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CITY OF SANTA ANA

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December 18, 2023

Via E-mail and U.S. Mail

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

Dear Judge Hernandez:

The City of Santa Ana hereby submits its response to the findings and recommendations in the 2022- 2023 Orange County Grand Jury report, "Historic Rain, Yet Drought Remains."

The City of Santa Ana (City) thanks the Orange County Grand Jury for the significant time and effort that was invested to evaluate the important issues of water supply and drought in Orange County. We appreciate the Grand Jury's recommendations of possible solutions and we look forward to being a part of the solution.

The City of Santa Ana is the sole water purveyor for all of its 320,000-plus residents and the businesses it serves. The City is unique in that it is one of the three Orange County founding member agencies of Metropolitan Water District (MWD), a member of Orange County Water District (OCWD), and contracts with Municipal Water District of Orange County (MWDOC) for various conservation programs and regional services. Given our level of involvement with all three of these agencies, we are committed to doing what it takes to protect the reliability of our water supply and delivery system for the future.

The City appreciates the opportunity to provide feedback and comments on the 2022-2023 Orange County Grand Jury Report. Per the 2022-2023 Orange County Grand Jury's request, and in accordance with Penal Code 933.05, below are the City's responses to findings F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12, and Recommendations R2, R3, and R4.

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FINDINGS

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

RESPONSE: Differ Partially with this Finding

Future water supplies are likely impacted by climate change. However, the City does not agree with current supplies will not meet future demands.” OCWD successfully manages the local groundwater aquifer for the benefit of multiple water suppliers, including the City. The City’s water supply portfolio current comprises of 85% groundwater supplies and 15% imported water. Based on this diversified portfolio, the City is well positioned for water supply reliability in the face of potential climate change impacts on water supply. In addition, at this point in time, local and imported water supplies are in good condition and the groundwater basin is effectively full.

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

RESPONSE: Concur Partially with this Finding

The City agrees that some climatologists predict future extended period of low moisture with occasional wet years, while others may have varying opinions.

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

RESPONSE: Concur Partially with this Finding

The City agrees climate is constantly changing, but 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.

RESPONSE: Concur with this Finding

The City agrees with this finding.

F5 – Local water suppliers recognize that enhanced storm water 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: Disagree with this Finding

The City does not agree with this finding. Current City’s water portfolio is sufficient for addressing water supply needs.

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

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RESPONSE: Disagree with this Finding

The City does not agree with this finding with respect to the OCWD service area. OCWD has planned and implemented numerous projects that maximize the utility and annual yield of the groundwater basin.

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

RESPONSE: Concur with this Finding

The City generally concurs with this statement and would support regulatory and California Environmental Quality Act (CEQA) reform measures to quicken the permitting process for infrastructure projects.

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

RESPONSE: Concur with this Finding

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

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

RESPONSE: Differ Partially with this Finding

The City differs partially with this finding. The water demands within the City of Santa Ana have decreased by 30% over the past 10 years despite continued development and population changes.

F10 – Conservation and efficient use of water is essential.

RESPONSE: Concur with this Finding

The City concurs with this finding.

F11 – Increased outreach and public education are necessary.

RESPONSE: Concur with this Finding

The City concurs with this finding and actively promotes outreach and education.

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

RESPONSE: Concur with this Finding

The City agrees that ocean desalination can play a vital role in securing additional and future water supply reliability.

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RECOMMENDATIONS

R1 – The County of Orange Board of Supervisors should take leadership role by the end of calendar year 2023 to explore the establishment of a “Climate Resiliency District” or Joint Powers Authority to fund and expedite implementation of a drought-resistant source of water (F1, F2, F3, F4, F5, F6, F7, F8, F9, F12).

RESPONSE NOT REQUESTED

The Orange County Grand Jury did not request a response from the City regarding this recommendation.

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: The recommendation requires further analysis.

The City agrees partially with the recommendation and it requires further analysis. The City 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 beneficial and cost-effective as well, but ultimately, 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 the calendar year 2023 (F1, F2, F3, F4, F5, F6, F7, F8, F9, F11, F12).

RESPONSE: The recommendation will not be implemented.

The City disagrees and will not be implementing this recommendation. A Colorado River shortage would affect various Orange County cities differently and a moratorium on development would likely have more adverse impacts than the theoretical shortage. Moratoriums placed on development could have significant negative impacts on housing needs, employment, and 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, 12).

RESPONSE: The recommendation requires further analysis.

It is not known if lifestyle changes will be necessary within Orange County if additional water sources are not developed. The City will continue to actively monitor the availability of imported and local water supplies, and other issues to determine if additional water supplies are needed in the future. The City will continue to update communications with the public for conservation through educational and outreach purposes.

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The City of Santa Ana thanks you for the opportunity to weigh in on this important matter. We believe it is a practice of good governance to periodically review, reflect on, and evaluate how we conduct business and best serve our community. The City of Santa Ana looks forward to continued collaboration on this issue and discovering answers that will be satisfactory to all.

Sincerely,



Tom Hatch
Interim City Manager

Attachments: Staff report dated November 21, 2023 and related exhibits

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