

Applicant Name: _____ Project Address: _____

Terms and Conditions

Before you complete the application for this program you must read, understand, and accept the Lawn Replacement Program's Terms and Conditions listed below, the Process Guidelines and the Design Requirements. The following are the Terms and Conditions of the Santa Clarita Valley Water Agency (SCV Water) Lawn Replacement Incentive program.

General

- Any reference to "SCV Family of Water Suppliers" refers to the Santa Clarita Valley Family of Water Suppliers, which is comprised of Santa Clarita Valley Water Agency (formerly Castaic Lake Water Agency, Newhall County Water District, Santa Clarita Water Division and Valencia Water Company), Los Angeles County Waterworks District #36, and the City of Santa Clarita. Together, they work to promote the efficient use of water and fund programs to reduce per capita water use in our Valley.
- Only one application may be approved per water account.
- "Property Owner" is the owner of the property (the lawn) that would be re-landscaped by utilizing the Lawn Replacement Incentive Program, or in the case when the property is owned by a corporation, "Property Owner" shall be the individual legally acting on behalf of the owner of the property. SCV Water reserves the right to verify property ownership.
- If a lawn replacement incentive payment is eventually made by a retail water provider instead of SCV Water, it can only be made payable to Property Owner.
- The Property Owner
 - must submit the Lawn Replacement Incentive Program application on-line.
 - will receive two dollars (\$2.00) per square foot for lawn replaced in accordance with the Terms and Conditions, Process Guidelines and Design Requirements.
 - has sole responsibility for any and all tax consequences resulting from Property Owner receiving the lawn replacement payment, and will be issued a 1099 at the end of the year in which the incentive payment was issued if the incentive payment is \$600.00 or more. This is a taxable incentive program, not a rebate.
 - has sole responsibility for complying with all applicable laws, permits, ordinances, codes, policies, covenants, and conditions that may apply to the removal or installation of grass in connection with the lawn removal/landscape conversion project, including but not limited to those of an homeowner association, the City of Santa Clarita, and/or Los Angeles County.
 - assumes sole responsibility for the quality, appearance, and maintenance of the Lawn Replacement Incentive Program landscape.
 - shall make the property available for (1) SCV Water and its agents, including the SVC Family of Water Suppliers, to verify compliance with the Lawn Replacement Incentive Program, including but not limited to the condition of the landscape prior to and after the lawn replacement installation, the size (in square-feet) of the lawn replacement landscape area, the type and efficiency of the new irrigation system; and (2) for SCV Water, and its agents, including the SCV Family of Water Suppliers, to exercise its rights under the Lawn Replacement Incentive Program to use the design, description and before-and after-photos and videos of the lawn replacement landscaped area for the purpose of promoting drought tolerant landscapes.
 - A pre- and post-inspection of the Property to ensure compliance with the terms of this agreement is a prerequisite to a Property Owner receiving any Lawn Replacement Incentive Program payment.

