

## Colvin, Judith

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**From:** mweo-bounces@water.ca.gov on behalf of Sue Welch [skwelch@earthlink.net]  
**Sent:** Wednesday, March 26, 2008 11:46 AM  
**To:** mweo@water.ca.gov  
**Cc:** nancy; treetemp@ix.netcom.com; Sue at home  
**Subject:** [MWEQ] Welch public comment on AB1881

**Attachments:** Welch\_Comments\_AB1881.pdf



Welch\_Comments\_  
AB1881.pdf

Judy Colvin

Office of Water Use Efficiency and Transfers PO Box 942836 Sacramento, CA 94236-0001

**Subject:**  
Public Comment on Model Water Efficient Ordinance AB1881 Opposition to Exemption of Los Altos Hills from the Model Ordinance

Dear Ms Colvin,

The attached pdf document is my full comment on these issues. I strongly support the draft Model Ordinance and applaud the DWR for taking action to address waste of the state's limited water supplies for climate-inappropriate landscaping.

I am a resident of Los Alto Hills (LAH), an affluent residential community of about 3,000 properties (most  $\geq$  one acre) in Santa Clara County. The LAH Planning Director, Debbie Pedro, at request of City Council has written the DWR asking that homeowner provided landscaping in single-family residential projects in LAH remain exempt from the Model Ordinance. I strongly and respectfully disagree.

The Town's long history of failing to review landscape projects or to impose restrictions on excessive landscape water use (despite excessive and escalating water consumption) indicate that Los Alto Hills is exactly the type of jurisdiction for which this ordinance is intended.

Please include the attached PDF in my comments.  
Thank you for your help in this important matter.

Sincerely,

Sue Welch, M.D., Ph.D.  
27750 Edgerton Road  
Los Altos Hills, CA 94022  
650-815-8286

Two other LAH residents asked to add their endorsements to my public comments:

I support the attached letter from Sue Welch to the Department of Water Resources regarding the proposed Model Water Efficient Landscape Ordinance.

Sandra L. Humphries  
Environmental Design and Protection Committee Town of Los Altos Hills  
26238 W. Fremont Road

March 25, 2008

Judy Colvin  
Department of Water Resources  
Office of Water Use Efficiency and Transfers  
901 P Street, Room 313A  
Sacramento, California 95814

Subject: 1. Comment on the Updated Model Water Efficient Landscape Ordinance AB1881  
2. Opposition to Exempting Los Altos Hills from AB1881

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Dear Ms. Colvin:

I strongly support the draft Model Ordinance and applaud the DWR for taking action to address waste of the state's limited water supplies for climate-inappropriate landscaping. I have two comments:

### **1. Section 493.1 Landscape Irrigation Audits**

In subsection 4 (irrigation audits for existing landscapes  $\geq$  2,500 square feet), I recommend adding a clause that requires property owners to implement water management and maintenance recommendations from the landscape irrigation audit report. The ordinance requires this for landscapes  $\geq$  one acre (Section 493.1 3 (b)), but not for smaller landscapes. An audit alone is not sufficient. Many property owners will not voluntarily change their water-intensive landscapes.

### **2. Application of AB1881 to Landscapes at Single-Family Residences in Los Altos Hills**

I strongly support applying the ordinance to both new and existing landscapes  $\geq$  2,500 square feet (including homeowner provided ones) at single-family residences in residential communities with large parcels.

I am a resident of Los Alto Hills (LAH), an affluent residential community of about 3,000 properties (most  $\geq$  one acre) in Santa Clara County. LAH staff at request of City Council has written the DWR asking that homeowner provided landscaping in single-family residential projects in LAH remain exempt from the Model Ordinance. I strongly and respectfully disagree.

The Town's long history of failing to review landscape projects or to impose restrictions on excessive landscape water use (despite excessive and escalating water consumption) indicate that LAH is exactly the type of jurisdiction for which this ordinance is intended. The Council's argument that the Ordinance will be "a burden for the Town" is no grounds for exemption. Neighboring Towns, which also have large parcels and small staffs, have for years successfully, and without undue burden, assumed responsibility for regulating landscapes in their jurisdictions. The idea that "large parcels necessarily use more water" is mistaken. Large parcels need NOT use more water if climate-appropriate landscape is used.

Further, because virtually all landscape projects in LAH are "homeowner provided", exempting this class of landscaping will in effect make all landscapes in the Town exempt.

