

Terms and Conditions

Using water efficiently is a way of life in San Diego County and an important responsibility that comes with living in the beautiful Mediterranean climate that we enjoy. The Sustainable Landscapes Program is offering an incentive of up to \$1.75 per square foot to customers within the San Diego County Water Authority's service area. The Water Authority's service area includes the areas served by its 24 retail water agencies. To see an agency map or determine if your address is within this area, visit www.sdcwa.org/member-agencies. The incentive is available to eligible participants who replace existing, water-intensive turf grass with alternative, water-efficient landscaping, and incorporate sustainable landscape practices. Limited funding is available from a state grant, and distributed on a first-come, first-served basis until funds are exhausted. **Projects that have already started or have been completed are not eligible for participation in this Program.**

Participation in the Program is initiated by submitting an online Incentive Reservation Form and a Payment Request Application form once the project has been completed. Before completing the applications for this Program, you must read, understand, and accept the Program's Terms and Conditions listed below. You may also request a copy by calling 866-648-2925 or by sending an email to sdcwa@waterwise-consulting.com.

TERMS AND CONDITIONS

Participant agrees to be bound by the following terms and conditions:

Incentive: An Incentive Reservation application and support documentation are required to be pre-qualified for an incentive. Only one Program incentive per site address will be issued.

Project: Sustainable landscape project within a residential site, as proposed by Participant meeting Program qualifications.

Participant: All rate payers named on a water account, in good standing with a Water Authority retail water agency, may be eligible to apply. "In good standing" means the water account holder does not have any outstanding bill payments with their retail water agency and is not in violation of any water-use prohibitions. Water Authority reserves the right to verify if Participant is in good standing with its retail water agency. Participant has sole responsibility for complying with all applicable laws, permits, ordinances, codes, policies, covenants, conditions, and restrictions that may apply to performance of the Project. If Participant is not the owner of the real property, then a Project authorization will also be required from the property owner before the Water Authority approves the incentive reservation application.

Project Area: Refers to that part of the landscape, in square feet, which qualifies for and for which Water Authority may pay the incentive of up to \$1.75 per square foot. The Project Area:

- Only includes areas currently covered by existing turf grass; the turf grass area must have verifiable and recognizable established turf at the time when the incentive reservation application is approved and at the time of the pre-conversion site inspection. (APPLICANTS PLEASE NOTE: Do **not** remove your turf grass until a pre-conversion site inspection has been conducted and your incentive reservation application has been approved by Water Authority.)
- Must be on a property within Water Authority's service area.
- Must be between 500 square feet and 3,000 square feet.

- Actual Project Area may be larger than 3,000 square feet, but only the first 3,000 square feet are eligible for the incentive.
- Multiple applications submitted over time may be accepted for a property so long as the total square footage of the combined previous and current project areas do not exceed 3,000 square feet and the new Project area meets all the other SLP requirements.
- May include the front, side and back yard; other landscaped areas, such as areas with existing shrubs or other plants, and parkways (sidewalk strips), are not eligible.
- Must have an existing in-ground, operable irrigation system where the existing turf area is irrigated with potable water. Areas irrigated with recycled or well water are not eligible.
- Must be maintained and remain in compliance with all Program conditions for at least five (5) years or for the duration of ownership of property; whichever is greater. During the five-year period, the Project Area shall be available for future inspections and monitoring by the Water Authority. Failure to meet this condition may require Participant to refund all or portion of the incentive.

Water Authority: Refers to the San Diego County Water Authority, its member agencies and Program contractors, and the Sustainable Landscape Program partners (Association of Compost Producers, California American Water Company, City of San Diego, County of San Diego, and Surfrider Foundation).

No Warranty and Waiver of Claims: The Water Authority makes no representation or warranty relating to products or contracted services that may be installed in re-landscaped areas, including any hazardous substances that may be contained in products. Replacement of turf and installation of water efficient devices do not guarantee reduced water use or a lower water bill. The scope of the Program is limited to providing financial incentives for landscape upgrades while funding is available. By participating in the Program, Participant waives and releases the Water Authority from any and all claims and causes of action arising out of the replacement of turf and/or purchase, installation or use of the devices and materials purchased in connection with this Program. Any claims by Participants based upon any defect or performance failure by a device or materials should be pursued with the manufacturer/distributor or installation contractor.

Notices: Participant shall obtain prior written authorization from Water Authority before beginning Project implementation. Prior to starting the Project, a pre-conversion site inspection is required for all Projects, and completed Projects are also subject to post-conversion site inspections. Participant shall provide timely notice of Project completion in order to accommodate review by the Water Authority and the scheduling of any necessary site inspections.

