

City of Seal Beach



CITY HALL 201 EIGHTH STREET
SEAL BEACH, CALIFORNIA 90740
(662) 431-2527 • www.ci.seal-beach.ca.us

September 15, 2009

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

Dear Judge Dunning:

SUBJECT: RESPONSE TO GRAND JURY REPORT: "PAPER WATER" – DOES ORANGE COUNTY HAVE A RELIABLE FUTURE?

This letter is submitted in response to the recent Orange County Grand Jury report "Paper Water" – Does Orange County Have a Reliable Future? The City of Seal Beach acknowledges the opportunity to respond to the findings and recommendations made in the subject report.

The City's responses to each finding and recommendation, indicating agreement or disagreement, either partially or in whole, are noted below.

Responses to Findings:

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.

- (a). Water agencies have tended to avoid interfering with or participating in growth-management decisions.**
- (b). Cities and the County have tended to not critically evaluate the limitations of the water agencies' supply projections.**

Response: Disagree. Municipal water utilities are not land planning agencies – by design. Historically and today, municipal water utilities have had the responsibility of providing water for the approved land use. Planning being performed at the local, regional and state levels is aimed at using our existing water supplies more efficiently and developing new supplies and systems to accommodate the current and future needs of our residents and businesses and to improve supply reliability where necessary. Cities and Counties have certain responsibilities in accordance with provisions of State law to plan for areas within their control to accommodate future population and housing growth.

City planning departments do not have the technical expertise and ability to evaluate and assess the availability and adequacy of water supply. City planning departments depend on municipal water utilities to perform this assessment and rely on those assessments as accurate. Coordination with water agencies occurs at several different times during the planning process for local development within a community. Water agencies participate in the General Plan (long-range planning) update efforts of cities and counties, in the California Environmental Quality Act (CEQA) environmental review process, and in specific project planning and approval review process for specific types of development that require submission of "Will Serve" letters from the local water supply agency.

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.

- (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.**
- (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: Agree that the water situation receives little concern, but it is not for lack of trying by the local jurisdictions and the water community. Seal Beach has maintained a very aggressive public education program over the past years regarding raising the awareness of our local citizens regarding water supply and conservation issues. Also refer to our response to Recommendation 2, below for additional discussion of actions taken by the City to increase citizen awareness of water supply and water conservation issues.

Seal Beach is 97% developed, and there is very limited development opportunities remaining within the City, and that is why our community has focused on water conservation as being more effective in helping to address any short-term "crisis" concerns that might arise in the future.

Further, CEQA requires a local agency to present information on all potential environmental impacts of a particular development project. During the environmental review process the concerns raised by the public are more often directed at local traffic, noise, and land use concerns, and the CEQA documents must be prepared to respond to the issues raised during the scoping and Notice of Preparation process.

In addition to the local Seal Beach efforts discussed above, outlined below are the outreach efforts that are currently being utilized throughout Orange County by the water community.

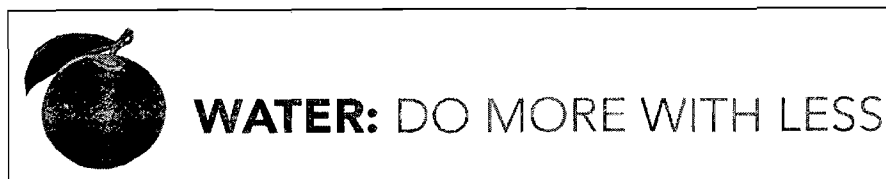
In recent years, the water industry has collectively advertised itself as the "Family of Southern California Water Agencies" and promoted "Bewaterwise.com" to get the word out on the water supply situation and water conservation tips and opportunities. Retail agencies utilize bill stuffers, newsletters and websites to inform the public. In Orange County, there are monthly meetings of a Public

Affairs Workgroup made up of the staff from all of the retail water agencies. They work to develop and implement consistent message points for the public. MET also has a Public Information Officers workgroup that coordinates outreach and communication among the MET member agencies. Due to the expense and the limited budgets of the retail agencies, the brunt of the TV and radio media outreach has been developed via MET through an advertising campaign for the LA & San Diego markets.

