

**DEPARTMENT OF WATER RESOURCES**

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March 6, 2019

Dear Landscape Stakeholder:

The California Department of Water Resources (DWR) would like to thank you for your time, effort, and recommendations on possible revisions to the Model Water Efficient Landscape Ordinance (MWELo). We would like to inform you that we have made the difficult decision to defer the update for 2020. We had to balance the need for an update with the fact that we know the ordinance falls short on implementation. We also had to consider the cost and administrative burden of updating the ordinance now, versus holding off and identifying the barriers to implementation with research and focused interviews, to make the ordinance more effective overall.

Assembly Bill 2515 directs DWR to update MWELo or release findings that an update would not effectively save water or improve the administration of the Ordinance. DWR has considered the input from the Landscape Stakeholders Advisory Group (LSAG), annual reporting on MWELo implementation from land use agencies, as well as other information, and concluded that revising the ordinance would not be effective or useful at this time.

MWELo currently provides strong rules and water allowances for the establishment of efficient new and renovated landscapes in California, but the annual implementation reports and other information suggests that there is inconsistent or poor implementation of the ordinance. It is clear to DWR that revising MWELo without addressing the underlying implementation would not be useful.

In 2017, only 130 of the nearly 550 land use agencies reported on implementation. Of the local agencies that did report, many cited issues with implementation, including the lack of staff with landscape training and the need to outsource to landscape experts for plan review. Given the apparent low levels of implementation, DWR has decided to focus on identifying the barriers that limit many land use agencies from fully implementing MWELo, and then developing solutions to those limitations. With this information, DWR can then revise MWELo in ways that retain and build on the current strong efficiency standards, but also make it clearer and easier for local agencies to implement.

The comments from the LSAG provide invaluable insight and suggestions for many specific amendments; but, they do not directly address the fundamental issue of poor implementation and how to improve it. The recommendations focused on improving clarity, removing unenforceable language, changing some technical requirements, expanding the threshold for the prescriptive track option, and expanding the use of alternative water sources. These proposed changes alone are not significant enough to warrant revising the State's ordinance and the subsequent required revision of local ordinances at this time, but they are valuable and will be saved for the next MWELo revision.

Landscape Stakeholders

March 6, 2019

Page 2

Moving forward, DWR will take a number of steps to improve MWELo and its implementation. As described above, DWR will study local agencies throughout the state to better understand the barriers and challenges faced with implementing MWELo. The study will not only identify barriers but also share success stories that can serve as examples of MWELo implementation. We will continue to engage the LSAG during this process.

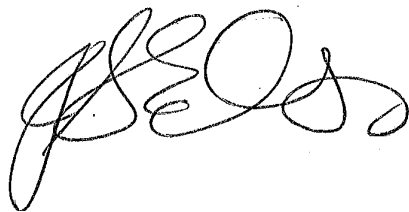
DWR will also prepare a guidebook and hold workshops to assist local agencies. The guidebook is intended to help local agencies implement the regulation and make compliance as easy as possible. The education workgroup, through its work on the LSAG, has already proposed some guidebook content. The guidebook will, in the interim, address some of the clarity issues that the LSAG recommended resolving.

Again, DWR thanks you for your work and commitment as part of the LSAG. We are preparing a report that summarizes the input and recommendations received from the 2016–2017 meetings. This report will be the starting point for the next revision. We also hope that you continue to participate as we begin this next phase. We will be scheduling LSAG meetings to get your input on these next projects.

Our conclusion is to invest our collective time, energy, and resources on a comprehensive revision of the MWELo geared toward fuller implementation and reporting, rather than patching the existing MWELo in a piecemeal way. We will be presenting our findings at the California Water Commission meeting on March 20. The agenda for the meeting will be posted in early March. The water commission's meetings in Sacramento are open to the public and by webcast. I encourage you to attend if possible. When the agenda is posted, I will send out a reminder and the link to attend the meeting by webcast (<https://cwc.ca.gov/Meetings/All-Meetings/2019/Meeting-of-the-California-Water-Commission-Mar-20-2019>).

Please don't hesitate to contact me if you have questions or would like to discuss this further. We will keep you posted on opportunities to provide DWR with input as we progress toward improving MWELo.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie Saare-Edmonds', with a stylized, cursive script.

Julie Saare-Edmonds

Senior Environmental Scientist

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