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Town of Yountville
"The Heart of the Napa Valley"

August 2, 2022

The Honorable Cynthia P. Smith
Presiding Judge of the Civil Grand Jury
The Superior Court of California, County of Napa
825 Brown Street
Napa, CA 94559

Napa County Civil Grand Jury
c/o Foreperson
1754 Second Street, Suite D
Napa, CA 94559

Re: Response to Napa County Grand Jury Report Dated June 13, 2022 Entitled: "Napa County's Climate Action Committee: Where's the Action?"

Dear Judge Smith and Foreperson:

The Town of Yountville has carefully reviewed and considered the findings and recommendations of the Napa County Grand Jury in its report dated June 13, 2022 entitled: "Napa County's Climate Action Committee: Where's the Action?" The Grand Jury requested the Town Council's responses to the findings and recommendations in the report. This letter provides those responses pursuant to California Penal Code section 933.05, subdivisions (a) and (b).

FINDINGS:

F1: The CAC has not been effective in developing and implementing actions for county-wide programs to combat climate change.

The Town Council respectfully disagrees with this Finding. The Grand Jury does not define by what standard the Climate Action Committee ("CAC" or "Committee") would be considered effective, or how the Committee has performed compared to that standard. The comment is unsubstantiated opinion, rather than a reasoned finding.

Developing countywide programs to reduce greenhouse gas emissions is a process. The Committee is following the same process as that taken by the Sonoma Regional Climate Protection Authority, which is cited several times by the Grand Jury as the model that should be followed. The Authority prepared an updated greenhouse gas emission, considered a range of action items to achieve the target goals, and assisted member agencies in implementing those action items. The Committee is at an earlier stage than the Authority, which was formed in 2009. In contrast, the Committee only began meeting less than three years ago.

Within the short time of the Committee's operation, much has been done to lay down the foundation for effective climate action. The individual members of the Committee have all adopted Climate Emergency Resolutions or Proclamations, and all members have adopted or are in the process of preparing Climate Action Plans. The municipalities participating in the

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Committee have adopted a Joint Powers Agreement, establishing the composition and operations for the Committee, as well as an ongoing funding commitment. The Committee has secured a grant and is in the final process of updating the 2009 regional greenhouse gas emission inventory, which will include specific actions that can be taken by member agencies to reduce greenhouse gas emissions. The Committee has also directed staff to begin work on an Electric Vehicle Charging Station plan, to determine how the member agencies will meet the goals established by the California Energy Commission Assembly Bill 2127 Electric Vehicle Charging Infrastructure Assessment.

The Committee has been meeting for a total of 33 months. During that time, Napa has experienced two major wildfires, a pandemic, and a continuing severe drought. A great deal has been accomplished in a short time, despite numerous challenges.

The Town has independently adopted a Climate Emergency proclamation along with adoption of its Climate Action Plan in 2016 and Envision Yountville General Plan in 2019, which includes specific sustainability elements.

F2: Interviews of Napa CAC members confirmed that the Napa County CAC has decided not to take any major steps toward greenhouse gas (GHG) reduction until the GHG study is released.

The Town Council agrees with this Finding. The Committee will consider a range of potential climate change actions as a part of the regional greenhouse gas inventory update. Once the Committee has determined the current levels of greenhouse gas emissions (both regionally and by individual jurisdiction as well as source sector) and the targets needed to comply with future milestones, then it will have the information needed to consider actions tailored to address the specific sources and where they occur. To take action absent this information would be regulating based on anecdote. Any implementation of actions developed without this scientific framework would be subject to legal challenge and would not be accepted as adequate evidence if used in environmental analysis by member agencies.

The Grand Jury suggests in their report that "Models of well-developed countywide plans that have implemented such methods are available from nearby counties such as Sonoma County. Napa does not have to reinvent the wheel. It can and should take cues from these other neighboring jurisdictions." This is hardly a reasonable comparison. Sonoma County is 125% larger than Napa County and has a population 3.5 times the size of Napa County. Despite this size difference, Napa has more cultivated farmland than Sonoma, accounting for 8% of total land area, compared to only 3% in Sonoma.

