

LAND USE SERVICES DEPARTMENT

ADVANCE PLANNING DIVISION
385 North Arrowhead Avenue, San Bernardino, CA 92415-0182
(909) 387-4147 • Fax (909) 387-3223
<http://www.sbcounty.gov/landuseservices>



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

JULIE RYNERSON ROCK
Director of Land Use Services

May 26, 2009

Gwen Huff
Office of Water Use Efficiency and Transfers
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

RE: May 7, 2009 Modified Text of the Proposed Regulation to the Model Water Efficient Landscape Ordinance as submitted to OAL on February 9, 2009.

Dear Ms. Huff,

Thank you for providing the County of San Bernardino a copy of the proposed revisions to the Model Water Efficient Landscape Ordinance as a response to comments by the OAL on April 1, 2009 for our review and comments. The County has few comments that we hope prove helpful:

- On page 18, § 492.6 Landscape Design Plan (F), regarding the use of invasive and/or noxious plants species; there is a definition for invasive plant species in § 491 Definitions, however, there is not a definition provided for noxious plants. The Invasive Species Definition in this case provides compelling evidence against their planting; this same treatment may be useful for "noxious" plants as well.
- On page 24, § 492.8 Grading Design Plan (3), following the statement of compliance, it is suggested to read: *and "bears" the signature of a licensed professional...or that the statement "and is signed by a licensed professional."* (Somehow, the sentence is not clear that the signature is required. This could be problematic especially when dealing with compliance issues).
- On page 30, § 492.17, quite possibly the actual "Exemption" may be useful here, instead of the outright deletion of the sentence. For instance, a Categorical Exemption such as Class 7 "Actions by Regulatory Agencies for Protection of Natural Resources" may be applicable. Authority Cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

We hope these comments are supportive in the completion of the rulemaking process and in the preparation of the final text for the updated ordinance. If you have any questions or require further information, please contact me at (909) 387-4124.

Sincerely,

Shellie Zias-Roe, Associate Planner

Cc: Julie Rynerson Rock, Director

MARK UFFER
County Administrative Officer

NORMAN A. KANOLD
Assistant County Administrator
Public and Support Services Group

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PAUL BIANE

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