



A Tradition of Stewardship
A Commitment to Service

Supplemental Item

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
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David Morrison
Director

August 3, 2020

Brendon Freeman, Executive Officer
Napa County Local Agency Formation Commission (LAFCO)
1030 Seminary Street, Suite B
Napa, California 94559

RE: DRAFT NAPA COUNTYWIDE WATER AND WASTEWATER MUNICIPAL SERVICE REVIEW

Dear Mr. Freeman:

Napa County Planning Division and Public Works Department staff have reviewed the Draft Napa Countywide Water and Wastewater Municipal Service Review (DMSR), and request LAFCO consider the following comments at this point in the process. Napa County appreciates your efforts, and those of your consultant, in responding to our prior comments of March 17, 2020, which you requested on the Administrative Draft of this document. The comments below follow on our prior comments and are offered in response to how our prior comments were addressed within the current document.

1. County Staff continue to support LAFCO's recommendation to explore establishment of a centralized water agency, and again would like to emphasize that Napa County decision makers and staff need to be an integral part of the governance structure. All unincorporated Community Service Districts (CSD's) and Community Service Areas (CSA's) should also be included in the agency's management responsibilities.
2. The recommendations for centralized water agency should include direction discouraging annexation of unincorporated areas that currently receive municipal water or sewer service, to protect existing farmland and open space. Establishment of a centralized water agency would suggest that efficient services can be provided by the agency without need for cities to expand.
3. The DMSR recommends the County and cities/town establish a policy regarding trucked water. Napa County staff are open to exploring this topic further. However, we request that LAFCO acknowledge that the County currently regulates trucked water through our discretionary and ministerial permitting processes. The vast majority of existing trucked water sold by municipalities is entirely outside of the County's control, and even outside the cities' control for water purchased from outside the county, through a broker, or other third party.
4. We appreciate that the DMSR was updated to include discussion on the potential disadvantages, and challenges that would be need to be overcome, to create a centralized water agency. We also appreciate that the County was included in the recommendations regarding coordinating efforts on efficient service of water to unincorporated areas. We encourage LAFCO to emphasize that all planning activities for efficient water and sewer service within unincorporated areas only occur in coordination with the County.

5. Thank you for expanding on the historical context of out-of-agency water and sewer development within unincorporated areas. The County again would like to emphasize that virtually all of the water and sewer lines that presently exist outside of city limits occurred prior to the establishment of LAFCO and smart growth policies. These are preexisting conditions, and we urge LAFCO to discourage actions that would lead to annexation of these preexisting municipality-served unincorporated lands.
6. Thank you for augmenting the DMSR regarding Assembly Bill 402 (Dodd) from 2016 regarding the pilot program for municipal services to unincorporated areas, and for including additional information on the Groundwater Sustainability Agency (GSA).
7. Napa County remains concerned with the recommendation to convert LB and NB Resort Improvement Districts to CSA's, but we are open to relooking at the situation. Our concern lies in the absolute need to be able to continue to compel property owners to connect to services. The County has thoroughly investigated reorganization options in the recent past, and previously found the options put forth in DMSR to be infeasible.
8. Napa County staff support the recommendation to defer any governance reorganization actions on the Napa River Reclamation District (NRRD). We appreciate your responsiveness to the concerns we raised in our prior letter.
9. County staff remain concerned that annexation of the Domaine Chandon property to the Town of Yountville is still included as a recommended action, but appreciate that the recommendation was modified to reflect that coordination with the County is necessary. The DMSR provides an incomplete description of the background events leading to the current situation at Domaine Chandon. Yountville allowed the development to proceed in the early 1990's without annexation despite having an annexation agreement with the property owner. The DMSR should evaluate why this occurred before a recommendation can be formed. Also, the recently adopted Sphere of Influence (SOI) boundary does not follow existing property lines, does not account for existing buildings, and bisects the existing land use entitlement (i.e. – winery use permit), all of which represent issues that need to be addressed to enable annexation. It is quite possible that the SOI boundary will need to change before annexation can occur. As such, the DMSR recommendation should be deleted or changed to suggest annexation not occur unless and until new development has been proposed.

We thank you for providing an opportunity to review and comment on the document. If you should have any questions regarding any of the items listed above, please feel free to contact me at 707-253-4805 or david.morrison@countyofnapa.org, or John McDowell at 707-299-1354 or john.mcdowell@countyofnapa.org.

Sincerely,

John McDowell for

David Morrison
Planning, Building and Environmental Service Director

cc: Board of Supervisors
Minh Tran, Napa County CEO
Steve Lederer, Director of Public Works