Schedule: Participant agrees to complete Project installation within 120 days of approval of incentive reservation application and to accommodate the Water Authority's inspection of the site, or Participant may risk forfeiting the Program's incentive. Project extensions may be given by the Water Authority in writing on a case-by-case basis. Incentive reservations are valid for 120 days. Projects must be completed and the Incentive Request (Part 2 of the application form) submitted prior to the reservation expiring. Participant understands it may take approximately 8 – 10 weeks to receive an incentive after submitting an online incentive (rebate) request application and all Project documentation has been deemed complete.

Compensation: The Program provides up to \$1.75 per square foot of eligible landscape area up to a maximum of 3,000 square feet for residential sites with up to four dwelling units served by a single water meter. Incentive will be paid to Participant upon successful completion of the Project (including submittal of any required documentation), as determined in the sole judgment of the Water Authority.

Income Tax Liability: APPLICANTS PLEASE NOTE: Incentives may be considered taxable income. Any applicable taxes are the sole responsibility of the Participant. If your rebate amount is \$600 or more you will receive a 1099-MISC form to comply with Internal Revenue Service requirements. You are recommended to contact your tax professional to seek advice regarding any potential tax liability that may arise from participation in the Program.

Cost Data: Participant must submit original (clear scanned copies of the original receipts/invoices may be acceptable) itemized, paid sales receipts and invoices for Project costs, including design services and materials to the Water Authority. The receipts/invoices must include vendor and/or company name, vendor telephone number, purchase date, date of services, itemized list of products purchased, and description of services rendered. **Labor costs are NOT eligible for reimbursement.**

Eligible Project Costs	Non-Eligible Project Costs
<ul style="list-style-type: none"> • Plant material (very low to moderate water use plants and trees) • Mulch, rocks, gravel, sand • Compost, soil amendment • Weed killer (natural methods recommended) • Weed barrier (only recommended in non-planted areas) • Irrigation materials • Rain Barrels/Cisterns • Rain Chains (non-copper) • Equipment rental • Delivery Fees • Design Costs (up to \$500) • Disposal fees (yard waste) • Stepping stones (non-mortared) • Rainwater redirect materials • Project area drainage materials • Retaining wall materials (project area only, must be permeable to air and water). 	<ul style="list-style-type: none"> • Labor costs • Artificial/synthetic turf • Turf-looking grasses (even drought-tolerant species) • Rubber and other non-organic mulch • Lighting • Tools • Fencing • Furniture and decorative items • High water use plants (as classified in California Invasive Plant Council's Plant Inventory List) • Invasive plant species as listed on the California Invasive Plant Council's Plant Inventory List • Impermeable surfaces (i.e. asphalt, concrete) • Water features (i.e. decorative recreational cascading fountains) • Graywater systems • Deck materials • Rain gutters & downspouts • Swimming pools and spas

Performance Tracking: Participant certifies that he/she is the water service account holder of record and grants permission to the Water Authority to obtain and share water service usage records, from three years prior to the Project to ten years after Project implementation for Project research and promotional purposes. APPLICANTS PLEASE NOTE: By applying for an incentive in this program, information listed on your application may be subject to public disclosure pursuant to the California Public Records Act.

Publicity Release: Participant hereby grants the Water Authority all rights necessary to publish, disseminate, and promote the Program using Project-specific pictures, video, landscape plans, cost and water use data, and other information. Participant agrees that the Water Authority may use the Project address or photos/images of the Project in Program-related advertising, publicity, and promotion through various media (videos, print, web, and other) in perpetuity. APPLICANTS PLEASE NOTE: By applying for an incentive in this program, information listed on your application may be subject to public disclosure pursuant to the California Public Records Act.

Signage: Participant consents to allow, in compliance with local laws, Water Authority to post Program-related signage and promotional material on-site, including callout tags for plants and irrigation equipment, general signage to identify site as a Program Participant, and related appurtenances for the distribution of Program leaflets for one year after Project completion.

Site Access: Participant shall permit Water Authority to access to the Project site upon reasonable notice at a mutually agreeable time. This Project site access may be utilized to: (1) verify compliance with the Program, including the condition of the landscape prior to and after the Project installation, the square footage of the Program landscape area, the efficiency of the new irrigation system, and verify conformance with the Program prior to final payment by Water Authority; and (2) exercise the Water Authority's rights under the "signage" paragraph above.

Verification: Completed Project is subject to inspection. Participants will forfeit Program incentives if they do not to provide site access to the inspector in a timely manner or if the Participant fails to resolve any significant compliance issues noted as a result of the inspection.

At Risk Funding: This program is made possible by limited grant funding from the California Department of Water Resources, and is subject to change without notice. While it is projected that financial incentives for each authorized Project will be fulfilled, Participant understands that Program funding is subject to termination without notice, and that Incentive Reservation and Incentive Request Application acceptance by the Water Authority does not ensure incentive funding will be available at the time of Project completion. Participant accepts full and exclusive responsibility for any costs related to the Project, without recourse to the Water Authority. Participants assume all risk and liability for their Projects.

This Program and the Terms and Conditions set forth herein, and the Program Requirements, are subject to change without notice.