

MWEO

From: Morse, Mark [MMorse@roseville.ca.us]
Sent: Tuesday, December 23, 2008 5:05 PM
To: MWEO
Cc: Amaral, Lisa; Gee, Tara; Isom, Mike; Kriz, Ed
Subject: Modification to the Proposed Model Water Efficient Landscape Ordinance - City of Roseville Comments
Attachments: 20081223162121475.pdf

Attached please find the City's comment letter.

Mark Morse
Environmental Coordinator
Community Development Department
City of Roseville
311 Vernon Street
Roseville, CA 95678
(916) 774-5334
(916) 774-5195 fax
www.roseville.ca.us





Community Development

311 Vernon Street
Roseville, California 95678-2649

December 23, 2008

Department of Water Resources
Office of Water Use Efficiency and Transfers
Attn: Simon Eching
P.O. Box 942836
Sacramento, CA 94236-0001

Via: Standard and Electronic Mail

mweo@water.ca.gov

Subject: City of Roseville Comment regarding Notice of Modification to the Proposed Regulation (Model Water Efficient Landscape Ordinance) to California Code of Regulations Title 23 Section 490-495

Dear Mr. Eching:

Thank you for the opportunity to provide comment in response to the Notice of Modification to the Proposed Regulation (Model Water Efficient Landscape Ordinance) to California Code of Regulations Title 23 Section 490-495.

024.1 While the modified model ordinance would still limit local agency flexibility, the City of Roseville is pleased with the addition of more permissive language such as "plans may incorporate..." and "including but not limited to..." This is a marked shift from the previous draft in which most language was directive. This change provides important latitude to local agencies like the City of Roseville and will be helpful when developing alternate methods for implementation of the model ordinance's substantive provisions in our own local ordinance. Also, from a parks and recreation perspective the City is pleased to see the shift from a "no turf" slant in the first version and acknowledgement that parks and recreation facilities such as golf courses are special circumstances. While the modified ordinance in general and these changes in particular are considered a definite improvement from the City's perspective, we would appreciate additional consideration of the following:

- 024.2 1. There is still confusion in the modified ordinance regarding the MAWA calculation and the ETWU calculation. If both need to be submitted, which will be enforced? Page 28 (K) states the irrigation system needs to be designed and installed to meet MAWA. Please clarify.
- 024.3 2. Weather based irrigation controllers can be effective if properly set up. Will there be a requirement that the landscape contractor be certified in the use of a weather based controller so it can be programmed properly?
- 024.4 3. On Page 34 (7), the certificate of completion requires a landscape architect, designer or contractor certify proper installation and in (8) requires an audit on the irrigation system. Is this also to be performed by the installer? Agencies will not have the staffing levels to complete comprehensive audits on newly installed landscapes. The

installation certificates should also be through the installation contractor as opposed to the architect as most designers are not part of the installation process.

- Comment 024.5 4. On Page 35 (b)(3), it reads that an irrigation audit report is to be submitted, if applicable. When will an audit report not be required?
- Comment 024.6 5. On Page 36, 492.11 in the landscape and irrigation maintenance schedule the section requires a regular maintenance schedule be performed. By whom and how will the agency know these maintenance tasks have been performed? This will be an additional burden to the water agencies for requirements and compliance if this is expected to be monitored.
- Comment 024.7 6. The City is concerned with the responsibilities and expectations of agencies to enforce compliance. In many instances land use agencies are responsible for implementing the requirements which are then handed off to the water purveyor. Information and funding necessary to comply does not always follow suit. It will be critical that responsibilities be clearly delineated between the two separately distinct roles.
- Comment 024.8 7. While many of the requirements involve plan development, the bigger question lies within accountability and enforcement.
a. The cost to local government to enforce on a plan development level will increase;
b. The cost to develop plans will increase;
c. There currently is no consequence that will assist in the enforcement of the requirements (left to local government to figure out);
- Comment 024.9 8. No state or federal funding is provided to local government for implementation.
- Comment 024.10 9. The cost/benefit ratio of implementing the ordinance as written equates to a minimal overall water savings.
- Comment 024.11 10. Page 10: Please define "recreational" aspect of a water feature.
- Comment 024.12 11. Page 22: Who is the applicable "expert"? Most items listed typically happen before bidding and grading. This seems to point to double reporting and testing.
- Comment 024.13 12. Page 23: To whom should the soil analysis be submitted?
- Comment 024.14 13. Page 24: Under "G", add "*except when for recreational purposes.*" Under water feature "D", insert "*for non-public facilities*".
- Comment 024.15 14. Page 26, "A", add "bio-swales".
- Comment 024.16 15. Page 28: Under "F" except when using recycled water. Under "M", add "for parks & recreation facilities, whenever feasible."
- Comment 024.17 16. Page 29: We feel that no turf under 10' in width is more realistic given current irrigation technology. The requirement to place irrigation no closer to 24" of hardscape is problematic from a maintenance, functionality and aesthetic standpoint.
- Comment 024.18 17. Page 33: "E", add "if applicable." Need to further discuss the required sign-offs under #3.
- Comment 024.19 18. Page 35: Who and how enforcement and implementation is applied is problematic. The watering window is also problematic.
- Comment 024.20 19. Page 40: We read this as a requirement to transition all existing landscapes. If this is correct, the City doesn't have the resources to do so.
- Comment 024.21 20. Page 53: "No run off"? How does one guarantee this since each step or phase is someone else's area of control?
- Comment 024.22 21. Page 54: Having different professionals signing off on items they don't have full control over will be a challenge.

Thank you for your consideration of our comments. Please feel free to contact me with any questions (916-774-5334).

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Morise", written in a cursive style.

Mark Morise
Environmental Coordinator