

MEETING AGENDA

Southern Nevada Water Authority Nonfunctional Turf Removal Advisory Committee



Wednesday, November 17, 2021

1:00 p.m.

**Colorado River Conference Rooms, Southern Nevada Water Authority
100 City Parkway, Seventh Floor, Las Vegas, Nevada**

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All items on the agenda are for action by the Advisory Committee, unless otherwise indicated. Items may be taken out of order. The committee may combine two or more agenda items for consideration, and the committee may remove an item from the agenda or delay discussions relating to an agenda item at any time.

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CALL TO ORDER

COMMENTS BY THE GENERAL PUBLIC

NO ACTION MAY BE TAKEN: This is a period devoted to comments by the general public pertaining to items on this agenda. If you wish to speak to the Advisory Committee about items within its jurisdiction, but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Please limit your comments to three minutes or less. No action may be taken upon a matter not listed on the posted agenda.

1. *For Possible Action:* Approve agenda and minutes from the October 20, 2021 meeting.
2. *For Possible Action:* Review draft recommendations, including definitions for functional and nonfunctional turf, and make any changes or additions to the recommendations.
3. *For Possible Action:* Discuss, finalize and, if appropriate, approve the Recommendations Report and submit the report for consideration by the Southern Nevada Water Authority Board of Directors.
4. *For Possible Action:* Review the Plan for Removal of Nonfunctional Turf, and direct staff accordingly.
5. *For Possible Action:* Discuss next steps in the committee process and community outreach.

COMMENTS BY THE GENERAL PUBLIC

NO ACTION MAY BE TAKEN: At this time, the Advisory Committee will hear general comments from the public on matters under the jurisdiction of the committee. Please limit your comments to three minutes or less. No action may be taken upon a matter not listed on the posted agenda.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS:

City of Boulder City, City Hall
401 California Avenue
Boulder City, NV

City of North Las Vegas, City Hall
2250 Las Vegas Boulevard North
North Las Vegas, NV

City of Henderson, City Hall
240 S. Water Street
Henderson, NV

Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, NV

Las Vegas Valley Water District
1001 S. Valley View Boulevard
Las Vegas, NV

Southern Nevada Water Authority
100 City Parkway
Las Vegas, NV

Clark County Water Reclamation District
5857 E. Flamingo Road
Las Vegas, NV

City of Las Vegas, City Hall
495 S. Main Street
Las Vegas, NV

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MEETING SUMMARY

October 20, 2021, 1:00 p.m.

Colorado River Conference Rooms, Southern Nevada Water Authority
100 City Parkway, 7th Floor, Las Vegas, Nevada

NTRAC members present:	David Strickland	Tena Cameron
	Larry Fossan	Scott Black
	Brian Walsh	Mauricia Baca
	Stephanie Bressler	Dale Hahn

NTRAC members absent: Tom Burns

Staff present:	Colby Pellegrino	Zane Marshall
	Mitch Bishop	JC Davis
	Tabitha Simmons	

PUBLIC COMMENT

There were no members from the public wishing to speak; however, Colby Pellegrino, Deputy General Manager of Resources, acknowledged written comment received from David Gray, which were provided to the committee members and are included herein.

SUMMARY OF ACTIVITIES

The Southern Nevada Water Authority's (Authority) Nonfunctional Turf Removal Advisory Committee (NTRAC) met on Wednesday, October 20, 2021. The meeting began at 1:05 p.m.

#1 Approve agenda and minutes from the September 22, 2021 meeting.

Scott Black moved to approve the meeting agenda and the minutes from the September 22, 2021 meeting. The motion passed.

#2 Discuss defining functional and nonfunctional turf at non-single family residential properties, including potential waiver eligibility and criteria.

Ms. Pellegrino provided a review of the committee's draft definition of nonfunctional turf, which includes streetscape turf; frontage courtyard, interior and building adjacent turf; and certain HOA-managed landscape areas.

She also discussed the working definition of functional turf, which has been revised based on the committee's input to mean: *an irrigated lawn grass area that provides a recreational benefit to the community and is:*

- (a) Located at least 10 feet from a street (except as otherwise specified), installed on slopes less than 25%, and not installed within street medians, along streetscapes or at the front of entryways to parks, commercial sites, neighborhoods or subdivisions; and*

(b) Active/Programmed Recreation Turf, Athletic Field Turf, Designated Use Area Turf, Golf Course Play Turf, Pet Relief Turf, Playground Turf or Resident Area Turf, as these items are further defined and qualified.

Ms. Pellegrino then provided the definitions for the various types of functional turf, based on committee feedback, as follows:

Active/Programmed Recreation Turf: Irrigated lawn grass in an active/programmed recreation area on homeowner association-owned or managed property at a public park or water park (excluding park streetscape and community frontage areas). Turf on these properties must be 1,500 contiguous square feet or greater; and co-located with facilities, including but not limited to trash bins, benches, tables, walking paths and/or other recreational amenities. The turf must be located at least 10 feet from a public or private street or interior facing parking lot unless the contiguous turf areas at least 30 feet in all dimensions or the turf is immediately adjacent to an athletic field.

Ms. Pellegrino explained that the original definition of active/programmed recreation turf required the turf to be fenced, mainly with regards to schools. This requirement was removed because fenced turf at schools already met the other criteria in the definition.

Athletic Field Turf: Irrigated lawn grass used as a programmed sports field or for physical education or intramural use that is 1,500 contiguous square feet or greater, not less than 30 feet in any dimension, and located at a school, daycare, youth recreation center, senior center, public park, private park, water park or religious institution. Athletic field turf may be located less than 10 feet from a public or private street or interior facing parking lot if the contiguous turf area is less than 30 feet in all dimensions.

Designated Use Turf Area: Irrigated lawn grass designated for special use at cemeteries and mortuaries.

Golf Course Play Turf: Irrigated lawn grass at a golf course in driving range is chipping and putting greens comma tee boxes comma greens comma fairways and rough.

Pet Relief Turf: Irrigated lawn grass in a property providing commercial and retail services for pets that is designated for pet use (such as veterinarians or boarding facilities). Pet relief turf may not exceed 200 square feet.

Playground Turf: Irrigated lawn grass in designated play areas with playground amenities, including but not limited to slides, swings and climbing structures on homeowner association owned or managed property or at a public park, water park, school, daycare, youth recreation center, senior center or religious institution. Playground turf may be located less than 10 feet from a public or private street if fenced.

Resident Area Turf: Up to 150 square feet of irrigated lawn grass per dwelling unit at multi-family residential properties, commercial/multi-family mixed use properties, extended stay hotels/motels, or assisted living and rehabilitation centers used by tenants for recreation and leisure. Resident area turf must be in areas reasonably accessible for active use by residents and therefore may not be located in streetscape frontages, parking lots, roundabouts, medians, driveways and other non-accessible or exclusive use areas such as commercial courtyards.

Ms. Pellegrino explained that this definition was amended to include extended stay hotels/motels, as they are generally used as a housing option as opposed to an amenity for tourists. Turf at mixed use properties,

such as turf at an office park where people also live, was also included as a result of feedback from the committee. This turf must be accessible by residents and not solely used by commercial tenants.