It may be appropriate for LAH to develop its own water-efficient landscape ordinance as an alternative to the Model Ordinance. Under no circumstances, however, should the Town be exempted from any type of landscape water use ordinance. An ordinance will provide incentive for LAH to finally begin imposing limits on the large, water-intensive landscapes that it has for decades freely allowed in the Town.

Sincerely,

Sue Welch, M.D., Ph.D.  
27750 Edgerton Road  
Los Altos Hills, CA 94022  
650-815-8286

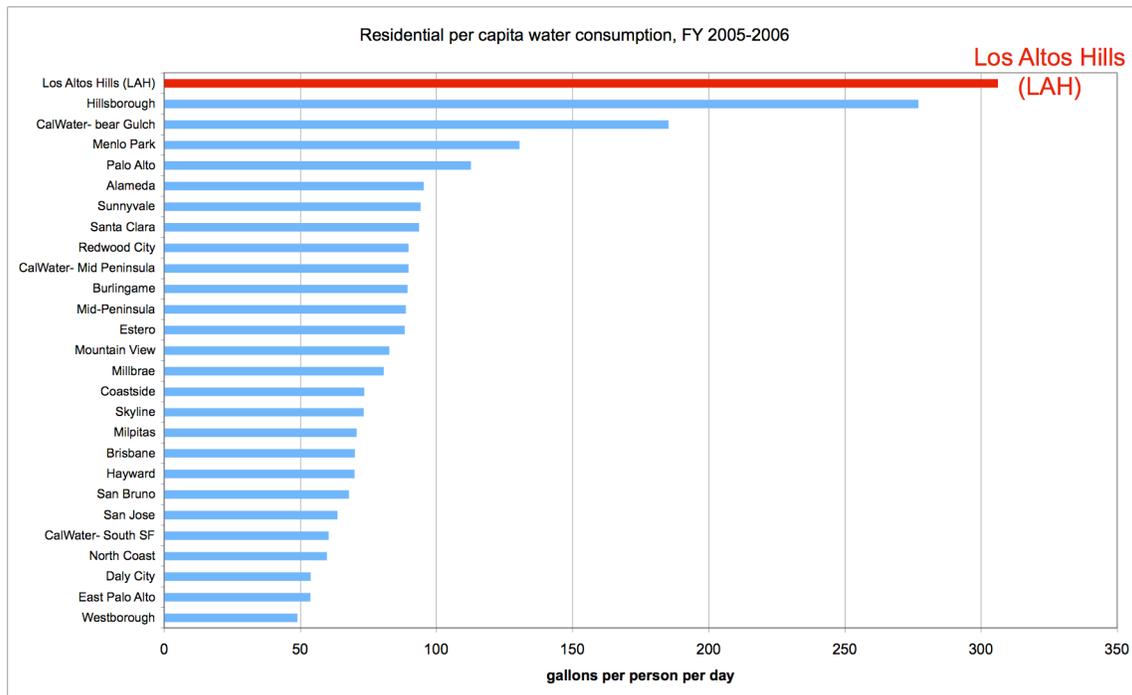
Member,  
Los Altos Hills Open Space Committee  
Los Altos Hills Pathway Committee

(Page 1 of 4) See Appendix of supporting materials

**Appendix to Letter from S. Welch to Judy Colvin, DWR  
 March 24, 2008  
 Landscape Water Use in Los Altos Hills (LAH)**

- LAH has exceeded its annual water allocation by at least 25% every year for the past decade and by 40% in 2007/1/. Purissima Hills Water District (PHWD, which serves two-thirds of LAH and only LAH) reports that most of this excessive water use goes to landscapes.
- PHWD (LAH) residential customers use on average 3.5 times more water per capita than all 1.7 million residential customers receiving SFPUC water in Alameda, Santa Clara, and San Mateo Counties (Exhibit 1). Over 67% of LAH water use is for landscaping /5/.

