planning to a HIGH priority, needing a Groundwater Sustainable Agency and Plan”

### County Response

- On June 19, Napa County staff met with DWR, and staff from Solano County, City of Vallejo, and Solano County Water Agency to review the draft 2018 Basin Prioritization process and results for local groundwater basins. **At that meeting and other public meetings, DWR staff clarified that the basin prioritization process is not a determination of whether groundwater basins are being managed sustainably.** Instead, it is a way for DWR to determine the importance of groundwater in individual basins and whether they should be subject to the requirements of the SGMA. **DWR noted that a basin designated as high-priority could concurrently be a sustainably managed basin.** DWR also expressed their commitment to adhering to the California Water Code requirements for basin prioritization, and their interest in receiving updated or more accurate data from the public to inform the final prioritization scores.
- **Data collected over many decades demonstrate that the Napa Valley Subbasin experiences substantial recharge according to patterns of wet to dry years and has not experienced long-term depletion.** As shown in Napa County’s 2017 SGMA Annual Report, the amount of groundwater in storage in the Napa Valley Subbasin has remained stable for the 30-year period from 1988 to 2017 (LSCE, 2018; p.88).

Luhdorff and Scalmanini Consulting Engineers. 2018. *Napa Valley groundwater sustainability: annual report – water year 2017*. February 2018. <https://www.napawatersheds.org/documents/view/9225>

- The Napa Valley Subbasin is proposed to be reprioritized to high-priority from medium-priority as part of statewide review required by SGMA. On its Basin Prioritization webpage, DWR clarifies that reprioritization is needed in response to basin boundary modifications finalized in 2016 and “the presence of new and enhanced information, and the consideration of factors specifically relevant to SGMA.” See the DWR Basin Prioritization Frequently Asked Questions at <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>.
- Reprioritization from medium-priority to high-priority does not change the requirements of a basin or subbasin under the SGMA. According to DWR’s responses to Frequently Asked Questions about basin prioritization, **“SGMA does not treat high-priority basins differently than medium-priority basins. For this reason, a change from medium- to high-priority does not affect requirements under SGMA.”** Regarding the requirements under SGMA, DWR has also clarified that, “SGMA requires that all high- and medium-priority basins be managed under a Groundwater Sustainability Plan (GSP) or Alternative.” See the DWR Basin Prioritization Frequently Asked Questions at <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>.

“Unabated pumping creates 'undesirable results' from deepening groundwater depletion such as: land subsidence, salt water intrusion, dewatering of streams/loss of aquatic habitat, declining water quality, wells going dry”

## County Response

- Overall, groundwater conditions in the Napa Valley Subbasin have been stable for decades, and groundwater use has remained below the sustainable yield for the Subbasin. Groundwater conditions in the Subbasin vary somewhat from year to year in response to the availability of precipitation, and do not show prolonged degradation. The review of groundwater conditions documented in the 2016 Basin Analysis Report for the Napa Valley Subbasin (BAR) and the 2018 BAR Amendment establishing the Northeast Napa Management Area document the absence of undesirable results. The BAR is available at <https://www.napawatersheds.org/sustainable-groundwater-management>.
- Regarding land subsidence, the 2016 BAR notes “National Geodetic elevation benchmark station data within the Subbasin show sub-foot changes (both downwards and upwards) of land surface elevation measurements in the vicinities of Calistoga, Oakville, and Napa over the last two decades.... The more recent measurements at these locations (e.g., measurements in 2007 and 2012) do not suggest land subsidence has occurred. This finding is consistent with long-term stable groundwater level trends in the Subbasin” (p. 65). **As part of the draft 2018 Basin Prioritization for the Napa Valley Subbasin, DWR noted “No documented GW [groundwater] extraction induced subsidence.”** (See: <https://gis.water.ca.gov/app/bp2018-dashboard/>)
- Regarding salt water intrusion, the 2016 BAR describes the natural seawater/freshwater interface that occurs south of the Napa Valley Subbasin; its exact location has not been determined. “Tidal fluctuations in San Pablo Bay influence water level elevations along the lower Napa River. The magnitude and timing of these fluctuations indicate a close connection between tidal-surface water-river water where mixing of fresh and saline waters can occur. South of the Subbasin, several wells have been historically monitored. The highest historically observed concentrations of naturally occurring salt-related constituents, such as chloride and total dissolved solids (TDS) concentrations, are observed in the three groundwater subareas south of the Napa Valley Subbasin in the Napa River Marshes, Jameson/American Canyon, and Carneros Subareas.” (p. ES-11) (See also BAR Section 4.3). Elevated chloride and TDS concentrations in areas south of the Subbasin and near to the Napa River in the vicinity of Napa have been described in studies published since 1960 (Kunkel and Upson, 1960). **Stable groundwater levels in the Napa Valley Subbasin and Napa-Sonoma Lowlands Subbasin, as observed by DWR in the draft 2018 Basin Prioritization, do not indicate that salt water intrusion has occurred as a result of groundwater conditions.**

Kunkel, F. and J.E. Upson. 1960. Geology and groundwater in Napa and Sonoma Valleys Napa and Sonoma Counties California. U.S. Geological Survey Water Supply Paper 1495.