While both local agencies and the water community are always open to new methods of communication, we believe the existing communication system works. Polling conducted from time to time to track water industry messages and the understanding of the public indicates that high percentages of people understand there is a water crisis (76% in a recent survey by MWDOC). Furthermore, 78% indicated they would change their water using habits to conserve to prevent water rationing and 67% believe that their water agency does an effective job of keeping them informed about water supply. We also believe high percentages of the public are engaged because of recent actions such as the "run" on rebates for water conservation devices, which pushed spending up to a point where the available funding was exceeded several times over.

Following is an outline of some of the current outreach efforts of the water community:

- In June of 2008, Public Affairs Workgroup began developing a regional message that incorporated three critical elements of a long term communication strategy:
 - The message must be positive
 - Focus on water-use efficiency and eliminating water waste
 - Adaptable at the retail level
- A comprehensive, strategic communication plan was developed that incorporates grassroots education, strategic partnerships and guerrilla marketing techniques. Research has shown that this approach has been most successful in achieving social change. The following logo was adopted:



- This plan augments and enhances the large media campaign that Metropolitan is orchestrating
- Increases visibility throughout the region
- Integrates new technology and social marketing channels as well.
- Critical part of the plan is to engage strategic partners to help carry the message. Everyday new partners are signing on. Current strategic partners include:
 - IBM
 - Hurley Sportswear

- Volcom
- Sempra Energy
- Surfer Magazine
- Latino Water Coalition
- TransWorld Media
- Sunset Magazine
- Fuel TV
- Huell Howser contracted with the Association of California Water Agencies to produce 15 episodes about California Water. This series is being utilized to help inform citizens.
- Cable channels are being used to get the word out.
- Educational trips are provided by MET for each of its Directors to host community leaders to get the word out on water issues.
- We have one of the best School Education Programs in the state for water awareness education in grades K-6; it reaches about 90,000 students per year and has reached about 3,000,000 since 1972.
- Water Heroes – a new program aimed at kids and families, focuses on identifying water wasting habits and eliminating them. Over the past two years 7500 kids have signed up on www.ocwaterhero.com

F-3 *LAFCO is the agency charged with facilitating constructive changes in governmental structure to promote efficient delivery of services. To this end, LAFCO is conducting a governance study of MWDOC which is the designated representative for nearly all of the Orange County retail water agencies, acting on their behalf with their surface water supplier Metropolitan.*

- (a). There are a number of points of governance disagreement between MWDOC and several of its member agencies. This is creating an impediment to the on-going effectiveness of these agencies in critical areas of Orange County's water supply management.*
- (b). The current disagreement is a distraction from the greater good of the agencies working toward Orange County's water future.*
- (c). The stakeholders in LAFCO's study failed to meet their March 11, 2009 deadline for LAFCO's public hearing on this matter. Continued delays are unacceptable.*

Response: Agree. This issue needs to be resolved – the sooner the better.

F-4 *Orange County is uniquely fortunate to have a vast, high-quality, well-managed groundwater basin serving its north geographical area. However, in its south reaches, it has an equally large, high-growth area with virtually no available groundwater resources.*

- (a). The difference in groundwater availability creates a "haves versus have-nots" situation that is conducive to inherent conflicts.*
- (b). The difference in groundwater availability provides opportunities for responsible participants to develop and construct long-term solutions which will benefit the entire County.*

Response: Agree on finding 4.a., but we do not find a problem with this.

Disagree partially on finding 4.b. Use of storage in the OCWD basin is allowed by agreement with OCWD. OCWD has entered into storage arrangements that allow MET to store up to 66,000 AF of imported water and to recall as much as 20,000 AF out of this same storage in any one year. This additional yield out of storage benefits everyone in Southern California. In addition, a February 2006 Emergency Services Program Agreement was developed with OCWD that allows emergency water supplies from the basin to be exchanged with south Orange County. This program is currently being used to allow conveyance of water to south Orange County during emergency situations.

Allowing access to the lower cost groundwater outside of the basin or allowing access to more storage by south Orange County would increase the cost to the basin agencies and put them at risk.

Responses to Recommendations:

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. (Findings F1 a & b, and F2 a & b).*

Response: Will NOT be implemented because each agency that serves water already prepares an Urban Water Management Plan (UWMP) every five years. In addition, MET prepares an UWMP, its IRP and updates its Water Supply Outlook periodically. Collectively, these documents provide what has been suggested.

