



LANDSCAPE  
• DESIGN •  
ASSOCIATION

# Covering Ground

Quarterly Newsletter of the LDA

Spring 2009

## Designing for Sustainability

Notes by Rinda West

Garth Conrad, chairman of the Association of Professional Landscape Designers' Environment Committee, was the presenter of LDA's March 26th program at the Wellness Center in Arlington Heights: "Designing for Sustainability: *Environmental Issues and Design Solutions*." The drive toward sustainability in landscaping grows from the success of the LEED (Leadership in Energy and Environmental Design) certification process in the building industry. Today 30% of all new construction is done in the LEED context, and it has created a \$10 billion set of ancillary industries.

The United Nations defines sustainability as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

Garth shortens that to "living today without borrowing from tomorrow." The beneficiaries of our becoming more environmentally friendly today are future generations. The sustainability movement is guided by the *Triple Bottom Line: Ecology, Equity, Economy OR Planet, People, Profit*. The idea is to do business in a way that is fair to workers and consumers, gentle on the planet,

and profitable for the business. Examples of practices that are not triple bottom line might be the use of fertilizers mined by child labor in Ecuador; the design of vast, "sodded" corporate campuses whose upkeep requires borrowing water from a depleting aquifer; specifying plants that travel long distances to reach the site, but whose cost doesn't include future landfill use (for the containers) or climate remediation (for carbon burned in their transport). So . . .

### *How do we design for sustainability now?*

- Design to contribute to an appropriate consumption of resources and to contribute to biodiversity.
  - Offer clients design choices that meet their program and contribute to sustainability.
1. Site selection:
    - Landscape designers should be included with architects and builders in all initial meetings.
    - Trees on site should be preserved; plants should be chosen to add to biodiversity.
    - Design to reduce water use by 50%.

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Save the Date . . .

**Don't forget to set aside August 1st for the  
2009 LDA Garden Walk!**

This afternoon event featuring North Shore landscapes will conclude at *Pagoda Red* in Winnetka for drinks and appetizers. You won't want to miss out!

Watch your e-mail for developing details . . .

Questions? Contact Linda Khalouf at [linda@cjfiore.com](mailto:linda@cjfiore.com)  
(Rain date 8/8/09)



# President's Letter



Dear Friends,

It has been one busy 'slow season' for LDA volunteers. The anticipation of the new website is almost over, and we hope to be up and running by the beginning of May. Legislative matters certainly are on the forefront as well as formalizing our mentorship program. We are fortunate to have *Covering Ground* to 'cover' all these important topics, so I will use my letter to consider . . . **a vacation?**

As many of you may or may not know, I come from a real estate background. Three generations of my family have been buying, selling, building upon, planting on and (more recently) designing land. Selling real estate and selling landscape services have much in common, but I have noticed something that's missing. In my previous life, at least once a year, I and other broker associates would pilgrimage to seminars to learn how to do our jobs better – especially, how to be effective. I have yet to see the motivational speaker in our green industry. I would like to share one valuable lesson I learned from a motivational speaker in Palm Springs oh-so-many years ago.

By now we are in full swing completing some jobs, in the middle of others and preparing for the new ones. In other words, we are busy! This is the best time to acknowledge the weaknesses in our organizational and time management skills. When we get bogged down it often has more to do with the *feeling* of being overwhelmed; hoping it will lessen the load for the current moment we sometimes resort to *procrastination*. Bad idea . . . So here is my learned lesson.

Let us say I told you that you had just won an all-expense-paid trip to the Virgin Islands (or England or wherever makes you happy), but you have to leave the day after tomorrow. Ask yourself this: What would your tomorrow look like? I'll tell you what it would look like: *It would look productive*. You would prioritize. You would delegate. You would qualify.

You would do everything that needed to or could get done **now**. You would **not** figure out what things you could push off until later – which is what many of us instinctively do. You would assign jobs that could be handled by others to them. You would quickly qualify prospects as good leads or not worthy of your time. You would do everything you had to so that you could honestly say, "I am as caught up as I can be for the moment; I'm ready to go."

Now, naturally, this would be a foolish time of year for us to go on vacation, but I think you get the point. Prioritize and do! Don't spend time making a list of things that can be done tomorrow. More time is wasted **thinking** about what needs to be done than just doing it.

Hoping all is running smoothly this season!

Sincerely,

Patricia Glicksberg , LDA President

P.S.: If you're thinking this type of drive comes at a cost, please stay tuned for the Fall edition of the president's letter in *Covering Ground*.

