



South Orange County Wastewater Authority

September 12, 2024

Via U.S. Mail

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

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

Re: Response to Orange County Grand Jury Report

I write on behalf of the South Orange County Wastewater Authority ("SOCWA") in response to a report issued by the Orange County Grand Jury ("OCGJ") on or about June 21, 2024 (the "Report"). In compliance with California Penal Code section 933(c), SOCWA is required to comment to the presiding judge of the Superior Court on the findings and recommendations contained in the Report which are under SOCWA's control within 90 days of the Report being published. Responses to the findings and recommendations in the Report are due by September 20, 2024, and this response is therefore timely.

Findings

In the Report, the OCGJ identified two findings relevant to SOCWA (F3 & F4). When responding to relevant findings included in the Report, SOCWA must either: (1) state that it agrees with the finding; or (2) state that it disagrees, in whole or in part, with the finding and explain that disagreement. (Pen. Code, § 933.05(a).)

The findings, and SOCWA's response, are as follows:

F3 OCGJ found that SOCWA's member agencies have widely diverse populations, requirements, and revenues, which has led to conflicts over governance, facility operation, and control affecting the evolving potential for wastewater reuse.

SOCWA Response: The SOCWA Board of Directors agrees with the above finding.

F4 OCGJ found that there is currently no unified strategy for the future of water/wastewater provision in South Orange County.

SOCWA Response: SOCWA agrees with this finding. However, SOCWA and the SOCWA member agencies have been working in good faith to develop a group of agreements which will reorganize SOCWA and will allow for increased collaboration and enhanced water and wastewater services for South Orange County communities. Both SOCWA and the SOCWA member agencies intend to present the agreements to their respective governing boards for consideration and approval this fall.

Recommendations

Additionally, in the Report, OCGJ made one recommendation that is relevant to SOCWA (R2). In responding to relevant recommendations in the Report, SOCWA must report one of the following actions: (1) the recommendation has been implemented with a summary of the implemented action; (2) the recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation; (3) the recommendation requires further analysis with an explanation as to what further action is required, the scope and parameters of an analysis or study to be completed, and a timeframe for the matter to be prepared for discussion by the governing board which does not exceed six months; or (4) the recommendation will not be implemented because it is not warranted or reasonable with an explanation as to why the recommendation is not warranted or unreasonable. (*Id.* at § 933.05(b).) Below, please find a description of the relevant findings and recommendations as well as SOCWA's responses to those items.

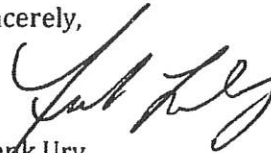
That recommendation and SOCWA's response are as follows:

R2 "[B]y January 1, 2025, LAFCO will form a task force comprising representatives of affected water agencies to study the transformation of SOCWA and prepare a report on the future of water/wastewater in South Orange County."

SOCWA Response: As of the date of this letter, SOCWA is not aware of any action taken to implement this recommendation or any timeframe for implementation. Based on the language of the recommendation, SOCWA understands that the Orange County Local Agency Formation Commission ("LAFCO") is responsible for assembling the task force by January 1, 2025. Respectfully, SOCWA believes the task force is not warranted or necessary as the reorganization of SOCWA is expected to occur this fall, which we anticipate will resolve many of the conflicts regarding governance, facility operation, and the evolving potential for wastewater reuse.

The SOCWA Board of Directors appreciates the opportunity to respond to the Report. Should you require any additional information on this topic, please do not hesitate to contact me.

Sincerely,



Frank Ury
SOCWA Board Chair

Encls: Grand Jury Report