

Colvin, Judith

From: Tracy Morgan Hollingworth [aslasd@sbcglobal.net]
Sent: Thursday, March 27, 2008 11:59 AM
To: Colvin, Judith
Cc: Jon Wreschinsky; Glen Schmidt
Subject: State Model Water Conservation Ordinance - Comment Letter
Attachments: 3154408220-SDASLA Model Water Ordinance Ltr Final.doc

Judy - I've attached the comment letter regarding the State's Model Water Conservation Ordinance from the San Diego Chapter of the American Society of Landscape Architects for your review and consideration.

Please email to all to confirm that you have received it.

Thanks,

Tracy Morgan Hollingworth, CAE
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March 26, 2008

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

RE: Comments from the San Diego Chapter of the American Society of Landscape Architects (SDASLA) on the Draft Landscape Model Ordinance Update.

Dear Ms. Colvin:

On behalf of the San Diego Chapter of the American Society of Landscape Architects (SDASLA), please accept our gratitude for the opportunity to comment on the Draft Model Landscape Ordinance (Ordinance). Representatives from SDASLA have contributed to and endorsed the more detailed letters you will receive from the Conservation Action Committee (CAC) in San Diego, as well as comments from the California Council of the American Society of Landscape Architects (CCASLA). Over the last year and a half, volunteers from our organization have spent hundreds of hours facilitating and participating in nearly weekly meetings with a variety of organizations in an effort to create a Regional Model Landscape Ordinance for San Diego that will meet the requirements of AB2717 and AB1881. In an effort to remain fair and equitable, we have taken this effort very seriously and submit the following comments, which along with the letters from the CAC and CCASLA reflect these efforts:

1. Much of the proposed Ordinance is constructive and appropriate. However, we strongly feel that specific aspects of the Ordinance are overly prescriptive and complicated. For the ordinance to be successful it must be simplified, especially in the application process.
2. The creation of design standards to implement water conservation is appropriate and is clearly within the statutory authority of the municipalities to which this document applies. However, in our opinion, standards that impose requirements on water purveyors are beyond the statutory authority of the legislation and simply impractical. Enforcement, beyond what is allowed through code compliance, should be a separate regulatory action targeting the water purveyance entities.
3. There has been much discussion regarding the water budget of .7 ETAF. SDASLA believes that a water budget-based approach to water conservation is the most appropriate and provides the most flexibility for the expression and implementation of individualized landscape designs. As you know, there has been adequate research to document the water consumption characteristics of conventional turf grasses. Unfortunately, there has been very little research to document the water consumption characteristics of the trees and shrubs utilized in our landscapes. Even though this is true, ASLA SD believes that the .7 ETAF is appropriate in order to set a high standard for conservation in the State. This is especially important for our region, which is literally at the end of the pipeline. It is our hope that the Ordinance will provide incentive for public funding of more research to provide the tools necessary to assure the appropriate design of our landscapes to meet this aggressive water conservation goal.
4. Our endorsement of the .7 ETAF budget, however, is contingent on a fair and reasonable definition of "Landscape Area." Currently, the proposed definition will act as a dis-incentive for water conservation and most assuredly, will result in a

number of inequities. We believe very strongly that the definition of "Landscape Area" should include pervious areas such as dry streambeds, non-irrigated succulent gardens or native landscape, as well as decks and other decorative features. Our landscapes should not be designed by formula. Please allow the talented designers in our state the flexibility to comply in many unique and interesting ways.

5. As currently proposed, the Ordinance dictates that the primary mechanism for ensuring compliance will be conducting water audits. These audits are to be performed by a Certified Water Auditor. We have two basic concerns regarding this process. First, the certification process requires very little knowledge or experience in the design or management of irrigation systems. We feel this is a definite disconnect that can only lead to questionable results. The Ordinance should be revised to recognize and reflect the responsibilities of landscape professionals as outlined in Section 5615 of the Business and Professions Code. Secondly, we are puzzled by the statement on the "Notice of Proposed Rulemaking Document," that these standards will not increase costs. We feel this is an erroneous statement and that the costs will be significant for applicants, owners and agencies. The document should reflect this fact. These costs need to be very clearly defined as to responsibility and sustainability.
6. We generally agree that Section 490.3 should apply to any commercial or multi-family residential project. However, requiring that all landscapes over 2,500 square feet is simply unrealistic. We suggest that the language be edited such that the requirements apply only to single-family homes with more than 5,000 square feet of "landscape area".
7. We feel that cemeteries should not receive special exemption, but rather, should be allowed a 1.0 ETAF, the same proposed for parks.
8. We have some concern regarding the definition of "Recreation Area." This definition reads in part "...where turf provides a playing surface or serves other high use recreational purposes." As noted in Section 490 (Purpose), passive recreation areas are of equal important to active recreation areas. The importance of passive recreation has been well documented and is important to our quality of life. Limited turf areas on private properties where it is used only for decoration is appropriately regulated. However, it can be argued that our parks are the highest and best public use of our water resources and therefore, should be highly valued. The definition of "Recreation Area" must be expanded to include passive recreational uses as well as active recreation.
9. We feel that the Landscape Document Package requirements (Section 492.5) as written, is excessive. This package would require 16 different plans and worksheets. Many of these are questionable and seem counter to each other or the intent of the Ordinance. We feel the following plans and worksheets will suffice for meeting the intent of the Ordinance:
 - A Maximum Applied Water Allowance (MAWA) worksheet. This worksheet would include a tabulation of the square feet of each hydro zone within the landscaped area and MAWA calculations. The worksheet would demonstrate whether effective precipitation is utilized and that the MAWA has been accomplished.
 - A Landscape Design (Planting) Plan
 - An Irrigation Design Plan.
 - A Grading Design Plan (if applicable). This plan is typically created and certified by the Civil Engineer for larger projects and not part of the typical single-family residential landscape submittal package. It is appropriate to provide it as reference only.
 - A Soils Analysis Report. This is not a Soils Plan, which would typically require a separate submittal. The more appropriate requirement would be to include the results of a soils analysis report, prepared by a professional testing laboratory that documents the need for and specification for soil amendments.

10. Landscape Irrigation Audits and Audit Schedules (Section 492.14). As discussed previously, we feel that too much emphasis has been placed on water audits. The audits themselves will do very little in identifying the corrective actions necessary to alleviate overwatering. We feel there are more effective ways to address irrigation efficiency and appropriate landscape design that will contribute to the water conservation goals. Therefore, we recommend that the water audit requirement be eliminated or severely limited to special circumstances.

11. The use of available recycled water in many of our urban areas needs to be addressed. This tremendous asset could go a long way towards alleviating the requirement for additional water resource development. This does not detract from inherent issues with the use of recycled water, namely that many of the distribution systems need to be expanded and/or upgraded, and that recycled water is high in salinity. In addition, the long-term use of recycled water occasionally requires leeching to reduce salinity levels in the soil. Should there be different standards for this resource? We believe so. We suggest that the language of the Ordinance be rewritten to recognize the importance of this resource, encourage its use, and remove the applicability of the Ordinance's requirements from recycled water systems.

Thank you for this opportunity to respond.

A handwritten signature in black ink, appearing to read "Jon Wreschinsky". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Jon Wreschinsky, ASLA
President
San Diego Chapter of the
American Society of Landscape Architects