

CITY OF CALISTOGA

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March 16, 2011

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

FILED

APR 15 2011

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

Subject: Grand Jury Final Report on **Water: Our Precious, Critical Resource.**
City of Calistoga Follow-up Response

Honorable Judge Kroyer:

This letter is being prepared to respond to a letter dated January 21, 2011 from Judith Bernat, Forewoman for the 2010-2011 Grand Jury. In the letter, Ms. Bernat requests that the City of Calistoga respond to findings 1, 2, 4, 8, 10, 14, 15, 17, and 18 pursuant to the provisions of the California Penal Code 933.05 (a). Ms. Bernat also requests that the City report actions taken to recommendations 1, 2, 4, 9, 10, and 14 pursuant to the provisions of the California Penal Code 933.05 (b).

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”.

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

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:

Agree with the finding, per California Penal Code 933.05 (a) (1).

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Finding 4:

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

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

Finding 8:

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

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

Finding 10:

“Calistoga uses 100 to 200 acre-feet per year of its wastewater and distributes it to about twenty locations.”

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

Finding 14:

“Calistoga uses 100 to 200 acre-feet per year of its wastewater and distributes it to about twenty locations.”

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

Finding 15:

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

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

Finding 17:

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

Response:

Disagree partially with the finding, per California Penal Code 933.05 (a) (2). Annual savings in oral healthcare to the City of Calistoga has not been projected to exceed the estimated costs of operating water fluoridation systems. While fluoridation does have certain benefits, it is not required for a small system such as Calistoga’s, and there is no demonstrated community support for such an initiative. During approximately 22 publicly-noticed, public meetings conducted by a City Council-appointed water advisory committee, there was extensive public commentary and participation, but no requests for fluoridation. City water customers can make individual choices on fluoride use through widely available, over-the-counter fluoride supplements and toothpaste.

Finding 18:

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

Response:

Agree with the finding, per California Penal Code 933.05 (a) (1).

Recommendation 1:

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

Response:

The recommendation has been substantially implemented per California Penal Code 933.05 (a) (1). Calistoga has two sources of potable water supply – from its own Kimball Reservoir and from its share of the North Bay Aqueduct (NBA) project. The NBA water is treated to potable water standards and ‘wheeled’ to Calistoga by the City of Napa; i.e. Calistoga is a wholesale water ‘customer’ of the City of Napa. The cities of Napa and Calistoga have long-standing and formal water service agreements to implement the water supply relationship, and the arrangements are further strengthened on a regular basis through staff communication and coordination efforts. In addition, public works and water utility staff from the entire county meet monthly as a Water Technical Advisory Committee to discuss and coordinate items of mutual interest with respect to water quality and water supply reliability. Staff at the various agencies within the County also have initiated and developed projects to improve the reliability of the water supplies during regular and emergency operational periods. For example, the cities of Napa, St. Helena, and Calistoga have recently completed the first phase (a Conceptual Design and Feasibility Study) of the Dwyer Pump Station project, which would provide enhanced and more reliable distribution of potable water in the upper Napa

valley area, to the benefit of each of the cities. The Public Works Director shall work with other municipalities in the County to develop and formalize any further agreements, as may be mutually beneficial, to provide water allocations and water supply reliability to address a catastrophic loss of water.

Recommendation 2:

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

Response:

The recommendation has been substantially implemented per California Penal Code 933.05 (a) (1). Calistoga agrees with the recommendation, except as it pertains to the City’s Kimball Reservoir. The recommendation should not be implemented at this time with respect to increasing the capacity of Kimball Reservoir at this time, because it is not fiscally justifiable. In the late 1990’s, Calistoga undertook a comprehensive review of long-term water supply options, and elected to increase water supplies through the purchase of additional water allocations through the North Bay Aqueduct system. Calistoga’s water supplies are adequate for its projected growth, as specified by the General Plan and it is not warranted or economically feasible at this time to also increase the Kimball Reservoir supply. Kimball Dam and Reservoir are inspected regularly by City staff, and on an annual basis by City staff and representatives of the State of California, Division of Safety of Dams, to ensure the facility is operated both safely and reliably. With respect to treated water storage, the City of Calistoga has secured all necessary funding, and anticipates beginning construction within nine months, on the Mount Washington Water Storage Tank project, which will increase the City’s capacity to store treated water by over 125%.

