



CITY of LAGUNA NIGUEL

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September 4, 2009

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

Re: City of Laguna Niguel Response to 2008-2009 Orange County Grand Jury Report entitled "Paper Water – Does Orange County Have a Reliable Future?"

Dear Judge Dunning:

On June 15, 2009, the 2008-2009 Orange County Grand Jury issued a report entitled: "Paper-Water – Does Orange County Have a Reliable Future?" All Orange County Cities are required to respond to Findings F.1 and F.2 and Recommendation R.1.

The responses from the City of Laguna Niguel are set forth below. It should be noted that the City of Laguna Niguel is a completely built-out community with virtually no remaining undeveloped land. It is anticipated that future development will largely be limited to custom single-family homes on individual lots and commercial infill projects on already developed property. As a result, the issue of water supply for future development is not a significant issue for our community.

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.

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

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

City Response: The City partially disagrees with the finding(s). The City is served by the Moulton Niguel Water District. Since the City's incorporation in 1989, there has been coordination between the City and the District in the preparation of the City's General Plan, the environmental review of new development projects, and the extension of reclaimed water service throughout the community. Nearly all of the City's development entitlements were approved by the County of Orange prior to the City's incorporation; as a result, growth management has not been a community issue and there has been no reason to engage the Moulton Niguel Water District in growth management decisions. For the same reason, the City has not had reason to critically evaluate the District's water supply projections as they relate to new development.

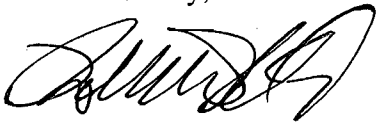
Recommendation R.1: Each Orange County municipal planning agency, in cooperation with its respective water supply agency, should prepare for adoption by its city council, a dedicated Water Element to its General Plan in conjunction with a future update, not to exceed June 30, 2010. This document should include detailed implementation measures based on objective-based policies that match realistic 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.

City Response: The City will not be implementing this recommendation. The City has no plans to update its General Plan before June 30, 2010 and State law does not require the preparation of a Water Element. Water resource and policy issues are typically addressed in the mandatory Conservation Element of General Plans and/or the CEQA process for major new developments. Additionally, AB 1881 requires all California Cities and Counties to adopt, by January 1, 2010, a Local Water Efficient Landscape Ordinance that will be applicable to new development projects. The City of Laguna Niguel is playing a lead role in the development of a Model Ordinance for Orange County Cities, and our City will be taking appropriate action to adopt a Local Water Efficient Landscape Ordinance by the statutory deadline.

Thank you for the opportunity to respond to this Grand Jury Report.

Yours truly,



Robert Ming
Mayor

Cc: City Council
City Manager
City Attorney
City Clerk