The Sonoma County Regional Climate Protection Authority adopted its Climate Mobilization Strategy in 2021, three years after updating its regional greenhouse gas emission inventory in 2018. The Strategy did not borrow from other neighboring jurisdictions, but studied and utilized the best available science in determining its status and how best to reach the adopted goals over a 10-year timeframe. The Authority coordinates with member agencies to assist them in developing and implementing those measures that will have the greatest impact in reducing greenhouse gas emissions within their respective jurisdictions. The Committee is following the same path as that

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taken by the Authority: prepare an updated greenhouse gas emission, consider a range of action items to achieve the target goals, and assist member agencies in implementing those action items.

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The Grand Jury is not specific regarding which subsidy programs are not being considered by the Committee and did not go into detail regarding the cost or eligibility of recent grant programs. For instance, the Charge! program offered by the Bay Area Air Quality Management District offered earlier this year, provides $7 million to offset a portion of the cost of new public charging stations at qualifying facilities. However, the Charge! program only funds 50% to 80% of the cost of installation. Applicants must pay all up-front costs and at least 15% of the total project costs. With a minimum grant aware of $1 million, local jurisdictions would have to pay between $150,000 and up to $500,000 to participate in the subsidy. Environmental review, administrative costs, and maintenance are not eligible for funding. In addition, 60% of all funds awarded by this program are required to be spent within Environmental Justice communities, which excludes several of the Climate Action Committee members.

The Rural Electric Vehicle Charging grant provided by the California Energy Commission offers $4.8 million to local jurisdictions to install charging stations in rural areas. However, Napa County and other Bay Area jurisdictions are ineligible for the program due to high number of existing charging stations in those areas.

The California Energy Commission also recently awarded a grant program of $6 million for the Charging Access for Reliable On-Demand Transportation Services (CARTS) program. The grant supports electric vehicle charging stations for high mileage on-demand transportation services including services such as ride-hailing, taxis, and meal and grocery delivery. Each region was allotted one project up to $2 million, with a 50% match required from the applicant, again requiring significant funding from local jurisdictions.

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The California Energy Commission is in the process of developing the application process for Block Grants for Electric Vehicle Charging Incentive Projects. The qualification criteria, amount of subsidy, and other details are still being developed. It is expected that the application period will open late in 2022.

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The Town has independently approved ten (10) public EV charging stations, which were funded using two (2) different grant programs and received a tentative notice of award from the TFCA program in partnership with Napa Valley Transportation Authority (NVTA) for EV charging stations. The Town did not move forward with the Bay Area Air Quality Management District Charge! Program given that the grant funded less than 50% of actual project cost.

F4: The CAC struggles with a lack of county-wide GHG mitigation funding. However, it has not placed a priority on having an experienced, effective grant and funding pursuit individual on staff to seek and secure GHG reduction grants, even though grant subsidies for programs like EV charging stations currently exist.

The Town Council respectfully disagrees with this Finding. The member agencies of the Committee have allocated and reserved collectively $168,000 for the Committee over the past two years. These funds are in addition to the $50,000 in grant funding secured from the Bay Area Air Quality Management District. These monies have paid for staff to support the operations of the Committee, including the successful pursuit of one grant and ongoing monitoring of other available grant programs. Of course, this is all supplementary to the expenditures made by each jurisdiction in developing and implementing their individual climate action plans.

As stated in the response to F3 above, grant subsidies for electric vehicle charging stations are expensive and member agencies do not always qualify. Moreover, the Committee relies on funding provided by the member agencies; it does not have a separate revenue source. Participation in grant programs require match funds and/or administrative costs, as well as long-term continuation of effort. This funding depends on budgetary decisions by City and Town councils, as well as the Board of Supervisors, balanced against other competing social needs and interests.

The Town has independently allocated funds in its 2022/2023 budget to fund the Committee and the Green House Gas (GHG) Inventory Project.

F5: Past studies have stated that the two largest GHG emission categories are Transportation and Buildings. The Grand Jury's interviews confirm that these two categories are expected to remain the top two items in the GHG study currently underway. The CAC in its three years of existence has not defined and proposed any action items to address the top two categories of emissions.

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The Town Council respectfully disagrees with this Finding. The Grand Jury report is correct in that staff anticipates that Building Energy Use and On-Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory. Both issues are largely regulated by the State of California, through the Uniform Building Code and the Vehicle Emission Standards. While there are additional actions that can supplement the State's efforts, the Grand Jury is asking the Climate Action Committee and its member jurisdictions to take action without knowing the extent of the problem or the goal that is to be achieved.