**Exhibit 1  
 LAH USES 3.5 TIMES MORE WATER PER CAPITA THAN OTHER BAWSCA MEMBERS**



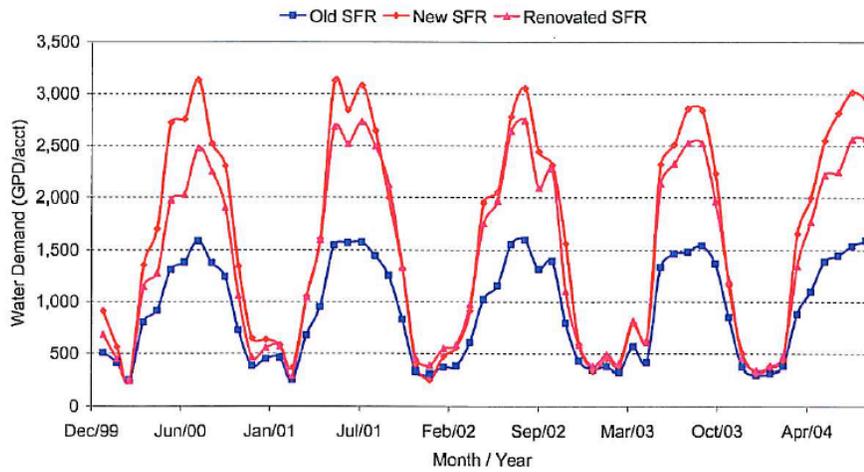
Source: Bay Area Water Supply and Conservation Agency, Annual Survey, 2005-2006, March 2007.

- Water use for landscapes in LAH is INCREASING as existing landscapes are replaced by larger and more water-intensive landscaping. PHWD reports that landscapes at newly built houses use 2X more landscape water than those at existing homes (Exhibit 2). Every new house built in the past few years along my daily route to work through LAH has installed extensive landscape including large areas of turfgrass lawn .
- The Town is well aware of its excessive water use and the need to conserve. Water conservation issues have come before LAH City Councils every year for over a decade and each Council has opted to continue the failing strategy of voluntary conservation.
- PHWD has asked LAH Councils many times in the past 10 years to adopt a water-efficient landscaping ordinance and/or require landscape plans that include projected water usage. Each Council has declared landscape plan reviews “too onerous”.

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Exhibit 2  
NEW HOMES IN LAH USE 2X MORE LANDSCAPE WATER THAN EXISTING HOMES

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**Figure 2: Summer and winter water demands by customer class. These data can be used to distinguish between internal and external usage of water.**

Old SFR = Existing single-family residence in Los Altos Hills

New SFR = Newly constructed single-family residence in Los Altos Hills

Source: Purissima Hills Water District Water Conservation Plan, 2006.

- LAH does not require review of landscape plans at the time of site development or remodel. (Only "landscape screening" is reviewed to confirm that off-site views of structures are mitigated.) Homeowners in LAH are free to install landscaping without regard to water use.
- The neighboring Towns of Woodside and Portola Valley, which like LAH have large parcels and small staffs, require landscape plans (including projected water use) at the time of new development, remodel, or landscape alterations. Staff and residents with whom I spoke view this as an essential part of the planning process and not an undue burden.
- Portola Valley has been moving to approve the Model Ordinance regulations even if the state does not require it. "Portola Valley fully supports restrictions on water use and highly encourages native plantings" /4/. Hillsborough, another comparable community, recently enacted a landscape water conservation ordinance.
- Although LAH Ordinances require preservation of native vegetation to the extent possible, these ordinances are no longer respected. Removing native vegetation and replacing it with elaborate landscaping significantly increases water demands.
- The cost of a Landscape Documentation Package (LAH staff estimate \$3,000-4,000) is no burden to recent buyers, who are the largest users of landscape water. The average sales price for homes in LAH in 2007 was \$3 million /3/. And it is not uncommon for new or renovated landscapes in LAH to cost hundreds of thousands of dollars.
- LAH must start requiring landscape plan reviews and setting limits on landscape water use, as similar Towns have done for years. Identifying existing irrigated landscapes over 2,500 square feet at single-family residences will require an initial effort by the Town, but is not insurmountable.

- PHWD has always been eager to work with the Town in the past and will likely be helpful in this effort.
- Although some new houses in LAH are built as “spec homes” by developers, Town staff indicated that it is difficult to distinguish these from homes being built by homeowners who intend to live in the house. Thus, if “homeowner provided” landscapes are exempt, virtually all new construction in LAH will be exempt from the ordinance.
- All new and existing landscaping projects  $\geq$  2,500 square feet at single-family residences (including homeowner provided ones) in communities like Los Altos Hills must be held to the Model Ordinance or an alternative ordinance that is equally effective.

Sources:

1. *Purissima Hills Water District Water Conservation Plan, 2006*
2. *Bay Area Water Supply and Conservation Agency, Annual Survey, 2005-2006, March 2007.*
3. *Santa Clara County Real Estate Association*
4. *Portola Valley Conservation Committee member*
5. *Purissima Hills Water District Draft Landscaping Guidelines, 2007*

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