David Strickland asked if a business hotel would fit into this category. Ms. Pellegrino responded that there are very few of these types of properties, where, for example, an apartment is next to a hotel with adjacent turf, but that the turf must be appropriate for the people living there.

Ms. Pellegrino then provided information on functional turf waiver eligibility and the waiver process.

Brian Walsh asked if a programmable area attached to a commercial property, such as the turf fields at Downtown Summerlin, would require a waiver. Ms. Pellegrino acknowledged that it isn't possible to craft definitions to cover every instance, but that this particular property would require a waiver.

Dale Hahn referenced wedding lawns at golf courses and asked if they might fall under "Designated Use Area Turf." Ms. Pellegrino responded that those types of areas have been discussed and will require a waiver. She added that the waiver eligibility would depend largely upon how often the turf in the area is used.

Scott Black commented that many parks have incorporated pet parks, which are also used for pet relief, and asked if the pet relief definition should be considered functional within a public park. Ms. Pellegrino responded that pet relief areas are limited to 200 square feet and are intended for use at veterinary offices, while dog parks would fall within "active/programmed recreation turf."

Ms. Pellegrino then discussed waiver applications, the review process, and reconsideration and appeal in the instance that an entity is not satisfied with staff's decision. She indicated that anyone could apply for a waiver for functional turf that provides a recreational benefit to the community and meets the functional turf definition.

Tena Cameron asked if there would be considerations for time extensions if a non-functional turf conversion project cannot be completed within the five-year timeframe. Ms. Pellegrino responded that the AB356 legislation does not require the committee to make a recommendation regarding extensions of time, but it does give the Authority Board the ability to approve or deny such extensions.

Zane Marshall, Director of Resources, led a discussion covering several properties illustrating various examples of functional and nonfunctional turf, the reasons for certain turf areas being defined as nonfunctional, and the square footage of nonfunctional turf at each property. He discussed examples at the following types of properties, which can be found in the presentation included with these minutes:

- Hospitals and medical offices
- Commercial and retail centers
- Hotels, motels and resorts
- Golf courses
- Government facilities
- Homeowners' associations
- Religious institutions
- Cemeteries and mortuaries
- Schools and daycares
- Youth recreation and senior centers
- Multi-family residential
- Assisted living and rehabilitation centers
- Parks
- Commercial and industrial office parks

Mr. Marshall also discussed potential waiver considerations for the different property types.

Dale Hahn said that when TPC participated in the Authority's turf removal program, they were required to do a technical drainage study, and that any turf within a drainage plain was required to be kept. He asked if drainage control should be addressed, and whether it would be subject to a waiver or handled up front. Ms. Pellegrino responded that those instances would be best handled through the waiver process because it is a site-specific issue as to whether there is another alternative for that turf. She added that the Regional Flood Control District has provided a map of the areas in which turf is required for flood control, and that most of it is, by definition, functional turf.

Dale Hahn asked if a cemetery that removes nonfunctional turf, but then wants to expand in the future would be able to do so. Ms. Pellegrino responded that cemeteries install turf as they develop a unit, and that it would still be considered functional. Mr. Marshall added that if they have relinquished a conservation easement as part of the Water Smart Landscapes Program, that easement can be removed through reimbursement at a later date.

Ms. Pellegrino then asked the committee if there was anything else that needed to be discussed before moving forward with recommendations.

David Strickland commented that an office park that would need to completely relandscape its property, to comply with AB356, could incur significant costs. Ms. Pellegrino acknowledged that certain projects would require significant capital costs and added that at last legislative session, the Authority worked to make water efficiency improvements eligible for Property Assessed Clean Energy Program (PACE) loans, which will allow property owners to make water efficiency improvements with a low interest loan tied to the property.

David Strickland thanked Authority staff for taking him to the Springs Preserve and educating him on sustainable and aesthetically pleasing alternatives to non-functional turf.

Mauricia Baca said that people have reached out to her about the potential impact that turf removal could have on wildlife. She said that there is an educational opportunity that comes with turf removal, and planting replacement species that are both desert appropriate and promote wildlife outcomes.

Ms. Pellegrino said that a draft of recommendations will be ready for discussion at the committee's November 17 meeting, with the goal of the Authority Board considering the recommendations on January 20, 2022.

Larry Fossan stated that committee members would need to take this information to their constituents and asked if the Authority would be able to provide maps (such as those in the presentation) of functional turf, as well as non-functional turf removal opportunities. Mr. Marshall responded that staff has the capacity to produce such maps.

David Strickland asked if there is consideration of non-functional turf alternatives that don't use any water. Ms. Pellegrino discussed an incentive program in which parks can remove turf and put in a sporting facility or something similar.

Scott Black commented that this process lays the foundation for a successful future, but that it's complex because the community is being asked to do something completely new and different than what has been done historically. He asked if a sample financial illustration from each category could be provided, covering the turf removal process from beginning to end, including project and rebate costs. Ms. Pellegrino responded that the Authority has data from past conversions that could be shared. J.C. Davis, Enterprise

Conservation Division Manager, said that on approximately one-third of turf removal projects, the Water Smart Landscapes rebate has covered the entire cost, and that for the remainder of the projects, the rebate has generally covered about 75 percent of the project cost.

Larry Fossan said that these turf replacements will not only result in water savings but will also yield significant savings in maintenance costs.

Brian Walsh reiterated said that this isn't a question of if we choose to comply, but that it is something that must be done.

The next meeting is scheduled for Wednesday, November 17.

PUBLIC COMMENT

There were no members from the public wishing to speak.

ADJOURNMENT

Meeting was adjourned at 2:45 pm.

WRITTEN PUBLIC COMMENT SUBMITTED FOR THE RECORD

From: David Gray <davidgray414@aol.com>
Sent: Tuesday, October 19, 2021 4:35 PM
To: &PublicComment
Subject: {EXTERNAL} Fwd: Considerations For Possible Future Turf Waiver & Exemption Requests

Sent from my iPad

Begin forwarded message:

From: David Gray <davidgray414@aol.com>
Date: October 19, 2021 at 3:47:37 PM PDT
To: publiccomment@snwa.com
Cc: stacy standley <StacyStandley@hotmail.com>, lisam@spanishtrail.net, Debra George <dgeorgecpa@aol.com>
Subject: Considerations For Possible Future Turf Waiver & Exemption Requests

To: Nonfunctional Turf Removal Advisory Committee

For over 15 years I have had the privilege and joy of living in one of the unique communities in the Las Vegas Valley - Spanish Trail. What makes it so unique and desirable is the way it was designed and landscaped over 35 years ago as an "oasis in the desert". Yes - this was done before the seriousness of our ongoing drought but over the years the community has done its part proactively in terms of turf reduction and water management. To date, we have removed over 500,000 square feet of turf and received an award from SNWA for our water conscious landscaping (which we proudly display in our HOA office). Having been President of one of the HOA Boards I was personally involved and participated in many of the decisions that were made.