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 community’s population, especially local hospitals, shelters, and emergency centers.”

Response:

The recommendation has been implemented per California Penal Code 933.05 (a) (1). The City already has an Emergency Response Plan (ERP), dated December 2004, as required by various laws and requirements as promulgated by the United States Environmental Protection Agency and the California Department of Public Health. The ERP, prepared and submitted in accordance with applicable laws, outlines, and guidance documents, was based in part on the completed vulnerability assessment of the City of Calistoga’s water system. The ERP includes various operating procedures and action plans to protect and restore the water system during and following an emergency event. The City is also allowed by its Municipal Code to declare an emergency, procure necessary services and supplies via expedited emergency procedures, and request mutual aid during an emergency.

Recommendation 9:

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

Response:

The recommendation has been substantially implemented per California Penal Code 933.05 (a) (1). Calistoga has provided disinfected tertiary-treated recycled water to customers for many years. Calistoga seeks to expand the use of recycled water to new customers, when it is economic and feasible to do so. In some cases, the use of recycled water is specified as a mandatory condition of approval for new development projects. For example, the large and prominent Solage resort, which opened in 2007, is a relatively new and significant recycled water user. In 2009, Calistogans used approximately 761 acre-feet of potable water, while using 320 acre-feet of recycled water. Calistoga expects the beneficial re-use of recycled water to continue and expand modestly into the foreseeable future.

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 potable and recycled water.”

Response:

The recommendation will not be implemented per California Penal Code 933.05 (a) (4), as it is not warranted nor reasonable. Calistoga’s existing systems of partially interconnected utility systems, water supply agreements, and constructive cooperation among the County and the municipalities, is adequate to meet the needs of Calistoga. Calistoga has a well-developed, two-source potable water supply system, which is sized to meet the City’s needs to grow in accordance with its General Plan. Calistoga’s recycled water system provides a substantial amount of tertiary-treated recycled water to approximately two dozen customers, and Calistoga is implementing plans to expand the system when it is economic and feasible to do so. Given the geographic remoteness of Calistoga from the other (larger) municipalities in the County, Calistoga believes its current utility systems are sufficient to meet community requirements.

Recommendation 14:

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

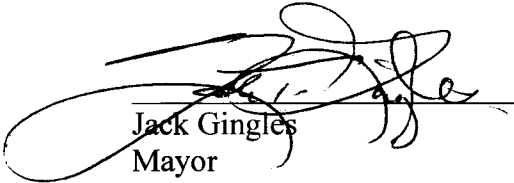
March 16, 2011 City of Calistoga Follow-up Response to Grand Jury Final Report

Response:

The recommendation will not be implemented per California Penal Code 933.05 (a) (4), as it is not warranted nor reasonable. While fluoridation does have certain benefits, it is not required for a small system such as Calistoga's, and there is no demonstrated community support for such an initiative. Calistoga undertook a comprehensive review of the City's water system, including the operation and funding of same, as part of a water rate-setting process. During the approximately 22 publicly-noticed, public meetings conducted by the Council-appointed advisory committee, there was extensive public commentary and participation, but no requests for fluoridation. In light of the substantial water rate increases now being contemplated, even without the provision of new fluoridation systems, the additional costs for fluoridation (estimated on an order-of-magnitude basis of \$80,000 initially plus \$6,000 per year) do not appear to be justified. Furthermore, City water customers can make choices on fluoride use through widely available, over-the-counter fluoride supplements and toothpaste

If you have any questions regarding these responses, please contact us at 707-942-2805. You may also contact Mr. Dan Takasugi, P.E., the City's Public Works Director and City Engineer, at 707-942-2828.


Sincerely,



Jack Gingles
Mayor



Richard Spitler
City Manager



Dan Takasugi, P.E.
Public Works Director / City Engineer