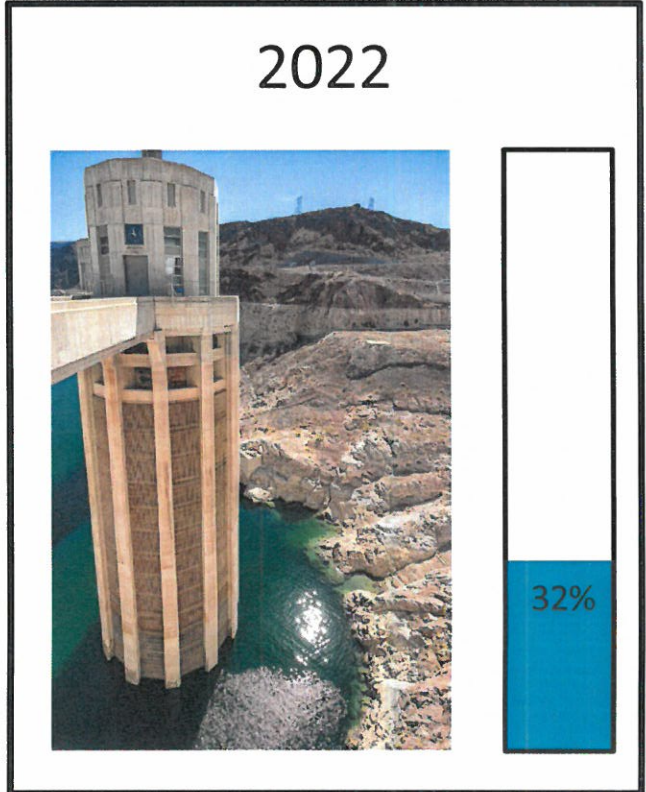
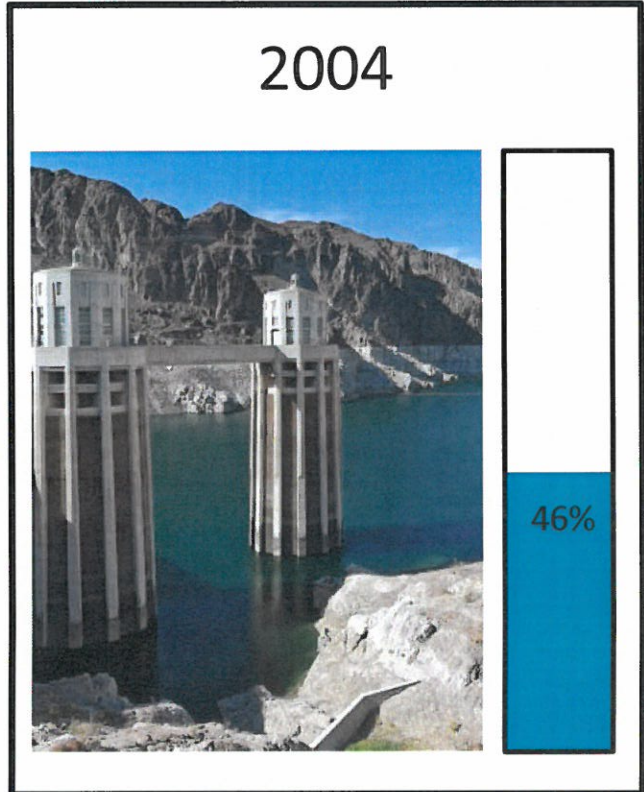
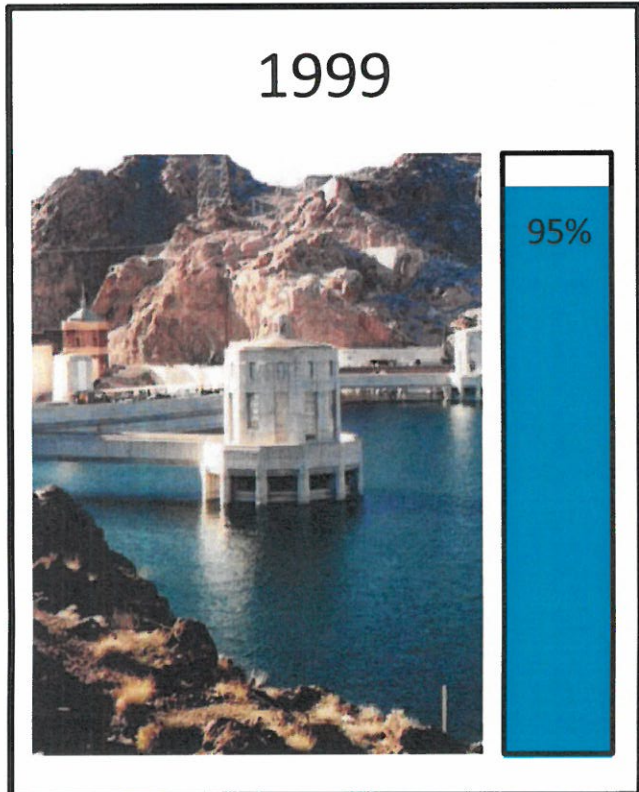




AB 356 & YOU

A guide for community association and property managers

Southern Nevada relies on Colorado River resources to meet 90 percent of its demands. The aridification of the West has been impacting Lake Mead since the early 2000s.