More importantly, taking regulatory action always involves the potential for litigation, and it is the duty of the jurisdiction taking action to make its case as to why any new regulations are required, whether they are proportional to the impact, whether they are effective, and what standard will be achieved. In the absence of an updated greenhouse gas emission inventory, the Committee and its members would be acting in the absence of any context, and if the resulting regulations are overly burdensome or inequitably fall on some members of the community more than others, they would be exposing themselves and the general public to the potential for lengthy and expensive litigation.

As a part of the scope of work for the updated regional greenhouse gas emission inventory, the Committee has directed the consultant to identify and evaluate specific greenhouse gas reduction actions for the following sectors: transportation, building and other energy use, waste reduction and material consumption, carbon sequestration, water conservation, and food consumption. These actions will be evaluated by the Committee later this year and forwarded to the individual member agencies for consideration and implementation.

The Town has independently adopted a Climate Action Plan in 2016 and will review that plan in conjunction with the Green House Gas (GHG) Inventory Project once complete.

Recommendations

R1: The CAC should increase the sense of urgency in implementing GHG emission reduction actions.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. The recommendation does not indicate what timeline should be used for implementation, nor does it define what steps should be taken to "increase the sense of urgency." The State has established specific milestones for local jurisdictions to reduce greenhouse gas emissions: a 90% reduction below 1990 levels by 2035, and net zero emissions by 2045. These goals are more immediate than the 2050 net zero goal established by Federal agencies, the United Nations, and the Intergovernmental Panel on Climate Change (IPCC).

In addition, there is much being done already to achieve these goals. The individual member agencies of the Committee have all adopted Climate Emergency Resolutions, and all members have adopted or are in the process of preparing Climate Action Plans. The municipalities participating in the Committee have adopted a Joint Powers Agreement, establishing the composition and operations for the Committee, as well as an ongoing funding commitment. The Committee has secured a grant and is in the final process of updating the 2009 regional greenhouse

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gas emission inventory, which will include specific actions that can be taken by member agencies to reduce greenhouse gas emissions. The Committee has also directed staff to begin work on an Electric Vehicle Charging Station plan, to determine how the member agencies will meet the goals established by the California Energy Commission Assembly Bill 2127 Electric Vehicle Charging Infrastructure Assessment.

The Committee has been meeting for a total of 33 months. During that time, Napa has experienced two major wildfires, a pandemic, and a continuing severe drought. A great deal has been accomplished in a short time, despite numerous challenges.

R2: The CAC should create monitoring protocols that seek to identify what its individual members have set as goals and to identify whether they have met meaningful standards consistent with those goals. These should be formalized and reported to the CAC on a quarterly basis.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. Using individual climate action plans as the basis for monitoring progress towards greenhouse gas reduction goals would require a significant level of effort due to the different timelines and methodologies used by each jurisdiction. For example, both American Canyon's 2012 Climate Action Plan and Calistoga's 2014 Climate Action Plan have a greenhouse reduction goal of 2020, but no goals beyond that date. The City of Napa's 2012 Sustainability Plan has goals for 2030, 2040, and 2050, but it looks only at municipal operations and not at community sources of greenhouse gas emissions. Yountville's 2016 Climate Action Plan has a goal of 2030, St. Helena's 2019 General Plan has goals of 2030 and 2040, and the draft County 2019 Climate Action Plan has goals of 2030 and 2050. Beyond the lack of common timelines used, how each jurisdiction calculates emissions also varies. Different methodologies, definitions, and data sources have been used, as climate modeling has changed greatly over the past 10 years. Lastly, not all jurisdictions have action items that have quantitative reductions in emissions associated with them. Several of the plans have qualitative action items and are not clear as to how reduction goals will be achieved. The value of a single integrated inventory is that all jurisdictions can be analyzed using the same information and modeling to create a basis for comparison, as well as the opportunity to determine how collaborative actions can gain greater reduction through effective collaboration.

The Committee is established as a collaborative effort that allows each member agency to retain local control within its jurisdiction. Consequently, the City and Town Councils and Board of Supervisors are held accountable by their respective constituents for meeting greenhouse gas reduction goals. Staff is not aware of any regional climate action committee (including the Sonoma County Regional Climate Protection Authority) that monitors member agencies for progress towards meeting each jurisdiction's climate action goals. It is unclear what added value monitoring by the Committee would provide, or what steps (if any) would be taken by the Committee for any member that was not meeting "meaningful standards" as established by the Committee.