*Covering Ground* is the newsletter of the Landscape Design Association, published four times a year and mailed to members. Story ideas, complete articles, suggestions, and feedback are always welcome and may be sent to either of the editors:

Karen Koerth ([karen@greenroommcg.com](mailto:karen@greenroommcg.com)) – Pam Duthie ([thegiftedgardener@comcast.net](mailto:thegiftedgardener@comcast.net))

Visit LDA's website at [ldaonline.org](http://ldaonline.org); user ID: LDA / password: plantme

To ensure regular receipt of newsletters and other LDA communications, please contact Pam to report any change in e-mail or mailing address.

# Inquiring Minds

What are the best groundcovers for heavy foot traffic? I'd also like to know the best groundcover substitute to replace lawns/turfgrass.

Many thanks,  
Gordon Stromberg

Even the toughest groundcovers won't stand up to *heavy* foot traffic. Vining groundcovers such as English ivy or wintercreeper are certainly hardy and fast-growing, but the tangle of stems would make walking hazardous. Hardy groundcovers such as thyme, ajuga, and dwarf sedum can spread nicely, but they are usually shown *surrounding* stepping stones or *edging* other sorts of pathways rather than being subjected to lots of foot traffic. The best candidates for areas that may get some traffic are *Herniaria glabra* (Green Carpet) and *Leptinella gruvari* (miniature brass buttons). **Stepables.com** is a good source of information about groundcovers, with recommendations based on factors such as sun vs. shade, drought tolerance, and use of the specific space. A good non-commercial source of groundcover information is "*From the Ground Up*," a site at the University of Illinois Extension Service: [urbanext.illinois.edu/groundcovers/directory/index.html](http://urbanext.illinois.edu/groundcovers/directory/index.html).



Replacing turfgrass with groundcover should be done after consideration of a number of factors. The most obvious sites for this transition would be areas where lawn grass struggles to do well or is difficult to maintain: beneath shade trees, on steep slopes, or where drainage issues are a problem. A little research at one of the above websites will give you a number of options for each of the problem areas. Here are a few other considerations:

- One should ask if a specific turf area is creating environmental problems, and if so whether these concerns could be addressed by eco-friendlier practices: smarter use of automatic sprinkler systems, choosing organic fertilizers instead of petroleum-based products, and letting the grass grow longer to shade out weed-seed germination. Using a manual reel mower is great exercise, and it doesn't add noxious exhaust to the atmosphere.
- Not every lawn can be readily replaced with groundcovers; sheer size can be a limiting factor, and if soccer or softball is a family activity an expanse of creeping lily turf isn't quite going to cut it. But reducing a lawn's size and impact — based on the needs and functions required by the homeowner — is a worthy goal.
- Bear in mind that even the most recommended groundcover variety might not do well in every environment; it's best to take it slow and experiment with a small area at a time. Converting an entire lawn, especially a larger one, to groundcover will not only be a costly endeavor but also might not be entirely successful.
- There is no such thing as a "no maintenance" planting, so bear in mind that during establishment new groundcover will need regular watering and weeding.
- Just as lawns are criticized for being a *monoculture*, a large planting of a single type of groundcover would not be wise. Disease or pests could devastate a landscape planted with a single variety.
- One possible alternative to the standard bluegrass lawn, especially in areas that will be used as playgrounds or open field, would be conversion to a native grass such as *buffalo grass*. See information about this lawn alternative, as well as other groundcovers that are beautiful options for "low water lawns," at: [highcountrygardens.com/catalog/browse/native-turf-grasses/](http://highcountrygardens.com/catalog/browse/native-turf-grasses/). We here in the Chicago area certainly aren't in "high country," but this site has great suggestions for water-wise gardening.

Karen Koerth

# LDA Program Notes

(Continued from page 1)

## 2. Materials:

- No lumber should be used from endangered or threatened tree species.
- Construction should proceed so as to minimize compaction and removal of soils.
- Materials and construction methods should be chosen with an eye to their ability to be recycled. Many homeowners stay in their current home for 5-8 years; when the home changes hands, the new owners will have their own landscape plan. The original building materials should be capable of being disassembled (screws instead of nails; dry laid stone rather than wet laid) and reused. If possible, material on site should be reused or recycled.

## 3. Horticulture

- Invasive plants should not be used.
- Whenever possible, use native plants. Native trees and shrubs contribute more to faunal diversity than do perennials.
- Minimize the lawn and incorporate more varieties of grass than just bluegrass.
- Plant production should minimize use of chemical fertilizers and pesticides.
- Whenever possible, plant materials should be from local nurseries to minimize environmental costs associated with transportation.
- Whenever possible, we should design to preserve and restore native wildlife habitat.
- Nurseries should take pots back for reuse or recycling; they should move toward selling plants potted in decomposing plant media.
- We should strive to restore the soil food web.
- We can encourage clients to grow some of their own food.