I realize the dire drought situation we are in and know that the various Sub Associations along with our Master Board are drawing up plans for additional "nonfunctional" turf removal to comply with the law that is in place. Because of the way our community is designed - I hope the committee will give careful consideration to any future waivers and exemptions that any of our Boards may request for the reasons noted below:

- IMPACT ON OUR MATURE TREES: We have literally thousands of 35 year old trees surrounded by grass that are conditioned for certain sprinkler watering patterns. A very elaborate drip irrigation system in a grid network would need to be installed to mitigate any damage and stress to the trees. An arborist tells me that for the first few years there would be very little water savings as the drip system would have to run excessively to insure deep watering while avoiding stress to the tree. Even at that - there is no guarantee that the tree would not go into shock, catch a disease and potentially die with the need for removal.

- GREENBELTS - OUR BACKYARDS: Again, our community was designed so that many homes face very large park-like areas that are consistently used for rest and relaxation - including dog walking, playing frisbee / catch or just taking in the wonderful views and vistas that we enjoy. Much like the backyards of individual homes that are apparently exempt - these greenbelts are the backyards for our townhome communities.

- PROPERTY VALUES AND FINANCIAL IMPACT: I realize the goal of turf reduction is to save water however again, because of the design of our community, we are also subject to the possibility of a significant financial impact due to: the possible loss and cost of removing diseased / dying mature trees, the cost of installing an elaborate drip system to maintain them, the cost of premium drought tolerant landscape to maintain our landscape standards and the possible effect on property values due to a huge esthetic change - an environment quite different from the one that drove many homeowners to purchase here.

- IMPACT TO OUR FINE FEATHERED FRIENDS: Our community, as well as most of Las Vegas, is in the Pacific Flyway - the path that migratory birds take when flying North to South. Over the years, our community has become home to a large flock of geese that regularly feed on our plentiful grassy areas along with our permanent duck population.

I am sure our community will step forward with what we feel is appropriate for the next phase of nonfunctional turf reduction. However, I am hoping for the reasons stated above a close look will be given to the special circumstances and effect on Spanish Trail should any of our Boards make that request.

Thank you for your time and consideration.

David Gray
7211 Mission Hills Drive

Sent from my iPad

SOUTHERN NEVADA WATER AUTHORITY

**NONFUNCTIONAL TURF REMOVAL
ADVISORY COMMITTEE**

RECOMMENDATIONS
REPORT

NOVEMBER 2021



SOUTHERN NEVADA WATER AUTHORITY™

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SOUTHERN NEVADA WATER AUTHORITY

**NONFUNCTIONAL TURF REMOVAL
ADVISORY COMMITTEE**

RECOMMENDATIONS REPORT

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EXECUTIVE SUMMARY

The Southern Nevada Water Authority (SNWA) has a history of seeking public input through citizens advisory committees to evaluate major organizational initiatives.

In June 2021, the Nevada Legislature enacted Assembly Bill (AB) 356, which directed the SNWA Board of Directors to develop a plan for the removal of nonfunctional turf in the Las Vegas Valley. The Legislature also created the Nonfunctional Turf Removal Advisory Committee to be appointed by the SNWA Board of Directors to help the SNWA develop its plan for removal of nonfunctional turf. The committee was comprised of the following nine voting members, representing office parks, businesses, industrial or commercial facilities, golf courses, common-interest communities (x2), multi-family housing facilities, environmental organizations, and local governments:

- | | |
|--|--|
| - Mauricia Baca
<i>Environmental Organization</i> | - Larry Fossan
<i>Common-interest Community</i> |
| - Scott Black
<i>Local Government</i> | - Dale Hahn
<i>Golf Course</i> |
| - Stephanie Bressler
<i>Multifamily Housing</i> | - David Strickland
<i>Industrial/Commercial</i> |
| - Thomas Burns
<i>Business</i> | - Brian Walsh
<i>Common-interest Community</i> |
| - Tena Cameron
<i>Office Park</i> | |

From August 2021 to November 2021, the committee met four times to formulate recommendations to the SNWA Board of Directors on defining “functional turf” and “nonfunctional turf,” and outlining a process for waivers to the nonfunctional turf removal requirements.

This report summarizes the activities and results of the committee process. Section I is an overview of the issue and AB 356, Section II reviews the NTRAC scope and discussion topics, and Section III summarizes the committee’s recommendations.

I. OVERVIEW OF ISSUE AND AB 356

Southern Nevada relies on the Colorado River for 90 percent of its water supply. The Colorado River system is facing the worst drought in the river basin's recorded history. The water level of Lake Mead, which serves as one of the river's primary water storage reservoirs, has dropped approximately 130 feet since January 2000.

Because of low water levels at Lake Mead, the federal government issued a water shortage declaration on the Colorado River, reducing the amount of water Southern Nevada can withdraw from Lake Mead beginning in January 2022. Combined with existing voluntary contributions outlined in the Drought Contingency Plan, the declared shortage will cut Southern Nevada's annual water allocation by nearly 7 billion gallons in 2022, which equates to enough water to serve more than 40,000 households for a year. Should Lake Mead's water level continue to decline, additional cuts will follow.

For 20 years, the Southern Nevada Water Authority (SNWA) has been taking proactive actions to respond to the drought and prepare for potential water cuts. The SNWA's Water Resource Plan details how it plans to meet the community's water needs, both in the short term and for the next half-century, including reducing outdoor water demands.

Nearly all the water Southern Nevada uses indoors is recycled. However, water used outside evaporates and cannot be recycled. Approximately 60 percent of Southern Nevada's water is used outdoors. For this reason, the Authority's conservation rebates and programs focus on reducing water use outdoors.

Nonfunctional turf provides no recreational value, is largely decorative, or not safe to access and use. It is found throughout Southern Nevada, within business complexes and neighborhoods, schools, parks, government facilities, along community streets, and in traffic circles and medians.

The unused grass in Southern Nevada soaks up about 12 billion gallons of water every year; the equivalent of more than 10 percent of Nevada's entire allocation of water from the Colorado River.

In June 2021, the Nevada Legislature enacted AB 356, which directed the SNWA Board of Directors to develop a plan for the removal of nonfunctional turf in the Las Vegas Valley. The legislation prohibits the use of Colorado River water to irrigate the nearly 4,000 acres of nonfunctional turf on properties that are not zoned exclusively for single-family residences after January 1, 2027.

The Legislature also created the Nonfunctional Turf Removal Advisory Committee to help the SNWA define functional and nonfunctional turf. In July 2021, the SNWA Board of Directors appointed nine individuals representing commercial and industrial properties, homeowners' associations, golf courses, multifamily properties, environmental interests and municipalities to the Nonfunctional Turf Advisory Committee.

