



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

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OFFICE OF THE DIRECTOR OF PUBLIC WORKS

July 27, 2010

The Honorable Stephen T. Kroyer
Presiding Judge
Superior Court of the State of California, County of Napa
825 Brown Street
Napa, CA 94559

FILED

AUG 13 2010

Clerk of the Napa Superior Court
By: C. Brennan
Deputy

Subject: Grand Jury Final Report on Water: Our Precious, Critical Resource

Dear Honorable Judge Kroyer:

The City of St. Helena has received and reviewed the subject report. Pursuant to the provisions of the California Penal Code, this letter is to respond to Recommendations for the City of St. Helena Public Works Department 1, 2, 4, 9, 11, 14, as well as to respond to Recommendations for the Mayor, St. Helena 5, 8, 9, 10, 13, and Recommendations for the City Council, St. Helena 3, 5, 9, 11, and 14.

PUBLIC WORKS DEPARTMENT RECOMMENDATIONS

- **Recommendation 1:**
"Municipalities within the County develop, expand, and formalize agreements to provide water allocations to address a catastrophic loss of water".

Response:

Disagree partially with the finding. The recommendation requires further analysis by December 1, 2010. The City produces water from two water treatment plants. One plant treats water from Bell Canyon Reservoir and the other treats surface water from Stonebridge Wells (two deep groundwater sources fed by Sonoma Volcanic aquifer). The City also has an agreement with the City of Napa to purchase between 400 and 800 acre-feet of water per year. The City has adequate groundwater and backup water supply, and the Public Works Director is working with other municipalities in the County to improve water supply reliability in the entire Napa Valley and to address a catastrophic loss of water.

Received

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Napa Superior Court

- **Recommendation 2:**

“All County municipalities evaluate means to increase the capacity, and enhance the survivability, of municipal reservoirs and water storage facilities”.

Response:

Disagree partially with the finding. The recommendation will not be implemented because it is not environmentally or financially feasible.

The municipal reservoir created by the dam at Bell Canyon, built in the late 1950's, is a tall earthen dam in a narrow canyon. Increasing the capacity of the dam is not likely for the following reasons:

- The dam at Bell Canyon cannot be raised without an environmental study proving to the State Water Board that the watershed can support additional storage.
- The dam could not be raised without a seismic study satisfactory to the Division of Safety of Dams. Due to the age and type of the current facility it is probable that the Division would require that the dam be rebuilt to modern standards.
- The State Water Board would require careful evaluation of the any increase in capacity against its recently adopted Inflow Stream Policy (**AB 2121**).

- **Recommendation 4:**

“Each County municipality prepare a plan to ensure rapid repair of the water delivery system and include procedures for emergency water delivery to facilities responsible for providing immediate health and safety aid to the communities' population, especially local hospitals, shelters, and emergency centers”.

Response:

Disagree partially with the finding. The recommendation has not yet been implemented, but will be implemented in the future. The City has less than 2,400 service connections (1,964 within City limits, 348 outside city limits) to a population of approximately 6,800 people using approximately 1977 acre feet of water per year. The City is not required to prepare an Emergency Response Plan; however the City has established an Urban Water Management Plan which addresses the City's response to a catastrophic loss of water in Section 9 Water Shortage Contingency Plan, Section 9.1, the City has a five-phased Water Shortage Emergency (Contingency) Plan which includes voluntary and mandatory conservation measures. At any time that the City Council determines that a water shortage emergency condition exists, and that it is necessary to limit usage by the customers of the City's water system, the City Council shall adopt a resolution setting forth applicable phases.

- **Recommendation 9:**

“The County and all municipalities continue development and expansion of recycled water projects to alleviate future water shortages”.

Response:

Agree partially with the finding. While the City recognizes recycled water should be put to beneficial use, the production rate of recycled water would not be satisfactory to “alleviate future water shortages”. Additionally the demand for recycled water is likely to be highest during the driest months when flows into the sewage treatment plant are at their lowest. This means that recycled water could not be a meaningful factor in augmenting supply for non-potable use without the addition of substantial storage capacity. It would be necessary to provide recycled water storage, pumping and distribution facilities, which includes, at minimum, a 400 acre-feet of storage. The City does not own land at a location suitable for such storage capacity, and the cost of purchasing land and constructing more storage is not fiscally justifiable to rate payers. Not to mention a significant capital cost.