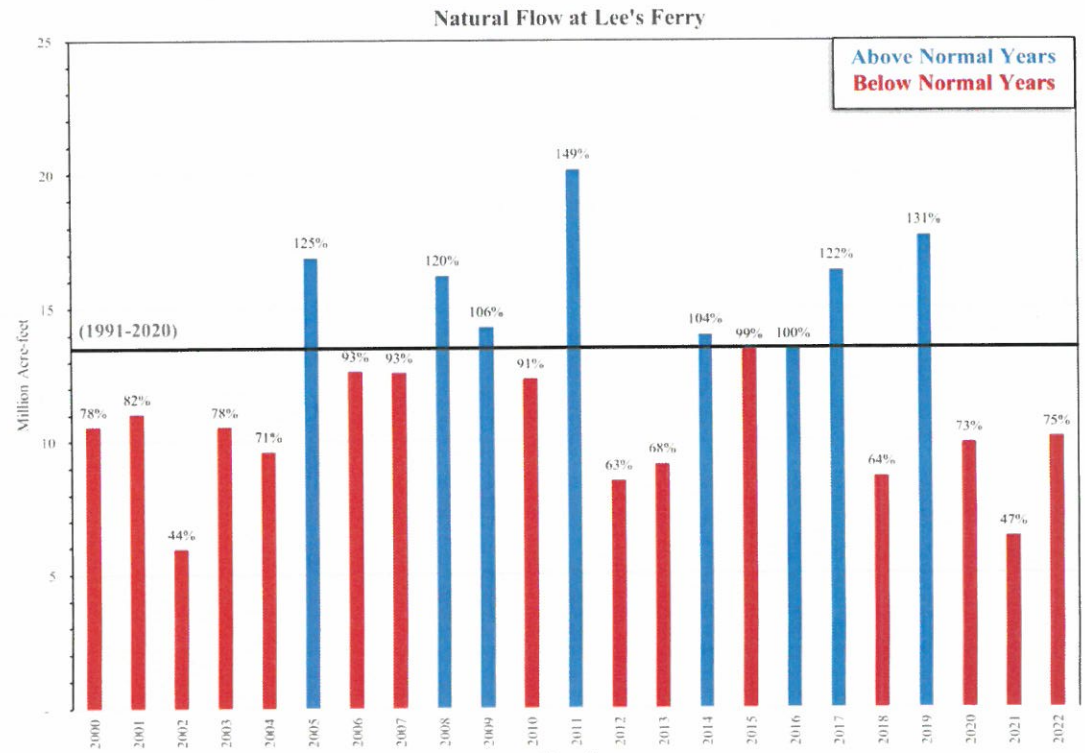


Our water supply is changing, and not for the better.

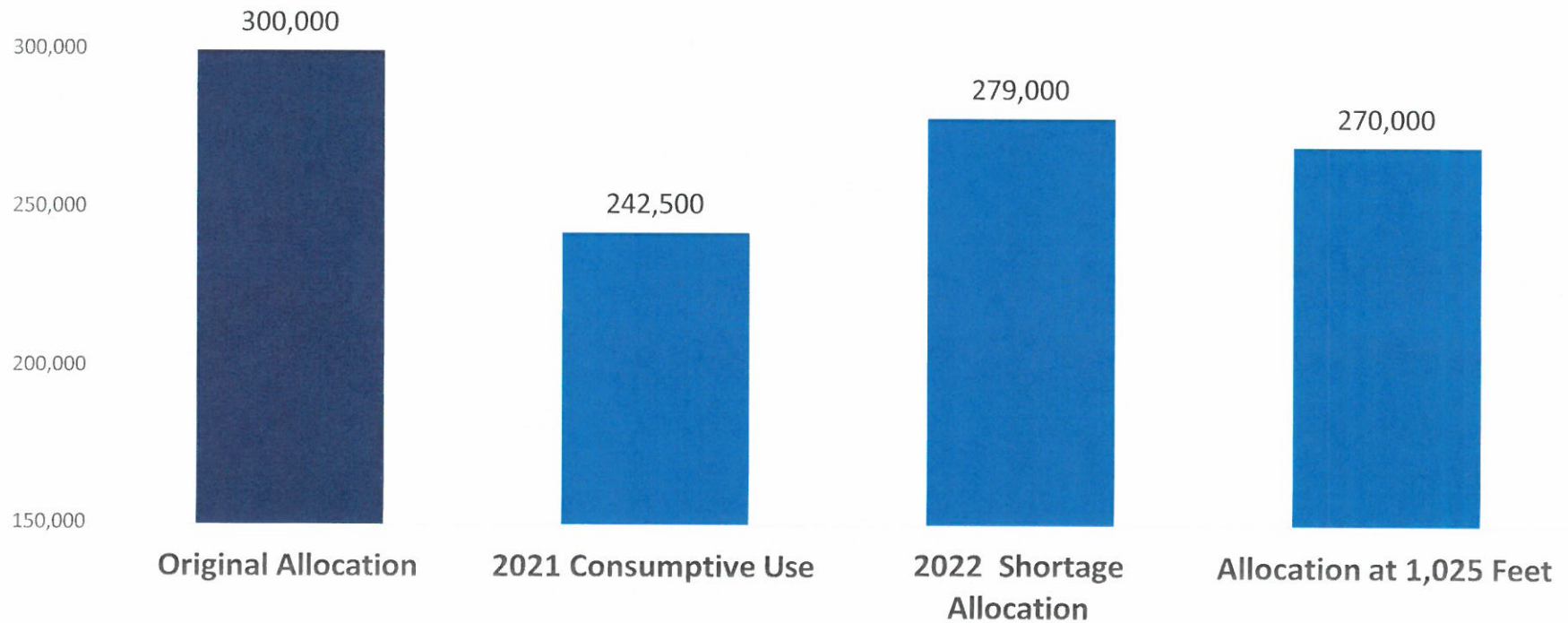
Annual inflows have been significantly below average over the last two decades.

Elevations will almost certainly continue to decline.

