

Memorandum

From: Big Canyon Country Club

To: Water Committee and Board Members, Orange County Water District

Date: May 16, 2017

Big Canyon Country Club (BCCC) has reviewed the proposed new Sales and Distribution Agreement (Agreement) between OCWD and the City of Newport Beach (City) concerning Green Acres Project (GAP) water.

At the instigation of OCWD many years ago, BCCC changed over from irrigating its golf course with potable water to GAP water. This made sense since using GAP water would ensure that BCCC always had irrigation water available to it, even in drought conditions. Simply put, the primary business of BCCC is growing grass and water is needed to do that. A golf course is a business enterprise and the plant material needed is not what should be thought of as incidental "landscaping", that is an aesthetic enhancement to other functional structures or improvements such as buildings or roads.

To the great surprise and disappointment of BCCC, OCWD now wants to change its long-time Agreement with the City to enable OCWD to reduce or discontinue providing GAP water if the State proclaims any type of drought emergency and restricts the use of potable water supplies. See proposed Agreement Section 5.7. That gives rise to several comments and questions:

1. Why should a user of GAP water be able to be completely cut off just because a limitation is placed by the State on potable water?
2. Why should OCWD have a right to reduce or discontinue delivery of GAP water if that is not mandated by the State (which only restricts potable water use in a declared drought emergency)?
3. If OCWD decides to reduce or discontinue GAP water deliveries, what does it propose that golf courses use for irrigation?
4. If OCWD expects basin water to be used for irrigation of golf courses, then what sense does it make to route OCSD outflow to GWRS, treat that outflow, then pump it to areas where it can settle into the aquifer and then pump it out of the ground to be used for irrigation?
5. By its terms, Section 5.7 has no time limit for its implementation. So, if, for example, a drought emergency were to be declared in 2020, that would meet the test of a drought emergency being declared, and a decision to reduce or discontinue delivery of GAP water could be implemented at any later date, whether or not the drought emergency that empowered OCWD to act were still in effect.
6. If the State does not mandate a reduction of use of recycled water for irrigation, why should OCWD seek the power to do so based upon State restrictions on irrigation using potable water?

Bottom line, in the scheme of things, a small amount of water is involved, and a big investment has been made by golf courses in Newport Beach to use GAP water. Those courses have done what they were asked to do by OCWD, and what Water Code Section 13550 expects them to do. Is it really right to radically change a deal made and relied upon many years ago?

BCCC requests that Section 5.7 be removed from the proposed Agreement.