For new developments of greater than 500 units, a Water Supply Assessment must be completed – this is existing law. In addition, the water community measures performance (supply vs. demand) as we move forward and will be able to make adjustments in the process.

Requiring another General Plan element would constitute an unfunded government mandate at a time when local agencies are struggling to meet other State mandates while reducing funding levels to local agencies to carry out existing mandates. The City has an "Open Space/Recreation/Conservation Element" as part of the adopted General plan that provides an overview of the current water facilities within in the City.

However, complying with the Grand Jury request for every municipal planning agency would be a duplication of efforts and ineffective in accomplishing the goal of the recommendation.

R-2 *Each Orange County retail and wholesale water agency should affirm its responsibility to develop new, additional, innovative public outreach programs, beyond water conservation and rationing programs, to expose the larger issues surrounding water supply constraints facing Orange County. The objective should be to connect the public with the problem. The outreach effort should entail a water emergency exercise that simulates a complete, sudden break in imported water deliveries. The exercise should be aimed directly at the public and enlist wide-spread public participation on a recurring basis beginning by June 30, 2010. This recommendation may be satisfied by a multi-agency exercise but the inability to coordinate such an event should not preclude the individual agency's responsibility. (Findings F2 a & b).*

Response: The recommendation has already been implemented. "A complete sudden break in the imported supplies" was a component of the statewide Golden Guardian exercise in 2008 in which 20 of Orange County's water and wastewater utilities participated. This type of exercise or variations of it are repeated periodically.

Representatives of many departments of the City of Seal Beach participated in the Golden Guardian exercise, including appropriate personnel of the City's water utility, the City Engineer, and the Director of Public Works.

In addition, Seal Beach has established a substantial public education program component to its "Local Implementation Plan" to comply with reporting requirements of the Santa Ana Regional Water Quality Control Board (WQCB). Each year the city is required to submit a "Program Effectiveness Assessment (PEA) Report to the WQCB. That document includes a section on "Public Education" which provides a summary of the various public education activities taken by the city during the subject program year. Provided as Enclosure 1 is a copy of the Public Education section of the PEA for information.

The City also publishes a quarterly brochure to update the community on certain issues of concern and provide a the full schedule of recreation classes available within the community. The Fall 2009 issue of Shoreline, which is mailed to every residential and business address within the City, except for Leisure World where the brochure is delivered for internal distribution, has a full page display on the back cover regarding "Save Our Water." Approximately 8,400 brochures were mailed this last quarter. A copy of the public display notice is provided as Enclosure 2.

This action by the City has received recognition by Save Our Water. Save Our Water is a statewide public education program designed to educate Californians on the state's water challenges and encourage them to reduce the amount of water they use everyday. It is a joint effort by the Association of California Water Agencies and the California Department of Water Resources in response to severe water challenges facing the state. The program offers consumer-oriented information and tools for understanding of the long-term issues facing the state's water system and practical tips for reducing water use indoors and outdoors.

The Save Our Water Program Partners website also has the following message regarding the brochure on their website:

<http://www.saveourh2o.org/index.cfm/about-the-program/program-partners/>

"The City of Seal Beach is helping spread the Save Our Water message by using part of the Save Our Water poster as the back cover on their brochure for the Parks and Recreation department. Look for it in the Fall 2009 brochure!"

A copy of the Save Our Water Program Partners website information is provided as Enclosure 3.

- R-3** *Each MWDOC member agency should reaffirm to LAFCO that it will assign the resources necessary to expediently resolve regional governance issues. While the subject study is being facilitated by LAFCO, the options are with the agencies to decide what is best for all. Once conclusions are reached, the parties need to agree quickly and, hopefully, unanimously to adopt a course of action. (Findings F3 a, b & c).*

Response: Will be implemented. MWDOC had dedicated quite a bit of time and resources to development of information, not only in the LAFCO process, but in numerous discussions with its client agencies.

- R-4** *Each Orange County retail and wholesale water agency should affirm its commitment to a fair-share financial responsibility in completing the emergency water supply network for the entire County. The entire County should be prepared together for any conditions of drought, natural or human-caused disaster, or any other catastrophic disruption. WEROC should commence meetings of all parties, to facilitate consensus on an equitable funding/financing agreement. (Finding F4 a & b).*


Response: This recommendation is already being implemented. The Water Emergency Response Organization of Orange County (WEROC) has been established to conduct emergency planning and preparedness at the regional level and response to disaster type events that impact the water and wastewater agencies within the County. WEROC participates with Regional and statewide forums as well. Each retailer also has plans and activities they conduct to be in a state of emergency preparedness.