## 4. Irrigation & Rainwater management

- We should design, when possible, so that rainwater can be harvested and used on site.
- We need to provide clients information on irrigation, promote drip irrigation, and educate clients about the natural desire of grass to look brownish in August.

## 5. Maintenance

- We need to design for sustainable maintenance, with spaces for compost and rain harvesting.
- Designers need to provide clients with maintenance manuals that explain how to feed plants with compost, mow lawns high, water deeply and less frequently, recognize and pull weeds.
- We need to change the practices of municipalities and educate the public about the value and beauty of a landscape that does not borrow from the future. We need metrics – ecological audits of current practice so that we can measure and study the effectiveness of various approaches.
- As designers, we can pressure nurseries to become certified as ‘sustainable growers’ and to take back their pots.

In summary, if we can do only a few things, here are some we can do now:

1. “Pledge 6”: Incorporate six additional native plant species in our designs.
2. Shrink the lawn.
3. Minimize irrigation.
4. Choose local materials.

*Editor’s note: “The Sustainable Sites Initiative” has a 180-page downloadable **Guidelines and Performance Benchmarks** report. ([www.sustainablesites.org](http://www.sustainablesites.org))*



# LDA Membership News

## Board Action List

*Cathy Litrofsky, Secretary*

### LDA Board Meeting / January 30, 2009

**Action:** Patty Glicksberg and Joan Schneider were chosen by the Board to represent LDA at the February 10, 2009 meeting hosted by ILCA to address the changes in the Practice Act for Landscape Architects being submitted to the Illinois Legislature.

**Action:** The Board approved signing a contract with Unifusion as the website's designer utilizing Express Engine.

### LDA Board Meeting / March 9, 2009

**Action:** The board approved a contribution of \$1,000 to IGIA to offset costs incurred to secure legal advice and lobbying efforts that have been graciously extended to LDA. It was also decided that all LDA board members should write letters on their companies' letterhead to the relevant committee members expressing our association's opposition to the proposed Practice Act. Maureen DiRienzo and Joan Schneider will be composing and sending out the suggested language for such letters to the board members.

**Action:** In light of the fact that LDA differs from other associations in that it is an all-volunteer organization, the Board decided that non-members may attend only one 'routine program' free of charge as an introduction to LDA; but that thereafter, they would be required to join LDA in order to attend future programs. This will be added to the current LDA policies.

☪ ☪ ☪

## Save the Date for Our Summer BBQ

The LDA Summer BBQ will be held on **Saturday, September 12th**, beginning at 4 p.m. at the farm of **Dean & Gina MacMorris**. It will be a barbecue with brats, hamburgers and hot dogs on the grill. The main course and beverages will be provided by the Association, but we ask that attendees please bring appetizers and desserts to pass. It may also be a good idea to bring a lawn chair for sitting.



Highlights are the many perennial and vegetable gardens spreading out over two acres: The refurbished 1855 Norwegian barn and out-buildings, the 1860 farmhouse, the 3 1/2 acres of wildflower prairie installed by **Pizzo & Associates** will all be open for tours. Come join us for a day of fun and conversation. Feel free to sit in a chair on the porch or in the hammock and just make yourself at home and relax. There will be plenty of food and drink. If you want to stay until after dark you can experience the professional landscape illumination installed by **Night Light, Inc.** and a bonfire.

There is plenty of room, so we hope all of you can make it. The gardens, house and farm buildings are located on 7 1/2 acres in Plato Center just West of Elgin. The location is easy to get to from anywhere. Directions will be provided with the invitation at a later date.

Please save the date. It promises to be a great time for all.

**Dean MacMorris**

*Night Light Inc.*

E-mail: [xsnrg2@comcast.net](mailto:xsnrg2@comcast.net)

# LDA Membership News

## New Mentoring Program Begins

LDA did something different this year. While informal networking has always been the cornerstone of LDA, we have been hearing from members newer to the profession who want a more formal way to get in touch with other members willing to act as Mentors. This year we instituted a "Mentor/Mentee Program." The first part consisted of a short questionnaire sent out to everyone who was looking for a Mentor. Questions such as location, level of experience, and area of interest were answered. We collected these responses and turned them over to those LDA members who were willing to be Mentors. It was now up to the Mentors to get in touch with those wishing to be mentored.

We had a very good response for the first year. We received about 12 people wishing to be mentored and over 40 members who are willing to be Mentors. This speaks volumes for the giving nature of our LDA members. We hope that some good matches were made and that some career-enhancing relationships were formed between our members.

