

MWEO

From: Joe Berg [jberg@mwdoc.com]
Sent: Tuesday, December 30, 2008 2:55 PM
To: MWEO
Cc: Kevin P. Hunt
Subject: Comments on the Modified Text of Proposed Regulation regarding the Model Water Efficient Landscape Ordinance

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

The Municipal Water District of Orange County (MWDOC) has reviewed the Modified Text of Proposed Regulation regarding the Model Water Efficient Landscape Ordinance and complements the Department of Water Resources staff for greatly streamlining the language from the first draft ultimately making the modified text much more palatable. The MWDOC has the following comments:

Section 490.1 Applicability.

(3) The sites subject to this section are not likely to be technically capable of completely and accurately documenting all the components of the Landscape Documentation Package. As such, MWDOC recommends a more streamlined documentation package be defined for these sites excluding, at a minimum, the Soil Management Plan and Grading Design Plan. As a replacement for the Soil Management Plan, a soil test identifying the soil deficiencies and applicable amendments needed for optimal plant health, water percolation and retention could be considered.

Comment 047.1

Section 491. Definitions.

Two additional terms should be added to the definition section including "dynamic pressure" and "irrigation point of connection".

Comment 047.2

Section 492.6 Landscape Design Plan

(G) MWDOC requests this section be expanded to include language to include synthetic turf. The section could read as follows, "...shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants and synthetic turf as a group."

Comment 047.3

Section 492.7. Irrigation Design Plan.

(1)(S) The 2nd and 6th sentences in this section refer to "non-spray" and "no-spray" irrigation technologies. MWDOC recommends the terminology be made consistent.

(2)(E) The language appears to be missing a word. The sentence should read as "(E) Individual hydrozones that mix high and low water use plants shall not be permitted."

Comment 047.4

Sections 492.9. Certificate of Completion and 492.11. Landscape Irrigation Maintenance Schedule

(b)(2) The language appears to be missing a word. The sentences in these sections should include the term "Landscape and Irrigation System Maintenance Schedule..."

Comment 047.5

Section 493 Provisions for Existing Landscapes

(a) the second sentence in this section reads that the "Local agencies may collaborate with water purveyors.....". The use of the term "may" seems to give the local agency a choice to collaborate with water purveyors. MWDOC supports replacing the term "may" with "shall" in the second sentence in order to assure that each entities responsibility are defined.

Comment 047.6

Section 493.1. Irrigation Audits, Irrigation Surveys, and Irrigation Water Use Analysis.

(a) The language lists programs that the local agency shall administer for dedicated and mixed-use meters and for unmetered connections. MWDOC supports this list but would also like "incentive based programs such as rebates" and "the use of budget based tiered rate structures" as additional options. The rate structure language would also make this section of the ordinance

Comment 047.7

with the reference to rate structures in Section 490 Purpose, subsection (6).

(c) Delete the word "be" as it appears to be an extra word. The sentence should read as "(c) The audit shall ~~be~~ comply with the Irrigation....."

MWDOC appreciates the opportunity to submit comments to assist the Department of Water Resources to further shape the Model Landscape Ordinance. Should you have any questions regarding our comments, please call me at the number provided below.

Sincerely,

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