- **Recommendation 11:**

“St. Helena accelerate its planning process and implementation of distribution and use recycled water.”

Response:

Agree partially with the finding. While the City recognizes recycled water should be put to beneficial use, the economic feasibility of implementing a recycled water product is daunting for a system with so few users. The City has researched and proposed a Recycled Water Project which involved an upgrade and expansion of the existing wastewater treatment facilities to provide up to 1,200 acre-feet of recycled water meeting tertiary, unrestricted reuse standards according to Title 22 to be utilized to offset the current use of potable water for irrigation of school grounds, parks, and other City properties, groundwater currently used by vineyards for irrigation, and to enhance drought and fire protection. However the demand for recycled water is likely to be highest during the driest months when flows into the sewage treatment plant are at their lowest. This means that recycled water could not be a meaningful factor in augmenting supply for non-potable use without the addition of substantial storage capacity. It would be necessary to provide recycled water storage, pumping and distribution facilities, which includes, at minimum, a 400 acre-feet of storage. The City does not own land at a location suitable for such storage capacity, and the cost of purchasing land and constructing more storage is fiscally challenging to so few rate payers and the City is not currently capable to produce funds for such a significant capital cost.

- **Recommendation 14:**

“That within six months American Canyon, Calistoga, St. Helena, and Yountville prepare capital cost proposals for fluoridation of their water supplies”.

Response:

Disagree wholly with the finding. The recommendation will not be implemented because it is not required of small water systems. The City of St. Helena’s 2009 Consumer Confidence Report (Annual Drinking Water Quality Report) showed that laboratory testing found 0.56 parts per million (ppm) of fluoride detected so there is some fluoride in the water supply. Fluoridation is most beneficial to children, most toothpastes have fluoride, and fluoride supplements can be purchased for children. If the City Council insisted on fluoridation, then there are up front capital costs to add fluoride to the water treatment process and ongoing chemical purchase costs that would likely to be entirely paid by the City. The City Council is evaluating the need to increase water rates, which is not what rate payers want during these difficult economic times. Since fluoridation would increase the rates higher, the benefits do not justify the costs spread to all rate payers. Additionally, there is rapidly growing scientifically supported opposition evidencing that fluoridation, long promoted to fight tooth decay, is ineffective and has serious health risks. One fact contrary to the belief that began in the 1940s and 1950s that fluoride needed to be swallowed in order to be most effective, shows that according to the Centers for Disease Control, fluoride’s “predominant effect is posteruptive and topical”, and any benefits that accrue from the use of fluoride, come from the direct application of fluoride to the outside of teeth (after they have erupted into the mouth) and not from ingestion. Therefore, there is no need to expose all other tissues to fluoride by swallowing it.”

MAYOR, ST. HELENA RECOMMENDATIONS

- **Recommendation 5:**

“Cities of American Canyon and Napa are encouraged to complete their updated UWMP plans on schedule and train appropriate City and County officials to carry out their specific responsibilities. St. Helena is encouraged to update their UWMP plan on a periodic basis.”

Response:

Disagree partially with the findings. The City of St. Helena is not required to prepare and adopt an Urban Water Management Plan because it does not meet the minimum number of required connections which is 3,000. The city currently has only +/- 2,500 connection and based on projected General Plan growth will not exceed the minimum of 3,000. Although the City is not required to prepare an Urban Water Management Plan, the City voluntarily completed one in 2003

and an update in 2007. Emergency preparedness can always be improved, and City staff will continue to update its plan on a periodic basis.

- **Recommendation 8:**

"The City of Napa and NSD identify a process for, and develop an implementation plan to, integrate NSD and PWD into a single department."

Response:

Disagree wholly with the finding. The recommendation will not be implemented because it is not warranted. The Recommendation does not apply to the City of St. Helena as it specifically addresses that the City of Napa and NSD identify a process for, and develop an implementation plan to, integrate NSD and PWD into a single department.

- **Recommendation 9:**

"The County and all municipalities continue development and expansion of recycled water projects to alleviate future water shortages."