Seal Beach has an adopted "Water Master Plan" that provides an overview of current and planned facilities to maintain current water delivery services. Included within the document is discussion regarding "emergency connections" with the cities of Long Beach, Huntington Beach, Westminster, and Southern California Water Company. In order to address a potential water supply service disruption in the area of the City north of the I-405 Freeway, the City is currently installing a new groundwater well along Lampson Avenue with a capacity of 3,500 gpm.

If you have any questions regarding the City of Seal Beach's responses to the above matters please contact either our Director of Public Works or our Director of Development Services. Our Director of Public Works, Vince Mastrosimone, can be

contacted at either (562) 431-2527, ext 1318 or vmastrosomone@ci.seal-beach.ca.us. Our Director of Development Services, Mr. Lee Whittenberg, may be contacted at either (562) 431-2527, ext 1313 or lwhittenberg@ci.seal-beach.ca.us.

Sincerely,


Gordon Shanks, Mayor
City of Seal Beach

Enclosures: (3)

- Enclosure 1: Section C-6, Public Education of Program Effectiveness Assessment, 2007-2008
- Enclosure 2: Shoreline – City of Seal Beach Classes and Activities, Fall 2009
- Enclosure 3: Save Our Water Program Partners website information, accessed August 19, 2009 at <http://www.saveouth20.org/index.cfm/about-the-program/program-partners/>

CC: David Carmany City Manager
Vince Mastrosimone, Director of Public Works
Lee Whittenberg, Director of Development Services
Planning Commission

James R. Pérez, Foreman
Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

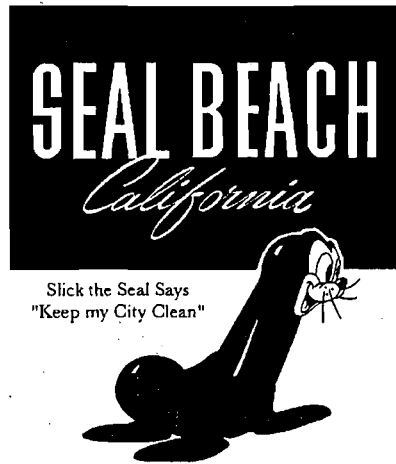
ENCLOSURE 1

**SECTION C-6, PUBLIC EDUCATION OF
PROGRAM EFFECTIVENESS
ASSESSMENT, 2007-2008**

SECTION C-6

PUBLIC EDUCATION

PROGRAM EFFECTIVENESS ASSESSMENT



C-6.0 Public Education

C-6.1 Introduction

Public education is an essential part of the City's municipal stormwater program. Developing programs to inform and involve the public can be an effective method for controlling urban runoff and stormwater pollution. Emphasizing the relevant impacts of urban runoff and stormwater pollution to each particular target audience increases the likelihood that the messages will be noticed and that the audience will support and participate in the program implementation.

The City recognizes that when a community has a clear idea of where the pollution comes from, how it directly affects them and what they can do to prevent those effects, the community will be more willing to support and participate in the pollution prevention program. The City also recognizes that the Third Term Permits set a high expectation for the performance of the public education component of the stormwater program.

C-6.2 Countywide Public Education Program

The City has, and continues to support, a strong countywide public education program as described in the 2003 DAMP (see 2003 DAMP, Section 6). This program provides the common message and theme for the overall program, coordinates that message with neighboring counties to ensure that media overflow messages are compatible and provides combined media buying power that could not be achieved by this City and the other Permittees individually.

C-6.3 City Public Education Focus

The City uses several different outreach strategies to encourage public information and participation in active behavior changes. Brochures provided by the County are on display and available at City Hall, the Police Department, and as downloads on the City's website. Additionally, the city provides different types of training opportunities to all city employees including conducting multimedia training sessions, and sending educational emails with training materials as attachments.

BMP fact sheets are made available to contractors and developers at the Planning and Building counters, posters indicating appropriate Construction/Post-Construction BMP's are also maintained for public viewing at this location. The City also distributes its Grading and Stormwater Pollution Prevention Implementation Manual to all plan review applicants. BMP fact sheets are also distributed at construction sites during inspections.

