

Colvin, Judith

From: mweo-bounces@water.ca.gov on behalf of BRAD FOWLER [bfowler@DanaPoint.org]
Sent: Thursday, March 27, 2008 10:59 AM
To: mweo@water.ca.gov
Cc: GAIL ALVIAR; LISA ZAWASKI; BRAD FOWLER
Subject: [MWEQ] City of Dana Point Comments to draft AB 1881 Water Conservation in Landscape Ordinance attn Judy Colvin
Attachments: Judy Colvin Water Conservation.PDF

Dear Judy

Please accept our comments from the City of Dana Point to the draft subject ordinance attached. We are mailing a hard copy with the attachments (although the attachments duplicate letters you have already received.) Please also add us to the list of email interest groups if possible. Good luck. It's a big job, but very worthwhile!

Brad Fowler, P.E.
Director of Public Works and Engineering Services
City of Dana Point, CA
bfowler@danapoint.org
Phone (949) 248-3554
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From: GAIL ALVIAR
Sent: Thursday, March 27, 2008 10:40 AM
To: BRAD FOWLER
Subject: Ltr to Judy Colvin

Brad,

I will be sending a hard copy to Judy to day as well, with the attachments. Do you just want to send electronic copies to the OWQ Subcommittee instead of hard copies?

Gail



March 27, 2008

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

Re: Draft Water Conservation in Landscaping Act Ordinance Comments

Dear Judy:

Thank you for the opportunity to help shape an effective conservation ordinance for landscaped areas in the State. The City of Dana Point strongly supports the intent of AB1881, and believes the draft ordinance should be changed significantly to reach our mutually desired goal. Please accept our comments as well as other stakeholders input, and put together a second draft for a second public review.

Our major comments are as follows:

1. ***Problem:*** The City of Dana Point and many other state “local agencies” (cities or counties) as defined on page 6 are not “water purveyors” or “water providers” as discussed in the Act itself. For example, water is provided to most cities by various “water districts” in our county. Cities here neither provide water, nor meters, nor water rates, nor do we know water customers or water usage, nor can we shut water off or penalize over consumers. Water purveyors/suppliers, i.e., water districts, have jurisdiction over these actions not cities.

Recommendation: Require AB1881 compliance from water purveyors, require this at least for applicable sections of the ordinance such as the operations/maintenance (post construction) related requirements of sections 492.12, 492.13, 492.14, 492.15, 492.16, 492.18, and all of 493 for existing landscapes. Local agencies and water purveyors need to work together to meet the goal. Also, coordination with our Regional Water Quality Control Board is highly recommended.

2. ***Problem:*** Although landscape projects can be approved by cities, the real long term effectiveness of drought tolerant landscaping and water conservation for large landscaped areas rests with landscape maintenance contractors and they are not included as responsible parties in the ordinance requirements.

Recommendation: Require landscape contractor irrigation plan & personnel certifications in the Ordinance so they are also held responsible for compliance.

3. **Problem:** Parts of the Ordinance are overly specific, either limiting options to meet the intent or demanding difficult or unworkable parameters be used.

Recommendation: Set the goals not the manner, and require water budget based tiered rate schedules to penalize over users which effectively audits both new and existing users each month.

4. **Problem:** The Ordinance provisions extends beyond AB1881 language in addressing existing landscape areas (493.1). Furthermore, requiring audits for landscapes greater than 2500sf is extremely problematic as this will be required for many single family home lots.

Recommendation: Use requirements noted in paragraph 3 above which can be effectively managed by water purveyors. Further, if this cannot be done, address existing landscapes only if they exceed one acre.

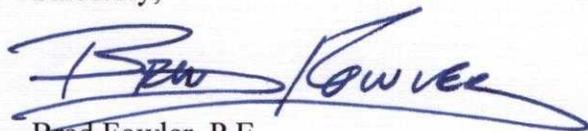
5. **Problem:** There are many details that should be refined to be more effective.

Recommendation: The City of Dana Point supports comments provided (and attached) by the following responders: 1) Municipal Water District of Orange County; 2) Southern California Chapter of The American Society of Landscape Architects; and 3) The American Society of Irrigation Consultants.

Thank you for reading our comments. Although they may be lengthy, this is a great opportunity to get it right even if it takes several iterations! Orange County has managed to reduce water consumption over the last couple decades to accommodate explosive growth without increasing overall consumption, so we do have beneficial experience to bring to the table.

Questions may be directed to Brad Fowler, Director of Public Works at (949) 248-3582. Please keep us informed of progress at bfowler@danapoint.org.

Sincerely,



Brad Fowler, P.E.
Director of Public Works and Engineering Services

ga\BJF

Cc: Ocean Water Quality Subcommittee
South Coast Water District (Attn: Larry Fregin)