II. COMMITTEE SCOPE AND DISCUSSION

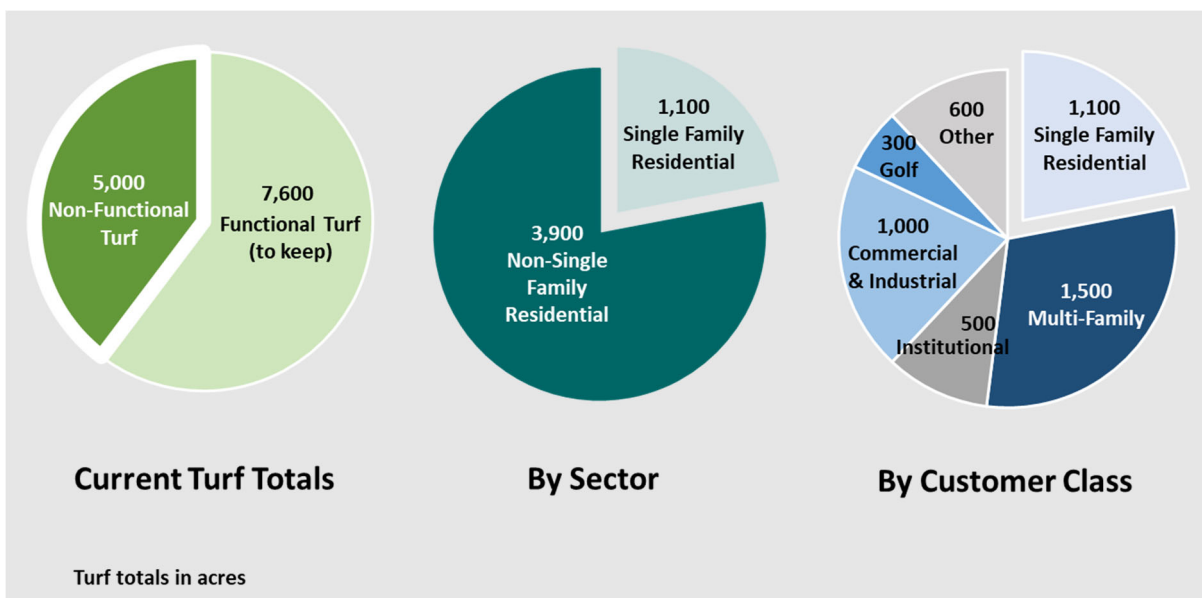
When the Nevada Legislature passed AB 356, creating the Nonfunctional Functional Turf Removal Advisory Committee (NTRAC), it outlined the committee’s responsibilities, which include discussing issues related to the use and removal of nonfunctional turf by each water use sector and providing written recommendations to the SNWA Board of Directors regarding the plan to remove nonfunctional turf in Southern Nevada. The bill also provided for a waiver process, but it did not define the process.

From August 2021 to November 2021, the committee met four times to formulate recommendations to the SNWA Board of Directors on defining “functional turf” and “nonfunctional turf,” and outlining a process for waivers to the nonfunctional turf removal requirements.

Beginning with its first meeting, NTRAC heard from SNWA staff regarding the water challenges facing the community, including the unprecedented drought in the Colorado River basin. Additionally, NTRAC reviewed the Authority’s conservation programs.

Since 2002, Southern Nevada has made considerable conservation gains; however, conservation progress has stalled in recent years. With the need for additional conservation, a previous citizens advisory committee recommended several conservation-related initiatives, including efforts to reduce existing nonfunctional turf in the valley.

Most of the nonfunctional turf in Southern Nevada (approximately 3,900 acres) exists in non-single family residential sectors:



By removing this nonfunctional turf, Southern Nevada can save about 9.5 billion gallons or 29,150 acre-feet of water per year.

FUNCTIONAL VS. NONFUNCTIONAL TURF

Over the next meetings, NTRAC focused on defining functional and nonfunctional turf to address the existing nonfunctional turf installations in Southern Nevada. In July 2019, the SNWA Board approved the SNWA's Nonfunctional Turf Resolution, which established parameters for new installations of turf, ensuring that it is accessible, provides recreational value and can be watered efficiently. More specifically, the resolution limited new grass installations to programmed recreational areas at parks and schools, ensured new grass installations were large enough to provide meaningful active recreation, ensured safety and access, and limited slopes to prevent inefficient watering practices.

While municipal development codes in Southern Nevada have been updated to reflect these requirements, the committee discussed how nonfunctional turf exists within existing major sectors, such as commercial, multifamily, municipal, public services, religious institutions, and common-interest communities. The committee considered how some of the Nonfunctional Turf Resolution's principles could be incorporated into the definitions of functional and nonfunctional turf and applied through different sectors. The results of the committee's discussions are defined within the "recommendations" section of this report.

WAIVERS

While AB 356 provided for a waiver process, it did not define the process. The committee discussed the need for a waiver process since some nonfunctional turf applications might substantially conform with the functional turf definition or provide a recreational benefit to the community despite their sector application. The committee discussed the application, review and appeal processes. The results of the committee's discussions are defined within the "recommendations" section of this report.

SUMMARY

At the committee's October meeting, it finalized a set of sample definitions for functional and nonfunctional turf by sector. The committee also discussed the details of a waiver process. Following the meeting, a draft recommendations report was compiled by staff and provided to the committee. At the November 17, 2021 meeting, the committee approved its final recommendations and recommendations report.

III. RECOMMENDATIONS

After evaluation of the issue of nonfunctional turf in Southern Nevada, the committee reached consensus on the following recommendations, which will be transmitted to the SNWA Board of Directors for consideration and approval:

1. **Define Nonfunctional Turf as:**

“Nonfunctional Turf” means irrigated lawn grass area not meeting the below definition of Functional Turf, including without limitation, such areas in the following locations:

- Streetscape Turf: Except as otherwise specified, turf located along public or private streets, streetscape sidewalks, driveways and parking lots, including but not limited to turf within community, park and business streetscape frontage areas, medians and roundabouts.
- Frontage, Courtyard, Interior and Building Adjacent Turf: Turf in front of, between, behind or otherwise adjacent to a building or buildings located on a property not zoned exclusively as a single-family residence, including but not limited to maintenance areas and common areas.
- Certain HOA-Managed Landscape Areas: Turf managed by a homeowner association that does not provide a recreational benefit to the community or that otherwise does not qualify as Functional Turf, regardless of the property zoning.

2. **Define Functional Turf as:**

“Functional Turf” means an irrigated lawn grass area that provides a recreational benefit to the community and is:

(a) located at least 10 feet from a street (except as otherwise specified), installed on slopes less than 25 percent, and not installed within street medians, along streetscapes or at the front of entryways to parks, commercial sites, neighborhoods or subdivisions; and

(b) Active/Programmed Recreation Turf, Athletic Field Turf, Designated Use Area Turf, Golf Course Play Turf, Pet Relief Turf, Playground Turf or Resident Area Turf, as these terms are further defined and qualified below.

“Active/Programmed Recreation Turf” means irrigated lawn grass in an active/programmed recreation area on homeowner association-owned or managed property or at a public park or water park (excluding park streetscape and community frontage areas).

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

“Athletic Field Turf” means irrigated lawn grass used as a programmed sports field or for physical education and intermural use that is 1,500 contiguous square feet or greater, not less than 30 feet in any dimension, and located at a school, daycare, youth recreation center, senior center, public park, private park, water park or religious institution. Athletic Field Turf may be located less than 10 feet from a public or private street or interior-facing parking lot if the contiguous turf area is at least 30 feet in all dimensions.

