

Colvin, Judith

From: mweo-bounces@water.ca.gov on behalf of Ryan Grisso [ryan@nmwd.com]
Sent: Thursday, March 27, 2008 3:12 PM
To: mweo@water.ca.gov
Subject: [MWEO] NMWD Comments on Proposed Revisions to the Model WaterEfficient Landscape Ordinance
Attachments: NMWD Comments on Draft Model Water Efficient LandscapeOrdinance 032708.pdf

To Whom It May Concern:

Attached is a pdf file of written comments from North Marin Water District regarding the Draft Model Water Efficient Landscape Ordinance. Please e-mail back or call if you have any trouble opening the file.

Thanks,
Ryan Grisso
North Marin Water District
(415) 897-4133 ext. 8421



NORTH MARIN WATER DISTRICT

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March 27, 2008

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

RE: Comments on Proposed Revisions to the Model Water Efficient Landscape Ordinance

Dear Ms. Colvin:

North Marin Water District (NMWD) has reviewed the proposed revisions to the Model Water Efficient Landscape Ordinance (Draft Model Ordinance) and have general comments to improve the revisions so they can be effectively implemented. NMWD is specifically concerned about the ability and willingness of non-water supplying local agencies to adopt and enforce this Draft Model Ordinance given the long and technical nature of the revised specifications and the associated budget and staffing burdens on local agencies, which may not have staffing levels to accommodate the additional workload or expertise to review landscapes to the Draft Model Ordinance specifications. Additionally, the lack of specific criteria for determining what is "At Least as Effective," given that some water agencies already enforce strict landscape regulations and ordinances, must be addressed. The State requirement for Draft Model Ordinance adoption and enforcement for non-adoption of the Draft Model Ordinance revisions should also be clearly stated and more intensive outreach campaign followed by a longer comment period is necessary.

The staffing level required for the implementation of these revisions will be considerable and NMWD does not believe that local agencies have available staff time or the expertise to perform the specified landscape plan reviews, landscape installation inspections and audits, and ongoing water budget analysis and required ongoing landscape audits, especially in service areas where the local agency is not the water provider. This increase in staff budget costs may be extreme, given the scope of the Draft Model Ordinance, and the staff intensive nature of the landscape plan review, inspection, and auditing. To successfully implement and enforce this ordinance, local agencies will need to allocate program and staffing budgets and procure qualified staff and potential which will



be a disincentive for adoption the Draft Model Ordinance. NMWD recommends that the State conduct a review of the Draft Model Ordinance and make changes to minimize the staffing burden on local agencies, with the thought that local agencies need to be the verification body and perhaps perform a statewide survey to obtain feedback regarding staffing burdens on local agencies. NMWD does not believe that giving inspection and review power to persons outside of the local agency or water utility will yield quality and legitimate compliance.

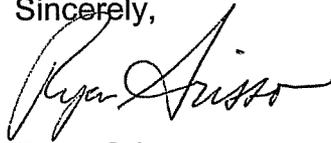
Specific criteria must be added to the Draft Model Ordinance for review and approval of an "At Least as Effective" local ordinance. NMWD believes its existing landscape water conservation ordinances to be sufficient enough to achieve an equivalent level of landscape water efficiency as the Draft Model Ordinance. NMWD has implemented new development landscape requirements since 2000 specifically designed to improve water use efficiency in new and rehabilitated landscapes, although local agencies in the NMWD service area have minimal permit requirements for existing landscape rehabilitation projects. NMWD's current regulations call for turf limitations in new development (800 maximum in single family residential and zero turf in new commercial development), and require weather based irrigation controllers, drip irrigation or sub-surface irrigation in all non-turf areas, soil amendment specifications, turf strip limitations and many other water efficient landscape specifications. The Draft Model Ordinance must provide specific criteria that will allow local agencies or water utilities to either submit existing landscape ordinances or requirements as "At Least as Effective" or provide guidelines for augmenting current ordinances and requirements to be "At Least as Effective".

Additionally, NMWD would like the State to consider allowing California Urban Water Conservation Council (CUWCC) signatories to substitute current Large Landscape Audit and Budget Programs (BMP 5) and Residential Water Use Survey Program (BMP 1) as "at least as effective as" for the ongoing audit requirements of the Draft Model Ordinance. The Draft Model Ordinance creates two levels of landscape audit requirements for local agencies or water utilities who are already CUWCC signatories.

Lastly, NMWD is not confident that non-water supplying local agencies are fully aware of the Draft Model Ordinance. We understand that it was mailed to all local agencies subject to the legislation, however, the Draft Model Ordinance and revised specifications go far beyond normal operation and it is quite possible that review and analysis of the implications and impact of the legislation has not been addressed by local agencies. We recommend that the State implement and larger outreach campaign and clearly define which local agencies have to implement this and what enforcement actions will be taken for failure to implement.

We respectfully submit these comments to DWR and hope to further discuss the Draft Model Ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Grisso". The signature is fluid and cursive, with the first name "Ryan" written in a larger, more prominent script than the last name "Grisso".

Ryan Grisso
Water Conservation Coordinator
North Marin Water District