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March 20, 2020

The Honorable Gavin Newsom
Governor of California
State Capitol
1303 10th St Suite 1173
Sacramento, CA 95814

Re: California Public Works Landscape Maintenance and COVID-19

Dear Governor Newsom,

The California Landscape Contractors Association (CLCA), thank you for your leadership in confronting the COVID-19 epidemic facing California. Your recent executive orders and continued work will certainly aid in “flattening the curve” of infection.

On March 19, you issued Executive Order N-33-20 (EO) in conjunction with the Public Health Officer ordering “all individuals living in the State of California to stay home or at their place of residence ...except as needed to maintain continuity of operations of federal critical infrastructure sectors ...” as outlined by Department of Homeland Security, Cybersecurity and Infrastructure Security Agency (CISA).

The landscape industry public works in California is critical to the resiliency of the state and its people. In the commercial facilities sector of the Department of Homeland Security CISA, licensed landscape contractor’s public works play a critical role in maintaining the utility and public safety of real estate assets. These include apartment buildings, condominiums, residential mixed-use facilities, offices and related properties. We keep senior living facilities safe for elderly residents by maintaining safe walkways free from the everyday occurrences of overgrowth and removing obstacles such as fallen heavy branches and trees that threaten living facilities and their residents. The public works performed by licensed landscape contractors also protects the public health by performing essential treatments to lawns and green spaces to reduce the transmission of dangerous and deadly diseases through pests like mosquitoes, fleas, and ticks.

Being able to perform our daily work, particularly when it comes to backflow prevention devices, water mains and other irrigation tasks keeps community water sources secure, free from contamination and minimizes water waste. Our licensed contractors know the important role they must play in supporting elderly and vulnerable populations in the state during these trying times. California residents have been encouraged to walk and go outside while maintaining the appropriate social distance. However, these public outside spaces must be taken care of and kept hazard free for the enjoyment and safety of those in our community. Because our industry functions outside, this greatly reduces the chances to come into contact with other individuals. Within the industry, strong policies are being put in



place to maintain social distancing with both clients and within our teams that are working in the field.

Despite being in the commercial facilities sector public works of the Department of Homeland Security CISA for its critical role in maintaining the utility and public safety of real estate assets, licensed landscape contractors face confusion around whether they are able to continue their important work consistent with CISA guidance. As your administration continues to define exemptions, we ask that you consider adopting specific language that allows licensed landscape contractors to support the state during these uncertain times. Bringing certainty and providing some normalcy allows us to support your efforts in leading our state through this health crisis. An explicit exemption for landscape services is necessary and appropriate.

Below you will find our recommendations to remedy this issue.

“For purposes of this Order, licensed contractors may leave their residence to provide landscape services and related public works that are necessary to the operations and maintenance of “Essential Infrastructure”, including, but not limited to services that are necessary to maintaining the safety, sanitation, and essential operation of residential structures, water and irrigation systems, parks and other open spaces people use for outdoor recreation and exercise provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.”

We ask that future local directives are informed by uniform California Department of Public Health (CDPH) language as suggested above. By further clarifying your executive order as recommended here, vital landscape services can continue to work to maintain safe and reliable public residential and recreational real estate assets for the elderly, vulnerable and all other California residents.

We are all in this together, and the landscape industry stands with our public officials to stop the rapid transmission of COVID-19 while also continuing to perform those essential functions that are necessary within our communities throughout the nation.

Sincerely,

A handwritten signature in black ink, appearing to read "Regan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Regan Barry
CLCA President