



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/12/2019

Agenda Placement: 6M

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: Barbette Ruffino, Staff Services Manager - (707) 299-1330

SUBJECT: Approval of a Professional Services Agreement with Luhdorff & Scalmanini for technical peer review services of proposed winery and vineyard projects.

RECOMMENDATION

Director of Planning, Building & Environmental Services requests approval of and authorization for the Chair to sign an agreement with Luhdorff & Scalmanini for a maximum amount of \$100,000 per fiscal year for the term November 12, 2019 through June 30, 2020, with a provision for automatic annual renewal not to exceed two (2) additional years, in order to provide technical peer review services in support of Napa County proposed winery and vineyard projects.

EXECUTIVE SUMMARY

Luhdorff & Scalmanini, Consulting Engineers (LSCE) has provided peer review services to the County since 2009 to assist with the County's review of project specific Water Availability Analysis (WAA) reports, Environmental Impact Reports (EIR), and Erosion Control Plans (ECP). Services under this agreement will provide technical peer review services in support of Napa County's evaluation of proposed winery and vineyard projects. These services will address whether the methods and conclusions submitted to the County by others are in conformance with generally accepted professional standards and are technically adequate, and that they meet the legal standards of the California Environmental Quality Act (CEQA). In addition to this peer review support, LSCE will offer training events to Napa County staff in their use of the revised WAA guidance document.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes

Where is it budgeted?	These contract funds are among the budgeted expenditures in the CEQA budget 17000-02 which includes appropriations based on average expenditures for consulting services over the year. The applicant for each project will pay for the full cost of the Contractor services, plus County staff costs associated with the winery or vineyard project review.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Peer review services will address whether the methods and conclusions submitted to the County by others are in conformance with generally accepted professional standards and are legally defensible, and that they meet the legal standards of the California Environmental Quality Act.
Is the general fund affected?	No
Future fiscal impact:	Appropriations for these services will be budgeted each fiscal year for the duration of the agreement. No fiscal impact is anticipated to occur as a result of this agreement as all costs for peer review will be borne by the applicant.
Consequences if not approved:	Without these peer review support services the County may be unable to perform an adequate review of WAAs, prepare an adequate CEQA document, or give a final recommendation to the proposed winery or vineyard application request.
County Strategic Plan pillar addressed:	Vibrant and Sustainable Environment
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Napa County is required by the California Environmental Quality Act (CEQA) to conduct an environmental analysis of all discretionary permits submitted for approval. CEQA requires analysis of dozens of environmental aspects, including the potential substantial depletion of groundwater supplies or substantial interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. The WAA provides guidance and a procedure to assist applicants, neighbors, county staff, decision makers, and other interested parties to gather the information necessary to adequately evaluate potential impacts to groundwater.

A WAA is required for any discretionary project that may utilize groundwater or will increase the intensity of groundwater use of any parcel through an existing, improved, or new water supply system (Napa County Groundwater Conservation Ordinance, Section 13.15.010). As such, it is most commonly used for discretionary development applications using groundwater such as wineries and commercial uses. While discretionary vineyard projects also require the submittal of a WAA as part of the application, they often require more exhaustive

analysis due to their size and scope.

The scope of work includes the peer review of groundwater related analyses and will be determined by the Planning Director on an as-needed basis. The work tasks involved will generally include a preliminary review of existing documentation, identification of any data gaps, review of aquifer tests, recharge analysis, and water supply demands, and will result in a memorandum summarizing the results of the peer review. LSCE has provided this peer review service since 2017, which PBES wishes to continue to utilize.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Leigh Sharp