*Maureen Taylor, New Members Committee*

## Please Welcome Our Most Recent NEW MEMBERS

*Please add this page to your membership directories.*

### **Meltem Aktas**

Flora et Sylva Landscape Design  
2003 W. Estes Ave.  
Chicago, IL 60645  
(773) 274-7490  
(773) 274-6101 F  
meltemaktas@yahoo.com  
www.floraetsylva.com

(312) 320-3175  
(847) 367-8733 F  
judclub@yahoo.com  
www.greencitygardens.com

### **Robert Brooks**

Autumn Ridge Land & Site Design  
2846 W. Ainslie St.  
Chicago, IL 60625  
(773) 561-3435  
(773) 561-2972 F  
rjb@autumnridgedesign.com  
www.autumnridgedesign.com

### **Laura Maurer**

Laura Maurer Garden Design  
14 N. Peoria, 3H  
Chicago, IL 60607  
(312) 226-6894  
(312) 226-6895 F  
laura@lauragardens.com  
www.lauragardens.com

### **Luz Bustamante**

123 S. Fairview Ave.  
Park Ridge, IL 60068  
(847) 823-7026  
luzbustamante@ameritech.net

### **Tom Milovich**

Tomjac Gardens  
5046 N. Wolcott, #2S  
Chicago, IL 60640  
(773) 561-6658  
tomjac220@yahoo.com

### **Robin Coseo**

25 Sherwood Dr.  
Lincolnshire, IL 60069  
(847) 948-5112  
(847) 948-5162 F  
rcoseo@comcast.net

### **Josh Miller**

American National Sprinkler & Lighting  
924 Turret Court  
Mundelein, IL 60060  
(847) 566-0099  
(847) 566-0099F  
h2oturf@aol.com  
www.americannationalco.com

### **J. D. Mathein**

Green City Gardens, Inc.  
1142 Jeffrey Ct. West  
Northbrook, IL 60062

### **Katherine Mullen**

Home & Garden Staging  
895 Tower Rd.  
Winnetka, IL 60093  
(847) 602-3478  
kmullen@homeandgardenstaging.net

# LDA Membership News

## **‘DESIGN-OFF’ Winter Workshop a Big Hit with Members**

The following is a synopsis of feedback received about the one-day design workshop held on February 19 at the Wellness Center in Arlington Heights. Five LDA members presented their designs for an actual property, taking in consideration homeowners’ goals as well as drainage issues. Co-chair Anne Flannery reports . . .

“Here are the results from the Survey. I received 25 responses out of 47 attendees that signed in.”

*Would you like LDA to hold this style of design workshop annually?*

Unanimously the response was “Yes!”

*Did you like the format of this workshop? What would you change or keep the same?*

More focus on a specific area of the project. Too much information to grasp at one time. Would like more client information up front. Thought the format was perfect. Add another designer. Cost of project and designer fee to be included in presentation. Great way to show different styles of presentation and working with clients. Predetermine the time spent for the designers and see what they can get done in that allotted time (i.e., 15 hours per designer). It would be cool to see a few phases of process as well. Spend more time previewing the project site and getting the audience up to speed. (“I missed this one big time - so sorry.”) Lunch was too long. Have the homeowners present at the presentation and not the discussion. All the designers should meet with the client.

*Would you prefer a two-day workshop with design time?*

A majority agreed that a one day was perfect.

We could incorporate some audience participation next time.

THE BEST RESPONSE: If you mean a team approach - design is so subjective. I always remember the adage, "A camel is a horse designed by a committee."

GREAT POINT !

*Did you like the style of property and the challenges it presented? What would you like to see for next year?*

Most responses liked the site chosen, especially the drainage, deer, shade and water issues. Good mix of challenges. Several requests for next year to be a small lot — possibly a city location — although some responded bigger is more fun and more challenging.

*Did you find the handout helpful? What else could have been included?*

Yes, most found it helpful. Some thought it was too small to read. Photos of site to refer to was also mentioned. A copy of the owners’ wish list could be included.

*Is it important to have the property owners present?*

A majority said yes, definitely, particularly for the first half of the day

*Do you have additional comments that would be helpful for next year?*

This was the best workshop LDA has offered! A wonderful program. Designers did a fabulous job. Liked that designers were not in “Competition.” Nice mix of designers and presentation styles. Liked the overhead, yet sometimes it was confusing when moving around to different images. Great learning tool. Loved the sales approach from Patty. Again, a clearer overview of the property beforehand should be presented. Would like bigger copies of finished designs in handouts.



