



The Family of Orange
County Water Agencies



Turf Removal Program Terms and Conditions

Please carefully read the Instructions, Guidelines, and Terms below.
This Program sponsored by the Municipal Water District of Orange County, the Metropolitan Water District of Southern California, and your local retail water agency

PARTICIPATION INSTRUCTIONS

- **PROJECTS THAT ARE UNDERWAY OR ALREADY COMPLETED PRIOR TO SUBMITTING THE PROGRAM APPLICATION ARE NOT ELIGIBLE.**
- Please complete all sections of the application and return it – along with a copy of your recent water bill and a simple site plan– to the address listed on the front of this application. **All application submittals must include a simple site plan of the area to be removed.**
- After we receive your application and establish eligibility under the guidelines below, you will be contacted within two (2) weeks to schedule the MANDATORY Pre-Inspection. If the information provided does not establish eligibility, your application will be returned with a Denial Letter.
- You must provide the inspectors with full access to the proposed Project site Monday–Friday during daylight hours. Once your Pre-Inspection is complete, the results will be forwarded to the Program staff for review. If your site qualifies for the Program, a Notice to Proceed will be mailed/emailed out to you within 10 business days. Upon receipt of this Notice to Proceed, you may begin your Project. You will have sixty (60) days from the date of the Notice to complete the work.
- As soon as all work is complete, you must contact the Program Administrator via e-mail at SRamirez@mwdoc.com to indicate that the work is completed. The Program Administrator will then make arrangements to schedule your MANDATORY Post-Turf Removal Site Inspection (Post-Inspection) to verify the amount of turf removed. You must again provide the inspectors with full access to the Project site Monday–Friday during daylight hours. You must submit to the inspector copies of all invoices and/or receipts showing any costs incurred during the Project. **Costs include materials, dumping fees, design work, and labor. Labor costs will be reimbursed if, and only if, a licensed contractor was hired. If you perform the turf removal work yourself, labor costs will not be considered as part of your overall project costs. Rebate amount is not to exceed overall project cost.**
- After the Post-Inspection has been completed, your rebate check will be mailed to you within ten (10) weeks.
- All work performed in association with this Project, including performing of the Post-Inspection, must be completed within 60 days from the date of the Notice to Proceed. Upon completion, the converted area must meet the following minimum requirements:
 - The removal area does not include any live turf.
 - The watering system, if any, must be a low flow system (drip, bubblers, high efficiency, low precipitation rotating nozzles). If part of a lawn is converted, the sprinkler system must be properly modified to provide adequate coverage to the remaining lawn without spraying the converted area.
 - All exposed soil must be covered with a 2-3" layer of mulch, except in areas planted with creeping or rooting groundcovers. Acceptable mulch includes compost, bark, wood chip, decomposed granite, and river rock
 - Converted areas must be permeable to air and water. A permeability test will be performed at the site. Weed barriers must be permeable. Concrete, plastic sheeting, or other impermeable surfaces do not qualify for incentives under the Program. Grout and/or mortar are not considered permeable and will disqualify the site from the rebate program if installed.
 - No invasive plant species are used. Visit the California Invasive Plant Council at <http://www.cal-ipc.org/> for a list of plants to avoid.
- MWDOC, your retail water agency and/or their representative must be allowed to take photos of landscapes prior to, during, and after being renovated through this Turf Removal Program and to use those photos for reproduction or promotional purposes.
- By signing this application, you are authorizing your retail water agency to release your water consumption history and data.
- All potential participants should review the following Eligibility Guidelines, Program Terms, and Disclaimer:

ELIGIBILITY GUIDELINES

- Rebates are available for residential and small commercial properties that have received a Pre-Inspection, a Notice to Proceed, and a Post-Inspection. **Projects that are underway or already completed prior to submitting a program application are not eligible.**
- The property must receive water service from a participating retail water agency.
- Areas to be converted must have well maintained, live turf (free of weeds and patches of exposed soil) and must be irrigated with potable water at the time the Pre-Inspection is performed. Commercial sites irrigated with recycled water will be considered on a case-by-case basis.
- All turf removal conversions, including historic sites, are subject to the terms of their local agency's landscape ordinance and must comply with all applicable Federal, State and local laws, as well as applicable CC&Rs and/or HOA restrictions.
- Since funding is limited, this **OFFER IS LIMITED AND IS AVAILABLE ON A FIRST-COME, FIRST-SERVED BASIS** to eligible participants only while funding lasts.
- **IN ORDER FOR THE REBATE TO BE ISSUED TO YOU, ALL PROGRAM REQUIREMENTS MUST BE MET, INCLUDING PERFORMING YOUR POST-INSPECTION, PRIOR TO THE EXPIRATION OF THE 60-DAY NOTICE TO PROCEED.**

PROGRAM TERMS

- Only one Turf Removal rebate per address will be issued. Please apply for the maximum area you plan to convert. Maximum rebate paid will not exceed the cost of the project as stated above.
- A minimum of 250 square feet of turf must be removed. Projects less than 250 sq. ft. may qualify if they will completely eliminate turf from a property.
- Notices to Proceed are valid for sixty (60) days. Projects must be completed and the Post-Inspection scheduled prior to the Notice expiring.
- Rebates may be considered taxable income and a signed W-9 form is required for rebates of \$600 or more. Municipal Water District of Orange County, Metropolitan Water District of Southern California, and your local retail water agency are not responsible for any taxes, penalties or interest that may be imposed in connection with your receipt of any rebate.
- Converted areas are subject to mandatory Pre- and Post-Inspections. If the Pre- and/or Post-Inspections cannot be scheduled and completed during the Program term, no rebate will be issued.
- The converted area must remain in compliance with all Program conditions for a period of five (5) years. If this requirement is violated, you may be required to refund all or a portion of the rebate. This requirement to maintain Program conditions is not binding on successor owners.

RELEASE OF CLAIMS AND INDEMNIFICATION

Neither the Municipal Water District of Orange County, the Metropolitan Water District of Southern California, your retail water agency, or their contractors or agents makes any representation or warranty regarding the contracted services or products that you may select for your Project under this Program. Removal of turf and installation of water efficient devices and plants does not guarantee reduced water use. By participating in the Program and accepting the rebates provided, you hereby release the Municipal Water District of Orange County, the Metropolitan Water District of Southern California, your retail water agency, and their contractors and agents from any and all claims and causes of action that may arise out of your removal of turf from your property and/or the purchase, installation, and/or use of water efficient devices in connection with this Turf Removal Program. Any and all claims or causes of action you may have in connection with any defect or failure of performance of any contracted service or installed product or device provided to you for your Project may only be pursued with the contractor you hired or the appropriate manufacturer/distributor. The Municipal Water District of Orange County, the Metropolitan Water District of Southern California, and your retail water agency are responsible for operating and enforcing the terms and conditions of the Turf Removal Program. You, as the Program participant, are responsible for ensuring that your Project complies with all applicable Federal, State and local laws, as well as applicable CC&Rs and/or HOA restrictions. Quality of work and appearance of the converted area are the responsibility of the participant. Further, you agree to indemnify, defend and hold harmless the Municipal Water District of Orange County, the Metropolitan Water District of Southern California, your retail water agency, and their directors, officers, employees, contractors and agents from all liability and claims of any kind arising out of or related to your removal of turf and purchase, installation, and use of water efficient devices in connection with this Program.