

CCASLA – 2018 2Q Report

Model Water Efficient Landscape Ordinance - MWELO UPDATE

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Have you ever wondered why or how the MWELO became the ordinance that it is over the course of time? I have – many times while working on projects and addressing compliance issues. So when I heard about the upcoming update process, that was one of the reasons that I volunteered to participate in the Department of Water Resources (DWR) revision / update. It was quite the learning experience and ended with a few hundred hours going to meetings and conference calls. Out of a total of approximately 80 – 100 volunteers, only (8) were practicing Landscape Architects. The vast majority of participants were from Government Agencies, manufacturers and other areas of the green industry. The next time you wonder why the Ordinance is the product that it currently is and how it could or should be improved, think about volunteering the next update cycle to bring your perspective to the conversation. The opportunity to get involved to make it better is there, but without the representation from ASLA members, we are relying on everyone else in the green industry, and they will be advocating for their priorities and positions, not ours.

SPECIFICS

This update is a recent requirement that the Model Water Efficient Landscape Ordinance (AB 1881) be revisited and updated on a tri-annual basis. The update revisions are going to be integrated into the CalGreen 2020 Green Building Standards. The previous latest action was brought about by Governor Brown's Drought Executive Order of April 1, 2015 (EO B – 29-15) that directed DWR to update the Ordinance through expedited regulation. Due to the prolonged drought, the water spigot in the State is getting closed more and more, and with the Central Valley farmers planting 1000's of acres of orchards with Almond and Pistachio trees that require year round irrigation there is literally a turf battle being waged between agriculture, environmental, and urban / manufacturing demands for the finite supply of water in the State. The California Water Commission approved the revised Ordinance on July 15, 2015. See the attached links for additional information.

<https://www.water.ca.gov/LegacyFiles/wateruseefficiency/landscapeordinance/docs/MWELO%202015%20Revision%20Fact%20Sheet.pdf>

<https://www.water.ca.gov/LegacyFiles/wateruseefficiency/docs/LandscapOrdinanceReport to Leg-4-22-2011.pdf>

In January, 2017, the Department of Water Resources (DWR) for the State of California initiated an update process to the current Water Conservation Ordinance Assembly Bill (AB 1881 – 2006, Laird) that is the basis for the current Model Water Efficient Landscape Ordinance (Ordinance) as required by the State for all local agencies and municipalities to comply with. The Ordinance update was a yearlong effort to gather expert volunteers from across the State from Landscape Architects and design professionals, Irrigation Consultants, Municipality and Agency representatives, Educators and Academics, manufacturer representatives and Horticulturalists / Green Industry representatives to participate as the Landscape Advisory Group (LSAG) through the course of the process. The tasks were divided into numerous groups and participants could volunteer for one or several groups addressing the area of concern that interested each participant. The initial groups included **Codes + Applicability**

Standards, Education, Water Budget + Technical Standards, Landscape Plans + Planning and Existing Landscapes. Through the course of the initial meetings, it became apparent that some additional groups needed to be added – **Storm Water Features** to address the disparity between how bio-retention facilities are required and the specific water and plant needs for those and **Trees** – both existing and new tree plantings.

Four quarterly meetings were scheduled where all of the participants could attend in person or via conference call, with the locations distributed around the State so that volunteers could engage directly for at least one of the meetings. Weekly or bi-weekly conference calls were also convened to work through the items and issues that were brought up as items to investigate in an effort to improve the Ordinance. I was personally engaged with the Existing Landscapes, Landscape Plans + Planning, Storm Water and the Trees groups. I also listened in as much as possible on the Water Budgeting group. The LSAG effort was wrapped up in February, 2018, and now all of the recommendations for updating and revisions are with DWR staff to review and get legal opinions from legal staff for wording and enforceability. When completed, the update will be ready for hearings and approval by the California Water Commission.

The amount of information and proposed revisions and additions are too lengthy to capture in this brief. I will follow up with DWR staff to see if a summary document is forthcoming that can be disseminated to San Diego ASLA members as an informational item. This Ordinance, and the entire issue of water in the State and how it is allocated is of utmost importance to us as a profession as well as citizens of the State. Everyone should get educated on this topic so you have the knowledge to advocate and speak intelligently about the issue with your clients and consultants that you collaborate with. It is something that we cannot ignore or not be informed about going forward.

Having experienced the update process of MWEL0 and the lack of involvement from Landscape Architects, I would encourage as many people as possible to engage in the next round of revisions in a few years. If there is any aspect of the document that you take exception with or believe you have a better approach, then volunteer and advocate for it. This is an open forum process, and if you can make a compelling case that what you propose is superior to what is currently in the document, it will be considered and potentially integrated into the next iteration. If you don't participate, don't complain about the requirements and process. Contact me for more details at Marty@ENVIRONS.US.