

MWEO

From: David Campbell [davidwcampbell@gmail.com]
Sent: Monday, December 08, 2008 3:48 PM
To: MWEO
Subject: Comments to the Model Water Efficient Landscape Ordinance (AB 1881)

Department of Water Resources
Office of Water Use Efficiency and Transfers
Attn: Simon Eching

**RE: Comments to the Model Water Efficient Landscape Ordinance (AB 1881)
Public Review Draft Issued November 26, 2008**

Dear Mr. Eching,

Thank you for the Department's efforts to preserve water and avoid waste in our state. I look forward to a practical update of this important legislation. Please find my comments to the recently revised portions of the draft listed below by page and section.

- Comment 008.1 **Pg 7 section 491 (x) and (z):** Providing a definition for the similar terms "Irrigation Audit" and "Irrigation Survey" could cause confusion. An irrigation survey is not defined by any professional organization, and exists solely within this ordinance. Recommendation: remove reference to irrigation survey, moving actions therein to the project completion requirements. The term "Irrigation Audit" should reference the Irrigation Association (IA) definition and certificate, as the professional organization which administers the Irrigation Auditor certificate process. This will help avoid the ordinance from becoming outdated should the definition of an Irrigation Audit or Irrigation Auditor be modified in the future.
- Comment 008.2 **Pg 22 section 492.5:** A separate plan is not required to include the listed elements. Recommendation: incorporate requirements of the Soil Management plan in to the Landscape Plan to avoid unnecessary design effort, review time, and development cost.
- Comment 008.3 **Pg 24 section 492.6 (a) (1) (D):** While prescribing a maximum slope of 25% for turf slopes is reasonable for most landscapes situations, this disallows artistic landscape design using or special landscape needs. Recommendation: omit prescriptive means to eliminate objective requirements.
- Comment 008.4 **Pg 26 section 492.6 (b) (12):** Clarify that a landscape contractor may only prepare plans for design-build work which will also be constructed by that contractor. A landscape contractor does not otherwise have authority to "stamp and sign" plans.
- Comment 008.5 **Pg 28 section 492.7 (a) (1) (L):** Requirement to use low volume irrigation in mulched areas: Low volume irrigation does not necessarily equate to water savings. As noted previously in other comments, low volume (drip) irrigation doesn't necessarily mean low precipitation rate. Additionally, this prescriptive requirement prohibits low-precipitation emission systems, such as multi-stream rotating nozzles, which provide a more uniform application of water than point-source drip emitters. Lastly, low volume point source emitter irrigation is not the best way to irrigate relative to the long-term health of many plants, especially trees, as it does not facilitate an active and extensive root zone. Recommendation: do not prescribe methods to meet regulatory objectives. Do not exclusively require low volume (drip) irrigation in mulched areas.
- Comment 008.6 **Pg 29 section 492.7 (a) (1) (O):** This blanket requirement will result in material waste. Recommendation: add ". . . where required to prevent low-head drainage."
- Comment 008.7 **Pg 29 section 492.7 (a) (1) (R):** The assumed intent is to avoid overspray and runoff. Arbitrarily prohibiting turf of a certain size or shape does not guarantee runoff is reduced. In Sacramento County, this requirement was added to the landscape specifications many years ago when no satisfactory

overhead emission device existed to irrigate in this situation. Since then, all commercial spray nozzle manufacturers have introduced smaller radii nozzles with matched precipitation rates. Additionally, multi-stream rotator nozzles have been developed with "strip" patterns that have outstanding pattern cut-off. Recent discussions with County staff reveal this requirement to be obsolete. Recommendation: omit this requirement, as prescriptive requirements inhibit the development of new products or designs, while not necessarily achieving regulatory goals.

Comment 008.8 **Pg 29 section 492.7 (a) (1) (S)**: The assumed intent is to avoid overspray and runoff. The addition of a 24" permeable surface between turf and hardscape will greatly increase development and maintenance costs of already overburdened municipalities, parks and recreation departments, and property managers. Maintenance of these areas will result in additional chemical control. Overspray is already defined and prohibited in this section, and does not necessarily require a setback of 24". Recommendation: omit this requirement, as prescriptive requirements inhibit the development of new products or designs, while not necessarily achieving regulatory goals.

Comment 008.9 **Pg 29 section 492.7 (a) (1) (T)**: The assumed intent of is to avoid runoff due to irrigation water exceeding the infiltration rate of the soil. As has been previously stated in multiple comments to DWR, *drip irrigation or other low volume irrigation does not necessarily mean low precipitation*. In fact, depending on spacing, drip irrigation may have a higher precipitation rate that overhead spray, and certainly than traditional rotor or multi-stream rotator nozzle technology. Additionally, overhead irrigation methods encourage plant rooting outside the rootball, whereas point-source drip irrigation often does not. Moreover, the avoidance of runoff on slopes is more of an irrigation scheduling issue than an emission device issue. Recommendation: omit this requirement, as prescriptive requirements inhibit the development of new products or designs, while not necessarily achieving regulatory goals.

Comment 008.10 **Pg 32 section 492.7 (b) (7)**: Clarify that a landscape contractor may only prepare plans for work which will also be constructed by that contractor. A landscape contractor does not otherwise have authority to "stamp and sign" plans.

Comment 008.11 **Pg 33 section 492.8 (a) (2)**: Requirements of (A) and (B) are in many cases mutually exclusive. Recommendation: omit one or clarify.

Comment 008.12 **Pg 33 section 492.8 (a) (3)**: Clarify that a landscape contractor may only prepare plans for design-build work which will also be constructed by that contractor. A landscape contractor does not otherwise have authority to "stamp and sign" plans.

Respectfully submitted,

David W. Campbell / CRLA / LEED® AP
California Registered Landscape Architect #5044