

Jomsky, Mark

From: McAustin, Margaret
Sent: Sunday, May 17, 2015 4:00 PM
To: Lipsig, Ethan
Cc: Jomsky, Mark
Subject: Re: Upcoming Pasadena City Council Meetings Relating to Water Use Restrictions

Thank you Ethan, I am copying the City Clerk to ensure this email gets into the record Monday night.

MM

Margaret McAustin
Pasadena City Council, District 2

From: <Lipsig>, Ethan <EthanLipsig@paulhastings.com>
Date: Saturday, May 16, 2015 at 11:01 AM
To: "'abailey@cityofpasadena.net'" <'abailey@cityofpasadena.net'>, "'rservern@cityofsanmarino.org'" <'rservern@cityofsanmarino.org'>, "'bboman@cityofpasadena.net'" <'bboman@cityofpasadena.net'>, "'pcurrie@cityofpasadena.net'" <'pcurrie@cityofpasadena.net'>, "'wdeleon@cityofpasadena.net'" <'wdeleon@cityofpasadena.net'>, "'skwan@cityofpasadena.net'" <'skwan@cityofpasadena.net'>, "'rvoutchkova@cityofpasadena.net'" <'rvoutchkova@cityofpasadena.net'>, "'johnrhowell@earthlink.net'" <'johnrhowell@earthlink.net'>, "'hdaily@caltech.edu'" <'hdaily@caltech.edu'>, "'john.onderdonk@caltech.edu'" <'john.onderdonk@caltech.edu'>, "'dbrown@descansogardens.org'" <'dbrown@descansogardens.org'>, "'jeaton@huntington.org'" <'jeaton@huntington.org'>, "'mecht@huntington.org'" <'mecht@huntington.org'>, "'jfolsom@huntington.org'" <'jfolsom@huntington.org'>, "Lipsig, Ethan" <EthanLipsig@paulhastings.com>, "'drudeen@huntington.org'" <'drudeen@huntington.org'>, "'sturner@huntington.org'" <'sturner@huntington.org'>, "'tphillips@parks.lacounty.gov'" <'tphillips@parks.lacounty.gov'>, "'smossman@pasadenaheritage.org'" <'smossman@pasadenaheritage.org'>, "'emina@earthlink.net'" <'emina@earthlink.net'>, "'anderson.christopher@pusd.us'" <'anderson.christopher@pusd.us'>, "'dsams@rosebowlstadium.com'" <'dsams@rosebowlstadium.com'>, "'ckessler@scga.org'" <'ckessler@scga.xn--org-to0a'>, Darryl Dunn <ddunn@rosebowlstadium.com>, "'jlattig@pasadenaheritage.org'" <'jlattig@pasadenaheritage.org'>, "'lblackburn@huntington.org'" <'lblackburn@huntington.org'>, "'steele8458@earthlink.net'" <'steele8458@earthlink.net'>, "'jimo@bridgeadvisorsllc.com'" <'jimo@bridgeadvisorsllc.com'>, "'fsimpson47@gmail.com'" <'fsimpson47@gmail.com'>, Tim Brick <tim@arroyoseco.org>, Thomas Seifert <TDSeifert@aol.com>, "'vbharne@gmail.com'" <'vbharne@gmail.com'>
Cc: 'Cal hollis' <hollisfam52@sbcglobal.net>, Margaret McAustin <mmcaustin@cityofpasadena.net>, 'Don Conlan' <thewof@mac.com>, "'Sowd, Laurie'" <'lsowd@huntington.org'>
Subject: Upcoming Pasadena City Council Meetings Relating to Water Use Restrictions

Because you will be attending the May 20 public landscape water use meeting at The Huntington, you should know that the Pasadena City Council or City Council Committees will be meeting on May 18, May 19, May 26, and June 1 to consider water use restrictions. <http://cityofpasadena.net/waterandpower/waterwaste/> I have attached a copy of the City Manager report to the City Council and its attachments. This report provides a great deal of useful information. I recommend reading it.

The principal new restriction being considered is to escalate the current Level 1 Water Supply Shortage Plan to Level 2. The chief differences are that April 1 – October 31 watering would be limited to two rather than three days a week, leaks and breaks would have to be fixed within 48 hours of notification rather than within 72 hours, and filling lakes and ponds would be prohibited. In addition, Pasadena will be complying with a state-mandated ban on watering median strip turf. It is not clear that these restrictions will secure the water savings Pasadena needs to achieve. Additional restrictions and higher tiered pricing are being considered and might be implemented in the future.

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The City Manager reports says little about the impact of water restrictions on public landscapes other than to note that

- ? “While many landscaped areas have witnessed a decline in plant and turf health, the greatest impacts have been noticed in City park trees. [Because they are now being watered only one day a week as opposed to the] three to five times a week prior to the adoption of Level 1 restrictions . . . numerous trees . . . are currently showing signs or severe stress, and additional water conservation measures may result in irreversible damage.”
- ? “Staff will promote efficient irrigation of trees, shrubs, and newly established drought tolerant landscapes. The City Council may consider granter flexibility in water waste prohibitions as needed to sustain the life of trees or vegetation, particularly where a fire hazard may result from neglect.”

However, no such protection currently exists under Pasadena’s water waste ordinance. With the following minor exceptions, nothing in the law grants any priority to maintaining public landscapes, even though Section 13.10.030(d) totally exempts commercial nurseries and growers:

- ? Section 13.10.030(b)(viii) of the Level 3 plan (restricting watering to one day a week) doesn’t apply to the “maintenance of landscape within active public parks and playing fields, school grounds, golf course greens, and day care centers, provided that such irrigation does not exceed 2 days per week, according to a schedule established and posted by the department.”
- ? Section 13.10.052(b)(v) of the Level 4 plan (prohibiting landscape irrigation) sets forth the same special rule.

Street trees, botanical gardens, colleges, and other public landscapes are afforded no special protection.

In addition, if charges for water are increased significantly for organizations with public landscapes, that higher cost may jeopardize their ability to maintain those landscapes, especially if tiered pricing schedules would be applicable.

PAUL HASTINGS **Ethan Lipsig | Retired Partner**
 Paul Hastings LLP | 515 South Flower Street, Twenty-Fifth Floor, Los Angeles, CA 90071 | Direct: +1.213.683.6304 | Main: +1.213.683.6000 |
 Mobile: +1.213.300.0571 | Fax: +1.213.683.5938 | ethanlipsig@paulhastings.com |
www.paulhastings.com

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