R3: The CAC should provide a detailed prioritized list of potential projects for possible grant funding and either retain or designate a current staff person as a grant researcher and writer to identify and seek grants from any possible source.

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This recommendation has been implemented, as it pertains to the Town. Staff to the Committee have already secured one $50,000 grant and continue to search for other appropriate potential funding opportunities, where local agencies qualify and where funding to support and implement the grant has been allocated at the direction of the member agencies of the Committee.

The Town has independently allocated funds in its 2022/2023 budget to fund the Committee and has pursued a number of grant opportunities related to sustainability and, in the case of the Town gas-powered leaf blower ban, actively provided grants to help implement that effort.

R4: The CAC should restructure itself to provide authority over and accountability of its member jurisdictions.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. The Committee is established as a collaborative effort that allows each member agency to retain local control within its jurisdiction. The Grand Jury is proposing a restructuring of the Committee to convert it into a regional climate agency, with the ability to enforce and regulate within member jurisdictions.

The Grand Jury describes "...the problem of each jurisdiction going its own way and operating on a non-collaborative course." They advocate for the creation of a new bureaucracy, where power over climate change can be centralized and enforced. Certainly, such an approach can lead to greater and faster action. However, the Grand Jury does not discuss the disadvantages of such an approach. A regional agency would be able to enforce actions against a member agency, regardless of the fiscal or economic impact on the jurisdiction. Solutions that work in a City of 75,000 may be equally applied in a Town of less than 4,000, or a rural community where they may not be effective or relevant. Residents and businesses who may be disproportionately and adversely affected by new regulations would not have a place to appeal any decision and would not be able to directly vote for the decision makers. If this model were the most effective approach, it seems that the State would have created a centralized regulatory agency to administer climate change requirements throughout California, but that has not occurred. The sources of greenhouse gas emissions, patterns of community development, demographics, and lifestyles of communities in Napa County are very diverse. A uniform, top-down strategy to expedite action on the reduction of greenhouse gas emissions can lead to oversimplification and may instead impede progress by focusing scarce resources enforcing a "one-size-fits-all" solution.

Moreover, Town staff are unaware of any region within the State of California that has adopted such a model. The Sonoma County process referred to in the Grand Jury report is not binding on member jurisdictions. The countywide plan is made available for each municipality to consider on its own. It should be noted that an appeal of the Superior Court decision regarding the California Environmental Quality Act document for the Sonoma countywide climate action plan was not pursued because member agencies did not unanimously support continued action. As a result, an Environmental Impact Report for the Sonoma countywide climate plan was never certified. The other examples of regional climate agencies that staff are familiar with are also advisory; none have legal authority over the participating jurisdictions. The Grand Jury is advocating for a new agency with powers over climate action planning and implementation that

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has not been attempted anywhere in California. At a minimum, a great deal more thought and consideration should be applied to the question, rather the casual support given to such a radical idea by the Grand Jury.

R5: To benefit its work, the CAC should consider the following actions: (A) Reducing the number of CAC members, currently from 12 (2 per jurisdiction), to 6 (1 per jurisdiction) to facilitate faster action, use of advisors and plan development; and (B) Utilize county citizens familiar with GHG emission reduction strategies to assist the CAC in the preparation of recommended actions.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. The Grand Jury does not point to any evidence in their report to demonstrate that a smaller Committee would be more effective. The two examples cited in their report do not support this conclusion. The Sonoma County Climate Action Committee is similar to Napa County and has two representatives from each jurisdiction for a total of 24 members (compared to Napa's 12 members). It should be noted that the Sonoma Regional Climate Authority, which the Sonoma Climate Action Committee advises, also has 12 members. There is no reference to a Contra Costa Climate Action Committee. It is assumed the reference in the Grand Jury report is to the Contra Costa County Sustainability Commission, which has 17 members. In addition, the Mendocino County Climate Action Advisory Committee has 15 members. Other than a passing reference by the Grand Jury to "...an ungainly body of mostly elected officials...," the report offers no constructive criticism or facts to support their unsubstantiated recommendation.

