

From: [Wungluck, Brad](#)
To: Saare-Edmonds, Julie@DWR
Subject: RE: Draft report on Landscape Water Use Efficiency -request for comments
Date: Thursday, February 18, 2016 9:31:43 AM
Attachments: [image001.png](#)

Good Morning Julie,

After briefly reviewing the document there were a few concerns that came up that I would like to share...

- 1. Pool/Spa Covers – require pool/spa covers §492.6 (a)(2)(D) Pool and Spa Covers are highly recommended required. Having pool and spa covers required on new development/renovations would increase their appropriate use by the end user. This is a straight-forward requirement that can significantly reduce pool and spa water consumption. As with any new pool, covered pools should be surrounded by a barrier of appropriate height and secure entry. (PAGE 20)***

This section that proposes requiring pool/spa covers is inherently dangerous and will ultimately reduce the safety of our pools and spas and cause unnecessary injuries and deaths. While I understand that intent of saving water I do not believe that all aspects of this requirement have been considered when writing it. This is not a “straight-forward requirement” but one that needs to be revisited with further discussion regarding the safety that is being affected by adding this requirement. As a Building Official I would have a very hard time enforcing this requirement as it is my duty to further the safety of our community and this requirement would be putting people at further unnecessary risk of injury or death. Instead of promoting the water savings I feel it will be my duty as to educate pool owners about the dangers that these pool covers present.

These covers, especially for children, give a false sense of security of being a stable surface, and in as little as ten seconds after a child attempts to walk on them, can return to their normal shape giving a parent or caretaker no ability to see where the child might be. This false security and lack of sight will lead to more children attempting to walk on them and more parents unable to see the child as they are stuck under the cover. Please see the following links for more information as to the danger of these covers.

The reason I have so much passion for this topic is due to a pool accident that happened with myself when I was 18 months old. My parents both assumed I was with the other and I was able to walk out a back screen door and fell into the pool. After several minutes of confusion and scrambling they found me floating on my back in the pool. It was fortunate that I had begun swim lessons and had been taught to float on my back. I am afraid that had a pool cover been required that the outcome would not have been the same and I would not have survived the fall into the pool.

I am aware that some might argue that pool barriers and door alarms provide protection to prevent situations like this from happening. However, you must keep

in mind how our pools are actually being protected once the final inspection is complete and the inspector has driven away. Most installations we see are being protected by a barrier of a fence around the yard and door alarms on each of the doors; however, we are also told by homeowners and pool contractors that the door alarms are removed as they are inconvenient and don't allow for doors to be opened and a home ventilated. Therein lies the danger with this proposed amendment. I understand that there may also be discussion about codes, regulations, and liabilities, but the truth remains that by requiring these covers on our pools the level of safety will decrease and the injuries and deaths will most certainly increase.

I ask that you reconsider this requirement and please weigh the water conservation with the potential dangers and the future injuries and deaths that the requirement will cause.

<http://www.ipssa.com/#!blank/jvub7>

<http://www.aquaticisf.org/pool-covers.htm>

http://articles.chicagotribune.com/1989-04-08/entertainment/8904020301_1_drowning-spas-and-hot-tubs-pool-cover

- 2. The purpose of this recommendation is to maximize MWELo enforcement, and maintain steady progress toward improved landscape water efficiency, by establishing a standardized MWELo revision process on a triennial cycle that complements the CALGreen Title 24 triennial revision cycle. The MWELo revision cycle should be coordinated with the CALGreen cycle in order to finish MWELo revisions in advance of the finalized CALGreen revisions, such that MWELo revisions could then be adopted in the pending round of CALGreen revisions. This standardized revision process between MWELo and CALGreen would allow for building departments to upgrade MWELo enforcement while avoiding uncoordinated, unanticipated, and excessive or redundant administrative update processes that seek to occasionally adopt various new regulations in a confusing or ad hoc manner. (PAGE 23)***

While I understand the thought process of incorporating the MWELo into the California Green Building Standards Code (CGBSC) I cannot agree with it as a Building Official. In the past ten years the volume of regulations and codes that a Building Department is responsible for enforcing has gone from hundreds of pages to several thousand. These additional enforcement requirements has diluted our ability to do our primary function, protecting the public. Instead the addition of additional regulations, similar to MWELo, is taking away our ability to ensure safe structures by requiring additional time, training, knowledge, and funds that Building Departments simply do not have.

MWELo and landscape plan review and inspections is also not enforced by the Building Department at nearly all jurisdictions in the State but instead enforced by Planning, Parks and Recreation, or even Public Works. This incorporation of the MWELo into the CGBSC, while easy for regulators, is creating an enforcement nightmare and it is my opinion that it is probably causing less enforcement and less water savings as the responsibilities are being

taken away from entities who are specialists in these areas and is instead being moved under the purview and responsibility of the building department. The MWELO should not be a part of CalGreen except by reference and should remain as a separate document, controlled by DWR, and managed and enforced by the jurisdiction as seen best for their own organization and not mandated that it be the responsibility of the Building Departments throughout the State.

Thank you for the opportunity to comment and please feel free to contact me with any questions or concerns.

Sincerely,

Brad Wungluck, CASp

Chief Building Official

City of Manteca, Building Safety Division

1001 W Center Street, Manteca, CA 95337

209-602-8336 (m)

209-456-8562(o)

209-923-8955 (f)

www.surveymonkey.com/s/mantecabuilding

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From: Saare-Edmonds, Julie@DWR [mailto:Julie.Saare-Edmonds@water.ca.gov]

Sent: Tuesday, February 16, 2016 4:10 PM

To: Saare-Edmonds, Julie@DWR

Subject: Draft report on Landscape Water Use Efficiency -request for comments

Importance: High

Hello

You are receiving this notice because you expressed an interest in the Independent Technical Panel on Demand Management Measures (ITP) and/or the Model Water Efficient Landscape Ordinance (MWELO).

The ITP is requesting public comments on its draft public review report.

http://www.water.ca.gov/calendar/materials/itp_public_draft_report_-_landscape_water_use_02-13-16_20636.pdf

In addition, the ITP is requesting review and comments on a draft update to recommendation 8.2 which was updated after the ITP voted on the contents of the draft report.

http://www.water.ca.gov/calendar/materials/sect. 8- recc. 2- workforce - c- 27_exam_update_02-15-16_20656.pdf this recommendation will be discussed at the March 4,

2016 ITP meeting in San Diego.

In this report, the ITP has made several recommendations to advance water use efficiency in landscapes and they request review and comments from various stakeholders, including land use agencies, water suppliers, state agencies, the landscape industry, academia, non-profits groups, and other advocates of landscape water use efficiency.

Please send any comments on the report to julie.saare-edmonds@water.ca.gov the comments will be posted on the ITP website as soon as possible.

<http://www.water.ca.gov/wateruseefficiency/sb7/committees/urban/u2/>

Julie Saare-Edmonds
Senior Environmental Scientist
Landscape & Green Building Programs
Water Use and Efficiency
CA Dept Water Resources
916.651.9676
Water Use and Efficiency Home:
<http://www.water.ca.gov/wateruseefficiency>

