



## MONTCLAIR

March 25, 2008

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

### **Re: Model Water Efficient Landscape Ordinance**

Dear Ms. Colvin:

*City of Montclair staff has had an opportunity to review the proposed revisions to the above-referenced ordinance contained within the California Code of Regulations. While the City recognizes and acknowledges that water conservation is critical to sustainability in California, staff's opinion is that the proposed ordinance is far too specific to be implemented with any success.*

As it is currently written, the ordinance would result in a significant commitment of time and resources by local agencies to administer and monitor at a time when those agencies are struggling to balance budgets because of increasing costs and continued raiding of local coffers by the state. *Importantly, the ordinance appears to have the potential to apply to most single-family residential properties in the City of Montclair. Because our city is populated primarily by middle-class families who work hard simply to make ends meet, complying with the ordinance and all of its technical specificity would be next-to-impossible, likely discouraging residents from rehabilitating their landscaping to comply with the ordinance.*

In addition, staff has the following brief comments with respect to the proposed ordinance:

- Cities and counties that are not the local water purveyor are generally not equipped to conduct education programs and water audits. *Accordingly, the role of local water purveyors should be more clearly defined.*
- The detailed design, construction, and maintenance guidelines outlined in Section 492 are unbelievably specific and onerous. Most small- and medium-size cities do not employ landscape architects or other staff with similar expertise to adequately understand and review the procedures. Likewise, it is questionable whether most local agencies and/or water purveyors have sufficient staff to conduct landscape irrigation audits on a regular basis.
- If a property owner wants to improve an already-developed property, it is unclear what threshold would have to be met to trigger reconstruction of a non-compliant landscape.

CITY OF MONTCLAIR

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Mayor Paul M. Eaton • Mayor Pro Tem J. John Dutrey • Council Members: Leonard Paulitz, Carolyn Raft, Bill Ruh • City Manager Lee C. McDougal

While we strongly support the goal of adopting a model water efficient landscape ordinance, the implementation and administration of such an ordinance must be reasonable and workable. I am sure that other local agencies have concerns that mirror those of Montclair, so we sincerely hope that the comments submitted in response to the draft ordinance are taken into consideration in order to make revisions that can be supported by all affected agencies.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lustro". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Lustro, AICP  
Community Development Director