“Designated Use Area Turf” means irrigated lawn grass designated for special use at cemeteries and mortuaries.

“Golf Course Play Turf” means irrigated lawn grass at a golf course in driving ranges, chipping and putting greens, tee boxes, greens, fairways and rough.

“Pet Relief Turf” means irrigated lawn grass at a property providing commercial and retail services for pets that is designated for pet use (such as veterinarians or boarding facilities). Pet Relief Turf may not exceed 200 square feet.

“Playground Turf” means irrigated lawn grass in designated play areas with playground amenities, including but not limited to slides, swings and climbing structures on homeowner association-owned or managed property or at a public park, water park, school, daycare, youth recreation center, senior center or religious institution. Playground Turf may be located less than 10 feet from a public or private street if fenced.

“Resident Area Turf” means up to 150 square feet of irrigated lawn grass per dwelling unit at multi-family residential properties, commercial/multi-family mixed use properties, extended stay hotels/motels, or assisted living and rehabilitation centers used by tenants for recreation and leisure. Resident Area Turf must be in areas reasonably accessible for active use by residents and therefore may not be located in streetscape frontages, parking lots, roundabouts, medians, driveways and other non-accessible or exclusive-use areas such as commercial courtyards.

3. *Establish a waiver process for non-single family residential properties for turf that is not permitted under the current definitions.*

Any establishment can apply for a waiver. Waiver applicants must demonstrate that the turf substantially complies with the Functional Turf definition as indicated by conditions, such as activity type, activity appropriate dimensions, number of persons served, frequency of use, location in proximity to similar turf areas, public access, presence of facilities and/or other recreational amenities, and irrigation efficiency.

The process should also include an opportunity for an applicant to appeal staff decisions to the Authority’s General Manager and the SNWA Board of Directors.

4. *Reconvene the Nonfunctional Turf Removal Advisory Committee as needed to discuss other issues pertaining to the implementation of AB 356.*

The committee noted the potential for budgetary and timeline challenges for some establishments to remove large areas of nonfunctional turf. As staff monitors the community’s progress in removing nonfunctional turf, NTRAC should be reconvened in the future to address implementation issues.

5. *Conduct outreach activities with non-single-family residential property owners and managers to support implementation of AB 356.*

The committee recommends that staff conduct extensive outreach activities to support the implementation of AB 356, including marketing efforts, online tools, and staff site evaluations.

APPENDIX A

Meeting Summaries

APPENDIX B

January 20, 2022 SNWA Board Agenda Item

SOUTHERN NEVADA WATER AUTHORITY

IMPLEMENTATION PLAN FOR
THE REMOVAL OF
NONFUNCTIONAL TURF IN
SOUTHERN NEVADA

JANUARY 2022



SOUTHERN NEVADA WATER AUTHORITY™

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SOUTHERN NEVADA WATER AUTHORITY

**IMPLEMENTATION PLAN FOR THE
REMOVAL OF NONFUNCTIONAL TURF
IN SOUTHERN NEVADA**

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I. EXECUTIVE SUMMARY

Southern Nevada relies on the Colorado River to meet approximately 90 percent of its water demands. For the past 20 years, the Colorado River has been subject to persistent drought conditions and a hotter, drier climate, leading to significant declines in Lake Mead. Given the federally declared shortage on the Colorado River, Southern Nevada continues to pursue initiatives to reduce consumptive use and conserve water resources.

One of its principal focuses in reducing consumptive use is the reduction of nonfunctional turf within the community. Nonfunctional turf provides no recreational value, is decorative or is not safe to access and use. It is found throughout Southern Nevada, within business complexes and neighborhoods, schools, parks, government facilities, along community streets, and in traffic circles and medians.

The unused grass in Southern Nevada soaks up about 12 billion gallons of water every year; the equivalent of more than 10 percent of Nevada's entire allocation of water from the Colorado River. Removal of this large water waster is paramount to meeting Southern Nevada's future demands.

In June 2021, the Nevada Legislature enacted Assembly Bill (AB) 356, which prohibits the use of Colorado River water to irrigate the nearly 4,000 acres of nonfunctional turf on properties that are not zoned exclusively for single-family residences on and after January 1, 2027. The legislation also directed the SNWA Board of Directors to develop a plan for the removal of nonfunctional turf in the Las Vegas Valley; this plan serves to meet the requirements of the legislation and sets forth a strategy for the removal of Southern Nevada's nonfunctional turf.

The Legislature also created the Nonfunctional Turf Removal Advisory Committee (NTRAC) to help the SNWA define functional and nonfunctional turf. In July 2021, the SNWA Board appointed nine individuals representing commercial and industrial properties, homeowners' associations, golf courses, multifamily properties, environmental interests and municipalities. The recommendations put forward by this committee are incorporated into this plan and represent significant work and consideration by a group of individuals committed to maintaining a sustainable future for Southern Nevada.

The implementation plan is comprised of the following actions by the SNWA Board:

- Accept the NTRAC-recommended definitions of functional turf and nonfunctional turf to be adopted by each of the purveyor member jurisdictions
- Authorize a waiver process as authorized by AB 356 and recommended by NTRAC
- Accept the December 31, 2026 deadline set by AB 356 for turf removal for all sectors
- Do not authorize any extensions to the deadline
- Do not establish any phases that would require a sector to remove turf earlier than the deadline
- Conduct outreach to affected sectors based on NTRAC recommendations and the adoption of this implementation plan

IMPLEMENTATION PLAN

The need to remove nonfunctional turf in Southern Nevada is critically important. Nearly 4,000 acres of nonfunctional turf remain in non-single family residential sectors throughout Southern Nevada. Each year, this unused turf wastes 9.5 billion gallons of water and its irrigation often yields additional unintended consequences such as unsafe driving and play surfaces, degradation to sidewalks and retaining walls, and ongoing maintenance costs.

While Southern Nevada has made considerable progress in encouraging businesses and non-single family residential water users to voluntarily remove nonfunctional turf through incentive programs, hold outs remain. AB 356 represents one of the most progressive pieces of legislation in the United States relating to landscape efficiency, and with the impending resource constraints, implementation must start now.

DEFINITIONS

For nearly six months, the Nonfunctional Turf Removal Advisory Committee considered how nonfunctional turf and functional turf should be defined for the community. Clear, transparent and objectively applicable definitions are important to ensure enactment of the legislation and reduce ambiguity and time-consuming clarifications. General definitions were developed for specific uses within the community. The committee considered how turf was being used within each sector and developed definitions that identified grass providing safe, accessible recreational value.

As part of this implementation plan, the SNWA Board accepts the Committee-approved definitions, which are included in Appendix A of this plan. Upon approval by the SNWA Board of Directors, these definitions must be adopted by SNWA purveyor members and incorporated into their respective service rules and codes. In each purveyor member jurisdiction, Colorado River resources may not be used to irrigate turf meeting the Nonfunctional Turf on or after the deadline established in the legislation.