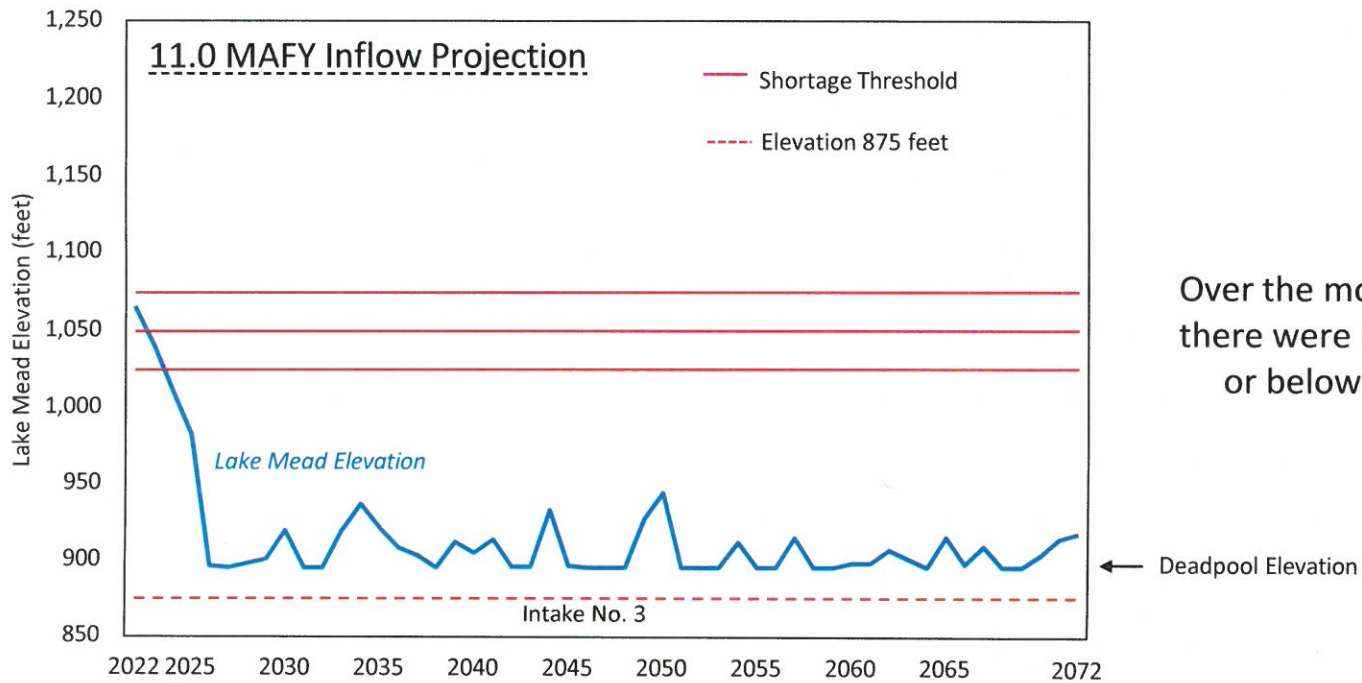
Nevada's allotment of Colorado River water decreases as conditions worsen.



The first stage of shortage alone eliminated more than a third of Southern Nevada’s remaining unused Colorado River water allocation, and there are almost certainly more to come.



The hydrology scenarios contemplated within SNWA's 2022 Water Resource Plan are the lowest ever considered in local planning efforts.



Over the most recent 22-year period, there were nine years with inflows at or below 11.0 million acre-feet.

Lake Mead faces a 35% risk of falling below 1,000 feet by 2026. At that elevation:

- The lake is at 17 percent of capacity
- Two of SNWA's three intakes are inoperable
- Hoover Dam is unable to release water to Arizona, California or Mexico
- Hoover Dam is unable to generate hydropower
- **Nevada's allocation is further reduced by an unknown quantity**



**Southern Nevada has made remarkable progress since 2002,
serving far more people with far less water.**

Southern Nevada
POPULATION



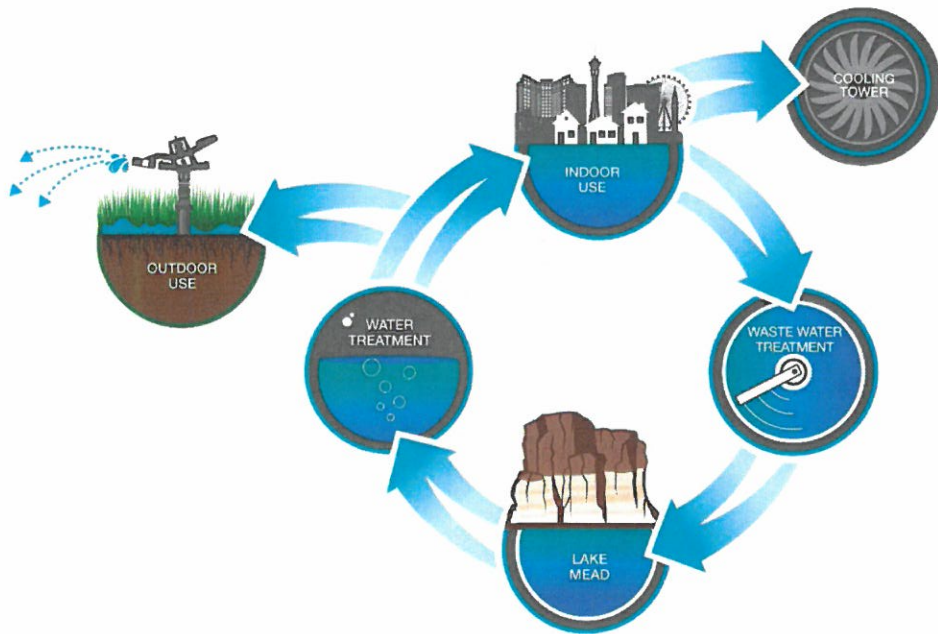
Per Capita
WATER USE



Colorado River Water
CONSUMPTION



The ability to reuse indoor water is the key to Southern Nevada's conservation success



More than **99 percent** of water used indoors is captured and recovered.

