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July 24, 2023

Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

Re: Response to the 2022-2023 Orange County Grand Jury report, *Historic Rain, Yet Drought Remains*

Dear Foreperson Siragusa:

In accordance with Section 933.05 of the California Penal Code, this letter contains the City of Brea's responses to the Orange County Grand Jury report titled *Historic Rain, Yet Drought Remains*. The responses address Findings F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12, and Recommendations R2, R3, and R4 as requested by the Orange County Grand Jury.

RESPONSES TO FINDINGS F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12:

F1. Future water supplies are impacted by climate change and current supplies will not meet future demands.

Response: The City of Brea partially disagrees with this finding.

Explanation: The City of Brea agrees that future water supplies will be impacted by climate change. However, the City's current water supplies will be sufficient to meet its anticipated future needs. In 2022, the City of Brea adopted a Water Shortage Contingency Plan to serve as a guiding document that identifies key personnel and actions the City will undertake to efficiently manage water supplies during low precipitation years to continue to meet its current and future demands.

F2. Climatologists predict future extended periods of low moisture with occasional wet years.

Response: The City of Brea agrees with this finding.

Comment: The City of Brea recognizes that predicting future climate trends is a constantly moving target as forecasting models are ever-changing, and agrees there will more than likely be extended periods of drought with occasional wet years due to the effects of climate change.

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Blair Stewart
Council Member

Steve Vargas
Council Member

F3. Climate change is inevitable and is exacerbated by human behavior.

Response: The City of Brea partially disagrees with this finding.

Explanation: The City does not have the resources or subject matter expertise to determine that climate change is inevitable; however, the City agrees that certain human behaviors and habits have had a significant, adverse impact on climate overall.

F4. South Orange County relies primarily on the importation of water.

Response: The City of Brea agrees with this finding.

Comment: The City of Brea is geographically located in north Orange County and is not subject to the same water importation needs as south Orange County.

F5. Local water suppliers recognize that enhanced stormwater capture and storage, wastewater recycling, and infrastructure improvements will not be sufficient to address long-term forecast of drought and its effects on supply.

Response: The City of Brea partially disagrees with this finding.

Explanation: The City of Brea agrees that all Orange County water suppliers expand upon current supply sources and coordinate on a regional level to implement strategies to address long-term drought conditions. Local water suppliers that service north Orange County, including the City of Brea, have implemented a diverse portfolio of water storage (e.g. groundwater replenishment project), reuse, and conservation efforts to provide sufficient water supplies to meet current and future demands of its consumers.

F6. There is significant water infrastructure planning, but inadequate implementation.

Response: The City of Brea agrees with this finding.

Comment: Although significant planning has been to address water infrastructure, the City of Brea believes inadequate implementation is due to various political and bureaucratic obstacles at multiple levels of government that are outside of the City's direct control.

F7. The review and approval process for major water capital projects is cumbersome and overly restrictive.

Response: The City of Brea agrees with this finding.

Comment: The City of Brea believes the current regulatory and permitting processes need to be revised to provide a more streamlined and expeditious approach to move major water capital projects forward.

F8. Failing to find solutions to water shortages will have a significant impact on the Orange County economy.

Response: The City of Brea agrees with this finding.

Comment: The City of Brea recognizes that water is the most important natural resource to sustain and grow the Orange County economy. Insufficient water supplies to serve residential and commercial sectors would have disastrous consequences on the Orange County economy.

F9. Continued development in Orange County creates additional water supply needs.

Response: The City of Brea agrees with this finding.

Comment: The City of Brea recognizes that continued development in Orange County will require additional water supplies to meet future needs.

F10. Conservation and efficient use of water is essential.

Response: The City of Brea agrees with this finding.

Comment: The City believes that conservation and water efficiency efforts are essential to maintaining and preserving its water supply. The City of Brea participates in a regional program with the Municipal Water District of Orange County (MWDOC) to promote water conservation and efficiency efforts by providing consumers rebates to remove their grass lawns and install artificial turf and more water-efficient fixtures and appliances.

F11. Increased outreach and public education are necessary.

Response: The City of Brea agrees with this finding.

Comment: The City of Brea has extensive outreach and public education engagement tools and uses various outlets to educate the public on water issues. The City has information on its website that is frequently updated, an active and responsive social media presence, the ability to create mail and water bill inserts, and hosts multiple in-person community outreach events. All of these platforms are utilized for communicating with the public.

F12. Desalination has proven to be technologically and environmentally feasible and is slowly being embraced as a drought-resistant source of water.

Response: The City of Brea partially disagrees with this finding.

Explanation: Although desalination has proven to be a feasible technology to create an alternative water supply, the City of Brea would likely not directly benefit from a desalination plant because the City is located at approximately 25 miles inland from the coast, and jurisdictions directly adjacent would likely experience direct benefits from such a facility. The City would likely, however, experience indirect benefits from such a facility because it would allow other Orange County jurisdictions to utilize this new water supply source, which would alleviate the demand on current supply sources.

Responses to Recommendations R2, R3, R4:

R2. Orange County water agencies should expedite the planning, development, and construction of desalination plants over the next five years to insure a sustainable and reliable drought-resistant source of water. F1, F2, F3, F4, F5, F6, F7, F8, F9, F11, F12.

Response: This recommendation requires further analysis.

Explanation: The City of Brea would support expedited planning, development, and construction of desalination plants over the next five years. The City believes adding additional water supply sources (e.g. desalination plants) to Orange County's water portfolio would ease the demand on current supply sources.

Implementation Schedule: Not Implemented. The City of Brea cannot provide a definitive implementation schedule at this time. The City believes this should be addressed at the regional level and cannot speak for other jurisdictions.

R3. The County of Orange and all Orange County cities should formulate an emergency development moratorium plan in anticipation of the Colorado River water supply being constrained. The emergency moratorium plan should be developed by the end of calendar year 2023. F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12.

Response: This recommendation requires further analysis.

Explanation: The City of Brea agrees the County of Orange and all Orange County cities should develop a moratorium plan in the event the Federal government reduces the Colorado River water supply allocations. The City is already part of MWDOC's Water Emergency Response Organization of Orange County (WEROC) program. This emergency response program would allow the City to continue to provide a reliable water supply to its consumers should allocations from the Colorado River be reduced.

Implementation Schedule: Not Implemented. The City of Brea cannot provide a definitive implementation schedule at this time. The City believes this should be addressed at the regional level and cannot speak for other jurisdictions.

- R4. Orange County water agencies should update their public communication strategies, by calendar year end of 2023, to inform the public of lifestyle changes if additional water sources are not developed. F10, F11, F12.**

Response: This recommendation has been implemented.

Explanation: The City of Brea already has a communication plan in place to inform the public about water issues and conservation efforts, and can include additional outreach messaging to increase awareness further. The City can include additional messaging to inform the public by the end of calendar year 2023 about potential lifestyle changes if other water sources are not developed. The City also believes any communications related to establishing new water supply sources should be coordinated at the regional level.

The City of Brea values the Grand Jury's report, *Historic Rain, Yet Drought Remains* and appreciates the opportunity to provide responses to the report. Should you have additional questions, please contact the City Manager, Bill Gallardo, at (714) 990-7711 or by email at billga@cityofbrea.net.

Sincerely,



Bill Gallardo
City Manager
City of Brea

cc: Honorable Maria Hernandez, Presiding Judge of the Superior Court
Brea City Council