



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

1480 Main Street  
St. Helena, CA 94574  
Phone: (707) 968-2658  
Fax: (707) 967-2806

www.ci.st-helena.ca.us

**OFFICE OF THE DIRECTOR OF PUBLIC WORKS**

February 22, 2011

**FILED**

APR 15 2011

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

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

Subject: Grand Jury Final Report on Water: Our Precious, Critical Resource  
Re-submittal of Responses

Dear Honorable Judge Kroyer:

On July 24, 2010, pursuant to the provisions of the California Penal Code, the City of St. Helena City Council respectfully submitted a response to Recommendations 1, 2, 4, 9, 11, 14 for the City of St. Helena Public Works Department, as well as responses to Recommendations 5, 8, 9, 10, 13 for the Mayor of St. Helena, and Recommendations 3, 5, 9, 11, and 14 for the City Council of St. Helena.

On January 21, 2011, the City of St. Helena received a letter from the Napa County Grand Jury requesting that the City of St. Helena also respond to **Finding 1, 2, 4, 6, 8, 11, 14, 15, 17 and 18** pursuant to California Penal Code 933.5(a), and resubmit responses to **Recommendations 1, 4, 9 and 11**, pursuant to Penal Code 933.5(b).

Pursuant to Penal Code section 933 (c), the City is respectfully submitting responses only to the following findings to the extent the finding pertains to matters under the control of the City of St. Helena.

**FINDINGS**

- **Finding 1**  
Water quality testing in all municipalities in Napa meets current California Department of Public Health and EPA Clean Drinking Water Act requirements. Water Quality Reports are available annually from all Napa County municipalities

RECEIVED

FEB 24 2011

NAPO SUPERIOR COURT

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, the Water quality testing in all municipalities in Napa meeting current California Department of Public Health and EPA Clean Drinking Water Act requirements is a not matter under the control of the governing body of St Helena (see Penal Code section 933(c).

- **Finding 2**

In the event of supply disruption from the NBA, the County and its municipalities will depend on water from municipal reservoirs and water storage facilities.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, the event of supply disruption from the NBA, the County and its municipalities dependence on water from municipal reservoirs and water storage facilities is a not matter under the control of the governing body of St Helena (see Penal Code section 933(c).

- **Finding 4**

A major earthquake would likely cause a significant disruption to water delivery infrastructure through the County.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, a major earthquake likely causing a significant disruption to water delivery infrastructure through the County is a not matter under the control of the governing body of St. Helena (see Penal Code section 933(c).

- **Finding 6**

Although not required, St. Helena voluntarily prepared an UWMP.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena (see Penal Code section 933(c).

- **Finding 8**

Recycled water is a non-potable supply option to alleviate demands on potable water programs.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, Recycled water as a non-potable supply option to alleviate demands on potable water programs is a not matter under the control of the governing body of St Helena (see Penal Code section 933(c)).

- **Finding 11**

St. Helena is not currently using recycled water but is “looking into it”.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, the City agrees with the finding.

- **Finding 14**

None of Napa County’s public water systems fluoridate their water supplies.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, none of Napa County’s public water systems fluoridating their water supply is a not matter under the control of the governing body of St Helena (see Penal Code section 933(c)).

- **Finding 15**

Fluoridated water has a documented significant oral health benefit and fluorinating water in Napa County was recommended as a component for community dental health improvement.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, the oral health benefits of fluoridation is a not matter under the control of the governing body of St Helena (see Penal Code section 933(c)).

- **Finding 17**

Annual savings in oral healthcare to County resident is projected to exceed the estimated costs of operating water fluoridation systems at the County public water systems.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, the annual health benefits of the fluoridation of water is not a matter under the control of the governing body of St Helena (see Penal Code section 933(c)).

• **Finding 18**

No County municipalities have applied for funding to fluoridate their public water systems.

**Response**

Pursuant to Penal Code section 933 (c), the City of St. Helena responds as follows only to the extent the finding pertains to matters under the control of the City of St. Helena. Subject to this stated limitation, the County municipalities applying for funding to fluoridate their public water systems is a not matter under the control of the governing body of St Helena (see Penal Code section 933(c)).

**RECOMMENDATIONS**

• **Recommendation 1:**

“Municipalities within the County develop, expand, and formalize agreements to provide water allocations to address a catastrophic loss of water”.

**Response:**

Pursuant to 933.05(b)(3) The recommendation requires further analysis. 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.

• **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:**

Pursuant to 933.05(b)(2) 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:**

Pursuant to 933.05(b)(4) the recommendation will not be implemented because it is not reasonable. 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:**

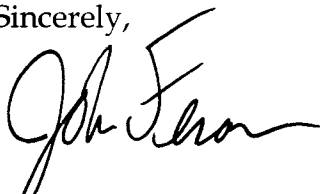
"St. Helena accelerate its planning process and implementation of distribution and use recycled water."

**Response:**

Pursuant to 933.05(b)(4) the recommendation will not be implemented because it is not reasonable. 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.

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