Outdoor water—primarily for landscape irrigation and large-scale evaporative cooling—can be used **only once**.

This outdoor water, which cannot be recaptured, represents nearly two-thirds of Southern Nevada's usage.



Grass requires *four times* more water
-- **55 more gallons per square foot** –
than drip-irrigated landscaping per year.



73

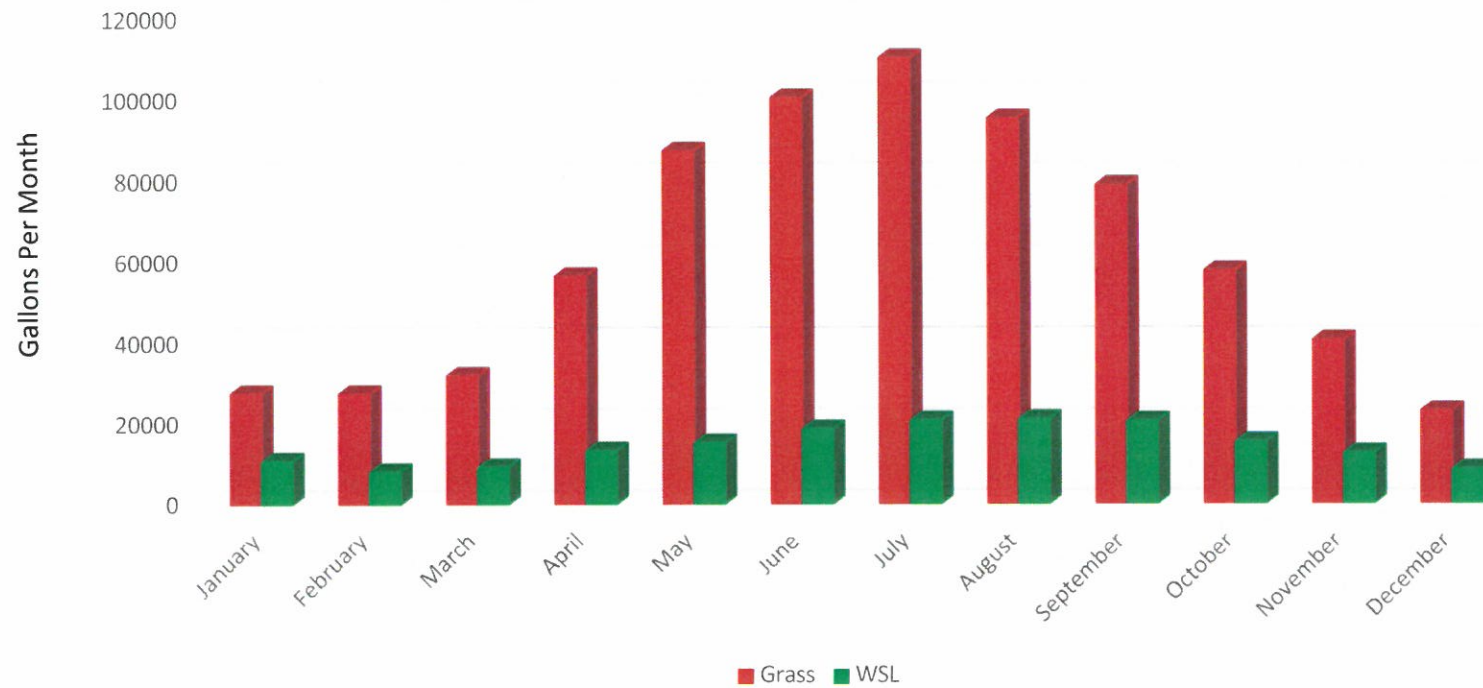
Gallons of water
per square foot
per year



17

Gallons of water
per square foot
per year

Drip-irrigated landscapes help avoid higher water price tiers.



Projected use based upon 10,000 square feet of landscaped area

The SNWA has spent decades asking and paying property owners to convert unused grass to drip-irrigated landscaping.

While most residents have responded, businesses and HOAs have not.

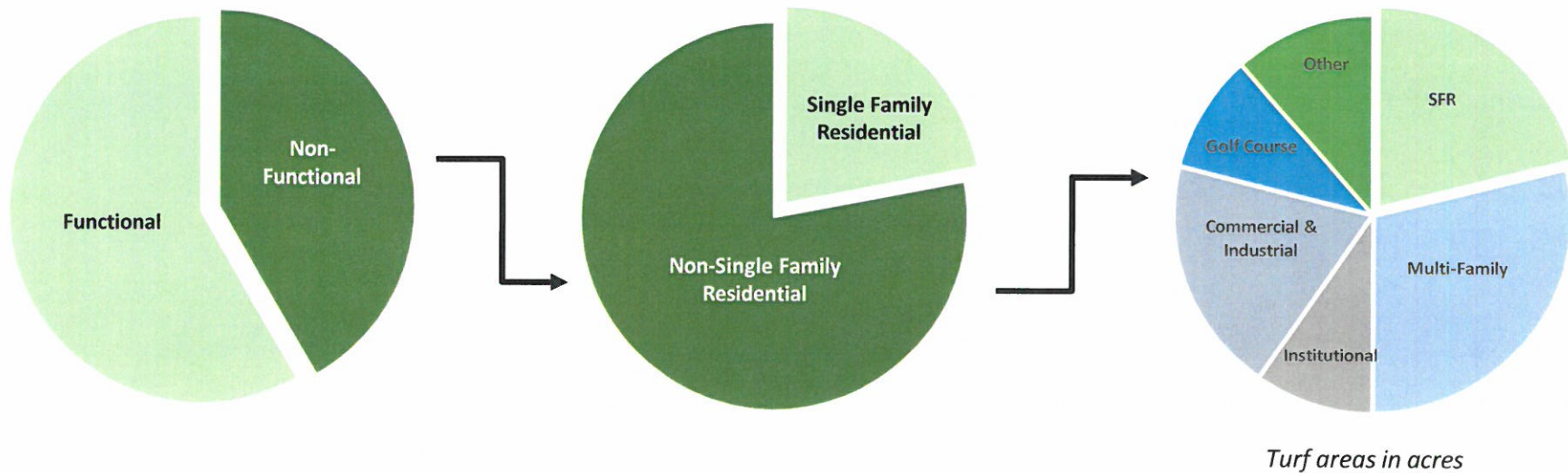


A recently-approved resolution will prohibit new installations of turf except at schools, parks and cemeteries.

