



# Lawn to Garden

## Terms and Conditions

*The Lawn to Garden Rebate Program provides rebates to Diablo Water District (DWD) customers as an incentive to convert water-thirsty lawns to water-efficient landscapes. Funding is limited and applications will be accepted on a first-come, first-served basis. DWD reserves the right to terminate this program at any time, for any reason.*

The following terms and conditions apply to the Lawn to Garden Rebate Program. **Please read carefully prior to submission of your application.**

### I. Pre-Conversion Eligibility

- A. Program is NOT retroactive. Projects underway or completed prior to receiving a DWD *Notice to Proceed* are not eligible.
- B. The program is available to residential and commercial customers who receive water for their landscape through a metered service with Diablo Water District. The applicant's water account must be in good standing.
- C. Lawn areas proposed to be converted must be currently irrigated maintained. Brown lawns due to drought-related watering reductions will also be accepted. However, bare dirt or seasonal weed areas that show no signs of the presence of a lawn do not qualify.
- D. A minimum of 300 square feet of lawn must be converted. Smaller projects will be considered if 100% of the lawn at the property is being removed.
- E. The Rebate Application must be submitted to DWD and the site must be inspected by DWD prior to the removal of any lawn or sprinklers. Conversions that are initiated prior to DWD's approval are ineligible. *Note: if you have let your lawn die due to drought, please contact us prior to application.*

### II. Landscaping requirements for Converted Areas

- A. Fifty Percent (50%) Plant Cover: The converted area must include a sufficient number of plants, planted in the ground, to ensure at least 50% of the converted area is covered with plants when the plants are fully grown. Tree canopy and plants outside the converted area are not considered in the calculation, even if they are adjacent to or overhanging the converted area.
- B. Plants: Plants must be low water needing and adaptable to our local climate. Plants must be listed on the DWD Approved Plant List. Plants not found on this list will be reviewed on a case-by-case basis.
- C. Concrete: Concrete and other non-permeable surfaces may be used **but cannot make up more than 20%** of the total area to be rebated. Note, the 50% plant cover

requirement still applies to the entire area. Therefore, more plants will be needed in the remaining area.

- D. Artificial turf, rubber mulch, and plastic sheeting are not eligible for this rebate and cannot be included in the area approved for conversion. Patio carpet and other “Astroturf” type products are also ineligible.
- E. Mulch: All planting areas must have a minimum of two (2) inches of mulch. Note: if a weed barrier is used below the mulch, it must be permeable to air and water.
- F. Efficient Irrigation: The existing lawn sprinkler heads in the converted area must be removed. Any lawn areas remaining outside the converted area must be irrigated separately from the new landscape. Participants have two options for irrigating their new landscape:
  - i. The District encourages participants to install a new drip irrigation system equipped with a pressure regulator, filter and pressure compensating emitters. Drip is the most efficient way to irrigate plants, trees, and shrubs.
  - ii. Participants can choose to hand-water their new landscape and not install a drip system. However, this is not encouraged as it is more difficult to establish plants and maintain uniform moisture, as well as generally uses more water.

### III. Terms of the Rebate

- A. Term: Conversions must be completed within six (6) months following receipt of the *Notice to Proceed* from DWD. To ensure water savings are achieved, the converted area must remain in compliance with the program terms and conditions for a period of five (5) years following receipt of the rebate. At DWD’s discretion, non-compliance may result in a charge to applicant for all or part of the area under violation.
- B. Rebate Amounts: The rebate is \$1.00 per square foot of grass converted. The maximum rebate is \$2,000 for single-family residential sites, and \$20,000 for multi-family, commercial and institutional sites. Rebates will be issued to the water customer or to that customer’s legally appointed representative.
- C. Tax Implications: The IRS requires DWD to issue 1099 forms to individuals and companies that receive \$600 or more in rebates in a calendar year. Therefore, DWD requires program participants that are approved to receive \$600 or more in rebates in a calendar year to complete an IRS W-9 form and submit it to DWD prior to receiving their rebate. Legislation is currently stalled in Congress to treat water conservation rebates the same as they do the tax-free energy efficiency rebates, and we will update this page if this tax change becomes law.
- D. Applying for Program: Customers interested in participating should visit our website at [www.diablowater.org](http://www.diablowater.org) to learn more about the program and submit an application. Please read the *Terms and Conditions* and the *Frequently Asked Questions* before submitting an application. **Do not start working on the project until you have received your Notice to Proceed letter.**

- E. Application Review: The District will review the application to determine if the site is eligible and confirm the square footage of the lawn area(s).
- F. Pre-Project Inspection: As part of the review process, the District may conduct a pre-project inspection at the project site. During the inspection, a DWD employee may take photos of the project site, measure existing front yard lawn areas, and check for existing lawn sprinklers. Customers may need to be present for the inspection which will be scheduled during normal business hours.
- G. Eligibility: If the site is eligible, DWD will send a *Notice to Proceed* letter to the customer. Customers may then remove the lawn and install the project according to the *Program Terms and Conditions*.
- H. Finished Project Review: It is the customer's responsibility to notify DWD when their project is complete and ready for a *Finished Project Review*. When finished with the conversion, the customer should visit <https://diablowater.org/ltg-post/> to request a review of their finished project. Customers will need to answer a series of questions about their project as well as upload requested photos. DWD will review the project to verify it was completed according to the *Program Terms and Conditions* and determine the final rebate amount. If the conversion fails the *Finished Project Review*, the applicant will be given sixty (60) days, or the remainder of the six (6) month period, whichever is greater, to bring the project into compliance.
- I. Post-Project Inspection: As part of the *Finished Project Review*, DWD may conduct a post-project inspection at the project site. As part of the inspection, a DWD employee may take photos and measurements of the project and verify it was completed according to the *Program Terms and Conditions*. Customers may need to be present for the inspection which will be scheduled during normal business hours.
- J. Finished Project Approval: If the Finished Project is approved, the customer will be mailed a rebate check.
- K. Additional Responsibilities of the Applicant: DWD enforces only the terms and conditions of this agreement. The applicant is solely responsible for complying with any and all laws, regulations, policies, conditions, covenants and restrictions that may apply, and for any and all liabilities arising from a conversion project. Applicants must comply with all local permitting requirements, and with all state and local laws relating to landscape maintenance.