- **Consistent with SGMA requirements, Napa County has designated representative monitoring sites and established minimum thresholds and measurable objectives for all six SGMA sustainability indicators. The County has also identified management actions, including those currently being implemented and those that could be implemented in the future if needed, to maintain groundwater sustainability in the Subbasin.**

“Napa County keeps approving many new large agri-business wells each year despite declining groundwater with no triggers for managed sustainability with current pumpers (doesn’t include de-minimus pumpers like residential)”

### County Response

- The 2016 Napa Valley Subbasin Basin Analysis Report (BAR) was developed to meet the applicable SGMA requirements for Groundwater Sustainability Plans, as described by the state GSP regulations, and ensure long-term groundwater sustainability in the Napa Valley Subbasin. **Consistent with SGMA requirements, Napa County has designated representative monitoring sites and established minimum thresholds (i.e., “triggers”) and measurable objectives for all six SGMA sustainability indicators.** The County has also identified management actions, including those currently being implemented and those that could be implemented in the future if needed, to maintain groundwater sustainability in the Subbasin. The BAR is available at <https://www.napawatersheds.org/sustainable-groundwater-management>.
- Among the implemented management actions: In 2017 Napa County revised the standard Conditions of Approval (CoA) used by the Planning, Building, and Environmental Services Department when recommending County approval of discretionary projects proposing to use groundwater as a source of supply. The **revised CoA requires that permittees monitor groundwater levels in project wells and record amounts of groundwater pumped** at regular intervals. In addition, permittees are required to report those data to the County and make project wells available as part of the County’s groundwater monitoring program, subject to certain conditions.
- **Monitored groundwater levels do not show “declining groundwater.”** Please see the 2017 Napa County Groundwater Sustainability Annual Report - Water Year 2017 available at <https://www.napawatersheds.org/groundwater-monitoring>.

“Recharge is compromised from deforestation and no protection of recharge in the upper watersheds”

### County Response

- Recharge takes place both in the hillsides and along/within the valley floor. **Studies conducted by the U.S. Geological Survey and Napa County over many decades have found that the primary source of recharge to the Napa Valley Subbasin and upland areas of the Napa River Watershed is by infiltration and deep percolation of rainfall and to lesser degree through irrigation (see sources below). Data collected over many decades demonstrate that the Napa Valley Subbasin experiences substantial recharge according to patterns of wet to dry years and has not experienced long-term depletion.** Data from the past 30 years has shown that the Napa Valley Subbasin is relatively full (saturated) following the winter rains. Groundwater conditions in the Subbasin vary somewhat from year to year in response to the availability of precipitation, and do not show prolonged degradation. Please see the 2017 Napa County Groundwater Sustainability Annual Report - Water Year 2017 available at <https://www.napawatersheds.org/groundwater-monitoring>.

Kunkel, F. and J.E. Upson. 1960. Geology and groundwater in Napa and Sonoma Valleys Napa and Sonoma Counties California. U.S. Geological Survey Water Supply Paper 1495.

Faye, R.E. 1973. Ground-water hydrology of northern Napa Valley California. Water Resources Investigations 13-73, US Geological Survey, Menlo Park, CA, 64 p.

Flint, L.E., A.L. Flint, J.H. Thorne, R. Boynton, 2013. Fine-scale hydrologic modeling for regional landscape applications: the California Basin Characterization Model development and performance. Ecological Processes, 2(25).

Luhdorff and Scalmanini Consulting Engineers and MBK Engineers. 2013. Updated hydrogeologic conceptualization and characterization of conditions in Napa County. February 2013. <https://www.napawatersheds.org/documents/view/7096>

LSCE. 2016c. Napa Valley groundwater sustainability: a basin analysis report for the Napa Valley Subbasin. December 13, 2016. [http://www.napawatersheds.org/app\\_pages/view/8240](http://www.napawatersheds.org/app_pages/view/8240)

“With agri-business requiring 60-80% groundwater availability, our economic and environmental future of water security depends on citizens being informed and participating in the sustainability of groundwater for future generations.”

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### County Response

- It is unclear what the references here to agri-business and groundwater availability intend; however, data presented in the 2016 Basin Analysis Report for the Napa Valley Subbasin and the 2017 Napa County Groundwater Sustainability Annual Report show that average annual groundwater use for agriculture irrigation has accounted for 68% of total average annual groundwater uses and winery operations (including visitation and marketing events) has accounted for 9% of total average annual groundwater uses. Those reports also find that **total groundwater use has remained below the sustainable yield** for the Subbasin.
- Regular updates and opportunities of public input on SGMA implementation occur at public meetings of our 17-member Watershed Information and Conservation Council (WICC) and the County Board of Supervisors. All meetings of the WICC and the Board of Supervisors are noticed and open to the public. The most recent presentation to the WICC occurred on July 26, 2018 and included a review of the 2017 Annual Report and other SGMA implementation updates.