This includes single-family residential properties.



As a result, most remaining non-functional turf
is not at single-family residential properties.



What is functional turf?

- It's played on and used
- It's large enough to allow for active use
- Provides a recreational benefit to the community
- Easily accessed, safe to reach





What is nonfunctional turf?

- Streetscape turf
- Median turf
- Residential community entry turf
- Turf at commercial and industrial properties
- Turf on slopes
- Narrow or small areas of turf

May also include:

- Multifamily turf
- HOA managed turf

Nonfunctional turf alone consumes billions of gallons of water each year in Las Vegas.

This ornamental grass uses about 10 percent of our active water supply

Nevada Assembly Bill 356 (2021 Legislative Session)

Signed into law in June 2021, AB 356 prohibits the irrigation of nonfunctional turf by community water resources as of Jan. 1, 2027.

The bill also required that the SNWA Board establish an advisory committee to help define functional and non-functional turf.

Assembly Bill No. 356-Committee on Ways and Means

CHAPTER.....

AN ACT relating to water; prohibiting, with certain exceptions, the use of water from the Colorado River to irrigate nonfunctional turf on certain property; requiring the Board of Directors of the Southern Nevada Water Authority to develop a plan for the removal of nonfunctional turf on certain property; creating and setting forth the duties of the Nonfunctional Turf Removal Advisory Committee; requiring the Legislative Committee on Public Lands to conduct a study concerning water conservation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes public agencies to enter into cooperative agreements to perform any governmental service, activity or undertaking which the public agency is authorized to perform under law and, pursuant to which, the Southern Nevada Water Authority was created. (NRS 277.080-277.180) Section 39 of this bill prohibits, with certain exceptions, the waters of the Colorado River that are distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority from being used to irrigate nonfunctional turf on any property that is not zoned exclusively for a single-family residence on and after January 1, 2027. Section 39 also requires the Board of Directors of the Southern Nevada Water Authority to: (1) define nonfunctional and functional turf for the purposes of this prohibition; and (2) develop a plan to identify and facilitate the removal of nonfunctional turf within the service area of the Southern Nevada Water Authority on property that is not zoned exclusively for a single-family residence before December 31, 2026, in phases based on the categories of water users. Section 39 further authorizes the Board of Directors to approve an extension or waiver from: (1) the prohibition on the use of waters from the Colorado River to irrigate nonfunctional turf; and (2) the provisions of the plan developed by the Board of Directors for the removal of nonfunctional turf. Section 40 of this bill creates the Nonfunctional Turf Removal Advisory Committee. Section 41 of this bill sets forth the duties of the Advisory Committee. Sections 37 and 38 of this bill define certain terms for the purposes of sections 36-41 of this bill. Under existing law, the Legislative Committee on Public Lands is authorized to review and comment on laws, regulations and policies relating to the use, allocation and management of water in this State. (NRS 218E-525) Section 42 of this bill requires the Legislative Committee on Public Lands to conduct a study concerning water conservation and to submit a report of its findings and any recommendations for legislation to the 82nd Session of the Nevada Legislature.

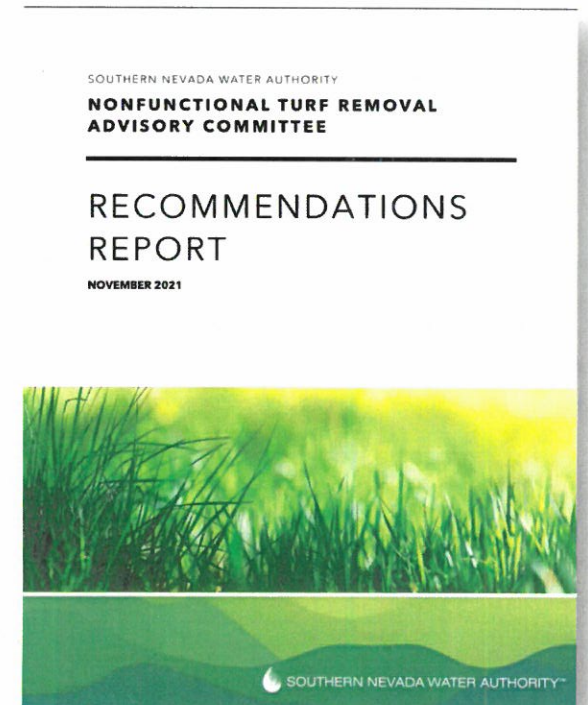


81st Session (2021)



Nonfunctional Turf Advisory Committee (NTRAC)

- **Nine individuals, representing a variety stakeholders, including:**
 - Homeowner associations
 - Commercial properties
 - Office parks
 - Multifamily properties
 - Golf courses
 - Municipalities
- **The committee met five times in public meetings to discuss the definitions of functional and nonfunctional turf, and where it should be allowed**
- **The recommendations report and NTRAC materials are available at snwa.com**



Homeowner Associations

Homeowner associations and common interest communities throughout Southern Nevada typically have a mix of functional and nonfunctional turf in their communities.

