



Agenda Date: 4/5/2005
Agenda Placement: 6H

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Kim Henderson for Robert Peterson - Director
Public Works
REPORT BY: Karen Gratton, Staff Services Manager, 259-8620
SUBJECT: Amendment No. 6 to Agreement No. 4202 with the Napa County Flood Protection and Watershed Improvement Authority

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 6 to Agreement No. 4202 with Napa County Flood Protection and Watershed Improvement Authority increasing the amount by \$300,000 for a new maximum of \$2,234,054 to develop a preliminary restoration design project for the Rutherford Reach of the Napa River.

EXECUTIVE SUMMARY

Agreement No. 4202 with the Napa County Flood Protection and Watershed Improvement Authority funds county unincorporated flood damage reduction projects and agricultural watershed and storm water runoff management improvements from the proceeds of the Measure "A" Flood Protection Sales Tax. Amendment No. 6 adds the preliminary restoration design for the Rutherford reach of the Napa River to the scope of work. The Director of Public Works has deemed this project consistent with the project language as specifically worded in Section 8(E) (2) of the Measure "A" ordinance, which reads: "Agricultural watershed and stormwater runoff management improvements planned jointly by the agricultural industry, the County, the Napa County Resource Conservation District and the Department of Fish and Game, including projects which will reduce the amount of storm runoff and sediment in the Napa River System from agricultural lands and increase flood storage of the River system by the setback of active land uses from river and tributary banks."

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	County Measure "A" funds.

Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The County is accumulating Measure "A" funds that can be used for specific flood control and water projects as detailed in the Measure "A" Ordinance. On August 31, 2004 your Board approved a letter of intent to contribute \$270,000 to the Napa County Resource Conservation District (RCD) for the Rutherford Dust Society (RDS) river restoration project. Amendment No. 6 to Agreement No. A-4202 provides for this funding along with \$30,000 for Napa County staff time for a total of \$300,000.
Is the general fund affected?	No
Future fiscal impact:	RDS's request of \$270,000 in 2004/05 will provide for the beginning stages of design and environmental review. In addition RDS has requested \$250,000 in 2005/06 to prepare plans and specifications for the project, and anticipates requesting up to \$2,000,000 for construction in future years for a total of \$2,520,000.
Consequences if not approved:	River restoration and flood control efforts will be delayed along the Napa River in the Rutherford area.
Additional Information:	The County will be coming back to your Board with a funding agreement with RCD at which time staff will appropriate \$300,000 for the project with offsetting funds from Measure "A".

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Pursuant to Guideline Section 15378(c), this action merely provides funding to prepare project plans and to conduct environmental review, and in itself does not constitute a "project" which is being approved nor commit to implementation of a project that may impact the environment. Subsequent discretionary approval and environmental determination by the County of Napa, as Lead Agency, is required before implementation of the project.

BACKGROUND AND DISCUSSION

The unincorporated area of the County collects 9.6% of the Measure "A" sales tax. Previously approved projects included a Silverado Trail Feasibility Study evaluating the elevation of the roadway structure; the Lewelling Avenue Drainage Outfall Project which installed a new and larger storm drain reducing flood damage to businesses and highway users; the Milliken-Sarco-Tulocay Recycled Water Plan to study the feasibility of transporting recycled water to this area to replace ground and surface waters currently used for agriculture; and the Angwin/Deer Park Water Supply Reliability Plan identifying facility improvements for both water supply reliability and flood control.

Prior County Measure "A" expenditures total \$976,054 leaving a current available balance of County Measure "A" funds of approximately \$1.4 million. On February 1, 2005 your Board approved the funding of \$958,000 for the Groundwater Restoration Project in the Milliken-Sarco-Tulocay (MST) Watershed Basin and the Angwin/Deer Park Water Supply Reliability Plan leaving a balance of \$442,000 for this and future amendments. Beginning in fiscal year 2005-2006, the annual accrual rate will jump to \$1.1 million. By the end of the sales tax measure, the County will have accumulated approximately \$18 million to use on eligible projects.

The proposed amendment adds a new project to the agreement. The amendment includes \$300,000 for the

County's part in the preliminary restoration design project for the Rutherford Reach of the Napa River. The Rutherford reach of the Napa River, which lies along the River between Zinfandel Lane and the Oakville Cross Road, suffers from accelerated bank erosion resulting in loss of valuable vineyard land, threats to property and infrastructure, and damage to aquatic habitat and riparian forest. Additionally, bank erosion here is a potentially large source of sediment into the River. The Rutherford Dust Society, in collaboration with the Napa County Resource Conservation District (NCRCD) and the Napa County Flood Control and Water Conservation District (NCFCWCD), retained a consultant to assess existing conditions and produce a conceptual plan for restoration of this stretch of the River. The resulting Conceptual Plan for the Stabilization and Restoration of the Napa River, Rutherford Reach, identifies the existing conditions and likely future evolution of the River, and forms the foundation for implementing stabilization and restoration projects while minimizing impacts on adjacent land uses and existing ecological resources. The next step is to proceed with preliminary design for the restoration of the Rutherford Reach. Elements of the preliminary design will include the following items:

- Locate and detail bank stabilization methods
- Provide grading plans
- Perform geomorphological, ecological, and hydraulic modeling
- Produce aquatic species habitat and riparian rehabilitation designs
- Produce specific and testable geomorphic and ecological performance criteria
- Provide CEQA and NEPA compliance and all necessary permits
- Provide monitoring and maintenance plan to test pre and post construction performance criteria

The County of Napa, Rutherford Dust Society, NCRCD and NCFCWCD will enter into a Memorandum of Understanding delineating each entity's responsibilities related to the project, including funding. The amendment funds \$300,000 of this phase of the project through its Measure "A" sales tax collections including consultant and staffing costs. Staff recommends approval of the amendment.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Michael Stoltz