## I Heard It Through the Grapevine . . .



❖ Congratulations to **Carol Heffernan** for her fabulous West Town garage rooftop deck installation featured in the March/April 2009 issue of *Chicago Home & Garden* magazine.

❖ **Jack Pizzo, Pizzo & Associates, Ltd.**, is having a 21<sup>st</sup> Anniversary Open House on Friday, June 19<sup>th</sup>. The keynote speaker will be Doug Tallamy, author of *Bringing Nature Home: How You Can Sustain Wildlife with Native Plants*. Please contact Jack ([jack@pizzo.info](mailto:jack@pizzo.info)) if you are interested.

❖ The first-ever Rooftop Garden Showroom is set to open in Chicago this spring, announced *Chicago Specialty Gardens* President **Phil Cleland** today. The new showroom will be installed over approximately 1,000 square feet of terrace space at the company's headquarters in Chicago's River West neighborhood, and will serve as a demonstration site for the company's rooftop garden design-and-build work.

"Not only is this the first Rooftop Garden Showroom in Chicago but perhaps in the world. We know of no other showroom destination which will be as comprehensive to rooftop gardens as this will be", Cleland stated. The showroom will feature the latest and most cutting edge materials, construction methods and sustainable design principles, including modular green roof components; a rainwater collection and drip irrigation system powered by solar panels; a highly efficient LED night lighting system; metal pergola and shade canopy; recycled content resin panels; all-weather furniture; sustainably grown hardwoods; locally sourced construction materials and plants; and low-VOC sealers and dyes. The showroom will also feature a custom-built bar and grill; food prep, dining and lounge areas; audio system; a custom water feature; composting system; and vegetable/herb garden, all components of the company's Rooftop Living Collection® of roof garden furnishings.

"We believe the future of rooftop gardens and green roofs is unlimited, and the Rooftop Garden Showroom will display to our clients, designers and architects all that is possible in a well-designed and appointed rooftop garden," Cleland said. The showroom will serve as a demonstration site for new technologies, materials and systems, and will be open by appointment only.

Prior to its installation at CSG headquarters, the Rooftop Garden Showroom was displayed at the *Chicago Flower & Garden Show* at Navy Pier March 7-15, 2009. See more at [www.chicagogardens.com](http://www.chicagogardens.com).

❖ **Christy Webber** of *Christy Webber Landscapes* was profiled recently in a featured article by Leslie McGuire at [www.landscapeonline.com](http://www.landscapeonline.com), "*Growing In All Directions . . .*". Here is an excerpt:

"Webber entered into the commercial maintenance business in 1998 when she won a bid to maintain the United Center. Winning that job and proving that she could provide quality work on a larger scale thrust Christy Webber Landscapes into the commercial landscaping scene. This was one of those truly defining moments for the company that ultimately led to projects such as the installation and maintenance contracts for O'Hare and Midway airports seen here."

Many thanks to Tim Thoelecke who picked up this article from [www.landscapeonline.com](http://www.landscapeonline.com). Please visit the site for the entire article with pictures.

❖ Both **Tim Thoelecke** and **Pam Duthie** have written for *LandscapeLeadership.com*, is a new website for landscape designers. This site is the "brainchild" of Chris Heiler; his slogan is "*Turn Your Design Passion into a Great Business.*"





# The Wheelbarrow

This feature is a place for gathering & sharing  
"clippings" of all sorts . . .