WAIVERS

While AB 356 provided for a waiver process, it did not define the process. The committee discussed the need for a waiver process since some turf applications might substantially conform with the functional turf definition or provide a recreational benefit to the community but not meet the specific criteria to be considered functional. The committee discussed the application, review and appeal processes for waivers. Ultimately, they supported a waiver process that allows an applicant an opportunity to demonstrate that the turf substantially complies with the functional turf definition.

While any water user can apply for a waiver, not every waiver will be granted. The waiver process is outlined in Appendix C, which includes a process for appeals. It is important to note that the waiver and appeal processes are governed by SNWA and not its purveyor members pursuant to AB 356.

EXTENSIONS

While the legislation permits the SNWA Board to consider implementation of extensions, it is premature at this juncture to consider a process for extensions. The SNWA feels strongly that properties affected by the implementation of AB 356 with nonfunctional turf should act immediately in response to shortage conditions on the Colorado River and take advantage of the rebate programs currently offered. The SNWA recognizes that many properties have a significant amount of turf to remove, and the entire five-year period might be necessary to accomplish large turf removal projects.

DEADLINES AND PHASES

With the enactment of the legislation, the SNWA recognizes the significant increase in workload required from its conservation staff to support nonfunctional turf conversions in the community. Establishing phases and deadlines among sectors at the time of implementation could potentially lead to unintended consequences, such as discouraging immediate action. At this time, staff is recommending that all sectors be given until December 31, 2026 to discontinue irrigation of nonfunctional turf.

Deadlines and phases may be more prudent in the future, but upon approval of this plan, they are not recommended.

OUTREACH

Nonfunctional turf exists in nearly every corner of Southern Nevada and the number of property owners affected by AB 356 is large. As such, the SNWA will undertake significant outreach efforts to explain the intent of AB 356 and offer resources to help property owners comply with the law.

Recognizing that outreach cannot be a one-size-fits-all approach, the SNWA will utilize a myriad of tools to reach property owners and customers. These include, but are not limited to:

- *Direct Mail:* Together with its member agencies, the SNWA will issue direct mail to owners/customers with targeted information about nonfunctional turf and how they can begin their conversion.
- *Web Information:* SNWA will develop web pages that include definitions and examples, with links to helpful resources such as plant lists, sample landscapes and Water Smart Landscapes program information.
- *Social Media:* SNWA maintains many active social media accounts, including Instagram, Twitter, Facebook and YouTube. Relevant content will be featured and partners invited to reshare to increase awareness.
- *Speakers Bureau:* Presentations will be tailored to affected sectors and industries.
- *Stakeholder Briefings:* Briefings will be scheduled with professional and civic associations, community leaders and local governments.
- *Water Bill Information:* SNWA will work with its member agencies to include specific messaging about AB 356 and where to find more information.

- *Vegas Valley H2O*: The SNWA's public access TV show has and will produce short segments about the legislation and how property owners can access more information.
- *Springs Preserve Tours*: With more than 8 acres of water efficient landscaping, the Springs Preserve will offer regular tours for property owners, landscape managers and customers who are interested in learning more about selecting plants and native landscapes.

CONCLUSION

The implementation of AB 356 will require significant effort from property owners, property managers, landscape professionals, local governments and SNWA conservation personnel. Their support and help in this effort will reduce water consumption and keep Southern Nevada a beautiful and sustainable community. The SNWA Board has the authority to alter or modify this plan at any time at a future public meeting.

APPENDIX A

<< Committee-approved NTRAC Definitions inserted here >>

APPENDIX B

<< AB 356 Language Here >>

APPENDIX C

WAIVER PROCESS

REVIEW PROCESS:

1. SNWA staff will review applications to determine if the turf substantially complies with the functional turf definitions and if the turf provides a recreational benefit to the community.
2. SNWA staff may condition the approval based on irrigation efficiency, presence of public use facilities, accessibility, proximity to roadways, and overall turf acreage (based on recreational use and number of persons served) and any other requirements that ensure turf remains functional.
3. SNWA staff will document all decisions and correlate outcomes to the established functional/non-functional turf definitions.

RECONSIDERATION AND APPEAL:

- If an entity is not satisfied with the staff decision, it may file a written notice of appeal to the SNWA General Manager within 10 calendar days. The General Manager shall conduct and complete a review of staff's decision and issue a decision on the appeal within 30 calendar days of receipt.
- If an entity is not satisfied with the General Manager's decision, it may file an appeal to the SNWA Board within 10 calendar days of receiving the General Manager's decision.
- Appeals to the SNWA Board will be scheduled for the next available meeting date, subject to processing and posting timelines.



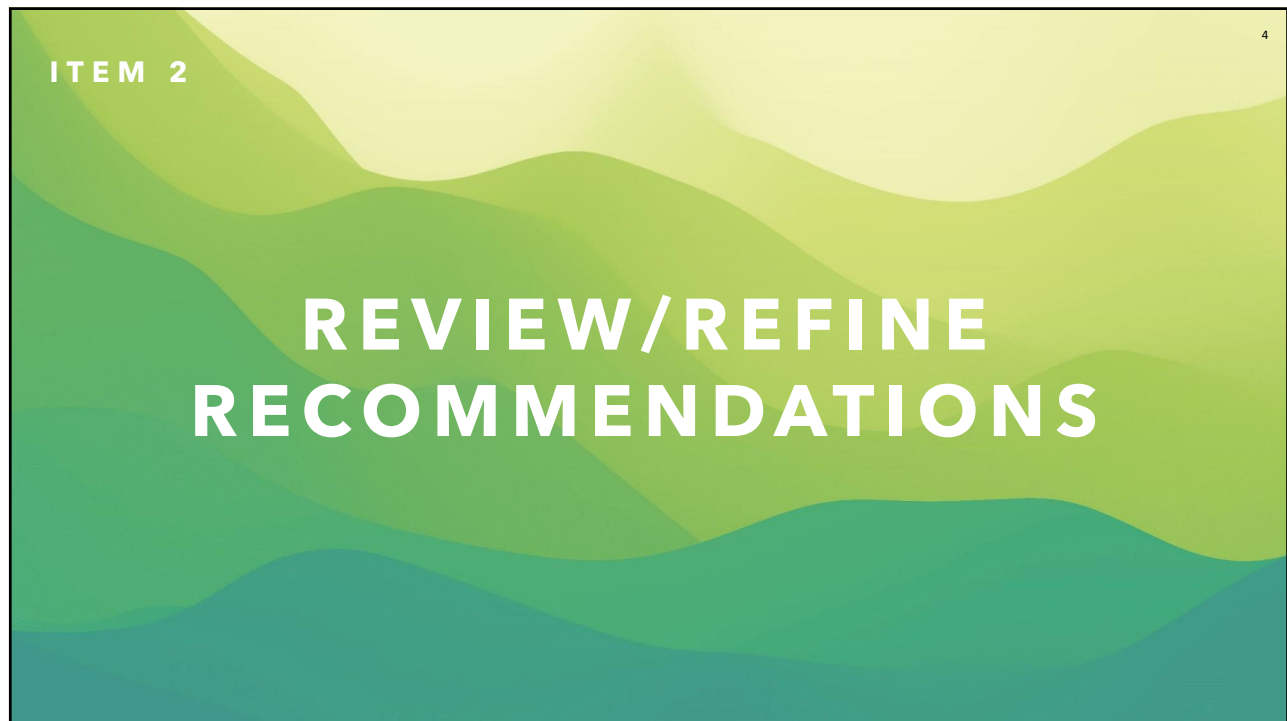
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RECOMMENDATIONS REPORT