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- as a condition of receiving the incentive payment, must sign and submit to SCV Water a paper copy of the Terms and Conditions within two (2) weeks of submitting the application for approval.
- waives, releases, relinquishes and discharges SCV Water, its officials, employees, and its agents, including the SCV Family of Water Suppliers, from any and all liability, loss, claims, demands, causes of action, and damages in any way arising out of Property Owner's participation in the Lawn Replacement Incentive Program, including anything in connection with a pre- or post-inspection of Property Owner's property.
- Property Owner acknowledges that the Lawn Replacement Incentive Program is a voluntary program, and that any decisions that the Property Owner makes about participating, including the choice of 3rd party vendor if desired, is completely the Property Owner's decision and is in no way connected to SCV Water. Property Owner further acknowledges that SCV Water is in no way responsible for any actions of third party contractors, or for any products that such third party contractors may provide to Property Owner, and offers no guarantees or warranties for such, to receive a financial incentive pursuant to the Lawn Replacement Incentive Program. Property Owner further acknowledges that any interactions, arrangements, or agreements between Property Owner and a third party in connection with meeting the requirements of the Lawn Replacement Incentive Program, as well as any disputes or disagreements regarding anything, including any products provided by such third party, are completely independent from SCV Water and Property Owner has no cause of action in connection with such against SCV Water.
- Any application containing inaccurate or misleading information will be disqualified from the Lawn Replacement Incentive Program and any and all commitments made by SCV Water related to that application, including commitments to make Lawn Replacement Incentive Program payments, shall be automatically rescinded and rendered null and void.
- Applications that intend to count existing plant material towards the 50% plant coverage requirement must use drip irrigation (or convert to drip irrigation during the project).
- "Re-landscaped Area" refers to that part of the landscape, in square feet, which qualifies for and for which SCV Water will pay the lawn replacement incentive of \$2.00 per square foot. The re-landscaped area
 - only includes areas covered by living turf grass; the grass must be living when the landscape design is approved. **(Do not kill your lawn until you have been informed that your landscape design has qualified for the program by SCV Water)**. Pre-existing projects are not eligible for the Lawn Replacement Incentive Program.
 - must be on a property whose water service is provided by SCV Family of Water Suppliers.
 - must be greater than 250 square feet and no greater than 2,500 square feet (actual re-landscaped area may be larger than 2,500 square feet, but only the first 2,500 square feet are eligible for the Lawn Replacement Incentive Program).
 - must have 50% plant coverage at maturity (approximately two years).
 - must have a plan to remove all of the grass in the front yard or parkway (no grass may be left within front yard).
 - may only include the front yard and parkways.
 - must be re-landscaped based on a design approved (qualified) by SCV Water or its agents, which includes the SCV Family of Water Suppliers, which approval will be based on the "Design Requirements" document.
 - may not contain artificial turf in the area eligible for a Lawn Replacement Incentive Program payment.

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If, in its sole discretion, SCV Water finds the re-landscaped area has been altered significantly from the approved design (for example: if turf grass is reintroduced within five years), Property Owner, if he/she has not sold the property by that time, shall reimburse SCV Water for the Lawn Replacement Incentive Program payment.

- Applications will be reviewed in the order they are received.
- In order for an application to be approved and for incentive payment to be made, the owner of the water account irrigating the lawn replacement re-landscaped area must stay current on its water utility bill provided by one of the SCV Family of Water Suppliers from the time of the application through the lawn replacement incentive payment and cannot be in violation of any SCV Family of Water Suppliers' water-use prohibitions in effect during that period.
- The Lawn Replacement Incentive Program, the Terms and Conditions set forth herein, the Process Guidelines, and the Design Requirements are subject to change without notice.
- The SCV Family of Water Suppliers shall have the right to use the design, description and before-and after-photos and videos of the lawn replacement landscaped area for the purpose of promoting drought tolerant landscapes. This promotion could be in the form of videos, print, web, or other venues.
- SCV Water shall have sole authority to resolve all disputes related to the Lawn Replacement Incentive Program, approval of applications, approval of landscape designs, and all other related matters relevant to the Lawn Replacement Incentive Program.
- SCV Water shall not be obligated to make, and will not make, lawn replacement incentive payments for that part of the approved square footage, when the size of the actual landscape installed is less than that approved amount and/or when some or all of the landscape actually installed differs, as determined by SCV Water in its sole discretion, from the approved design. To be clear, SCV Water shall only pay for the square footage of the landscape actually installed that is in compliance with the approved design, up to the maximum amount of square feet approved in the application.

Statement of Property Owner (included on the application)

I, the individual named as "Property Owner" listed, above, certify that

- I am the owner of the "Lawn" listed above as the project address; and
- I have read, understand and agree to the Lawn Replacement Incentive Program's
 - Terms and Conditions;
 - Process Guidelines;
 - Design Requirements; and
- I agree to waive, release, relinquish and discharge SCV Water, its officials, employees, and agents, including the SCV Family of Water Suppliers, from all liability, loss, claims, demands, causes of action, and damage arising out of my participation in the Lawn Replacement Incentive Program; and
- I give SCV Water and its agents, including the SCV Family of Water Suppliers, the right to use the design, description and before-and after-photos and videos of the lawn replacement landscaped area for the purpose of promoting drought tolerant landscapes. This promotion could be in the form of videos, print, web, or other venues; and
- The information on this application is true and correct.

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Signature: _____

Mail signed copy to

Santa Clarita Valley Water Agency
Attention Lawn Replacement Program
27234 Bouquet Canyon Road
Santa Clarita, CA 91350-2173