- *Walters Gardens Inc.* in Zeeland, MI has recently launched some new consumer websites. The completely rebuilt [www.PerennialResource.com](http://www.PerennialResource.com) is an encyclopedia of over 1,500 varieties of perennials searchable by botanical or common name, or over 40 plant characteristics such as water, sun and soil requirements, deer resistance, and more. Their [www.GrowDesignerPlants.com](http://www.GrowDesignerPlants.com) website features their Designer Collection of hosta and daylilies.
- *Morton Arboretum's Plant Health Care* offers online reports summarizing current tree disease and insect sightings for northeastern Illinois. Reports can also include images, growing "degree days," and phenological indicators. Periodic feature articles offer more detailed perspectives on a range of PHC topics. These reports are posted online bi-weekly during April and August, and weekly in May through July at [www.mortonarboretumphc.org](http://www.mortonarboretumphc.org). Please note that they are currently redesigning their website and the link may change.
- Our *Chicagoland gardening offerings* have become an international sensation. The early spring issue of Great Britain's premier gardening magazine *Gardens Illustrated* (#145), features a gorgeous cover photo of Wolf Road Prairie in Westchester, IL to highlight an article on prairie conservation. This issue also includes an 'exclusive reader trip' offer to "Visit American Prairies & Midwest Gardens" for 10 days in late September with British plantsman Dr. Noel Kingsbury. For a mere \$4,143 per person plus international airfare, the tour includes *Lurie Garden* in Millennium Park, *Chicago Botanic Garden*, *The Morton Arboretum*, *Missouri Botanic Garden* and various other private gardens in Chicago, Oak Park and St. Louis.
- *2009 Early Spring Gardening Trends Research Report* just released by the Garden Writers Association Foundation (GWAF): In spite of the current economic issues in the nation, 3 out of 4 consumers (74%) say better quality, taste and nutrition are the main reasons they expect vegetable and fruit plants will get the most (35%) of their gardening dollars this spring. The traditional leader for "most" gardening dollars spent has been lawn and grass, which dropped to second place (29%) for the first time since 2003.
  - Here's a great new book: *Integrated Landscaping: Following Nature's Lead* by the University of New Hampshire Cooperative Extension, available at [Amazon.com](http://Amazon.com). It features great "model plans" using cultivars selected from native plants and presents the "right plant, right place" method.
  - On a recent *Dr. Phil* program, the subject was a new addiction issue with teens: a type of salvia. It seems to be readily available; the staff of the program were able to secure it on the street of Los Angeles within an hour. How wide ranging is the issue?

*Gordon Stomberg*

*Salvia divinorum* grows in isolated, shaded, moist habitats in the mountain cloud forests of Oaxaca, Mexico; it isn't hardy in our zone. Traditionally used by Mazatec healers, it's said to produce a unique state of "divine inebriation." *Salvia divinorum* is used as a sacred medicine by indigenous shamanic healers.

*Salvia* is being smoked (or chewed) by younger adults and adolescents to induce hallucinations; anywhere from 3% to 7% of some younger populations are thought to have tried it. It is readily available online and at head shops, and there is even plenty of information online on "growing your own." It is not yet covered by the federal Controlled Substances Act, although it is a "drug of concern." However, eleven states have passed legislation prohibiting or regulating its distribution and use. No deaths have been directly attributed to the use of salvia, but it has been a *factor* in a number of fatalities. Judgement is definitely impaired while under its influence.

*Kim Kaulas, Pam Duthie, and Karen Koerth*

# Illinois Landscape Architecture Practice Law Update

## Practice Act Legislation: Good News / Bad news

By Rosalind Reed, APLD

**First the good news:** As of this writing, the ASLA-sponsored Practice Act legislation (HB2636 and SB1711) has been effectively "shelved," i.e., it has died in committees in both the House and the Senate and will probably not be brought to the floor of either body for an up or down vote prior to adjournment at the end of May, 2009. Many of you worked in big and small ways to defeat this legislation and our allies in opposition (APLD, IGIA, ILCA, Illinois Society of Professional Engineers, and AIA Illinois) appreciate your efforts to protect your right to practice, as do the boards of APLD and LDA.

**Now for the bad news:** This battle is not over. The bills can remain on the committees' calendars until the adjournment of this two-year legislative session in January 2011. In addition, the existing Title Act is scheduled to sunset at the end of 2009. The Fall legislative session is the veto session, and the great majority of all bills do not see the light of day during the veto session. However, we can probably expect the current title act to be extended, and new Practice Act legislation introduced in the winter of 2010.

**A little history:** The ASLA initiative to pass a Practice Act in Illinois was first launched in 2005. This is the third time that the bill has been introduced. The Illinois initiative is part of broader national initiative that ASLA has supported throughout the United States. Thus far, ASLA has introduced and passed Practice Act legislation in 44 states, and is actively working in the other six, including Illinois, Maine, Vermont, Washington, Wisconsin and Massachusetts. The laws in each state are all uniquely different. State laws interact in a complex manner with local city, village and county laws. Therefore legislation in any one state may have a completely different effect in Illinois. Nationally, ASLA has about 15,000 members, of which 500 or so are in Illinois, making Illinois one of the largest member states.

ASLA's national initiative has met with varying degrees of success in limiting the right to work of landscape designers. For example, in Nevada, one cannot work as a landscape designer without working under the supervision of a landscape architect. On the other hand, recently passed legislation in Virginia states (and I paraphrase) nothing in the act shall prohibit persons who are not landscape architects from practicing their professions which include all activities currently defined as the work performed by landscape architects. For more information about how this legislation has impacted landscape designers' right to work in various states, contact APLD's Legislative Affairs Chair, Laura Kuhn ([onebirch@comcast.net](mailto:onebirch@comcast.net)).

