Informational Item - Model Water **Efficient Landscape Ordinance** (MWELO) Regulations

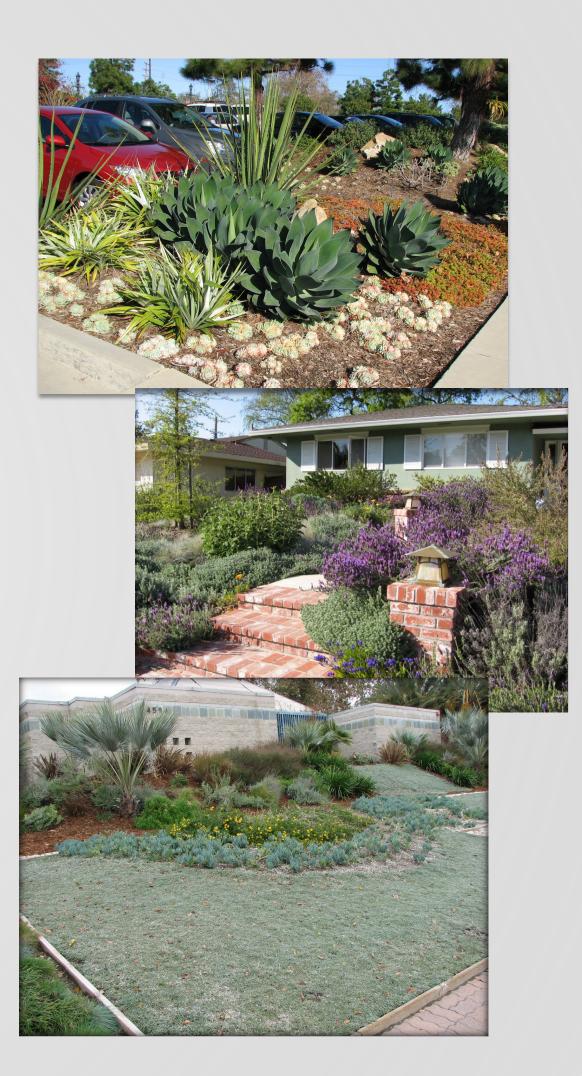


- **Presenters**:
- Julie Saare-Edmonds, Sr. ES Shem Stygar, Sr. WRE
- **California Water Commission** August 16, 2023

What is MWELO?

- A statewide model for local agencies to enforce minimum water-efficiency standards in landscape design, construction, management, and maintenance.
- Drives water-efficiency through water budgets and thoughtful selection of soil, plants, irrigation, stormwater management, and nonpotable water supplies.





MWELO uses a water budget:

- Maximum Applied Water Allowance (MAWA) compared with Estimated Total Water Use (ETWU) based on:
 - Local climate
 - Plant water use
 - Irrigated landscape area
 - Irrigation efficiency
 - Project Type (residential vs. non-residential)
- Two compliance pathways
 - Prescriptive is simpler with less flexibility
 - Only allowed for landscape projects less than 2500 sq ft
 - Performance is more flexible and complex





MWELO compliant landscapes provide many benefits

- **Conserves natural resources**
- Habitat
- Public health
- **Property values**
- Recreation
- Soil Heath/Carbon Storage
- Rainwater and stormwater infiltration







MWELO implementation:

- Adopted and enforced by local agencies
 - Required of 500 plus land use agencies (cities and counties)
 - Locally adopted Water Efficient Landscape Ordinances (WELO's) can be stricter.
- Applies to:
 - New construction or landscape renovations requiring a building or landscape permit, plan check, or design review
 - Existing landscapes greater than 1 acre: no MAWA required, just a water use analysis
- Local Agencies are required to annually report to DWR