The Committee has an extensive history of considering input from county residents and interested parties regarding greenhouse gas emission reduction strategies. On August 28, 2020, the Committee heard a presentation from Napa Climate Now! regarding budget conscious climate actions. On February 26, 2021, the Committee heard a presentation from the California Hydrogen Business Council, on hydrogen vehicles and fueling stations for local governments. On March 26, 2021, the Committee heard a presentation on the Napa Green program. On April 23, 2021, the Committee heard a presentation on forest health from the Napa County Resource Conservation District. On May 28, 2021, the California Land Stewardship Institute gave a presentation to the Committee on the Climate Adaptation Certification, a comprehensive science and winegrower collaboration to benefit agriculture and the environment. On June 25, 2021, the Committee heard a presentation from the Napa County Bicycle Coalition regarding Safe Routes to School: Parent Perception Research. On July 23, 2021, Napa Climate Now! made a second presentation to the Committee on a Reusable Foodware and Waste Reduction Ordinance. On October 22, 2021, Napa Schools gave a presentation to the Committee. On April 22, 2022, the Committee heard from City of Napa staff regarding solid waste and recycling programs and potential projects. On July 26, 2022, Community Climate Solutions gave a presentation on the Napa County Climate Challenge website.

The Committee will continue to seek out and encourage ideas from local residents and organizations, and will welcome public comment on the proposed greenhouse gas reduction action items that will be included with the updated regional inventory.

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The Town welcomes and appreciates the Grand Jury's interest in the Town's operations, as well as the opportunity to respond to the findings and recommendations contained in the report.

Sincerely,

DocuSigned by:

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John F. Dunbar, Mayor
On Behalf of the Town Council
Town of Yountville

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Town of Yountville

6550 Yount Street
Yountville, CA 94599

Staff Report

Agenda Item #: {{section.number}}A

Yountville Town Council Staff Report

DATE: August 2, 2022

TO: Mayor and Town Council

FROM: Steve Rogers, Town Manager

PREPARED BY: Steve Rogers, Town Manager

SUBJECT:
Response to 2021-22 Napa County Civil Grand Jury Report Discussion and Authorization to submit required Grand Jury response letter for the 2021-22 Napa County's Climate Action Committee: Where's the Action.

DISCUSSION/BACKGROUND
On June 13, 2022 the Napa County Civil Grand Jury issued its Final Investigative Report "Napa County's Climate Action Committee: Where's the Action". The Town participates in the County of Napa Climate Action Committee and has appointed two (2) elected officials from the Town Council, Mayor John Dunbar and Vice-Mayor Marita Dorenbecher, as it's representatives to this regional body. The Town has allocated funding per the Joint Powers Agreement to fund its pro-rata share of the costs of the Climate Action Committee (CAC). The CAC is staffed by representatives from the County of Napa and consultants contracted to support its objectives. David Morrison, Napa County Director of Planning, Building and Environmental Services who provides staff support to the CAC has provided a framework response to the Grand Jury report.

Under Penal Code section 933(c), the Town has 90 days from the date of the report to submit its responses to the Presiding Judge of the Superior Court. The report was submitted on June 13, 2022 and the Town has until September 11, 2022 to respond. The response must come from the Town Council. For each finding, the Town Council must state that it agrees, disagrees in whole, or disagrees in part. If the Town Council disagrees, it must provide an explanation for the disagreement.

For each recommendation, the Town Council must state: (1) that is has been implemented, with a summary of the implementation action, (2) that it has not yet been implemented, with a timeframe for future implementation, (3) that further analysis is needed, with an explanation, parameters for analysis, and a timeframe for completion, or (4) that it will not be implemented because it is unwarranted or unreasonable, with an explanation why.

The Town of Yountville has carefully reviewed and considered the findings and recommendations of the Napa County Grand Jury in its report dated June 13, 2022 entitled: "Napa County's Climate Action Committee: Where's the Action?" The Grand Jury requested the Town Council's responses to the findings and recommendations in the report. This letter provides those responses pursuant to California Penal Code section 933.05, subdivisions (a) and (b).

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combat climate change.

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The California Energy Commission is in the process of developing the application process for Block Grants for Electric Vehicle Charging Incentive Projects. The qualification criteria, amount of subsidy, and other details are still being developed. It is expected that the application period will open late in 2022. The County applied for and was awarded $20,000 in 2020 under this program to install additional charging stations at the Third Street Parking Garage, but was unable to meet the accelerate timelines required by the Commission.

