

CCASLA LEGISLATIVE UPDATE



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CCASLA

Summer has now come and gone and so has the California Legislature that just completed the first year of its two-year bi-annual session and is now in interim recess until January 3, 2024, when it reconvenes. CCASLA actively monitored 27 bills during 2023. Five had a support position (AB342, AB527, and AB883 SB416 and SB706); while one bill AB 1573 had an “oppose unless amended” position; with the remaining 21 bills being “watched”.

Of the five supported bills two (AB883 and SB416) have passed the legislature and been signed into law, while another two (AB342 and SB706) are on the Governor’s desk awaiting signature, but it is unknown whether he will sign or veto them at this time. One bill (AB 527) is in the Senate Appropriations Committee awaiting a vote later in 2024 so it is still alive. Two of the bills on our watch list (AB1041, and AB1694) are two-year bills that are on life support as they must pass their house of origin by January 31, 2024, when the legislature returns.

Of particular interest is AB1573 (Friedman) Water conservation: landscape design model ordinance. In which CCASLA has taken an “Oppose Unless Amended” position. This bill is currently on the State Senate’s Third Reading Inactive File so it’s still alive pending further amendments.

The bill will make changes to required provisions in the Model Water Efficiency Landscape Ordinance (MWELo), developed by the Department of Water Resources (DWR) and codified into law in the early 1990’s. This bill would mandate increasing the use California native plants to increase local biodiversity, and climate resiliency, prohibit overhead spray irrigation systems and prohibit the use of non-functional turf grass lawns in commercial and multi-family residential landscapes.

Specifically, the bill:

- 1) Deletes the requirement that MWELO shall not prohibit or require specific plant species.
- 2) Requires, instead, that MWELO include provisions that require plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographic conditions of the project site, including, but not limited to: a) A scientific climate zone system that considers temperatures, humidity, elevation, terrain, and other factors affecting local climate; b) The horticultural attributes of plants, including mature plant size, invasive characteristics of plants, soil needs for healthy root growth, and other qualities and; c) California native plants found in the California Native Plant Society's Calscape database or comparable horticulture and science-based resources.
- 3) Requires MWELO to include provisions that: a) Prohibit the use of traditional overhead sprinklers on all new and rehabilitated landscapes and requires that new and rehabilitated landscapes use only water efficient irrigation devices, except as specified; b) Requires at the next update initiated after January 1, 2029, that all new or renovated nonresidential areas install in the project footprint not less than 10 percent California native plants, excluding edibles, functional turf, and areas using recycled water. AB 1573 Page 3 i) Defines "California native plant" as a plant indigenous to the State of California that has evolved and occurs naturally in California and has not been hybridized with plants not native to California, and a plant that is nonnative and noninvasive, that

provides pollinator benefits, and that is a low-water use plant, as determined by DWR and the Natural Resources Agency and; c) Prohibit, at the next update initiated after January 1, 2024, the inclusion of nonfunctional turf in nonresidential landscape projects.

- 4) Exempts the following from MWELO: a) Landscaping that is part of a culturally specific project; b) Ecological restoration projects that do not require a permanent irrigation system; c) Mined-land reclamation projects that do not require a permanent irrigation system and d) Existing plant collections, as part of botanical gardens and arboreturns open to the public.

CCASLA and other green industry stakeholders have been active in reaching out to this bill's author in proposing amendments and changes to this bill. Due to the potential extensive changes to MWELO that significantly affect our work, CCASLA will monitor this legislation carefully to see if it is amended sufficiently to move our position to "Support", as it could move quickly once the legislature reconvenes since its on the Senate Third Reading file and could move without warning for the Final Third Reading File.

CURRENTLY MONITORED BILLS

BILL#	SUBJECT	POSITION	STATUS
AB 45 (Boerner)	Coastal Developmt Permits:Blue Carbon Demo Projects	Watch	Sen Approp Com
AB 57 (Kalra)	Pocket Forest Initiative	Watch	To Governor
AB 334 (Rubio)	Public Contracts: Conflicts of Interest	Watch	To Governor
AB 342 (Valencia)	CA Architects Board: Licensee demographic Info	Support	To Governor
AB 363 (Bauer-Kahan)	Pesticides: Neonicotinoids: Eval for Non-Ag Use	Watch	To Governor
AB 400 (Rubio)	Local Agency Design Build Projects: Authorization	Watch	To Governor
AB 527 (Calderon)	Urban Forestry: School Greening Projects: Grants	Support	Sen Approp Com
AB 824 (Calderon)	Highway Greening: Statewide Strategic Plan	Watch	Sen Approp Com
AB 882 (Davies)	Coastal Resources: Climate Ready Program	Watch	Chaptered
AB 883 (Mathis)	Business Licenses: Dept of Defense SkillBridge Project	Support	Chaptered
AB 996 (Low)	DCA: Continuing Education: Conflict of Interest Policy	Watch	Sen Inactive
AB 1041 (Ramos)	Wildlife: White Sage: Taking and Possession	Watch	Asm 2Year Bill
AB 1572 (Friedman)	Prohibit Potable Water Use on Nonfunctional Turf	Watch	To Governor
AB 1573 (Friedman)	Landscape Design Model ordinance	Request Amend	Inactive File
AB 1694 (Bonta)	Regional Park/Open Space Districts: Mgmt Powers	Watch	Asm 2Year Bill
ACR 49 (Berman)	Annual California Native Plant Month in April	Watch	Chaptered
SB 337 (Min)	Environmental Protection: Biodiversity & Conserv	Watch	Chaptered
SB 372 (Menjivar)	DCA: Licensee&Registrant Records: Name/Gender Chg	Watch	To Governor
SB 414 (Allan)	Drought-Tolerant Landscaping:Local Incentive:AstroTurf	Watch	Asm Approp Com
SB 416 (Laird)	State Agencies:Building&Renovation Projects: LEED	Support	Chaptered
SB 499 (Menjivar)	School Facilities – School Extreme Heat Action Plan	Watch	Asm Approp Com
SB 539 (Stern)	Sepulveda Basin: Nature-Based Solutions/Planning	Watch	Chaptered
SB 617 (Newman)	Public Contracts: Progressive Local Design Build	Watch	Asm Approp Com
SB 676 (Allen)	Local ordinances®s: drought-tolerant landscaping	Watch	To Governor
SB 706 (Caballero)	Public Contracts: Progressive Design Build: Local	Support	To Governor
SB 802 (Roth)	Licensing Boards: Disqualification: Criminal Conviction	Watch	Asm 2Year Bill
SB 816 (Roth)	Professions and Vocations: LATC Fees	Watch	Chaptered