



Sukhee Kang, Mayor

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(949) 724-6233

September 9, 2009

The Honorable Kim Dunning
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Dear Judge Dunning:

The City of Irvine has reviewed the Orange County Grand Jury report entitled PAPER WATER - DOES ORANGE COUNTY HAVE A RELIABLE FUTURE? As requested by the Grand Jury, I am writing to provide you with the responses of the Irvine City Council to the applicable findings and recommendations contained in the report.

Findings (page 16)

Finding F.1: There is inadequate coordination between local land-use planning agencies and local water supply agencies, resulting in a process that fails to fully engage the issues.

The City of Irvine disagrees with this finding. Planning agencies have the responsibility to remain neutral and objective in the evaluation of all environmental impact issues, including without limitation water supply. Planning agencies typically do not have the technical expertise to evaluate the adequacy of a reliable water supply. Instead, such cities, like the City of Irvine, must depend on their respective local water agencies to determine whether there is an adequate water supply, and we depend on those agencies' appraisals to be accurate. Coordination with water agencies occurs at various levels of the municipal planning process. For example, water agencies participate in the General Plan process (long range planning); in the CEQA review process (environmental planning); and in the development and subdivision review process (through Water Supply Assessments and/or "Will Serve" letters). There is an existing system in place that provides ample opportunities for public engagement and discourse.

Finding F.1(a): Water agencies have tended to avoid interfering with or participating in growth management decisions.

The City disagrees with this finding. Water agencies are routinely consulted in an effort to determine if they will have an adequate water supply to provide for

new development and they are active participants in the review and decision making process conducted by cities.

Finding F.1(b): Cities and the County have tended to not critically evaluate the limitations of the water agencies' supply projections.

The City of Irvine agrees with this finding. As noted above, City planners and decision makers regularly rely on water agencies, as the recognized experts on water supply and delivery issues, to provide cities with accurate information, just as they rely on archaeologists, biologists, hydrologists, traffic engineers and others as experts in the various technical fields related to planning and development activities.

Finding F.2: California's looming water supply crisis receives little expressed concern from the public in comparison to the numerous other environmental issues presented during development project reviews.

The City of Irvine agrees with this finding. CEQA requires planning agencies to provide information on all potential impacts. While it is true that a more detailed discussion is often provided on issues such as traffic and noise, these are issues that have historically been more apparent to the community than water supply and, therefore, are raised more often in public responses to notices of preparation of EIRs.

Finding F.2(a): Orange County's citizens and interest groups do not appear to grasp the seriousness of the water supply situation or the complexity and urgency of the necessary solutions.

The City of Irvine neither agrees nor disagrees with this finding. As a planning agency, we do not have sufficient information on which to comment or formulate a more detailed response.

Finding F.2(b): Several recent, substantial water supply awareness efforts are underway (e.g. the O.C. Water Summit) that show promise but appear targeted to audiences that are already informed.

The City of Irvine neither agrees nor disagrees with this finding. As a planning agency, we do not have sufficient information on which to comment or formulate a more detailed response.

Recommendations (page 17)

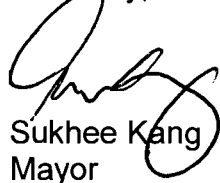
Recommendation R.1: Each Orange County municipal planning agency, in cooperation with its respective water supply agency, should prepare for adoption by its City Council, a dedicated Water Element to its General Plan in conjunction with a future update, not to exceed June 30, 2010. This document

should include detailed implementation measures based on objective-based policies that match projections of the County's future water supplies. These objectives, policies and implementation measures should address imported supply constraints, including catastrophic outages and incorporate the realistic availability and timing of new water sources such as desalination, contaminated groundwater reclamation and surface water recycling.

The City of Irvine does not intend to implement this recommendation because each water supply agency already prepares an Urban Water Management Plan (UWMP) every five years. In addition, the Metropolitan Water District prepares an UWMP, as well as an Integrated Resources Plan (IRP) and the MWD also updates its Water Supply Outlook periodically. Collectively, these documents provide what has been suggested as to necessary information. Finally, for new developments with more than 500 units, existing State law requires the completion of a Water Supply Assessment.

Please contact me or the City Manager Sean Joyce at (949) 724-6249 if you have any questions or if we can provide any additional information.

Sincerely,



Sukhee Kang
Mayor

Attachment: Letter from the Orange County Grand Jury dated June 15, 2009

cc: James R. Perez
Foreman, 2008-2009 Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701