

CLCA Proposals to Improve Landscape Workforce Knowledge and Skills

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In its 2015 draft report on *Sustainable Landscaping: Market Transformation Framework*, the California Urban Water Conservation Council (CUWCC) identifies a need for more workforce education in the landscape industry. The AB 2717 Landscape Task Force came to a similar conclusion in 2005 when it recommended “a common foundation for the education, training, and certification of landscape professionals across the disciplines involved in designing, installing, maintaining, and managing water-efficient landscapes.” CLCA agrees that improved workforce education and training can lead to more water-efficient landscapes.

We have one caveat to the above statement, however. It is important to understand why workforce knowledge and skills are not at the levels some would like. We believe the reason is quite simple. Water pricing generally does not reflect the true cost of water or the cost of the next increment of supply. Relative to other resources such as gas and electricity, property owners generally pay very low rates for it. Consequently, water-use efficiency has been a low priority for property owners, well below “keeping the grass green.” Therefore, rate structure reform to reward efficient use is an essential precondition for any successful effort to improve workforce knowledge and skills. There must be a market for water-efficient landscaping if employers and employees are going to invest in education and training. Public education and appeals to save water in a drought emergency can “jump-start” a market for short period of time, but financial incentives are the only “sustainable” way to create such a market over the long term.

Assuming a future market for water-efficient landscaping, we offer the following suggestions to improve education and training in the landscape workforce:

Proposal #1: Support for CLCA’s Water Management Certification Program

Although the Department of Water Resources (DWR) has a link to CLCA’s Water Management Certification Program on its Urban Water Use Landscape website page, DWR and the state’s urban water agencies could be doing more to publicize the program’s certified water managers and support the program overall. The CUWCC, for example, does not mention CLCA’s program on its website, even though the council had two seats on its five-member Steering Committee during the program’s early formative years.

CLCA’s certified water managers have demonstrated that they have the knowledge and the ability to save water on landscape projects. They can help water agency ratepayers conserve a great deal of water.

DWR and urban water agency recognition of the certified water managers is critical for the success of the program. Landscape professionals take the time and effort to become certified primarily for public recognition and the increased business it hopefully brings. CLCA lists the certified water managers on its website and devotes considerable resources to outreach, but urban water agencies could make a tremendous difference by simply letting their ratepayers know about our program via website information, statement stuffers, etc.

Financial support also should result in program growth and consequent better landscape water budgeting throughout the state. CLCA's new Landscape Water Conservation Foundation should be ready to accept tax-exempt contributions and government grants within the next few months. The foundation intends to use the donations it receives to award grants for landscape industry education and training in landscape water and natural resource conservation methods, among other activities. Some of those foundation grants may be directed to the Water Management Certification Program.

Proposal #2: Required Continuing Education for Licensed Landscaping Contractors

CLCA proposes legislation to require landscaping contractors to take continuing education in landscape irrigation and ornamental horticulture as a condition of license renewal by the Contractors State License Board (CSLB).

Although CSLB stated its opposition to a continuing education requirement as a condition of license renewal as recently as 2012, CLCA believes a special case can be made for a requirement for the landscaping classification because of the clear need to be more efficient with the water currently applied on the state's landscapes. Licensed landscape contractors, who are allowed to design and build the landscapes that fall under the purview of the Model Water Efficient Landscape Ordinance, should demonstrate that they are up to date with everything it takes to comply with all elements of the Landscape Documentation Package and Certificate of Completion requirements in the Model Ordinance. Licensed landscape contractors, who also maintain the vast majority of California's largest CII and HOA landscapes, should be conversant with irrigation scheduling to avoid waste as well as water-efficient irrigation upgrades.

This program should be developed by the CSLB with the assistance of the Department of Water Resources and CLCA. CSLB should administer the program, but contractors should be able to obtain continuing education units by participating in qualified educational offerings provided by academia, the landscape industry, and other providers.

Proposal #3: Licensure for Gardeners

Although the landscaping contractor's license is one of only a few specialty contractor licenses that specify maintenance as falling within their scope of work, there is no statute giving the CSLB authority to require licensure for landscape maintenance work. The Board has consistently maintained that most landscape maintenance work can be performed without a license and that a person who performs such work is a "gardener," not a contractor.

Gardeners, however, are often entrusted with setting irrigation schedules and are allowed by law to make irrigation repairs and upgrades under \$500 in cost. The vast majority of landscaping experts believe that the management of an existing landscape can be far more important in saving water than its design or construction. Incompetent scheduling and irrigation maintenance can cost their clients a great deal of money over time. It therefore stands to reason that gardeners should be licensed for consumer protection. There are other compelling reasons to license gardeners as well. CLCA believes that gardeners participate in

the underground economy more typically than not, and that they sometimes do landscape construction work in excess of \$500. A state government program to license gardeners should improve compliance with tax, labor, contracting, and other laws. The CSLB, which already licenses landscape contractors, is the obvious state agency to regulate gardeners.

CLCA proposes legislation to create a new contractor classification for gardeners and to require licensure in either the C-27 classification or this new classification for either: (1) those who contract for landscape maintenance work over \$_____ per month or (2) those who do work on commercial, multi-family residential, or publicly-owned property.

Proposal #4: State Certification for Landscape Maintenance Businesses

As an alternative to Proposal #2 and Proposal #3, we suggest that the Independent Technical Panel approach the Administration and/or the Legislature to require certification in water-efficient landscaping for all businesses that design, install, manage, or repair landscape irrigation systems. This proposed program should be administered by DWR.

One example of a state agency program of this type is California's Electrician Certification Program. Electricians employed by a licensed electrical contractor are required to be certified pursuant to certification standards established by the Division of Labor Standards Enforcement in the Department of Industrial Relations. Electricians must pass a test and renew their certification by completing 32 hours of continuing education every three years. Community colleges, public school districts, other public educational institutions, and approved Electrician Trainee Schools may provide this education. The division contracts with a provider to conduct its examination program.

While the Electrician Certification Program requires electricians to be certified, not contractors or business owners, the ITP may want to recommend that a state certification in water-efficient landscaping apply to business owners only. The ITP could also recommend that the requirement apply only to business owners who accept contracts over a certain amount of money or who do work on commercial, multi-family residential, or publicly-owned property.

A DWR-administered program would have several advantages over one administered by CSLB. The department would likely be more motivated to regulate landscape professionals who are not licensed contractors than the CSLB would be, as the former has a vested interest in water efficiency and sustainable landscaping. It also has considerable expertise in this area—expertise the CSLB does not have. Finally, the department would be able to focus on water conservation and sustainable landscaping rather than consumer protection, the mission of the CSLB, which admittedly is a broader and somewhat different goal.

Proposal #5: More Irrigation Questions on the Trade Exam for Landscaping Contractors

The trade exam for individuals applying for a landscaping contractor's license currently consists of about 100 questions, similar to the exams for the other license classifications. CLCA suggests that CSLB be approached to include questions with more sustainability

content and to add a resource on sustainable landscape construction to its list of recommended study materials for the exam.

We understand that the trade exam must cover a very broad spectrum of industry knowledge, especially because the landscaping contractor's license is exceedingly broad. We also understand that CSLB is obligated to test for the actual standards of the trade, not what those standards should be. Nevertheless, we believe that actual landscaping practices are changing or soon will change as a result of the drought and recent actions taken by DWR as well as the state agencies that oversee building standards. An argument could be made that the trade exam should be updated to reflect these changes.

CLCA recognizes that this proposal is not a panacea and hopefully will not be the only ITP recommendation. But we believe it can help in a small way to improve contractor knowledge and skills.