Response:

Agree partially with the finding. While the City recognizes recycled water should be put to beneficial use, the production rate of recycled water would not be satisfactory to "alleviate future water shortages". Additionally the demand for recycled water is likely to be highest during the driest months when flows into the sewage treatment plant are at their lowest. This means that recycled water could not be a meaningful factor in augmenting supply for non-potable use without the addition of substantial storage capacity. It would be necessary to provide recycled water storage, pumping and distribution facilities, which includes, at minimum, a 400 acre-feet of storage. The City does not own land at a location suitable for such storage capacity, and the cost of purchasing land and constructing more storage is not fiscally justifiable to rate payers. Not to mention a significant capital cost.

- **Recommendation 10:**

"The County, all municipalities, and NSD investigate the process and economics for the formation of a countywide utility district to benefit the County residents and holistically manage the availability, distribution, and economics of portable and recycled water."

Response:

Disagree partially with the finding. The recommendation requires further analysis by December 1, 2010. While it is cost prohibitive at this time for the City to solely provide recycled water, the Public Works Director will work with other municipalities in the County to investigate the process and economics for the formation of a countywide utility district to benefit the County residents and

holistically manage the availability, distribution, and economics of portable and recycled water.

- **Recommendation 13:**

“That within six months the City of Napa apply for funding sources for capital improvements to fluoridate water supplies for its three treatment plants in compliance with AB733.

Response:

Disagree wholly with the finding. The recommendation will not be implemented because it is not warranted. The Recommendation does not apply to the City of St. Helena as it specifically addresses that the City of Napa to apply for funding sources for capital improvement to fluorite water supplies for its three treatment plants.

CITY COUNCIL, ST. HELENA RECOMMENDATIONS

- **Recommendation 3:**

“Calistoga, St. Helena, and Yountville prepare their own detailed plans that supplement and complements the County’s ERP.”

Response:

Disagree partially with the finding. The recommendation has not yet been implemented, but will be implemented in the future. The City has less than 2,400 service connections (1,964 within City limits, 348 outside city limits) to a population of approximately 6,800 people using approximately 1977 acre feet of water per year. The City is not required to prepare an Emergency Response Plan; however the City has established an Urban Water Management Plan which addresses the City’s response to a catastrophic loss of water in Section 9 Water Shortage Contingency Plan, Section 9.1, the City has a five-phased Water Shortage Emergency (Contingency) Plan which includes voluntary and mandatory conservation measures. At any time that the City Council determines that a water shortage emergency condition exists, and that it is necessary to limit usage by the customers of the City’s water system, the City Council shall adopt a resolution setting forth applicable phases.

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Response:

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- **Recommendation 9:**

“The County and all municipalities continue development and expansion of recycled water projects to alleviate future water shortages.”

Response:

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- **Recommendation 11:**

“St. Helena accelerate its planning process and implementation of distribution and use recycled water.”

Response:

Agree partially with the finding. While the City recognizes recycled water should be put to beneficial use, the economic feasibility of implementing a recycled water product is daunting for a system with so few users. The City has researched and proposed a Recycled Water Project which involved an upgrade and expansion of the existing wastewater treatment facilities to provide up to 1,200 acre-feet of recycled water meeting tertiary, unrestricted reuse standards according to Title 22 to be utilized to offset the current use of potable water for irrigation of school grounds, parks, and other City properties, groundwater currently used by vineyards for irrigation, and to enhance drought and fire protection. However the demand for recycled water is likely to be highest during the driest months when flows into the sewage treatment plant are at their lowest.

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- **Recommendation 14:**

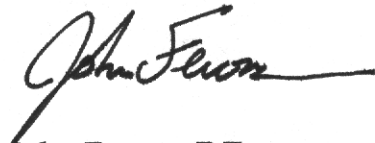
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Response:

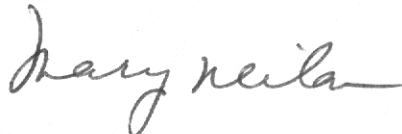
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Thank you for your efforts in assuring that all branches of county government are being administered honestly, effectively, and in the best interest of Napa County Citizens. If you have any questions regarding these responses, please contact me at your convenience at 707-968-2658.

Sincerely,



John Ferons, P.E.
Public Works Director / City Engineer



Mary Neilan,
City Manager



Del Britton,
Mayor

Cc: Napa County Board of Supervisors
Delia Guijosa, City Clerk
Dan Brunetti, Chief Water Treatment Plant Operator
Michael Sample, Chief Wastewater Treatment Plant Operator
Bob Brownwell, Chief Water Distribution Operator