

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman – Planning Director

December 18, 2008

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

SUBJECT: Riverside County Comments Concerning the Proposed Regulation – Model Water Efficient Landscape Ordinance

Dear Mr. Eching:

The County of Riverside appreciates the opportunity to respond to the modified text for the State's Model Water-Efficient Landscape Ordinance released for review on November 26, 2008. The County of Riverside adopted and began implementing a Water-Efficient Landscape Ordinance in December 2006. This ordinance was developed in conjunction with the Riverside County Water Task Force (RCWTF), a diverse assemblage of public, private, and quasi-public interests. The RCWTF will respond under separate cover however, the County incorporates those remarks by reference in this response.

Comment 031.1

The County continues to be deeply troubled about the State Ordinance designating the local agency as the responsible party for implementing Section 493.1. This section refers to the Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis for existing landscapes. The following specific remarks comprise our concerns:

1. (Section 493) Riverside County encompasses approximately 4,005,153 acres of land with more than 39 different water districts with varying degrees of technical and personnel resources. The County is not a water purveyor and does not have the data base, inventory, personnel, or resources should one or more retail water purveyors opt not to participate in a collaborative approach to tracking/controlling MAWA on existing landscapes. Moreover, the County does not have the ability to compel water districts to perform in this regard.
Comment 031.2
2. (Section 493.1) It is unclear what this section intends to achieve if a site exceeds their MAWA. Many existing landscapes were legally installed using an ETo factor higher than that used in the MAWA calculation identified in 493.1(b). Is this section intended to regulate existing landscapes or is it merely a monitoring exercise?
Comment 031.3

In our discussions with the RCWTF and several local water agencies, the consensus is that a modified pricing structure (e.g. allocated tiered rates) offers the best incentive for landowners to retrofit existing landscapes and irrigation components. However, not all water agencies have committed to this approach and the County can not compel them to do so.

Tracking and/or regulating MAWA for existing landscapes is more efficient and effective if implemented under the retail water agency's purview. Riverside County recommends that Section 493.1(a) be modified from "...local agency shall administer programs..." to "...retail water agencies shall administer programs...." The costs for these programs may be funded either through water bills or fines as determined by the local water purveyor. The County does not have such a cost recovery option.

Comment 031.4

3. (Section 493.1) As indicated above, Riverside County does not have the means to recover the costs associated with the requirements of this section. The local agency obligations contained in this section will likely result in an unfunded State mandate which is particularly difficult to bear now considering the severe economic times facing local governments well into the foreseeable future. Riverside County's discretionary revenue is expected to fall this year and next. A realistic estimate is \$16 million this year and \$25 million next year; the losses could be greater. To compensate for these shortfalls, the county is cutting general fund support by 5% this fiscal year and 10% next fiscal year. This translates into budget cuts and personnel reductions for existing County services.

Comment 031.5

4. (Section 493.1) Please clarify the legislative authority local agencies may use to monitor and regulate the existing landscapes identified in this section.

Very truly yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Ron Goldman, Planning Director



XC: Damian Meins, Assistant Planning Director
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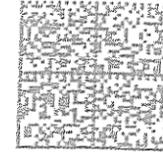
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