

MWEO

From: Kirk Ammerman [KAmmerman@ci.chula-vista.ca.us]
Sent: Tuesday, December 23, 2008 2:48 PM
To: MWEO
Cc: Richard Hopkins; Mary Radley; John Krizan; Garry Williams
Subject: Draft Model Water Efficient Landscape Ordinance
Attachments: DWR-Model LS Ord Comments.pdf

Attached herewith are City of Chula Vista's comments on the subject document for your consideration.

Kirk Ammerman, P.E.
Principal Civil Engineer
City of Chula Vista
Department of Engineering
619-691-5115

<<DWR-Model LS Ord Comments.pdf>>



CITY OF
CHULA VISTA

DEPARTMENT OF ENGINEERING

Department of Water Resources
Office of Water Use Efficiency and Transfers
Attention: Simon Eching
PO Box 942836
Sacramento, CA 94236-0001

December 23, 2008

**CALIFORNIA CODE OF REGULATIONS TITLE 23, WATERS DIVISION 2
DEPARTMENT OF WATER RESOURCES CHAPTER 2.7
MODEL WATER EFFICIENT LANDSCAPE ORDINANCE.**

(Nov 26 Update)

Thank you for the opportunity to become involved in the development of this legislation, which aims at our common goal of building water conservation into all California landscapes.

The City of Chula Vista has prepared a list of comments on the draft legislation released on November 26, 2008.

The changes incorporated into the current draft represent a simplification and improvement of the draft legislation over the prior version. Many of the previous comments made by the City of Chula Vista have been addressed. However, we would like to draw your attention to our remaining concerns, as listed below:

1. Page 12, 492.2 (a) - 'may establish penalties' – This language suggests that local agencies would have the option, but not the obligation, to establish penalties. Please clarify the intent of this language. The existence of penalties brings with it enforcement issues that the City of Chula Vista, as well as other state agencies, are not staffed to administer under current economic conditions; therefore, we recommend that it be made clear that agencies have the option, but not the obligation, to establish penalties.
Comment 023.1
2. Page 14, (3) and Page 22/23, 492.5 - 'Soil Management Plan' – If possible, include the contents of this plan as part of the planting (landscape design) plans and specifications, rather than requiring a separate document. This will streamline the designer's obligations, as well as the plan check review process.
Comment 023.2
3. Page 14, (6) - 'Grading Design Plan' – If possible, allow the grading to be part of the base plan information for either the irrigation or planting (landscape design) plan to avoid the need for a separate plan. This will streamline the designer's obligations as well as the plan check review process.
Comment 023.3
4. Page 29 (S) – The requirement to use low flow irrigation in the 24" turf areas adjacent to non-permeable surface is impractical and costly. The only type of irrigation that could be used is below ground irrigation tubing, which is expensive to install and maintain. It must also be noted that Low Impact Development (LID) guidelines required under State NPDES
Comment 023.4

Municipal Permits now emphasize keeping runoff onsite to infiltrate into the ground. Planting areas are now graded away from hard surfaces, which limits potential runoff from irrigation enormously.

5. Page 29 (T) – Drip irrigation on major slopes presents practical challenges. It requires more frequent attention for maintenance that, in turn, results in higher costs. (In Chula Vista, Public Works staff has previously directed applicants not to specify drip irrigation.) Drip irrigation only waters in small specific areas at the base of individual plants and would be ineffective as a means of establishing hydroseed for erosion control. Most Public Agencies are currently experiencing budget limitations and do not have the necessary funding mechanisms in place to take on additional maintenance costs.
- Comment 023.5
6. Page 35 (8) and Page 37, 492.12 (1) – This requires a specific irrigation audit upon completion of the project installation. Given that projects are inspected for compliance with contract drawings and specifications (which include a water efficient Landscape Worksheet) and certified as complete and meeting the requirements of the project drawings and specifications, it is redundant to carry out an irrigation audit in addition.
- Comment 023.6
7. Page 37, 492.12 (2) – “the local agency shall administer programs that may include...” – The type of water monitoring programs that agencies are required to administer seems widely variable, leaving agencies unclear as to what they are administering. Any mandatory programs to be administered represent State unfunded mandates for local agencies and are, therefore, subject to reimbursement by the State. Chula Vista recommends that the programs be simplified to include random checks on water meter usage compared to projected water budgets, as included in the approved drawing package. It may be more appropriate for the water purveyors to carry out this function.
- Comment 023.7
8. Page 40, 493.1 (a-d) – Same as above comment.
- Comment 023.8
9. Page 41, 493.2 – Cities will have difficulty enforcing prohibition of irrigation water runoff and imposing penalties. Any mandatory programs to be administered represent State unfunded mandates for local agencies and are, therefore, subject to reimbursement by the State.
- Comment 023.9

Thank you for your consideration of our comments.


R. A. Hopkins
Director of Engineering/City Engineer

c: Otay Water District – William Granger, Water Conservation Manager
Sweetwater Authority – Sue Mosburg
John Krizan, Landscape Architect
Mary Radley, Landscape Architect
Garry Williams, Landscape Planner

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