



June 25, 2015

California Department of Water Resources
Urban Water Use Efficiency Unit
Attn: Julie Saare-Edmonds, Senior Environmental Scientist
P.O. Box 942836
Sacramento, CA 94236-0001
Email: Julie.Saare-Edmonds@water.ca.gov

Re: Model Water Efficient Landscape Ordinance - Comments on June 12.2015 Draft

Dear Ms. Saare-Edmonds:

The Ontario Cemetery Association DBA Bellevue Memorial Park appreciates the opportunity to comment on the draft Model Water Efficient Landscape Ordinance (“MWELo”) dated June 12, 2015. The Ontario Cemetery Association DBA Bellevue Memorial Park (“Bellevue”) is a California non-profit mutual benefit corporation that has been providing cemetery services in Ontario, California and surrounding communities for 123 years.

Several thousand people come to our memorial park each year to visit their loved ones and attend our Memorial Day Programs and other events. Landscaping is an integral component of our cemetery.

Visitors spend hours in our memorial park and landscaping is a crucial religious, cultural, and traditional aspect of their experience. Families gather often to sit and commemorate their loved ones on the grounds of our memorial park. Given the nature of our work and the importance of maintaining the cemetery for the families and communities that use them, the ability to maintain the landscape in our cemetery is critical.

In 2008, Bellevue, in coordination with the Inland Empire Utilities Agency and the City of Ontario, spent over one million dollars to convert our irrigation system to recycled water. 100% of our landscaping is currently irrigated with recycled water. Areas to be developed will be irrigated with recycled water also.

We certainly support water conservation measures and understand the Department of Water Resources is updating the MWELo in response to the Governor’s Executive Order; however, we have the following concerns about the current draft.

First, with regard to the applicability of the MWELo to cemeteries, Section 490.1(a)(4) of the June 12, 2015 draft of the MWELo distinguishes between new and rehabilitated cemeteries and existing cemeteries. It is not entirely clear, however, how these terms would be interpreted and applied. For example, would new development within an existing cemetery be subject to the sections of the MWELo that apply to existing cemeteries? In the context of cemetery use, what constitutes “rehabilitated” for purposes of the MWELo? We respectfully request clarification of how the MWELo is intended to apply to cemeteries in various stages of development.

Second, we strongly recommend that regardless of whether a cemetery is classified as “new,” “existing,” or “rehabilitated,” the use of recycled water for landscape irrigation should be factored into the Maximum Applied Water Allowance. We note that Section 493.1 of the



June 12, 2015 draft of the MWELO does not appear to include an allowance for existing landscape area that is irrigated with recycled water. The current draft would impose stricter requirements on existing recycled water landscapes than on new recycled **water landscape areas**. The proposed draft MWELO requires an ETAF of 0.8 be used for existing non-residential landscapes, and an ETAF of 1.0 be used for new Special Landscape Areas. Existing landscapes that are being irrigated with recycled water should not be penalized; they should be rewarded for conserving potable water long before the Governor's Executive Order. In contrast, pursuant to the proposed amendment, existing potable non-residential landscapes would have an ETAF two times larger than new potable non-residential landscapes (0.8 and 0.4 respectively). Existing recycled water non-residential landscapes should be treated similarly and allowed to use and ETAF of at least 1.10. This would acknowledge existing cemeteries for their past use of recycled water for maintaining their landscaped area.

Also, we are concerned that the equations in the June 12, 2015 draft MWELO for calculating the Maximum Applied Water Allowance are not practical or achievable. We recognize that the draft MWELO has been prepared on an expedited basis as directed by the Executive Order; however, we believe it is important to have an ordinance that is workable. The MWELO should be based on factors that work and efficiencies that are reasonably achievable, particularly with the proposed new reporting and enforcement provisions set forth in Section 495. For example, the June 12, 2015 draft MWELO proposes an average irrigation efficiency of 0.92 for non-residential areas (see, e.g., Section 492.13), and the definition of irrigation efficiency in Section 491(bb) even notes that "greater irrigation efficiency can be expected from well designed and maintained systems." However, a 92 percent irrigation efficiency is not realistic, even from well designed and maintained systems, and the MWELO as proposed would include an unreasonable assumption that cannot be implemented or used to control water use. As noted above, with the proposed reporting and enforcement provisions set forth in Section 495, it is particularly unfair to establish regulations and calculations that are not reasonable or attainable.

Lastly, we note that it does not appear that cemeteries were consulted in the preparation of the June 12, 2015 draft MWELO; thus, we would appreciate the consideration of our comments and concerns at this point in the process. Cemeteries are a unique land use and provide a significant public benefit to generations of Californians. While cemeteries are a place to respect and honor the deceased, they are also very much for the living, and the maintenance of landscaped areas is a critical part of this function. Accordingly, all cemeteries should be added to the definition of Special Landscape Areas ((Section 491 (ppp))), and provided the same consideration as the listed recreational areas in Section 491 (in). We respectfully request that the MWELO recognize the public benefit role cemeteries play in California and the sensitive nature of cemeteries' landscape irrigation needs.

Thank you for your consideration of these comments.

Sincerely,

Randy Inlow
General Manager