Industrial/Commercial businesses are targeted through the use of information distributed during the business license application and renewal process. BMP flyers and posters are also distributed during inspections.

Residents are targeted through PSA's (dynamic and static ads) run on the local cable channel, these are rotated quarterly. Articles and Ads are published in the City's quarterly recreation guides, the City website features the video "The Ocean begins at your front door" and includes

English and Spanish

- “Help Prevent Ocean Pollution: Household Tips”, English and Spanish
- “Help Prevent Ocean Pollution: A Guide to Food Service Facilities”, English and Spanish
- BMP Poster for Food/Restaurant Industry
- BMP Poster for Auto Repair Industry
- BMP Poster for Gas Station Operations
- “Keep Gutters Clean for Those Downstream” Bookmarks
- Sewage Spill Reference Guide – Your Responsibility as a Private Property Owner

Police Department:

- “The Ocean Begins at Your Front Door” Brochure
- “Do You Know Where The Water in Your Storm Drain Goes?” Brochure
- “Pool Maintenance and the Water Quality Act” Brochure
- Waste Oil Collection Centers – North, Central and South Orange County
- “Keeping Pest Control Products Out of Creeks, Rivers and the Ocean” Brochure
- “Water Quality Guidelines for Carpet Cleaning” Brochure

Employee Training and Outreach:

The City provided education and training for its direct employees, specifically:

Training & Outreach Activity

Provide and review Stormwater Education Packet at hiring;
Conducted training sessions ;
Yearly Stormwater Training to all employees; Using specially developed power points presentations
Attended seminars or workshops
Send educational emails

Outreach to Construction Site Contractors/Developers

The City, through its permitting process, targeted a number of constituencies, including builders, developers, contractors, and property owners.

Training & Outreach Activity

Distributed BMP fact sheets and/or Construction Runoff Guidance Manual with permits;
Distributed BMP fact sheets and/or Construction Runoff Guidance Manual at construction sites;
Distributed Construction Runoff Guidance Manual with Capital Improvement Projects;
Distributed BMP information to developers during inspections

SECTION C-6, Public Education

Outreach to Quasi-Governmental Agencies/Districts

The following approaches were made to quasi-governmental agencies/districts:

| |
|--|
| Agency/District Outreach Initiatives |
| Supports the Save Our Beaches Campaign sponsored by the Chamber of Commerce. |

C-6.4 Public Participation

City Staff participated in the annual Seal Beach Christmas Parade in December of 2007. The City distributed over 350 children's baggies filled with handouts, coloring books, and water quality rubber ducky key chains that provided stormwater education to the children. The City provided a Public Works Video which is posted on the City website that promotes stormwater quality. Also, the City of Seal Beach, as part of a Used Oil Grant partnership with the cities of Cypress, Los Alamitos, and La Palma, had representatives of the Used Oil program at the Car Show event that took place in Seal Beach. Items distributed at the event included over 150 oil containers for recycling used oil, pens, magnets, coloring books, oil rags, etc.

Public participation allows the public to be directly involved with the stormwater program. The City has encouraged public participation at the local level by:

| |
|---|
| Public Participation |
| Participating in Outreach Events – Participation in outreach events allows for a two-way communication with the public. It is an excellent opportunity to not only disseminate stormwater public education information and materials but also allows the public to respond with question, comments and/or concerns. |
| Encouraging Behavior Change - Through the public education program, residents have been asked to make adjustments to their activities to reduce the impact to the storm drains and water quality. |
| Asking for Feedback -The City has provided opportunities for residents to ask questions and give comments about the stormwater program. City newsletters and the website have included contact information for people to communicate with municipal staff. |

C-6.5 Program Effectiveness Assessment

It is estimated that approximately 600,000 impressions were made on the public in this reporting period. The City sent out direct mailers to residents informing them of the relationship between water quality and the transmission of West Nile Virus, as well as a second mailer on water conservation and water quality. The most significant improvement however, was made through the purchase of large magnets that are displayed on City Vehicles. These vehicles are not only