**What is the purpose of this initiative?** Practice Acts operate by requiring landscape architects to be registered with the state and then define the types of activities that landscape architects perform. These definitions often encompass most of the activities that landscape designers, landscape contractors, nurserymen and garden centers typically perform. The consequence of this legislation is to strictly limit the scope of work and specific tasks that landscape designers are legally allowed to perform. One can therefore reasonably conclude that the primary purpose of a practice act is to limit designers' right to work.

These initiatives are often supported by the argument that laws are needed to guarantee public health, welfare and safety. In fact, the practice of landscape architecture, broadly defined in SB1711 and HB2636 has proceeded without incident in Illinois since the founding of the state. If health, welfare and safety were at issue, we non-LA's would be sued, go out of business, or be unable to purchase insurance. In fact, by law, public health, welfare and safety is often regulated through state and municipal codes and ordinances regarding such matters as permeable surfaces, permissible plant material, lighting ordinances, etc.

Another proffered reason for supporting a practice act is that landscape architects are seeking parity with engineers and architects. ASLA believes that by defining the practice of landscape architecture, and by extension, standards of qualification to be a landscape architect, LA's will be granted status to compete with engineers and architects to design, manage and stamp plans for the landscape portion of public works projects, commercial plazas, highway interchanges, etc., among other goals. In Illinois, ASLA representatives have stated that a practice act will give them status to compete for their portion of public works projects under the control of the Illinois Capital Development Board and IDOT (Illinois Department of Transportation). While existing legislation does not prohibit any duly organized entity from registering to bid on such projects, getting a design contract that involves a landscape element (grading, drainage, plant material, etc.) is unlikely if you are not an engineer or architect. Architects and engineers have historically dominated this segment of the market place. While this matter of access to public works projects is a serious issue for LA's in Illinois, it is not clear that a practice act will change the political realities of access at the Capital Development Board or IDOT.

Finally, Illinois ASLA representatives are understandably under great pressure from their national organization to get a practice act passed. In Illinois, we (designers, contractors, nurserymen and other green industry practitioners) all enjoy excellent professional relationships with landscape architects, and appreciate and support their goal of fair access to public

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projects. However, thus far no green industry organization is willing to limit our right to work to satisfy 500 Illinois ASLA members at the expense of so many.

**Why do LDA, APLD, ILCA and IGIA oppose the HB2636 and SB1711:**

- The practice of landscape architecture has been broadly defined in the proposed bills. In fact, the definition includes every activity currently provided by most green industry professionals. The proposed exemption can therefore offer no legal protection because the day-to-day activities of our practices have already been defined as the practice of landscape architecture. Further, exemptions can be negated without the same legislative procedures of hearings and public comment as the enactment of laws.
- There is not now, nor has there ever been, any threat to public health, welfare and safety from the practice of landscape architecture by unlicensed professionals. Public health, welfare and safety is adequately protected through local ordinances, especially through building codes.
- The penalties for practicing landscape architecture without a license are egregious and include a Class A misdemeanor for the first offense and a Class 4 felony for each subsequent offense. A Class A misdemeanor carries possible sentences of up to one year in jail and is the same charge that could be brought for aggravated assault, or criminal sexual abuse. A Class 4 felony carries a sentence of 1-3 years in jail and fines of up to \$25,000.
- It is unlikely that the issues regarding status and fair competition for jobs for landscape architects from the Capital Development Board and IDOT will be resolved by this legislation. The legislation serves 500 ASLA members (and 1,000 LA's in the entire state) at the expense of so many.

Last, and most importantly, the burdens of this bill will not fall equally among us in the green industry. Minority businesses, and in fact any small business without access to a professional network, will find the burdens of working around any subsequent legislation more onerous than those of us with professional connections through organizations such as LDA and APLD.

**Next steps:** We understand that our colleagues (ILCA, IGIA, ISPE, and AIA) will not oppose the extension of the Title Act, scheduled to sunset at the end of this year. However, we can anticipate that practice act legislation will be re-introduced in January 2010. ASLA's goal is to limit the right to work in all 50 states, and Illinois representatives have stated that they are under substantial pressure to have a bill passed. APLD and LDA both plan to strengthen our alliances with green industry groups who share our perspective, and we encourage each of you to do the same, and inform leaders and membership in those organizations of your concerns. We also need to find ways to encourage the support of small businesses to protect their right to work. It appears that educational institutions have been particularly absent from this debate.