Functional Turf:

- Playground turf and small neighborhood parks

Nonfunctional Turf:

- Streetscape Turf
- Frontage, Courtyard, Interior and Building Adjacent Turf
- Certain HOA-Managed Landscape Areas

Homeowner Associations: Common Nonfunctional Turf Examples



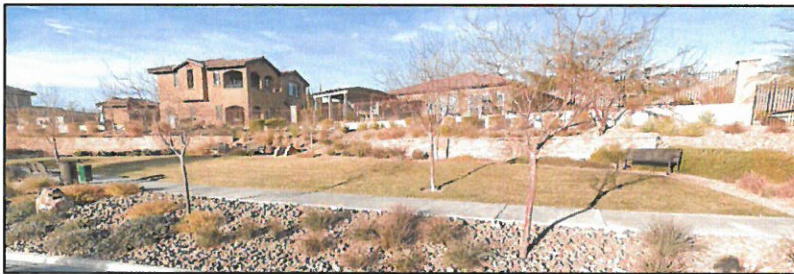
Median/roundabout turf



Community frontage turf



Streetscape turf



Areas of turf too small to serve a recreational purpose



Turf on steep slopes

With the exception of dedicated dog parks that meet specific parameters, dog relief areas in homeowners association streetscapes are not functional turf areas

Nonfunctional Turf Example

Lake Las Vegas (Vicinity), Las Vegas



All Turf as Shown:
37,879 sq. ft.



Non-Functional:
37,879 sq. ft.

Functional Turf

- None visible

Nonfunctional Turf

- Streetscape turf
- Median turf
- Roundabout turf
- Frontage turf



What is functional in HOAs?

Active/Programmed Recreation Turf: Grass in an **active/programmed** recreation area.

Active/programmed recreation turf at existing properties must be:

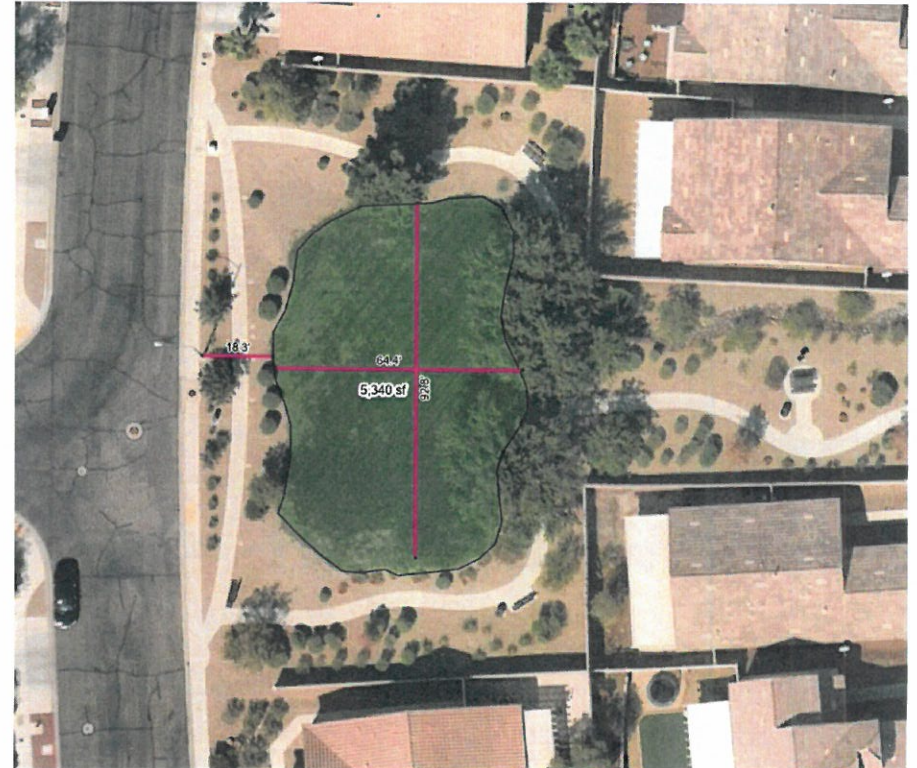
- 1,500 contiguous square feet or greater.
- Co-located with facilities, including but not limited to trash bins, benches, tables, walking paths and/or other recreational amenities.
- Located at least 10 feet from a public or private street or interior facing parking lot unless:
 - The contiguous turf area is at least 30 feet in all dimensions; or
 - The turf is immediately adjacent to an athletic field

Playground Turf: Grass in **designated play areas with playground amenities** (slides, swings and climbing structures). Playground Turf may be located less than 10 feet from a public or private street if fenced.

Functional Turf Example

“Active/Programmed Recreation Turf”