The California Capital Access Program Electric Vehicle Charging Station Financing Program offered by the State Treasurer closed earlier this year. It provided $2 million to fund a 10-15% rebate on the cost of installing charging stations for small businesses, and would not have applied to the Committee or its members.

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As stated in the response to F3 above, grant subsidies for electric vehicle charging stations are expensive and member agencies do not always qualify. Moreover, the Committee relies on funding provided by the member agencies; it does not have a separate revenue source. Participation in grant programs require match funds and/or administrative costs, as well as long-term continuation of effort. This funding depends on budgetary decisions by City and Town councils, as well as the Board of Supervisors, balanced against other competing social needs and interests.

The Town has independently allocated funds in its 2022/2023 budget to fund the Committee and the Green House Gas (GHG) Inventory Project.

F5: Past studies have stated that the two largest GHG emission categories are Transportation and Buildings. The Grand Jury's interviews confirm that these two categories are expected to remain the top two items in the GHG study currently underway. The CAC in its three years of existence has not defined and proposed any action items to address the top two categories of emissions.

The Town Council respectfully disagrees with this Finding. The Grand Jury report is correct in that staff anticipates that Building Energy Use and On-Road Transportation will likely be the two largest categories of greenhouse gas emissions in the upcoming regional inventory. Both issues are largely regulated by the State of California, through the Uniform Building Code and the Vehicle Emission Standards. While there are additional actions that can supplement the State's efforts, the Grand Jury is asking the Climate Action Committee and its member jurisdictions to take action without knowing the extent of the problem or the goal that is to be achieved.

More importantly, taking regulatory action always involves the potential for litigation, and it is the duty of the jurisdiction taking action to make its case as to why any new regulations are required, whether they are proportional to the impact, whether they are effective, and what standard will be achieved. In the absence of an updated greenhouse gas emission inventory, the Committee and its members would be acting in the absence of any context, and if the resulting regulations are overly burdensome or inequitably fall on some members of the community more than others, they would be exposing themselves and the general public to the potential for lengthy and expensive litigation.

As a part of the scope of work for the updated regional greenhouse gas emission inventory, the Committee has directed the consultant to identify and evaluate specific greenhouse gas reduction actions for the following sectors: transportation, building and other energy use, waste reduction and material consumption, carbon sequestration, water conservation, and food consumption. These actions will be evaluated by the Committee later this year and forwarded to the individual member agencies for consideration and implementation.

The Town has independently adopted a Climate Action Plan in 2016 and will review that plan in conjunction with the Green House Gas (GHG) Inventory Project once complete.

Recommendations

R1: The CAC should increase the sense of urgency in implementing GHG emission reduction actions.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. The

recommendation does not indicate what timeline should be used for implementation, nor does it define what steps should be taken to "increase the sense of urgency." The State has established specific milestones for local jurisdictions to reduce greenhouse gas emissions: a 90% reduction below 1990 levels by 2035, and net zero emissions by 2045. These goals are more immediate than the 2050 net zero goal established by Federal agencies, the United Nations, and the Intergovernmental Panel on Climate Change (IPCC).

In addition, there is much being done already to achieve these goals. The individual member agencies of the Committee have all adopted Climate Emergency Resolutions, and all members have adopted or are in the process of preparing Climate Action Plans. The municipalities participating in the Committee have adopted a Joint Powers Agreement, establishing the composition and operations for the Committee, as well as an ongoing funding commitment. The Committee has secured a grant and is in the final process of updating the 2009 regional greenhouse gas emission inventory, which will include specific actions that can be taken by member agencies to reduce greenhouse gas emissions. The Committee has also directed staff to begin work on an Electric Vehicle Charging Station plan, to determine how the member agencies will meet the goals established by the California Energy Commission Assembly Bill 2127 Electric Vehicle Charging Infrastructure Assessment.

The Committee has been meeting for a total of 33 months. During that time, Napa has experienced two major wildfires, a pandemic, and a continuing severe drought. A great deal has been accomplished in a short time, despite numerous challenges.

