



Before you complete the application for this program you must read, understand and, accept the Lawn-to-Garden Incentive (L2G) program's Terms and Conditions, the Process Guidelines and the Design Requirements. You may also request a copy by calling 562-570-2308 or by sending an email to [LawnToGarden@lbwater.org](mailto:LawnToGarden@lbwater.org)

## TERMS AND CONDITIONS

The following are the Terms and Conditions of the BEAUTIFUL LONG BEACH LAWN-TO-GARDEN INCENTIVE PROGRAM (**L2G**).

### General

- "LBWD" refers to the Long Beach Water Department.
- "**L2G**" refers to the BEAUTIFUL LONG BEACH LAWN-TO-GARDEN INCENTIVE PROGRAM.
- Only one **L2G** application may be approved per water account.
- "Property Owner" is the owner of the property (the lawn) that would be relandscaped by the **L2G** 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. LBWD reserves the right to verify property ownership.
- If a **L2G** incentive payment is eventually made by LBWD, it can only be made payable to Property Owner.

### Property Owner

- Property Owner must sign and submit the **L2G** application.
- Property Owner will receive two dollars and fifty cents (\$2.50) per square foot for lawn replaced in accordance with the **Terms and Conditions**, **Process Guidelines** and **Design Requirements**.
- Property Owner has sole responsible for any and all tax consequences, if there are any, resulting from Property Owner receiving the L2G payment.
- Property Owner has sole responsibility for complying with all applicable laws, permits, ordinances, codes, policies, covenants, and conditions that may apply to performance of the lawn removal/landscape conversion project. For City of Long Beach building and permit information call (562) 570-6651.
- Property Owner has sole responsibility for the quality, appearance, and maintenance of the **L2G** landscape.
- Property Owner shall make the property available to LBWD and/or its agents, in order (1) for LBWD to verify compliance with the **L2G** program, including but not limited to: the condition of the landscape prior to and after the L2G installation, the size (in square-feet) of the **L2G** landscape area, the efficiency of the new irrigation system; and (2) for LBWD to exercise its rights under the **L2G** program to use the design of the **L2G** landscaped area as well as descriptions of it, and before- and after-photos and videos of it, for the purpose of promoting drought tolerant landscapes



- Any application containing inaccurate or misleading information will be disqualified from the **L2G** program and any and all commitments made by LBWD related to that application, including commitments to make **L2G** incentive payments, shall be automatically rescinded and rendered null and void.
- Property Owner is limited to five (5) approved **L2G** applications; for example, a company owning 30 properties with 90 different water accounts may receive approval for a maximum of five applications (one each for 5 water accounts).
- Property Owner, if submitting the **L2G** application on-line, may be required by LBWD as a condition of receiving the incentive payment to sign a paper copy of the Application within two (2) weeks of being notified of having been approved, provided LBWD makes that paper application available to them.
- Property Owner agrees to waive, release, relinquish and discharge LBWD, its officials and employees from all liability, loss, claims, demands, causes of action, and damage arising out of Property Owner's participation in this Program.

“Re-landscaped Area” refers to that part of the landscape, in square feet, which qualifies for and for which LBWD will pay the L2G incentive of \$2.50 per square foot. The Re-landscaped Area

- Must be on a property whose water service is provided by LBWD.
- Must be no greater than 1,000 square feet; there is no minimum. (Actual re-landscaped area may be larger than 1,000 square feet, but only the first 1,000 square feet are eligible for the **L2G** incentive.)
- May only include the front yard and parkways; other landscaped areas, such as side yards or backyards or island medians, are not eligible.
- Prior to conversion must be at least 90-percent (90%) covered with turf grass at the time the application is approved by LBWD.
- Cannot be a landscape associated with new construction and/or major building remodel.
- Final design may not include any turf grass or synthetic or artificial turf.
- Must be re-landscaped based on a design approved by LBWD, which approval will be based on the “Design Requirements” document.
- If, in its sole discretion, LBWD finds the re-landscaped area has not been properly maintained or if the landscape has been altered significantly from the approved design (for example: if turf grass is reintroduced), Property Owner, if he/she has not sold the property by that time, shall reimburse LBWD for the **L2G** payment as follows: 100% reimbursement if finding made in first 365-day period after payment; 80% reimbursement if finding made within 2nd 365 day period after payment; 60% if finding made within 3rd 365-day period after payment; 40% if finding made within 4th 365-day period after payment; and 20% if finding made within 5th 365-day period after payment.
- In order to create an opportunity for an equitable distribution of the **L2G** funds between customers in different water rate classifications, applications shall receive initial allocation based on the following priority system:

**Phase 1:** For the first thirty (30) days of the **L2G** program, the allocation of the funding shall be distributed among the Water Rate groups. This number is based on the relative number of water accounts in these Water Rate groups. The term “initial allocation” means the application will be prioritized but not necessarily funded; that is, all other rules and conditions of the **L2G** program apply; for example an application may be part of this “initial allocation” yet not be funded because the person applying was not the property owner, or the design of the landscape being proposed did not meet the program's specifications, or for other reasons.

**Phase 2:** If, after the conclusion of the first 30 days of the **L2G** program the entire funding has **NOT** been allocated or if some allocated funds go unused according to this program, those remaining funds shall be allocated on a first-come/ first-served basis irrespective of the applicant's Water Rate. Considered first in this subsequent allocation (Phase 2) will be those applications received during the initial 30-day period that were not included in the Phase 1 allocation. Only water accounts associated with water rates 0 through 5 qualify for the L2G program.



- Applications will be approved for funding in the order in which landscape designs are approved. An application will only be funded if there are sufficient funds remaining in the **L2G** program at the time LBWD approves the design. In other words, an application could receive an initial approval but not receive a commitment from LBWD to help fund the project.
- LBWD reserves the right to reduce the funds committed to the **L2G** program at any time and in its sole discretion. For example, if, at some point in time, there are very few new applications for the **L2G** program, yet significant funds remain uncommitted, LBWD may choose, in its sole discretion, to end the program by eliminating these uncommitted funds.
- In order for an application to be approved and for incentive payment to be made, the owner of the water account irrigating the **L2G** re-landscaped area must stay current on its City of Long Beach utility bill from the time of the application through the **L2G** payment and cannot be in violation of any LBWD water-use prohibitions during that period.
- Pre-existing projects of turf removal which were initiated or completed prior to the application's approval shall not be eligible for participation in the **L2G** incentive program.
- The **L2G** incentive program and the **Terms and Conditions** set forth herein, the **Process Guidelines** and the **Design Requirements** are subject to change without notice.
- Employees and officials, and their spouses, of LBWD and of the City of Long Beach, are **NOT** eligible to participate in the Program.

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## Long Beach Water Department (LBWD)

- Shall have the right to use the design of the Re-landscaped Area as well as before- and after-photos and videos of it, for the purpose of promoting drought tolerant landscapes. This promotion could be in the form of videos, print, web, or other venues.
- Shall have sole authority to resolve all disputes related to the **L2G** program, approval of applications, approval of landscape designs, and all other related matters relevant to the **L2G** program.
- Shall not be obligated to make, and will not make, **L2G** payments for that part of the approved square footage, when the size of the actual landscape installed is less than that approved and/or when some or all of the landscape actually installed differs, as determined by LBWD in its sole discretion, from the approved design. In other words, LBWD shall only pay for the square footage of the landscape actually installed that is congruent with the approved design, up to the maximum amount of square feet approved in the application.

