Water Plan Update
October 14, 2009

Updated Model Water Efficient Landscape Ordinance

California Department of Water Resources

Manucher Alemi, Ph. D., P.E.
Updated Model Ordinance

- DWR adopted its ordinance on July 31, 2009 and it was approved by the Office of Administrative Law on September 10, 2009
To update the Model Water Efficient Landscape Ordinance, DWR....

- Include provisions of AB 1881
AB 1881 Specifies…

- **Local agencies** - all cities and counties, including charter cities and counties, to adopt and implement a water efficient landscape ordinance.
Provisions required in AB 1881

- include provisions to minimize landscape irrigation overspray and runoff
- include a landscape water budget component
- include provisions for appropriate use and groupings of plants
- include provisions for use of automatic irrigation systems and irrigation schedules based on climatic conditions
- include provisions for onsite soil assessment and soil management plans
- encourage the capture and retention of storm water onsite
- encourage the use of recycled water
- encourage use of economic incentives to promote the efficient use of water
- educate water users on the efficient use of water and the benefits
- address regional differences, including fire prevention needs
- exempt landscaping that is part of a registered historical site
- include provisions for landscape maintenance practices that foster long-term landscape water conservation
- promote benefits of consistent local ordinances
Purpose of the MWELO

- To establish a structure for designing, installing, maintaining and managing water efficient landscapes in new and rehabilitated projects.

- Reduce water use to the lowest practical amount and set an upper limit that shall not be exceeded.

- To establish provisions for water management practices and water waste prevention for established landscapes.

- Promote the values and benefits of landscapes while recognizing the need to use water and other resources efficiently.
New and Rehabilitated

- Landscapes that require a building or landscape permit, plan check or design review and are:
  - 2500 sq. ft or more (landscape area)
    - public agency (parks, schools, city properties)
    - private development (retail, industrial, commercial properties)
    - developer-installed single family and multi-family (master-planned communities)
  - 5000 sq ft. or more (landscape area)
    - homeowner-provided (DIY) or homeowner-hired single-family and multi-family
Existing landscapes

- Requires local agency to administer programs to existing landscapes greater than 1 acre to prevent water waste:
  - metered landscapes must meet the existing landscape (prior to 1/1/2010) MAWA of 0.8 ETo
  - Un-metered landscapes and metered landscapes: no runoff, no overspray, efficient scheduling
Water Waste is Prohibited

- California Constitution Section 2 Article X
- All landscapes prohibited from wasting water
- Local agencies shall prohibit runoff, low head drainage and overspray.
- Penalties for violation of these prohibitions shall be established locally.
Exempt Landscapes

- Registered local, state or federal historical sites.
- Ecological restoration and mined-land reclamation projects that do not require a permanent irrigation system.
- Collections of botanical gardens and arboretums open to the public.
How is the ordinance enforced?

- The local agency is responsible for enforcement of the ordinance.
  - Permit, plan check, and/or design review
  - Landscape Document Package
    - Review and approval to proceed
  - Certificate of Completion
    - Final sign-off
  - A local agency may establish and administer penalties for non-compliance with the ordinance.
The Role of Water Purveyors

- The local agency may designate another agency, such as a water purveyor, to assume some or all of the responsibilities of enforcing a water efficient landscape ordinance.
- Must be agreed upon by all agencies involved.
Local Agencies notify DWR

- Local agencies MUST notify DWR by January 31, 2010 that they have:
  1. Adopted the Model Ordinance
  2. Adopted a local or regional ordinance
     1. Include findings and evidence in the records
     2. Demonstrate that local agency made reasonable effort to make its ordinance to be as effective as the MO
  3. The Model Ordinance is in effect because the agency took no other action
Report to DWR

- DWR does not approve or disapprove any ordinances
## Important Dates

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 10, 2009</td>
<td>Updated Model Ordinance is adopted</td>
</tr>
</tbody>
</table>
| January 1, 2010    | 1. Local agencies shall adopt the Model Ordinance or  
                    2. Adopt one that is at least as effective as the Model Ordinance in conserving water or  
                    3. The updated Model Ordinance will be in effect with the same force as if adopted by the local agency. |
| January 31, 2010   | Local agencies submit notify DWR                                     |
| January 31, 2011   | DWR shall submit a report to the Legislature on the status of adopted ordinances by local agencies |
DWR Assistance

- 8 workshops in October and November 2009
- Documents relied upon
- Instructions, educational materials, templates, forms
- CIMIS data
- Aerial Imagery
- Call center (877) 693 5610
- E-mail: mweo@water.ca.gov

Website:
www.water.ca.gov/wateruseefficiency/landscapeordinance/