R2: The CAC should create monitoring protocols that seek to identify what its individual members have set as goals and to identify whether they have met meaningful standards consistent with those goals. These should be formalized and reported to the CAC on a quarterly basis.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. Using individual climate action plans as the basis for monitoring progress towards greenhouse gas reduction goals would require a significant level of effort due to the different timelines and methodologies used by each jurisdiction. For example, both American Canyon's 2012 Climate Action Plan and Calistoga's 2014 Climate Action Plan have a greenhouse reduction goal of 2020, but no goals beyond that date. The City of Napa's 2012 Sustainability Plan has goals for 2030, 2040, and 2050, but it looks only at municipal operations and not at community sources of greenhouse gas emissions. Yountville's 2016 Climate Action Plan has a goal of 2030, St. Helena's 2019 General Plan has goals of 2030 and 2040, and the draft County 2019 Climate Action Plan has goals of 2030 and 2050. Beyond the lack of common timelines used, how each jurisdiction calculates emissions also varies. Different methodologies, definitions, and data sources have been used, as climate modeling has changed greatly over the past 10 years. Lastly, not all jurisdictions have action items that have quantitative reductions in emissions associated with them. Several of the plans have qualitative action items and are not clear as to how reduction goals will be achieved. The value of a single integrated inventory is that all jurisdictions can be analyzed using the same information and modeling to create a basis for comparison, as well as the opportunity to determine how collaborative actions can gain greater reduction through effective collaboration.

The Committee is established as a collaborative effort that allows each member agency to retain local control within its jurisdiction. Consequently, the City and Town Councils and Board of Supervisors are held accountable by their respective constituents for meeting greenhouse gas reduction goals. Staff is not aware of any regional climate action committee (including the Sonoma County Regional Climate Protection Authority) that monitors member agencies for progress towards meeting each jurisdiction's climate action goals. It is unclear what added value monitoring by the Committee would provide, or what steps (if any) would be taken by the Committee for any member that was not meeting "meaningful standards" as established by the Committee.

R3: The CAC should provide a detailed prioritized list of potential projects for possible grant funding and either retain or designate a current staff person as a grant researcher and writer to identify and seek grants from any possible source.

This recommendation has been implemented, as it pertains to the Town. Staff to the Committee have already secured one $50,000 grant and continue to search for other appropriate potential funding opportunities, where local agencies qualify and where funding to support and implement the grant has been allocated at the direction of the member agencies of the Committee.

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The Town has independently allocated funds in its 2022/2023 budget to fund the Committee and has pursued a number of grant opportunities related to sustainability and, in the case of the Town gas-powered leaf blower ban, actively provided grants to help implement that effort.

R4: The CAC should restructure itself to provide authority over and accountability of its member jurisdictions.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. The Committee is established as a collaborative effort that allows each member agency to retain local control within its jurisdiction. The Grand Jury is proposing a restructuring of the Committee to convert it into a regional climate agency, with the ability to enforce and regulate within member jurisdictions.

The Grand Jury describes "...the problem of each jurisdiction going its own way and operating on a non-collaborative course." They advocate for the creation of a new bureaucracy, where power over climate change can be centralized and enforced. Certainly, such an approach can lead to greater and faster action. However, the Grand Jury does not discuss the disadvantages of such an approach. A regional agency would be able to enforce actions against a member agency, regardless of the fiscal or economic impact on the jurisdiction. Solutions that work in a City of 75,000 may be equally applied in a Town of less than 4,000, or a rural community where they may not be effective or relevant. Residents and businesses who may be disproportionately and adversely affected by new regulations would not have a place to appeal any decision and would not be able to directly vote for the decision makers. If this model were the most effective approach, it seems that the State would have created a centralized regulatory agency to administer climate change requirements throughout California, but that has not occurred. The sources of greenhouse gas emissions, patterns of community development, demographics, and lifestyles of communities in Napa County are very diverse. A uniform, top-down strategy to expedite action on the reduction of greenhouse gas emissions can lead to oversimplification and may instead impede progress by focusing scarce resources enforcing a "one-size-fits-all" solution.

Moreover, Town staff are unaware of any region within the State of California that has adopted such a model. The Sonoma County process referred to in the Grand Jury report is not binding on member jurisdictions. The countywide plan is made available for each municipality to consider on its own. It should be noted that an appeal of the Superior Court decision regarding the California Environmental Quality Act document for the Sonoma countywide climate action plan was not pursued because member agencies did not unanimously support continued action. As a result, an Environmental Impact Report for the Sonoma countywide climate plan was never certified. The other examples of regional climate agencies that staff are familiar with are also advisory; none have legal authority over the participating jurisdictions. The Grand Jury is advocating for a new agency with powers over climate action planning and implementation that has not been attempted anywhere in California. At a minimum, a great deal more thought and consideration should be applied to the question, rather the casual support given to such a radical idea by the Grand Jury.