Here are some actions each of us should take in anticipation of a reintroduction of the practice act for the fifth time by ASLA this winter:

- Contact and get to know your state representative and senator and express your concern both as a voter and as a member of a green industry organization.
- If you have time/energy to send just 4 faxes, letters or phone calls, make them to the Senate and House sponsors of any legislation, again as a voter/member of a green industry.
- Keep bills off the floor and in committee by lobbying those committee members in a timely manner. Our outreach in 2008 and 2009 was instrumental in keeping the bills off of both the house and senate floors.

Should you get the 'call to action' from your association that a bill is at up for committee vote or on the floor of either chamber for a vote, it will be critical that you lobby your house/senate representative immediately. Call on your neighbors and fellow industry professionals to do the same.

Working together we are strong. There are many others in the green industry who do not benefit from an association affiliation and may be unaware of such potential infringements on their ability to work. Reprint this article, refer them to our websites ([www.lida.org](http://www.lida.org) and [www.apldmidwest.org](http://www.apldmidwest.org)); and add their names to calls to action.

APLD and LDA both have strategies to keep our memberships well informed of bills' status. Questions, comments and suggestions are always welcome. Feel free to contact the president of your respective association, LDA- Patricia Glicksberg ([pcgrug@Comcast.net](mailto:pcgrug@Comcast.net)) APLD – Rosalind Reed , APLD ([rr@rosalindreed.com](mailto:rr@rosalindreed.com)).

Helpful links:

1. To find your state legislator and contact information for the district office:  
[www.elections.il.gov/DistrictLocator/SelectSearchType.aspx?NavLink=](http://www.elections.il.gov/DistrictLocator/SelectSearchType.aspx?NavLink=)
2. [www.ilga.gov/legislation/](http://www.ilga.gov/legislation/) - type in "SB 1711 or HB2636" at the prompt

## Looking Ahead . . .

June 11 & 12	<b>IAA</b> Summer Conference, Monticello, Illinois.
June 28-July 2	<b>IGIA</b> Summer Conference, St. Louis, Missouri.
July 13-19	<b>APLD</b> Summer Conference, Portland, Oregon.
July 19-24	<b>PPA</b> Symposium, St. Louis, Missouri.
July 24-29	<b>ISA</b> Annual Conference, Providence, Rhode Island.
August 1	<b>LDA</b> Garden Walk; details to follow.
August 9	<b>CBG</b> Steve Marzahl workshop: Design Process: Mystery or Magic? 9 a.m.-3 p.m.
Sept. 7-19	<b>APLD</b> 20 <sup>th</sup> Anniversary Italian Gardens Tour.
Sept. 8	<b>LDA</b> Board Meeting; details to follow.
Sept. 12	<b>LDA</b> Family BBQ at Dean MacMorris's farm near Elgin.
Sept. 26	<b>IAA</b> Illinois Tree Climbing Competition, Cantigny in Wheaton.
Oct. 27 & 28	<b>IAA</b> 27 <sup>TH</sup> Annual Conference & Trade Show, Tinley Park.

### Abbreviations:

LDA Landscape Design Association [www.ldaonline.org](http://www.ldaonline.org)  
AALD American Academy of Landscape Design [www.aaldweb.com](http://www.aaldweb.com)  
CBG *Chicago Botanic Garden* (847) 835-5441 [www.chicagobotanic.org](http://www.chicagobotanic.org)  
APLD *Assoc. of Professional Landscape Designers* (717) 238-9780 [www.apld.org](http://www.apld.org)  
CEG Steve Marzahl/Creative Environments Group [www.creativeenvironmentsgroup.com](http://www.creativeenvironmentsgroup.com)  
ILCA *Illinois Landscape Contractors Association* (630) 472-2851 [www.ilca.net](http://www.ilca.net)  
IGIA *Illinois Green Industry Association* [www.ina-online.org](http://www.ina-online.org)  
LDA *Landscape Design Association* [www.ldaonline.org](http://www.ldaonline.org)  
MA *Morton Arboretum* (630) 719-2468 [www.mortonarb.org](http://www.mortonarb.org)  
MELA *Midwest Ecological Landscaping Association* [www.melaweb.org](http://www.melaweb.org)  
OGA *Ornamental Growers Association* (630) 879-0520 [www.ogaoni.com](http://www.ogaoni.com)  
PPA *Perennial Plant Association* (614) 771-8431 [www.perennialplant.org](http://www.perennialplant.org)  
IAA *Illinois Arborist Association* (877) 617-8887 [www.illinoisarborist.org](http://www.illinoisarborist.org)  
ISA *International Society of Arboriculture* [www.isa-arbor.com](http://www.isa-arbor.com)

*Know of any upcoming events or opportunities that should be included in future calendars?  
Please e-mail **Kim Kaulas** ([kaulas@rcn.com](mailto:kaulas@rcn.com)) with your information.*