



August 22, 2023

Mayor

Noah Blom

Mayor Pro Tem

Will O'Neill

Council Members

Brad Avery

Robyn Grant

Lauren Kleiman

Joe Stapleton

Erik Kenneth Weigand

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

and

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

SUBJECT: June 9, 2023, Grand Jury Report "Historic Rain, Yet Drought Remains"

Dear Judge Hernandez:

As requested by the Grand Jury, the City of Newport Beach has reviewed the June 9, 2023, report titled "Historic Rain, Yet Drought Remains" and is formally responding to specific Findings and Recommendations. The City Council of the City of Newport Beach (City) has authorized me to submit the City's response.

The City of Newport Beach supports the Grand Jury's efforts to investigate and report on water supply and reliability issues. In general, the public may not fully understand the complicated issues with water and rightfully so rely on elected officials and associated water agencies to properly manage and address that sufficient water supplies are always available to the public. This report will help inform the community of those issues especially in the promotion of awareness, education and conservation. From the City's standpoint, there are dedicated and professional water leaders and agencies working for its community, with a driven focus on water reliability.

In general, the Grand Jury report calls for the development of new additional local water supplies. Newport Beach concurs with the Grand Jury's recommendation. Our partner agencies Orange County Water District (OCWD) and Metropolitan Water District of Orange County (MWDOC) have worked for decades to create local water supplies and reduce the areas' reliance on imported water from Northern California and the Colorado River.

In fact, the City is a producer and contributing partner agency with OCWD, which is a worldwide leader in the reclamation and reuse of wastewater to create additional local water supplies.

The Groundwater Replenishment System purifies 100% of the reclaimable wastewater received by the Orange County Sanitation District. The project creates 130,000 acre-feet per year of water for the local community which is approximately 1/3 of the total water demands within the OCWD service territory.

OCWD also works closely with the United States Army Corps of Engineers in the operation of Prado Dam and has invested hundreds of millions of dollars in land and new facilities to allow the capture and recharge into the groundwater basin of Santa Ana River storm water supplies during the winter period. These projects and others allow the cities and retail water agencies within OCWD's service territory to pump 85% of their necessary water supplies from the local groundwater basin. Agencies like the City only need to import 15% of their water needs from the Colorado River and Northern California.

These efforts coupled with the City's efforts have increased its local water resiliency. Its water conservation and water education efforts and those of its partners are noteworthy.

The City has been requested to respond to Findings 1-12 and to Recommendations 2, 3 and 4. The original Findings and Recommendations are provided below along with the District's response in **bold** type.

FINDINGS

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

The City does not concur with the comment "current supplies will not meet future demands". There are too many variables and factors impacting future supplies and demands that prevent making such a definitive statement. Additionally, a comment such as this should differentiate between water agencies with access to the local groundwater basin and those outside of OCWD who are primarily dependent upon imported water supplies.

As a City within the OCWD service territory, local groundwater supplies currently provide up to 85% of Newport Beach's water needs. Only 15% of water needs must be met by imported water supplies. Thus, the retail water agencies within the OCWD's service territory are impacted significantly less from potential future reductions in imported water supplies and have much better water reliability than agencies outside of OCWD.

At this point in time, local and imported water supplies are in good condition. The Metropolitan Water District expects to have 3.3 million acre-feet of imported water stored in various reservoirs at the end of this calendar year *which is a record*. Additionally, the groundwater basin is effectively full.

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

The City monitors climate predictions but has no expertise on this subject. Its partner agency, OCWD, is working to maximize the amount of Santa Ana River storm water that can be stored behind Prado Dam when winter storms occur in the local watershed. This work includes using the latest technologies to predict when, where and the magnitude of winter storms dropping rainfall on the region.

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

The City agrees that the climate changes. The City 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.

The City concurs but recognizes South Orange County agencies are investing in new local water supplies to reduce their dependence upon imported water.

- 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.

The City does not concur with this comment with respect to the City's area for the same reasons provided in Finding #1.

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

The City does not concur with this comment with respect to the local area. Its partner agency, OCWD, has planned and implemented numerous projects to maximize the utility and annual yield of the groundwater basin. With regard to State projects, additional implementation would be beneficial.

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

The City generally concurs with this statement and would support regulatory and CEQA reform measures to quicken the permitting process for infrastructure projects.

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

The City concurs with this finding if such were to occur.

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

The City does not concur with this statement. Since the 2000s, the total water demands within the city have declined by 25% while the population has increased. Water demands within Orange County have decreased.

F10 Conservation and efficient use of water is essential.

The City concurs with this finding.

F11 Increased outreach and public education are necessary.

The City concurs with this finding.

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

The City 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

The City generally supports the development of desalination plants depending upon the water supply circumstances, needs and resources of individual water agencies and cities. The City also suggests the Metropolitan Water District of Southern California is better positioned and resourced to develop desalination plants in the region.

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.

The City does not believe a moratorium is appropriate.

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

The City supports a “Conservation as a Way of Life” message to save and not waste water. However, water professionals and agencies are called upon to deliver water reliability with confidence for the public’s benefit.

The City of Newport Beach continues to be advocate for water reliability and water conservation through a proactive and coordinated approach with its water industry partners for the benefit of the community. Thank you for the opportunity to comment on the Grand Jury report.

Sincerely,



Noah Blom
Mayor