- Provided to committee members and posted online for viewing on November 10
- Includes an overview of members, process, discussion and issues
- Formalizes the following:
 - Functional and Nonfunctional Turf definitions
 - Waiver process
- Includes recommendations for the following:
 - Future committee convening
 - Outreach

DRAFT RECOMMENDATION #1

Define non-functional turf as:

“Non-functional Turf” means irrigated lawn grass area not meeting the below definition of Functional Turf, including without limitation, such areas in the following locations:

- Streetscape Turf: except as otherwise specified turf located along public or private streets, streetscape sidewalks, driveways and parking lots, including but not limited to turf within community, park and business streetscape frontage areas, medians and roundabouts
- Frontage, Courtyard, Interior and Building Adjacent Turf: turf in front of, between, behind or otherwise adjacent to a building or buildings located on a property not zoned exclusively as a single-family residence, including but not limited to maintenance areas and common areas.
- Certain HOA-Managed Landscape Areas: turf managed by a homeowner association that does not provide a recreational benefit to the community or that otherwise does not qualify as Functional Turf, regardless of the property zoning.

DRAFT RECOMMENDATION #2

Define **functional** turf as:

“Functional Turf” means an irrigated lawn grass area that provides a recreational benefit to the community and is:

- (a) located at least 10 feet from a street (except as otherwise specified), installed on slopes less than 25 percent, and not installed within street medians, along streetscapes or at the front of entryways to parks, commercial sites, neighborhoods or subdivisions; and
- (b) Active/Programmed Recreation Turf, Athletic Field Turf, Designated Use Area Turf, Golf Course Play Turf, Pet Relief Turf, Playground Turf or Resident Area Turf, as these terms are further defined and qualified.

DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

“Active/Programmed Recreation Turf” means irrigated lawn grass in an active/programmed recreation area on homeowner association-owned or managed property or at a public park or water park (excluding park streetscape and community frontage areas).

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



DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

“Athletic Field Turf” means irrigated lawn grass used as a programmed sports field or for physical education and intermural use that is 1,500 contiguous square feet or greater, not less than 30 feet in any dimension, and located at a school, daycare, youth recreation center, senior center, public park, private park, water park or religious institution. Athletic Field Turf may be located less than 10 feet from a public or private street or interior-facing parking lot if the contiguous turf area is at least 30 feet in all dimensions.



SOUTHERN NEVADA WATER AUTHORITY

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DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

“Designated Use Area Turf” means irrigated lawn grass designated for special use at cemeteries and mortuaries.



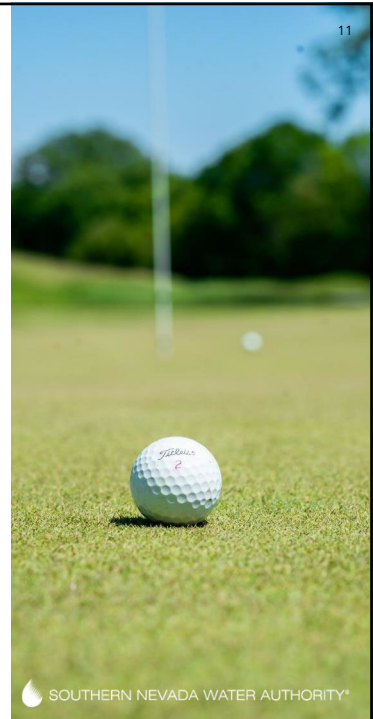
SOUTHERN NEVADA WATER AUTHORITY

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DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

"Golf Course Play Turf" means irrigated lawn grass at a golf course in driving ranges, chipping and putting greens, tee boxes, greens, fairways and rough.



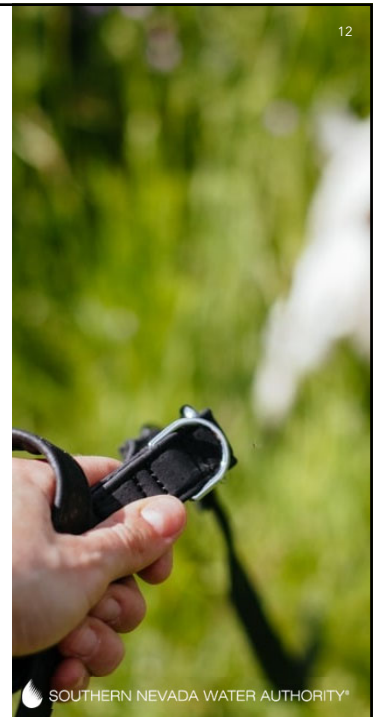
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DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

"Pet Relief Turf" means irrigated lawn grass in a property providing commercial and retail services for pets that is designated for pet use (such as veterinarians or boarding facilities). Pet Relief Turf may not exceed 200 square feet.



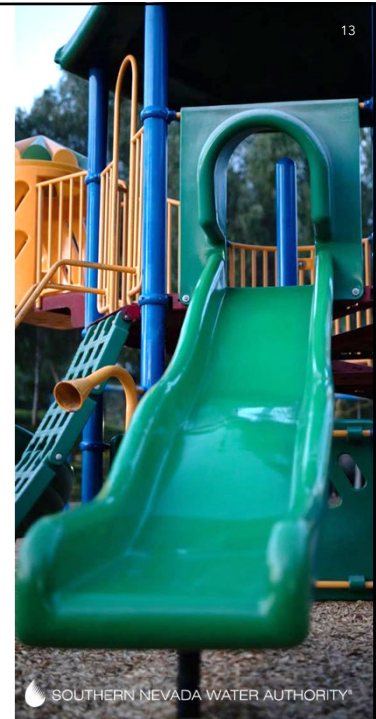
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DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

"Playground Turf" means irrigated lawn grass in designated play areas with playground amenities, including but not limited to slides, swings and climbing structures on homeowner association-owned or managed property or at a public park, water park, school, daycare, youth recreation center, senior center or religious institution. Playground Turf may be located less than 10 feet from a public or private street if fenced.



