



# CITY OF FOUNTAIN VALLEY

CITY HALL 10200 SLATER AVENUE FOUNTAIN VALLEY, CALIFORNIA 92708

THE OFFICE OF THE MAYOR  
Website: [www.fountainvalley.org](http://www.fountainvalley.org)

(714) 593-4403 FAX: (714) 593-4494  
Email: [fvproud@fountainvalley.org](mailto:fvproud@fountainvalley.org)

August 15, 2023

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

**SUBJECT: Response to the 2022-2023 Orange County Grand Jury Report –  
Historic Rain, Yet Drought Remains**

Dear Judge Hernandez:

In accordance with Penal Code 933 and 933.05, the City of Fountain Valley respectfully submits the following response to the findings and recommendations of the 2022-2023 Orange County Grand Jury report entitled “Historic Rain, Yet Drought Remains.”

## FINDINGS

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

*Response: Fountain Valley disagrees partially with the finding. Fountain Valley does not have the expertise to offer an opinion as to whether climate change has a material effect on local water supplies. Too many variables and factors affecting future supplies and demands prevent making a definitive statement as to whether current supplies will meet future demands. Additionally, Fountain Valley is capable of pumping 85% or more of its water supplies from the groundwater basin, whereas agencies outside of the basin are more dependent on imported water supplies. Therefore, Fountain Valley is less impacted by potential future reductions in imported water supplies and has more water reliability by being capable of pumping 100% of our needs from the groundwater basin if needed.*

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

*Response: Fountain Valley agrees partially with the finding. Fountain Valley agrees that some climatologists predict future extended periods of low moisture with occasional wet years, while others have varying opinions. Fountain Valley has no expertise on this*

*subject. Relying on extended forecasts may not be reasonable as indicated by the winter of 2023, which ended up being one of the wettest winters in recent memory when it was predicted to be very dry.*

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

*Response: Fountain Valley agrees partially with the finding. The planet's climate is constantly changing and has gone through numerous weather cycles, but Fountain Valley does not have the expertise to comment on the impact of human behavior on the climate.*

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

*Response: Fountain Valley agrees with the finding.*

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

*Response: Fountain Valley disagrees partially with the finding. This depends on where a supplier is located in Orange County and their dependence on imported water.*

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

*Response: Fountain Valley agrees partially with the finding. At the state and federal levels, projects have been delayed and inadequately implemented. However, at the local level, water agencies have been successful in funding and implementing significant water infrastructure projects.*

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

*Response: Fountain Valley agrees with the finding.*

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

*Response: Fountain Valley agrees with the finding.*

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

*Response: Fountain Valley agrees with the finding. However, with new development practices and efficiencies, total water demands in Orange County have declined by 20% while the population has continued to increase.*

**F10. Conservation and efficient use of water is essential.**

*Response: Fountain Valley agrees partially with the finding. While conservation and efficient use are essential, the focus should be on future water supplies and not continued restrictions.*

**F11. Increased outreach and public education are necessary.**

*Response: Fountain Valley agrees with the finding.*

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

*Response: Fountain Valley agrees that ocean desalination can play an important role in securing future water supply reliability.*

**RECOMMENDATIONS**

**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: Fountain Valley agrees partially with the recommendation and it requires further analysis. Fountain Valley generally supports the development of desalination plants depending upon the water supply circumstances, needs and resources of individual water agencies and cities. Other water supply alternatives may prove to be more beneficial or cost-effective. The responsibility for expediting desalination primarily falls in the domain of State and Federal authorities.*

**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: Fountain Valley disagrees with this recommendation. The State has declared a severe housing shortage that can only be addressed by the development of new housing. Fountain Valley is required to adopt housing elements as part of our general plan to show how we will meet local housing needs. Moratoriums placed on development could lead to additional increases in homelessness and poverty because of increasingly high home prices and rents due to low availability of supply. Further, a moratorium on development would present a more negative impact on the Orange County economy than*

*a theoretical future water shortage. In doing so, this would result in business failures, unemployment and stagnation in the local economy.*

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

*Response: The recommendation requires further analysis. It is not known if more lifestyle changes will be necessary within Orange County if additional water sources are not developed. The current approaches have proven to be successful in increasing water use efficiency. New and innovative strategies and messaging can help, but would need to be in collaboration with all agencies in Orange County to avoid conflicting or over-saturated messaging.*

Thank you for the opportunity to comment on the Grand Jury report. We hope our answers add to the general understanding of the water supply issues in Orange County. Should you have any questions about this letter, please contact Maggie Le, City Manager, at (714) 593-4410, or at [maggie.le@fountainvalley.org](mailto:maggie.le@fountainvalley.org).

Sincerely,

A handwritten signature in cursive script that reads "Kim Constantine".

Kim Constantine  
Mayor  
City of Fountain Valley

cc: Orange County Grand Jury