

MWEO

From: Drew Ready [drew@lasgrwc.org]
Sent: Tuesday, December 30, 2008 5:41 PM
To: MWEO
Subject: Comments on the Proposed Regulation (Model Water Efficient Landscape Ordinance)
Attachments: Comments on the Proposed Regulation.doc

Attached are comments on the Proposed Regulation (Model Water Efficient Landscape Ordinance) to California Code of Regulations, Title 23 Section 490-495

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Comments on the Proposed Regulation (Model Water Efficient Landscape Ordinance) to California Code of Regulations, Title 23 Section 490-495

Page 3. 490. Purpose

Late Comment 066.1

(4) add "reducing storm-water runoff".

Justification: None needed since stormwater runoff b.m.p.s are supported throughout the document.

Page 5. 490.1. Applicability

Late Comment 066.2

(2) Change "landscape area" definition to include sidewalks, driveways, parking lots, decks, patios, etc - or the site area excluding the building footprint. Or remove all specific descriptions from "sidewalks..." to "non-pervious landscapes" and leave the rest of the sentence unchanged.

Justification: The current definition does not include hardscape and can be used as a loophole by developers. As it currently reads, the ordinance will be avoided by including more hardscape in the design. Vegetated areas and pervious hardscape are part of efficient water use planning, e.g. absorption of run-off.

(3) add (or reinstate) "rehabilitated landscapes"

Late Comment 066.3

Justification: The great majority of water is used in existing landscapes. An ordinance that does not pertain to rehabilitated landscapes will do little to change water use patterns in the state.

(3) add (or reinstate) "greater than 2500 square feet"

Late Comment 066.4

Justification: The great majority of properties developed in California have landscape areas far less than 5000 square feet. Requiring water efficiency only in landscapes above 5000 square feet will do little to change water use patterns.

Page 7. 491. Definitions

Late Comment 066.5

(cc) (As stated above) Change "landscape area" definition to include sidewalks, driveways, parking lots, decks, patios, etc - or the site area excluding the building footprint.

Justification: The current definition does not include hardscape and can be used as a loophole by developers. As it currently reads, the ordinance can be avoided by including more hardscape in the design.

Page 35. 492.10. Irrigation Scheduling

(2) change "8:00 p.m. and 10:00 a.m." to 5:00 p.m. to 10:00 a.m." Late Comment 066.6

Justification: On days with low evapotranspiration rates, overhead irrigation can be efficiently applied throughout the day, or at the very least starting in the late afternoon through the early morning. It is also important that the property owner be able to diagnose irrigation system problems. Irrigating during daylight hours and after the work day is suggested. It also allows some leeway for site-specific evapotranspiration conditions, i.e. canyon bottoms, west- or east-facing slopes, which may require site-specific irrigation schedules.

Late Comment 066.7

Page 6, 491. Definitions:

(k): Delete "indigenous, historic". Replace with "local watershed-appropriate". After "ecosystem" add "suitable to current local climate and soil conditions".

Justification: Redwoods historically grew along the coast in southern California, but it is too hot and too dry for them now to grow here without lots of extra water. Any "restoration" should become self-sustaining, so the ecosystem design must fit current conditions.

Late Comment 066.8

(n) Change "or two" to "or three" in last sentence.

Justification: Most deep-rooted water-conserving plants need at least 3 years to establish deep enough roots to survive without additional water. The depth of the roots, not just the size of the root ball, is a very important factor in water conservation.

(o) Same comment. Late Comment 066.9

Late Comment 066.10

(r) Add "period of" after "...specified". The definition should also require the season and general time of day (morning, noon, dusk, night, midnight).

Justification: The definition is not specific enough.

Late Comment 066.11

(ii) Question: How are private wells situated on-site handled under these regs?

Late Comment 066.12

(mm) Add factors of "unusual soil, hydrologic, or geologic conditions, and/or topography."

Justification: This isn't Iowa or Kansas. Landscaping areas cover many diverse conditions which affect irrigation design and plant palettes.

Late Comment 066.13

(aaa) Question: Where does "gray water" fit in these definitions? Many residents in the mountains, at least, use gray water for landscaping or send it down the storm drains.

Late Comment 066.14

(xx) Question: Does the rain sensing shutoff device start the irrigation again as soon as the rain stops? That could cause unnecessary watering as rainwater may be sufficient irrigation for days or weeks.

Late Comment 066.15

(ccc) Question: Where do burned areas, earthquake-damaged or landslide-damaged areas fit in this definition?

Late Comment 066.16

(ddd) After “slope” add “underlying geologic conditions, compacted soil, or other hydrophobic soil conditions.”

Late Comment 066.17

(nnn) Question: What is a “low plant factor”? Is it defined elsewhere in these definitions?