The People are the City

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GREG SOWARDS

City Administrator
TROY L. BUTZLAFF

Councilmembers:
JOSEPH V. AGUIRRE
SCOTT W. NELSON
CONSTANCE UNDERHILL
JEREMY B. YAMAGUCHI

401 East Chapman Avenue - Placentia, California 92870

September 22, 2009

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

SUBJECT: RESPONSE – "PAPER WATER - DOES ORANGE COUNTY HAVE A RELIABLE FUTURE?"

Dear Presiding Judge Dunning:

Thank you for the opportunity to review the 2008-09 Orange County Grand Jury Report entitled, "Paper Water – Does Orange County Have a Reliable Future?"

Contained herein are the required responses to Findings 1 and 2 and Recommendation 1 as outlined in the letter of June 15, 2009.

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.

Response to F.1: The City of Placentia agrees with the finding.

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

Response to F.1(a): The City of Placentia disagrees wholly or partially with the finding. The City of Placentia, as a municipality not providing water service, is not in the position on commenting on practices of water agencies serving our jurisdiction. The City of Placentia has found that the two water agencies serving the City of Placentia are responsive when directly asked regarding growth-management decisions.

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

Response to F.1(b): The City of Placentia agrees with the finding.

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

Response to F.2: The City of Placentia agrees with the 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.

Response to F.2(a): The City of Placentia agrees with the 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.

Response to F.2(b): The City of Placentia agrees with the finding.

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 water future 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.

Response to R.1: The recommendation will not be implemented because it is not warranted or is not reasonable. One of the seven required elements within a General Plan is a Conservation Element. This element addresses water conservation, water use and, in the City of Placentia's case, contains objectives, policies and implementation measures regarding water use and conservation. While water use and conservation are important policy issues, to require a separate element on water is an unnecessary on local agencies since these policy issues are already covered within the Conservation Element. Additionally, by definition, a General Plan is a general planning document and updates typically occur every ten years or more. Information contained in a conservation element must be general enough to survive over the years and should offer a clear direction. Specific information should be contained in policies, ordinances or other regulations that can be more readily acted upon or adapted as necessary. Finally, water issues involving constraints or disruptions are best addressed within a city's emergency operations manual and procedures or by legislative action of the City Council based on the circumstances. The City acknowledges the importance of water conservation and the need for cross-jurisdictional participation and communication; however, other avenues should be explored and implemented before mandating a new element to the City's General Plan.

On behalf of the citizens of the City of Placentia, I appreciate the work of the Grand Jury on these issues and welcome the opportunity to provide these comments.

Should you have any questions, or if you require additional information concerning this matter, please do not hesitate to contact Mr. Ken Domer, Assistant City Administrator, at (714) 993-8242.

Sincerely,

Greg Sowards
Mayor

cc: OC Grand Jury