



Planning and Land Use Management Committee (PLUM)  
Attention: Sharon Dickinson, PLUM Clerk

*Sent via email to: [Sharon.Dickinson@lacity.org](mailto:Sharon.Dickinson@lacity.org)*

RE: Council File: 15-0458  
Title: Green Building Codes Revision / Use of Greywater Systems / Water Conservation Measures

On behalf of the Natural Resources Defense Council (NRDC), I submit these comments on the proposed Green Building Code revisions being considered by the Planning and Land Use Management Committee on December 8, 2015. NRDC is generally supportive of efforts by the Los Angeles Department of Building and Safety to improve the efficiency of new and redeveloped buildings in Los Angeles.

Building codes provide an opportunity to lock-in water savings to prepare for future extended droughts and provide for economic viability and future growth and are an essential element to helping the City of Los Angeles continue on the path towards local sustainability and resiliency. The revisions proposed by the Los Angeles Department of Building and Safety are innovative and precedent setting and will provide tremendous water savings to our community and ensure that future development in Los Angeles will result in some of the most efficient homes and businesses in the state, if not the country.

There are, however, some simple modifications that can be made to the proposed language that NRDC believes will significantly improve the efficacy of the Green Building Code, ease implementation, and help to meet state requirements. These recommendations are detailed below.

### **Residential Code**

- 94.610.4.1.2.a – NRDC believes that timer-initiated systems, which are incredible energy intensive, are not allowed under current state code.
- 99.04.304.1, Exception 1 – This provision exempts landscape areas that utilize micro-irrigation from the model water efficient landscape ordinance. NRDC recommends removing this exception

- 99.04.305.1 – This section requires the production of sufficient graywater to be produced to fully offset landscape irrigation in order to trigger the requirement for the separate plumbing of graywater sources. The language proposed could result in unintended consequences, for example single-family homes that sit on large lots with large landscape areas would not be required to be built “graywater ready”, despite the fact that the graywater produced could offset significant outdoor potable water use, because it is not able to offset all of it. Additionally, this language may incentivize larger landscape areas to qualify for the exemption. The City of Tucson has had the requirement for the separate plumbing of graywater sources since 2009 for single family and duplex buildings, but they do not appear to provide any similar exceptions. On the contrary, they simply require that all the graywater produced be able to be fully utilized. Given the current drought and future climate uncertainty, we need to make sure we take advantage of all opportunities to utilize onsite alternative sources. NRDC suggests that the section instead including a de minimus requirement; for example the exception could be for buildings that produce fewer than 55 gallons of graywater daily.
- 99.04.304.3, Exception 4 - NRDC recommends removing the words "Additions and" from Exception 4 as “additions” are already limited by Exception 3 based on the project value. If not removed, this additional restriction on additions excludes a large number of properties that would be separately metered.
- 99.04.305.4 – NRDC believes that including the sentence "Alternatively, the groundwater may be discharged to the sewer" provides a do-nothing option and directly contradicts the Mayors Executive Directive which directed DBS to address groundwater discharge.

### **Non-Residential Code**

- 99.05.303.1.1.2.a – NRDC requests that DBS revisit the flow rate that triggers the requirement for a submeter or separate meter for makeup water for cooling towers. The proposed flow rate of 500 gallons per minute (gpm) sounds very high. Also, it is not clear if this is maximum flow or average flow. This requirement seems disproportionate to the subsequent requirement for evaporate coolers which is proposed to be 6gpm.
- 99.05.304.1 – This section is less stringent than the revised Model Water Efficient Landscape Ordinance adopted earlier this year. In the current MWELO, ET

adjustment factor (ETAF) for non-residential is set to 0.45 and Special Landscape Area (SLA) is 1.0. NRDC suggests the Green Building Code be revised to align with the current MWEL0. Additionally, NRDC recommends the SLA in the Los Angeles Green Building Code be set to 0.8.

- 99.05.304.1, Exception 1 – This provision exempts landscape areas that utilize micro-irrigation from the model water efficient landscape ordinance. NRDC recommends removing this exception
- 99.05.304.4, Exception 4 - NRDC recommends removing the words "Additions and" from Exception 4 as "additions" are already limited by Exception 3 based on the project value. If not removed, this additional restriction on additions excludes a large number of properties that would be separately metered.
- 99.05.305.1 - This section requires the production of sufficient graywater to be produced to fully offset landscape irrigation in order to trigger the requirement for the separate plumbing of graywater sources. The language use means that single-family homes that sit on large lots with large landscape areas would not be required to be built "graywater ready", despite the fact that the graywater produced could offset significant outdoor potable water use. Additionally, this language may incentivize larger landscape areas to qualify for the exemption. NRDC suggests instead including a de minimus requirement, for example the exception could be for buildings that produce fewer than 55 gallons of graywater daily.

Thank you for your consideration of these comments. If you have any questions or comments, please do not hesitate to contact me at [tquinn@nrdc.org](mailto:tquinn@nrdc.org).

Sincerely,



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December 8, 2015

Ms. Sharon Dickinson  
City of Los Angeles

Subject: Comments to City of LA Water Conservation Ordinance

Hello Ms. Dickinson,

The following is in response to the draft Water Conservation Ordinance that was recently distributed.

Comments are in response to sections 99.04.305 & 99.05.305.1 –

This section requires the production of sufficient graywater to be produced to fully offset landscape irrigation in order to trigger the requirement for the separate plumbing of graywater sources. This wording indicates that homes that sit on large parcels of land would not be required to build “greywater Ready” even though there is a great potential to offset outdoor potable water use in these cases. With the average greywater generated being 40 gallons a day per capita, a home with only two occupants could conserve 80 gallons/day or 29,200 gallons/ year which is a significant water savings. An exemption based on greywater generation potential is recommended, for example the exemption could be for any single family homes with less than two bedrooms.

Thank you for your consideration to these comments.

Best Regards  
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