“Citizen involvement motivates change and is required for equitable sustainability for ALL groundwater stakeholders“

“Napa County is not adequately informing the public, according to SGMA law, of the accurate and full disclosure of the status of groundwater resources and the need for sustainable management”

### County Response

- Napa County provides regular updates on groundwater conditions and SGMA implementation efforts through public meetings throughout the year, written reports and summaries available in public buildings, and on public websites.
- Regular updates and opportunities for public input occur at public meetings of our 17-member Watershed Information and Conservation Council (WICC) and the County Board of Supervisors. All meetings of the WICC and the Board of Supervisors are noticed and open to the public. The most recent presentation to the WICC occurred on July 26, 2018 and included a review of the 2017 Annual Report and other SGMA implementation updates.
- Annual reports on groundwater conditions, including non-technical summaries, and other reports, including the 2016 Basin Analysis Report and the 2018 report designating the Northeast Napa Management Area, are made available to the public online and in public buildings including the Napa County Flood Control and Water Conservation District office at 804 First Street in Napa.
- Updates on groundwater conditions and SGMA implementation are also posted online to the County’s website at <https://www.countyofnapa.org/1230/Groundwater>.
- A series of interactive webpages and resources about local groundwater conditions are also available on the WICC website at <https://www.napawatersheds.org/groundwater>.
- The County also utilizes a groundwater list-serve, which currently has 120 members, to notify stakeholders about SGMA implementation efforts (available at <http://eepurl.com/bWgdin>). The WICC distributes a weekly e-newsletter that reaches over 400 users.

Here is additional information in preparation for the November 13, 2018 Workshop:

1. The Sustainable Groundwater Management

Act: [http://www.opr.ca.gov/docs/2014 Sustainable Groundwater Management Legislation 092914.pdf](http://www.opr.ca.gov/docs/2014_Sustainable_Groundwater_Management_Legislation_092914.pdf)

### Note

- **The link above leads to an outdated version of SGMA.** The current version, effective January 1, 2016, is available along with many other resources from DWR, at this link: <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>

2. The Union of Concerned Scientist Tool-Kit: [https://www.ucsusa.org/global-warming/ca-and-western-states/groundwater-toolkit#.W7d51S-ZO\\_s](https://www.ucsusa.org/global-warming/ca-and-western-states/groundwater-toolkit#.W7d51S-ZO_s)

3. Napa County Groundwater Annual Report, (monitoring with no sustainability management required by

SGMA): [https://www.napawatersheds.org/managed\\_files/Document/9707/Napa%20WICC%20Annual%20Report\\_Prioritization%20and%20Other%20July%202018\\_FINAL.pdf](https://www.napawatersheds.org/managed_files/Document/9707/Napa%20WICC%20Annual%20Report_Prioritization%20and%20Other%20July%202018_FINAL.pdf)

(Note: this report is outdated with the DWR who has determined that Napa's groundwater basin, the Napa Sub-Basin, is a HIGH priority for sustainability planning)

### County Response

- The link above leads to the presentation slides developed for the July 2018 WICC meeting. For additional details and full information, **please also see the 2017 Annual Report in its entirety at: <https://www.napawatersheds.org/groundwater-monitoring> and <https://www.napawatersheds.org/documents/view/9225>.**
- The 2017 Annual Report was developed to meet all requirements under SGMA and the GSP regulations. **It is incorrect to characterize the 2017 Annual Report as lacking "sustainability management required by SGMA". Please see, in addition to updated monitoring information in Sections 4 and 5:**
  - **The Napa Valley Subbasin Sustainability definition and sustainability criteria in Section 3,**
  - **Information about minimum thresholds ("triggers"), measurable objectives, and recent conditions at SGMA representative monitoring sites in Section 4,**
  - **Information about recent use of water by sector in Section 6,**
  - **Information about SGMA implementation, including land use policy revisions and groundwater management actions in Section 7, and**
  - **Information about planned future SGMA implementation actions in Section 8.**

*Continued below*



- The 2017 Annual Report describes groundwater conditions and provides an update on SGMA implementation through water year 2017, as required by SGMA and DWR. Annual reports developed for SGMA purposes are required to be submitted by April 1 of each year following adoption of a GSP or Alternative (GSP Regulations Section 356.2). Napa County submitted the 2017 Annual Report to DWR on March 23, 2018 after public notice and presentation at a public meeting of the Board of Supervisors on March 20, 2018.
- Reprioritization from medium-priority to high-priority does not change the requirements of a basin or subbasin under the SGMA. According to DWR's responses to Frequently Asked Questions about basin prioritization, "**SGMA does not treat high-priority basins differently than medium-priority basins. For this reason, a change from medium- to high-priority does not affect requirements under SGMA.**" Regarding the requirements under SGMA, DWR has also clarified that, "SGMA requires that all high- and medium-priority basins be managed under a Groundwater Sustainability Plan (GSP) or Alternative." See the DWR Basin Prioritization Frequently Asked Questions at <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>.

4. Napa County citizen stakeholder comments to the Department of Water Resources (lead agency for SGMA implementation) on the Napa County Groundwater Annual Report: <https://sgma.water.ca.gov/portal/alternative/comments/11>