R5: To benefit its work, the CAC should consider the following actions: (A) Reducing the number of CAC members, currently from 12 (2 per jurisdiction), to 6 (1 per jurisdiction) to facilitate faster action, use of advisors and plan development; and (B) Utilize county citizens familiar with GHG emission reduction strategies to assist the CAC in the preparation of recommended actions.

This recommendation will not be implemented by the Town, as it is not warranted or reasonable. The Grand Jury does not point to any evidence in their report to demonstrate that a smaller Committee would be more effective. The two examples cited in their report do not support this conclusion. The Sonoma County Climate Action Committee is similar to Napa County and has two representatives from each jurisdiction for a total of 24 members (compared to Napa's 12 members). It should be noted that the Sonoma Regional Climate Authority, which the Sonoma Climate Action Committee advises, also has 12 members. There is no reference to a Contra Costa Climate Action Committee. It is assumed the reference in the Grand Jury report is to the Contra Costa County Sustainability Commission, which has 17 members. In addition, the Mendocino County Climate Action Advisory Committee has 15 members. Other than a passing reference by the Grand Jury to "...an ungainly body of mostly elected officials...," the report offers no constructive criticism or facts to support their unsubstantiated recommendation.

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The Committee has an extensive history of considering input from county residents and interested parties regarding greenhouse gas emission reduction strategies. On August 28, 2020, the Committee heard a presentation from Napa Climate Now! regarding budget conscious climate actions. On February 26, 2021, the Committee heard a presentation from the California Hydrogen Business Council, on hydrogen vehicles and fueling stations for local governments. On March 26, 2021, the Committee heard a presentation on the Napa Green program. On April 23, 2021, the Committee heard a presentation on forest health from the Napa County Resource Conservation District. On May 28, 2021, the California Land Stewardship Institute gave a presentation to the Committee on the Climate Adaptation Certification, a comprehensive science and winegrower collaboration to benefit agriculture and the environment. On June 25, 2021, the Committee heard a presentation from the Napa County Bicycle Coalition regarding Safe Routes to School: Parent Perception Research. On July 23, 2021, Napa Climate Now! made a second presentation to the Committee on a Reusable Foodware and Waste Reduction Ordinance. On October 22, 2021, Napa Schools gave a presentation to the Committee. On April 22, 2022, the Committee heard from City of Napa staff regarding solid waste and recycling programs and potential projects. On July 26, 2022, Community Climate Solutions gave a presentation on the Napa County Climate Challenge website.

The Committee will continue to seek out and encourage ideas from local residents and organizations, and will welcome public comment on the proposed greenhouse gas reduction action items that will be included with the updated regional inventory.

The Town welcomes and appreciates the Grand Jury's interest in the Town's operations, as well as the opportunity to respond to the findings and recommendations contained in the report.

ENVIRONMENTAL REVIEW

Not Applicable

FISCAL IMPACT

Is there a Fiscal Impact? No

Is it Currently Budgeted? N/A

Where is it Budgeted? N/A

Is it Mandatory or Discretionary? Mandatory

Is there a Staff Resource Impact? Nominal

STRATEGIC PLAN GOAL

Is item Identified in Strategic Plan? Indirectly

If yes, Identify Strategic Goal and Objective. **Visionary Leadership:** The Town's leadership maintains an open-minded, forward-thinking decision-making process. We value engagement and participation from all members of the community as we work together to create policies and plan for the future.

Briefly Explain Relationship to Strategic Plan Goal and Objective. The Town Council has elected to participate in the Napa County Climate Action Committee which is a regional body to discuss and development meaningful regional approaches to deal with climate change.

RECOMMENDATION

Receive staff report and direct questions to staff.
Receive public comment.
Conduct Council discussion on proposed Grand Jury response.
Council discussion and direction authorizing the Mayor to sign and submit response letter for the 2021-22

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Napa County Civil Grand Jury Report for the 2021-22 Napa County's Climate Action Committee: Where's the Action.