

MWEO

From: Abdu. Hussein (MSA) [abduh@SacCounty.NET]
Sent: Wednesday, December 24, 2008 3:00 PM
To: MWEO
Cc: Wall. Michael (MSA); Yasui. Henry (MSA); Schubert. James (MSA)
Subject: Comments/Questions on Modified Text of Proposed Regulation (AB 1881)
Attachments: Comments on AB 1881 - 12-24-08.pdf

To Whom It May Concern-

Attached is the County of Sacramento's comments or questions to the revised text of AB 1881.

Please direct questions regarding text or response to County's comments/questions to Hussein Abdu.

Thank you.

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County of Sacramento

December 24, 2008

Department of Water Resources
Office of Water Use Efficiency and Transfers

SUBJECT: COMMENTS & QUESTIONS ON MODIFIED TEXT OF PROPOSED REGULATION

- Comment 027.1 1. The County of Sacramento does not currently have a permitting process for “landscape” only. Thus any projects which are strictly landscape only **and/or** homeowner-provided would not be subject to review per the current County procedures. Will the State and/or DWR mandate local agencies to establish a permitting process strictly for landscape only projects on the single-family, homeowner-provided scale? Does the State require Landscape Permits now?
- Comment 027.2 2. Requirement to review landscape plans for all single-family, homeowner-provided landscape projects with landscape area equal to or greater than 5,000 square feet creates a new plan review burden on the County of Sacramento or Water Purveyors. This will require additional staff to review plans. Will the State provide funding opportunities and/or grant money to local agencies to implement the new ordinance?
- Comment 027.3 3. Outreach should be conducted to allied professions which are now affected by this new water conservation ordinance. These professions include Pool Design, Landscape Fountain Companies, and Civil Engineers. Will the State perform this type of outreach or will this be considered part of the public education to be performed by local agencies?
- Comment 027.4 4. In Section 492.5
- a. Sub-section (a): the County of Sacramento suggests replacing the term “**may** include the following...” to “**shall** include the following...”
 - b. Sub-section (b): the soil management plan required for submittal along with the Landscape Documentation Package for approval requires acquiring a soil sampling post mass grading. How can grading be permitted on the site prior to the approval of the grading plan? Should this be accomplished in a ‘note’ on the plans directing the Contractor to sample soils after rough grading? What is the intent of this recommendation?
 - c. The County of Sacramento recommends the ordinance specifies a certain quantity of soil samples be performed per acre to ensure an accurate sample is taken.
 - d. The County of Sacramento recommends the ordinance require the use of a **certified** laboratory to perform the soil analysis.
 - e. The ordinance should differentiate between **structural** soil analysis and **soil fertility** analysis.
- Comment 027.5 5. In section 492.6



“Leading the Way to Greater Mobility”

- a. Sub-section (D): the ordinance states the “installation of turf on slopes greater than 25% shall not be permitted...” Some Special Landscape Areas will unavoidably or even desire turf on slopes of 25% or greater, such as golf course tees, greens, or traps. The County of Sacramento suggests allowing Special Landscape Areas to be exempt or allowed if less than a percentage of overall project area.
- b. Sub-section (3) (A): suggest clarifying “other special planting situations...”
- c. Sub-section (13):
 - i. Clarify “(if applicable)” does this pertain to the use of a licensed landscape architect/contractor **or** the signature **or** the stamp?
 - ii. Is the homeowner-provided landscape exempt from using a licensed landscape architect/contractor?
 - iii. If so is this statement then signed by the homeowner?

6. In section 492.7

Comment 027.6

- a. Sub-section (ii): the ordinance states “if the measurements (re: static psi) are not available at the design stage, the measurements shall be conducted at installation.” The County of Sacramento suggests the **removal** of this sentence or revising it to state: “measurements shall be verified at installation.” Reason: water efficient irrigation design begins with accurate static psi measurement, which should then be verified.
- b. Sub-section (R), (S), & (T): the County of Sacramento suggests allowing the use of low-volume overhead spray in these sections, such as rotors or MP-Rotators **or** revising the definition of low-volume irrigation to include technology such as MP-Rotators and rotors. **Or** make these sections recommended. The requirements as written are problematic and impractical. There is irrigation technology available which can eliminate or greatly reduce these issues.
- c. Sub-section (4): the County of Sacramento suggests providing a definition of “design operating pressure”.

7. In section 492.9

Comment 027.7

- a. Sub-section (6): preliminary field inspection difficult to achieve, especially in the case of a homeowner installed irrigation system.
- b. Sub-section (8): if a project fails an irrigation audit what is the consequence if any?
- c. Sub-section (c): revise steps (1) & (2) to read: “(1) submit the signed Certificate of Completion to the local agency for **review**; (2) **Certificate of Occupancy or equivalent shall be issued by the local agency upon approval of the Certificate of Completion.**”
- d. County of Sacramento recommends the State requiring the use of an “**independent**” Certified Irrigation Auditor. The Auditor should **not** have any association to the contractor, designer, project applicant, or owner due to conflict of interest.

8. In section 492.10

Comment 027.8

- a. The County of Sacramento requests the ordinance to include a sample of an Irrigation Schedule, to standardize the schedule for ease of review.

9. In section 492.12

- a. Sub-section (2): the County of Sacramento questions the use of “may”. The use of this word provides a ‘loophole’ for local agencies to side-step administering these programs.

Comment 027.9

10. In section 492.17

- a. If the local agency adopts AB 1881 as it is written, does the agency have to do a CEQA review as well? Please clarify sub-sections (a) & (b).

Comment 027.10

11. In section 494

- a. What is the intent of this section?

Comment 028.11

Jim Schubert
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Department of Transportation