

## Regional Efforts Regarding Water Efficient Landscaping

Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15) directed the State Department of Water Resources to update the State's Model Water Efficient Landscape Ordinance (MWELo) through expedited regulation. The California Water Commission approved the revised MWELo Ordinance on July 15, 2015. Local agencies, including Sunnyvale, have until December 1, 2015 to adopt the MWELo or to adopt a Local Ordinance which must be at least as effective in conserving water as the State's MWELo. Local agencies working together to develop a Regional Ordinance have until February 1, 2016 to adopt such an ordinance. There are no penalties or fines associated with not meeting the February 1, 2016 deadline. A local agency may choose to allow the State MWELo to become effective by default and then adopt a Local or Regional Ordinance at a later time.

City staff is collaborating with the Bay Area Water Supply and Conservation Agency (BAWSCA), which represents the interests of 26 water agencies (including Sunnyvale) to create a regional MWELo. The draft Regional Ordinance is scheduled for circulation to solicit comments by November 25, 2015. The goal is to establish a consistent and common ordinance in the region, so as to minimize confusion and be helpful to area contractors who will be working with the same specifications and requirements for irrigation systems and landscaping. City staff does not know whether all cities in the BAWSCA service area are planning to adopt the Regional Ordinance. However, City staff is planning to notify the State that Sunnyvale will be a participant in the Regional Ordinance being developed. The following are some of the significant State requirements that will affect Sunnyvale:

- The new requirements apply to new development projects that include landscape of more than 500 square feet. The City's Code (19.37.020) only applies to projects greater than 1,000 square feet.
- Irrigation systems must have pressure regulators and shut-off valves. The City currently has no such requirement.
- Irrigation systems must meet national standards as stated in the approved State Ordinance. The City currently has no such requirement.
- Flow sensors will be required for projects greater than 5,000 square feet. The City currently has no such requirement.
- The model ordinance includes restrictions on high water use plants. The City currently has no such requirement.
- Friable soil must be planted and must have four yards of compost per 1,000 square feet. The City currently has no such requirement.

As City staff continues to work with BAWSCA to finalize the regional MWELo, the plan is to bring the final ordinance to Council for its consideration and approval in February of 2016, if not sooner. Additional questions should be directed to Mansour Nasser, Water & Sewer Systems Division Manager at 408-730-7578 or [mnasser@sunnyvale.ca.gov](mailto:mnasser@sunnyvale.ca.gov).