



August 30, 2022

Grand Jury  
Honorable Michael T. Smyth, Presiding Judge  
San Diego Superior Court  
1100 Union Street, 10th Floor  
San Diego, CA 92101

MEMBER AGENCIES

Carlsbad  
Municipal Water District

City of Del Mar

City of Escondido

City of National City

City of Oceanside

City of Poway

City of San Diego

Fallbrook  
Public Utility District

Helix Water District

Lakeside Water District

Olivenhain  
Municipal Water District

Otay Water District

Padre Dam  
Municipal Water District

Camp Pendleton  
Marine Corps Base

Rainbow  
Municipal Water District

Ramona  
Municipal Water District

Rincon del Diablo  
Municipal Water District

San Dieguito Water District

Santa Fe Irrigation District

South Bay Irrigation District

Vallecitos Water District

Valley Center  
Municipal Water District

Vista Irrigation District

Yuma  
Municipal Water District

OTHER  
REPRESENTATIVE

County of San Diego

RE: *Grand Jury Report: "Water Report for San Diego County-Reclaimed Water for a Sustainable Future"*

Dear Honorable Smyth:

The San Diego County Water Authority (Water Authority) appreciates the 2021/2022 San Diego County Grand Jury providing a copy of their *Grand Jury Report: "Water Report for San Diego County-Reclaimed Water for a Sustainable Future"* (Report), filed on June 23, 2022, to us for review. We offer the following comments on the report:

***Comments on Findings***

1. **Finding 1:** Traditional public relations and/or educational outreach is not improving public and political support for wastewater and stormwater reuse as potable water. The Public awareness of the Pure Water Program is limited.

Response: The Water Authority respectfully disagrees with this finding. The Water Authority regularly conducts research studies to enhance communication and outreach and to assess knowledge and attitudes about San Diego County residents regarding water supply issues, including water reuse. We find there is significant public and political support for potable reuse. Our research shows that public support for potable reuse has increased by 60% since 2005. Results from the public research are used to help influence public perceptions and track responses over time. Member agencies with potable reuse projects also conduct their own public outreach that includes communicating through websites and social media, as well as hosting community events.

Examples of political support and funding opportunities for water reuse projects include:

- The 2021-2022 *Infrastructure Investment and Jobs Act* provides \$1 billion for western water recycling and potable reuse projects
- The U.S. Environmental Protection Agency released the National Water Reuse Action Plan in collaboration with other federal, state, and local water leaders to advance reuse and address local and national barriers (February 2020)
- The Water Reuse Interagency Working Group was established in May 2022, under the Bipartisan Infrastructure Law, to develop and coordinate actions, tools, and resources to advance water reuse across the United States (May 2022)
- California Governor Newsom announced a new water supply strategy that sets goals and implementation steps to increase funding and support for water reuse

projects in California (August 2022)

2. **Finding 2:** The California State Water Resources Control Board is developing regulations for potable reuse. In 2014, the Board's Division of Drinking Water finalized groundwater replenishment regulations, which were incorporated in the recycled water-related regulations. In 2017, Assembly Bill 574 was signed into law and established a deadline of December 2023, for initial State Direct Potable Reuse regulations.

Response: The Water Authority agrees with this finding. We suggest including a reference to the state's surface water reservoir augmentation regulations that were finalized in 2018, and the state's progress in developing direct potable reuse regulations.

3. **Finding 3:** The implementation of SB 552 is important for small water suppliers in rural areas. Recently approved State of California legislation encourages the development of water shortage strategic plans and encourages administrative funding to mitigate the impact of drought and to promote water resiliency and water re-use.

Response: The Water Authority agrees with this finding.

#### *Comments on Water Authority Recommendations*

1. **Recommendation 22-31:** Support regional water reclamation efforts by improving public trust in the safety and benefits of reclaimed water through educating elected officials, media representatives, and the public about the goal for 35% reclaimed potable use water by 2035.

Response: The Water Authority is already implementing this recommendation to support regional water reuse efforts through education and outreach to elected officials, media, and the public. Public trust in the safety and an understanding of the benefits of recycled water is critical for the success of reuse projects. In collaboration with our 24 member agencies, the Water Authority has promoted the advancement of water reuse for more than two decades through public outreach and messaging, legislative and regulatory support, and help in securing project funding in the region. Some examples include sponsoring and supporting recycled water legislation, developing outreach materials such as videos and fact sheets, and participating in community outreach events.

2. **Recommendation 22-32:** Support small water agencies in their efforts to comply with new laws for agency water operations and wastewater management practices above and beyond what are current regulatory requirements.

Response: The Water Authority agrees with this recommendation. As part of the Water Authority's mission to provide a safe and reliable supply to its member agencies, the Water Authority provides regulatory and legislative support to all of its member agencies, regardless of size. This support includes review and feedback into pending legislation and regulations that could impact the Water Authority and its member agencies. At the same time, the Water Authority participates in the San Diego Integrated Regional Water Management (IRWM) Program to provide support to small water agencies and

disadvantaged communities (DACs). Additional discussion on the IRWM Program is provided in the response to Recommendation 22-33.

3. **Recommendation 22-33:** Solicit the participation of small water suppliers and DACs in water re-use policy and practice development.

Response: The Water Authority participates in the San Diego IRWM Program which is currently implementing this recommendation. The San Diego IRWM Program, established in 2005, is a collaborative effort to support integrated water planning and management solutions on a regional and watershed scale. The Water Authority, the County of San Diego, and the City of San Diego participate in a Regional Water Management Group (RWMG) that is responsible for the administration and implementation of the IRWM Program. A regional advisory committee representing a wide spectrum of stakeholders provides guidance to the RWMG on planning and funding grant application activities. The San Diego IRWM Program includes participation by DACs, tribes, and small water systems. In 2021, the IRWM Program formed a Justice, Equity, Diversity, and Inclusion (JEDI) Workgroup to identify additional opportunities for diverse communities and to strengthen regional DAC participation. Since 2008, the IRWM Program has been awarded \$117.8 million in grant funds to support local water related projects with benefits to water supply, reuse, and DACs.

#### *Additional Comments and Suggested Revisions*

1. From Page 2 of the Report: “The SDCWA negotiates the sale and delivery of water from the Coachella Valley Water District, the Department of Interior, and the Imperial Irrigation District through the San Diego Aqueduct in Northeastern San Diego County.”

Response: For clarification, the text above should be revised to read: “The Water Authority negotiated a long-term water transfer agreement with the Coachella Valley Water District, Imperial Irrigation District, and Department of Interior, for the delivery of conserved water to the San Diego region.”

2. From Page 8 of the Report. “Fact: As of 2021, San Diego County no longer receives water transfers from the Southern California Metropolitan Water District using water sourced in the Sacramento Delta or San Joaquin Valley.”

Response: For clarification, the text should be revised to read: “The San Diego County Water Authority is currently not receiving deliveries of Bay-Delta water from the Metropolitan Water District of Southern California.”

The Water Authority appreciates your consideration of these comments. If you require additional information, please contact me or Kelley Gage, Director of Water Resources, at [kgage@sdewa.org](mailto:kgage@sdewa.org).

Sincerely,



Sandra L. Kerl  
General Manager