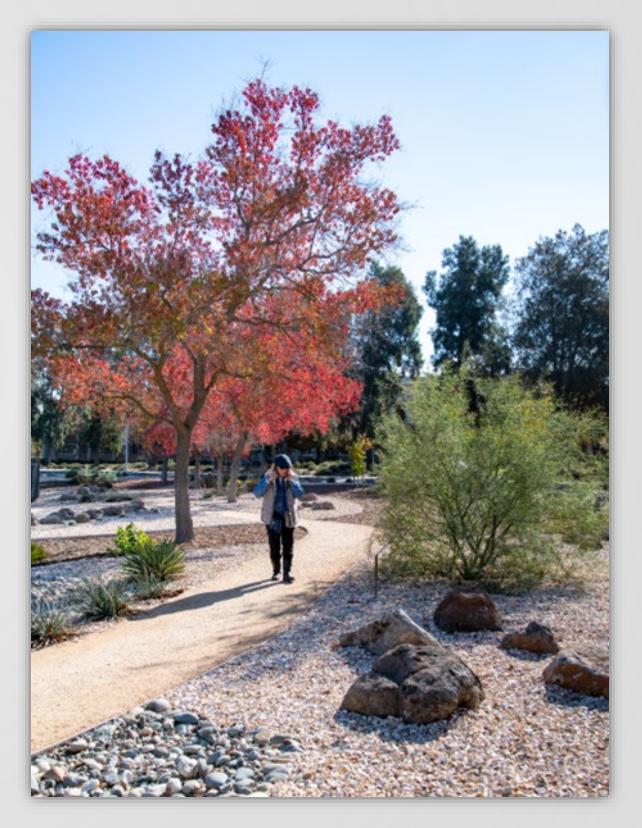


MWELO 3-year Update/Revision cycle

- AB 2515 directs DWR to:
 - Update MWELO every 3 years through regulation OR
 - Make a finding that an update is not a useful or effective means to improve
 - Landscape water use efficiency, or
 - Administration of the ordinance
- Synchronized with the triennial California Green Building Standards Code.
- Department intends to begin rulemaking this year.



WATER RESOURCES



Desired Improvements



FR RESOURCES

MWELO has been correctly implemented by knowledgeable agencies, however:

- It has ambiguities, which can lead to
- progression, understanding of

General implementation is inconsistent

and poor - Only 258 of 500 plus local agencies reported on MWELO implementation in 2022.

misinterpretation about what is required.

Its organization does not allow for logical

responsibilities and authorities, and leads to misunderstanding and confusion.

MWELO History:

- 1993 MWELO enacted
- 2005 Task Force Report
- 2010 MWELO Update
- 2015 Expedited MWELO Update per E.O. B-29-15
- 2016 AB 2515 3 Year Update / Revision Cycle
- 2020 MWELO Update Deferred





MWELO Update Status:

- March 20, 2019, DWR deferred an update with the Commission, noting:
 - Updating MWELO would not help without understanding how it is being used.
 - Wanted to understand why implementation and enforcement were not happening.
- Since Nov. 2022 DWR has engaged with the Landscape Statewide Advisory Group (LSAG) on draft MWELO amendments







UC Davis MWELO Barriers to Implementation Report (2021)

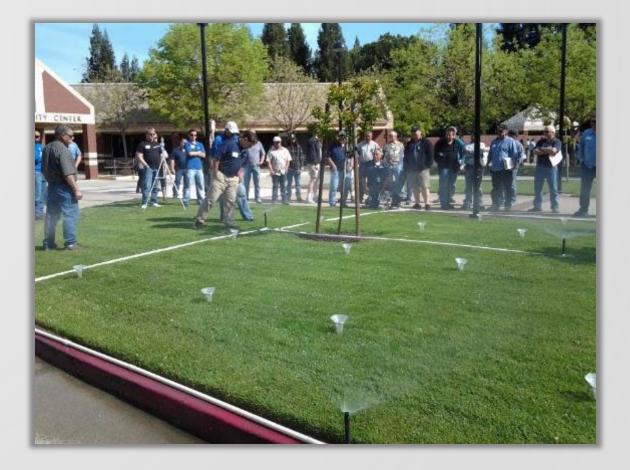
- **Recommendations include:**
- Simplify MWELO for agencies with limited resources
- Clarify what is required by MWELO:
 - What is the process?
 - Who performs oversight and has authority?
 - What needs to be reported (and why), who should report?
- Simplify reporting requirements



LSAG (2019) - Water Budget and Technical Standards Workgroup

- Structural changes
 - Improve water budget: design and layout, and standardization
- Functional changes
 - Improve the methodology of water
 budgeting including landscape definitions
 and math of water budgeting





Draft MWELO Amendments

- Simplify the MWELO to:
 - Provide clarity and reduce ambiguities.
 - Improve understanding, workflow, and implementation.
- Does not change existing MWELO requirements
- Not likely to require a Standardized Regulatory Impact • Assessment (SRIA) or CEQA
 - Many changes are administrative





Next steps

- Intend to begin rulemaking this year
 - Receive approval to submit to OAL
 - **Public hearing with Commission on draft** — **Regulation Text**
 - Public Comment Period and Public hearing(s)
 - Public hearing with Commission to adopt final regulation
 - Submission to OAL and Building Standards Commission







Discussion/Questions

