

Colvin, Judith

From: mweo-bounces@water.ca.gov on behalf of Stan Gage [stan@ostassoc.com]
Sent: Thursday, March 27, 2008 11:29 AM
To: mweo@water.ca.gov
Subject: [MWEO] Comments on Proposed Model Ordinance

Attachments: Comments on model water ordinance.doc



Comments on model
water ordinance.doc

Please consider the attached comments with regard to the proposed Model Water Efficient Landscape Ordinance.

Stan Gage

September 3, 2008

Attn: Judy Colvin
Department of Water resources
Office of Water Use Efficiency and Transfers
PO Box 942836
Sacramento, CA 94236-0001

Dear Ms Colvin:

I am writing to you regarding the Department's proposed changes to the Model Water Efficient Landscape Ordinance. I have been a very long term member and leader of the Los Trancos County Water District Board of Directors. During these 30 + years of participation with the District, I have been a strong champion of the efficient use of water and I believe that the result of these efforts is demonstrated by the fact that the average water use within our community is approximately 60% of that of similar communities in our area sharing similar ETo and similar patterns of housing and landscape. Our small District, early on and long before most other districts, championed such activities as rebates for ULFT's and increasing block rates for water.

I have reviewed the proposals for the Model Water Efficient Landscape Ordinance and believe that in many aspects particularly as related to established landscapes for individual residences, the proposals are far and away too comprehensive and, fundamentally are unenforceable by any agency be it county, city, or water.

The scope of the documentation and technical understanding of the requirements makes it all but impossible for an individual homeowner to adhere to the requirements if they should wish to undertake to create or even maintain their own landscape on a DIY basis – something that many people actually enjoy doing. Even if professional inputs are sought on some or all of the work, the requirements go far beyond what the vast majority of small landscape companies (often one or two person companies with a few laborers) would be able to provide.

The requirements for the submission of plans with detailed analyses, drawings, calculations, and BOM, the reviewing of these plans, and then inspections is excessive and will prove to be very costly both for the homeowners and the agencies tasked with the responsibilities for enforcement. Ultimately, such regulations will either be ignored by many, if not most, individuals undertaking their own work and/or work arounds to circumvent the regulations will be devised (e.g. landscape 2450 square feet at a time). On the flip side, excessive enforcement will lead to the alternative of landscapes consisting of weeds and rusting, derelict automobile bodies.

The proposed requirements do make sense for commercial construction, planned housing developments, and housing where landscape design is a required part of the overall submission of plans for the issuance of a building permit and the engagement of professionals makes economic sense. However, your department needs to be more pragmatic when it comes to applying these requirements to landscapes for existing homes or new homes where landscaping is not done as a part of the original construction. Also, the long term follow up requirement of landscape audits and implementation of the audit recommendations is probably not practical. These come under the definition of nice thoughts but purely idealistic when it comes to the real world.

To approach the objectives on a more pragmatic basis when it comes to existing homes and homes sold without landscaping I would suggest the following:

- ❖ Push ET or moisture sensor based irrigation controllers as the only controller technologies that can be sold in the State.

455 Old Spanish Trail • Portola Valley • CA 94028
Phone: 650-851-1924 • Fax: 650-851-7018

- ❖ Promote the technologies through massive and ongoing public awareness campaigns, training and licensing requirements of landscape professionals (and quasi professionals), training of retailers, and creation of TV shows (e.g. HGTV)
- ❖ Help (or even mandate that) water purveyors establish rebate programs to encourage conversion of existing controllers to high tech controllers.
- ❖ Modify the MAWA portion of the Model Ordinance to apply to all residences and the landscape portions of commercial establishments. For residences, develop a set of models for purveyors to apply in remotely creating a MAWA based on lot size. Then expect purveyors to monitor actual usage versus MAWA, apply very substantial price increase for usage that substantially exceeds MAWA (our District didn't get much result from economic based signals until the upper rates blocks reached about 10X the base rate – about \$20+ per unit) For continued excessive and irresponsible usage that far exceeds MAWA without explanation purveyors should be expected to impose fines or install flow restrictors. The goal should be one of establishing a MAWA based water usage monitoring structure that can be created and monitored largely through computer tools using existing data bases.

In summary, creating new levels of bureaucracy or applying bureaucracy deeper and deeper into the lives of individual homeowners is probably neither a wise nor effective approach to trying to address the ever increasing water demands in the State. A much more creative and pragmatic approach is called for.

Sincerely,

Stanley R. Gage