ENCLOSURE 2

**SHORELINE – CITY OF SEAL BEACH
CLASSES AND ACTIVITIES, FALL 2009**

Shoreline



City of Seal Beach Classes and Activities • Fall 2009



City of Seal Beach
CITY HALL
211 Eighth Street
Seal Beach, CA 90740

PRSR STD
U. S. Postage
PAID
Long Beach, CA
PERMIT #70001

POSTAL CUSTOMER
Seal Beach, CA 90740

Save Our WATER

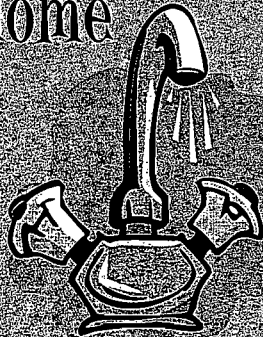
Since water is a limited resource and it is important to each of us every day, water conservation is essential. By following these water conservation tips in the home you can help conserve water every day, whether there's a drought or not:



Inside your Home

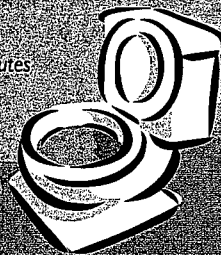
KITCHEN

- Wash vegetables in container, not under running water.
- Use dishwasher for full loads only. Information about water and energy efficient dishwashers is available at: <http://www.cuwcc.org/residential-dishwashers/asso>



BATHROOM

- Install low-flow shower heads.
- Take shorter showers. (Showers kept under 5 minutes can save you about 15 gallons per shower.)
- If you take a bath, fill bathtub less than halfway. (You can save 10-15 gallons per bath.)
- Install a high efficiency (HET) 1.28 gallons per flush toilet (check with your water supplier for current rebate information).
- Install aerators on bathroom faucets. (Most homes built after 1980 already have these features.)
- Turn water off when brushing teeth and soaping hands.



Outside your Home

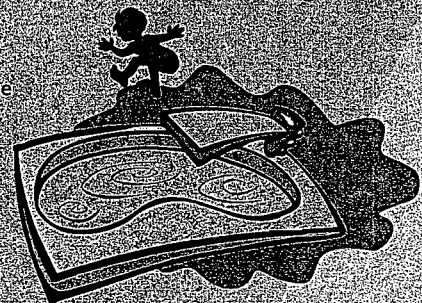
LANDSCAPE

- Irrigate your yard in the morning or evening when temperatures are cooler.
- Check your sprinkler system frequently and adjust sprinklers so only your lawn is watered and not the house, sidewalk or street. Install precise landscaping irrigation, use rotating nozzles to save water and eliminate wasteful runoff.
- Choose water-efficient irrigation system such as drip irrigation for your trees, shrubs, and flowers.
- Water deeply but less frequently to create healthier and stronger landscapes.
- Plant drought-resistant trees and plants.
- Information about evapotranspiration (ET) and weather-based irrigation controllers is available at: http://www.cuwcc.org/irrigation_controllers/asso



ACTIVITIES

- Install a pool/spa cover to reduce evaporation and filter backwash.
- If draining a pool is necessary, find a use for the water.
- Check your pool and pool plumbing for leaks.



ENCLOSURE 3

**SAVE OUR WATER PROGRAM PARTNERS
WEBSITE INFORMATION, ACCESSED
AUGUST 19, 2009 AT
<http://www.saveouth20.org/index.cfm/about-the-program/program-partners/>**



Save Our Water - California's Water Conservation Resource

[Home Page](#) » [About the Program](#) » [Program Partners](#)

Program Partners

Sponsors

The Association of California Water Agencies and the California Department of Water Resources have partnered to develop and carry out the Save Our Water program.



ACWA

ACWA is a statewide organization whose 450 public water agency members are responsible for more than 90% of the water delivered in California.



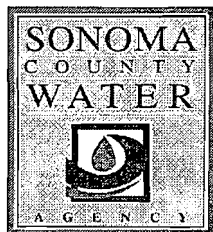
California Department of Water Resources

The California Department of Water Resources is a state agency responsible for managing the water resources of California, in cooperation with other agencies, to benefit the state's residents and to protect, restore and enhance the environment. To learn more about DWR

visit www.water.ca.gov.

Additional organizations are joining the effort and helping to spread the word about California's water supply challenges and the need to Save Our Water.

Program Partners



Sonoma County Water Agency has joined our efforts to spread the Save Our Water message. SCWA will run the campaign's advertisements in its service area, including Sonoma and Marin counties. The advertisements include radio ads, bus panels, mall banners and weekly storage updates in the Santa Rosa Press Democrat.