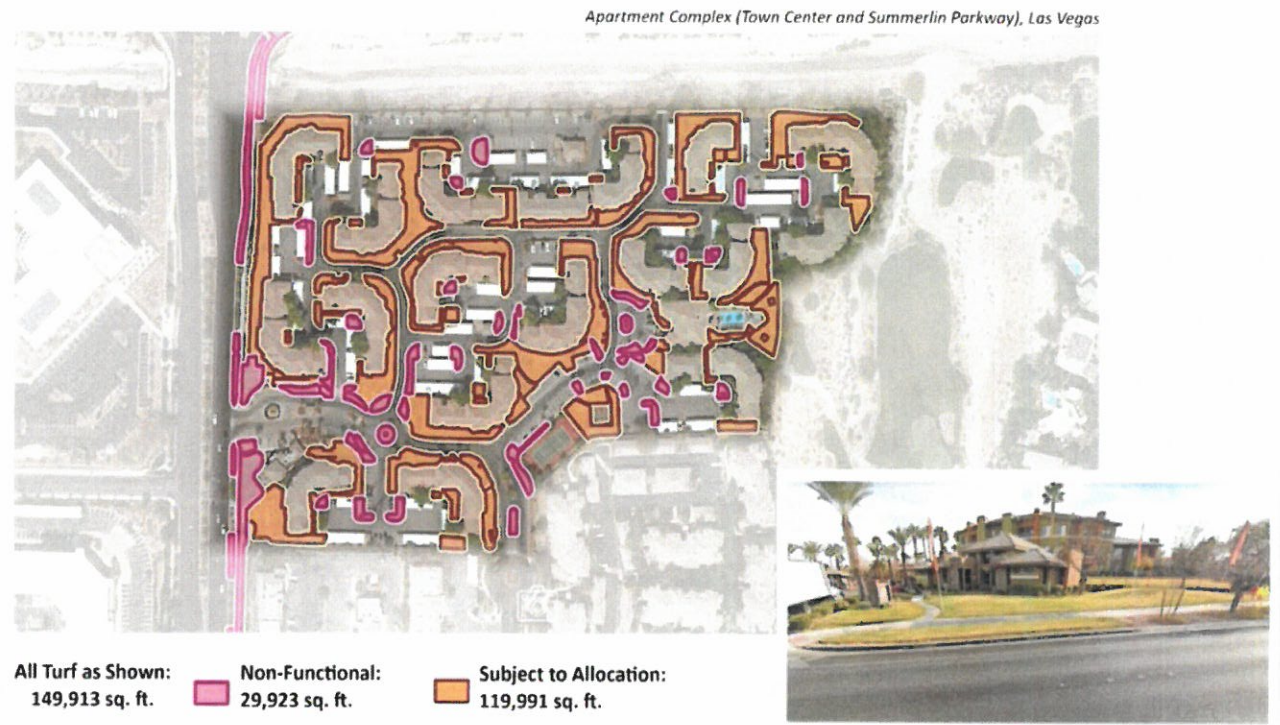
- ✓ 1,500-plus contiguous square feet
- ✓ Co-located with facilities, included but not limited to trash bins, benches, tables, walking paths and/or other recreational amenities
- ✓ Located at least 10 feet from a public or private street or interior facing parking lot



Resident Area Turf Example

Multifamily properties are allocated up to 150 square feet per dwelling unit with certain restrictions. They may not be located in:

- Streetscapes
- Parking lots
- Roundabouts
- Medians
- Driveways
- Other non-accessible or exclusive-use areas



Key Concerns

The concerns of property owners affected by AB356 generally fall into three categories:

- ✓ Resident/Customer acceptance of drip-irrigated landscapes
- ✓ Up-Front landscape conversion costs
- ✓ Tree health during/after transition



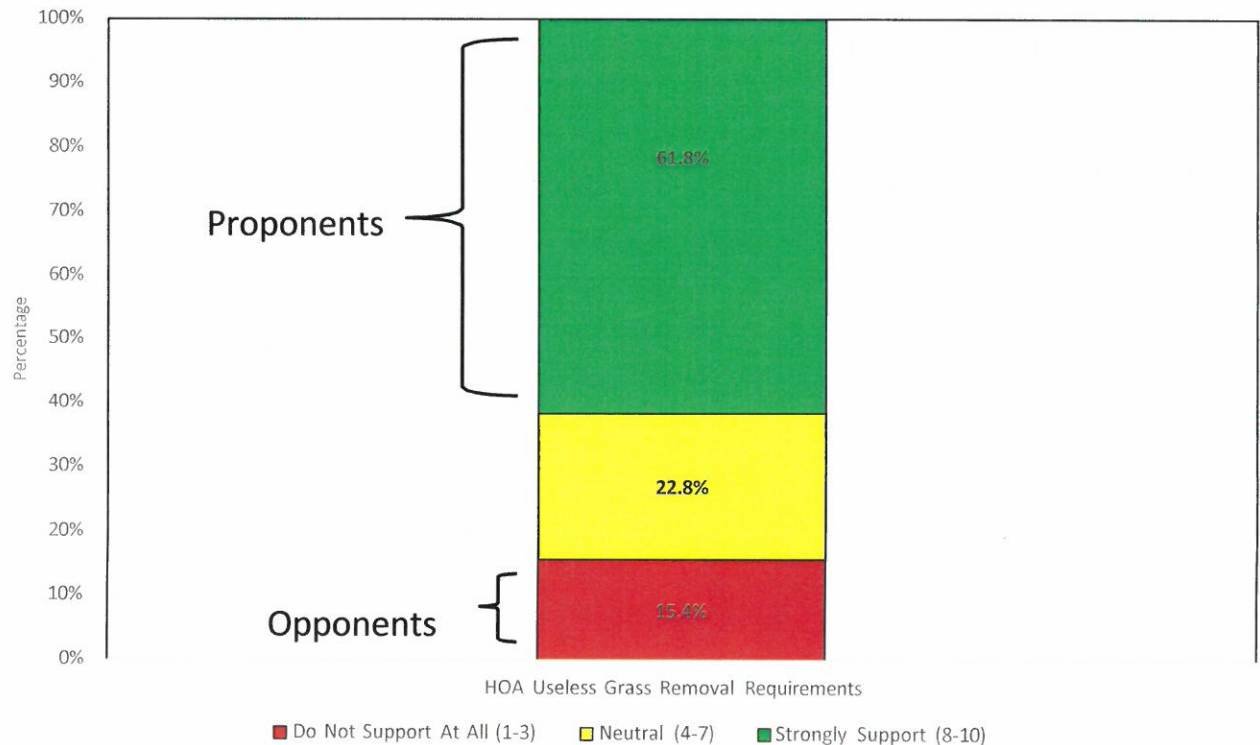
Residents Support Conversions

Pareto's Law in Action:

Quantitative research has proven that HOA members want non-functional turf removed

Landscape renewal opponents are a vocal minority, outnumbered by supporters four to one

We'd like to know how strongly do you support SNWA requiring these HOAs to replace their useless or ornamental, non-recreational grass with WSL? [Average = 7.28]



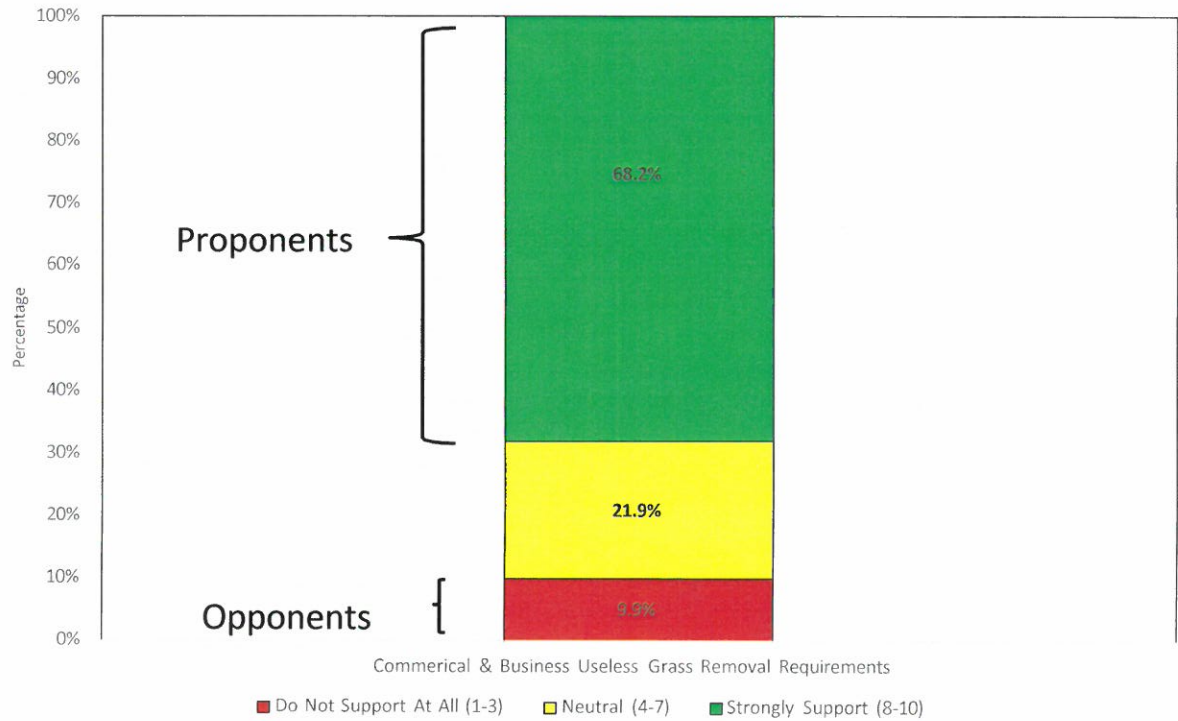
Customer Backlash? Not so much

The evidence is clear:

Quantitative research has proven that customers want non-functional turf removed

Landscape renewal opponents are a vocal minority, outnumbered by supporters seven to one

Many businesses, busy city streets and HOA street medians in LV have strictly ornamental grass; grass that has no use except as a visual part of the landscape. How strongly do you support SNWA requiring these water users to replace this grass with WSL?



Up-Front Conversion Costs

While landscape conversion costs are ultimately recovered through lower water bills and reduced maintenance/repair costs, a property-assessed loan is a good option for many owners

- ✓ C-PACE provides low-cost, long-term financing and now includes funding for water efficiency projects
- ✓ Loans are repaid through a voluntary assessment on the property tax bill
- ✓ Information is available through the Governor's Office of Energy or your local municipal government

[https://energy.nv.gov/Resources/Property_Assessed_Clean_Energy_\(PACE\)](https://energy.nv.gov/Resources/Property_Assessed_Clean_Energy_(PACE))

Preserving Tree Health

Drip irrigation is better for trees than the shallow, frequent water they receive from sprinklers. However, the transition requires care

- ✓ The SNWA has worked with the Southern Nevada Arborist Group and the Department of Forestry to develop guidance for landscapers and property owners
- ✓ Written information and video resources are available at snwa.com



How to comply with the law?

Non-functional turf must be removed before Jan. 1, 2027. SNWA staff can map your property and identify non-functional areas so you can plan your conversion.

We can also help reduce up-front costs:

- The Water Smart Landscapes program offers a rebate of up to \$3 per square foot of turf
- SNWA.com has helpful landscape designs and tools to aid tree preservation
- Plant selection is easy with SNWA's plant list
- Grass areas being replaced with recreational amenities such as playground equipment or pickleball courts may also be eligible for cash incentives

**Sign up now to take advantage of the rebate while it's still available.
Visit [SNWA.com](https://snwa.com), email cashincentives@snwa.com, or call 702-862-3740.**

Participating in Water Smart Landscapes is simple:

- Complete the online application and schedule a pre-conversion visit
- SNWA staff will measure and map the intended conversion area
- Complete the landscape conversion within one year
- Schedule a post-site inspection to verify the conversion
- Sign a conservation easement committing not to reinstall turf
- Get paid!



Waiver Process and Criteria

- Some turf areas may serve a legitimate function but not conform precisely to the definitions
- Some property owners may believe their turf is recreational, even though it does not meet the functional turf definition
- The SNWA is developing a Waiver Application process and evaluation criteria to determine whether a turf area “substantially complies” with the definitions of functional turf
- Those materials should be complete before April and will be available at SNWA.com





SOUTHERN NEVADA WATER AUTHORITY™