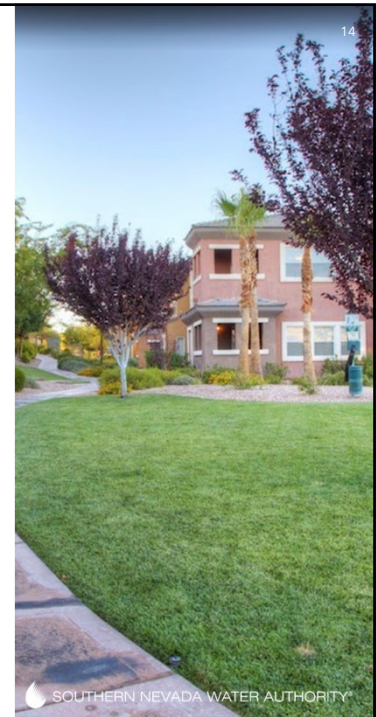
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DRAFT RECOMMENDATION #2 (cont.)

FUNCTIONAL TURF TYPES

"Resident Area Turf" means up to 150 square feet of irrigated lawn grass per dwelling unit at multi-family residential properties, commercial/multi-family mixed use properties, extended stay hotels/motels, or assisted living and rehabilitation centers used by tenants for recreation and leisure. Resident Area Turf must be in areas reasonably accessible for active use by residents and therefore may not be located in streetscape frontages, parking lots, roundabouts, medians, driveways and other non-accessible or exclusive-use areas such as commercial courtyards.



SOUTHERN NEVADA WATER AUTHORITY

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DRAFT RECOMMENDATION #3

Establish a waiver process for non-single family residential properties for turf that is not permitted under the current definitions.

DRAFT RECOMMENDATION #3 (cont.)

Quick Reference Table

ESTABLISHMENT TYPE	Resident Area Turf	Golf Course Play Turf	Pet Relief Area Turf	Active / Programmed Recreation Turf	Athletic Field & Playground Turf	Designated Use Area Turf
Schools & Daycares					Functional	
Youth Recreation & Senior Centers					Functional	
Homeowner Associations				Functional	Functional	
Government Facilities (excluding Parks)						
Commercial & Retail Services			Functional ¹			
Multi-Family Residential	Functional					
Commercial/Multi-Family Mixed Use	Functional					
Public Parks, Private Parks & Water Parks				Functional	Functional	
Golf Courses		Functional				
Cemeteries & Mortuaries						Functional
Religious Institutions					Functional	
Hospitals & Medical Offices						
Assisted Living & Rehabilitation Centers	Functional					
Commercial & Industrial Office Parks						
Hotels, Motels & Resorts						

¹ Applies to businesses exclusively serving pets (veterinarians, pet boarding facilities, etc.)

DRAFT RECOMMENDATION #3 (cont.)

WAIVER ELIGIBILITY & REVIEW PROCESS

ELIGIBILITY:

Any establishment can apply for waiver for functional turf that provides a recreational benefit to the community and meets the functional turf definition.

APPLICATION PROCESS:

- Waiver applications will be available online at snwa.com and must be submitted electronically.
- Waiver applicants must demonstrate turf substantially complies with the Functional Turf definition as indicated by:
 - Activity type
 - Activity appropriate dimensions
 - Number of persons served and frequency of use
 - Location in proximity to similar turf areas
 - Public access and proximity to roadways (is turf accessible and located in a safe place to recreate?)
 - Presence of facilities and/or other recreational amenities
 - Irrigation efficiency



DRAFT RECOMMENDATION #3 (cont.)

WAIVER ELIGIBILITY & REVIEW PROCESS

REVIEW PROCESS:

- SNWA staff will review applications to determine if the turf substantially complies with the functional turf definitions and if the turf provides a recreational benefit to the community.
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- Appeals to the SNWA Board will be scheduled for the next available meeting date, subject to processing and posting timelines.



DRAFT RECOMMENDATION #4

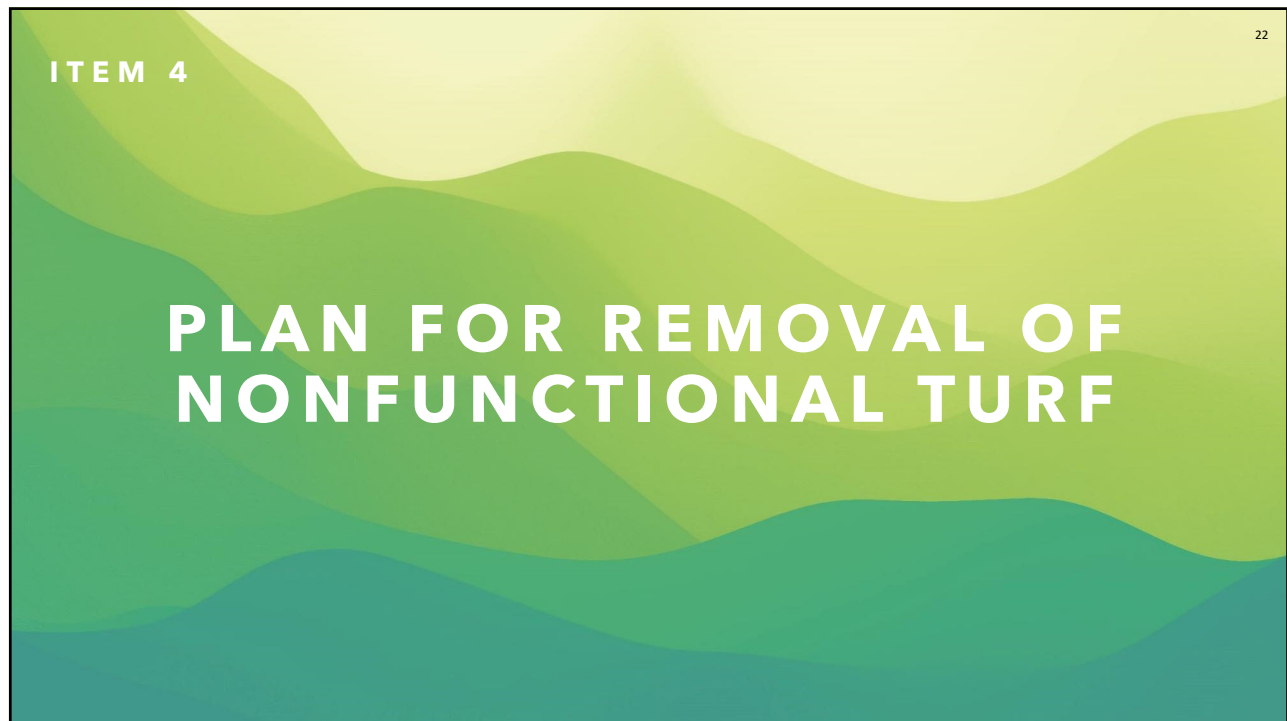
Reconvene the Nonfunctional Turf Removal Advisory Committee as needed to discuss other issues pertaining to the implementation of AB 356.

DRAFT RECOMMENDATION #5

Conduct outreach activities with non-single family residential property owners and managers to support implementation of AB 356.



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REMOVAL PLAN

- AB 356 requires SNWA to develop a plan for the removal of nonfunctional turf.
- Per AB 356, NTRAC's responsibilities include providing recommendations to the plan.
- Draft plan provided to committee and posted online on Nov. 10.
- The removal plan will be provided to SNWA Board for approval in January.



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ITEM 5

OUTREACH & NEXT STEPS

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OUTREACH

The SNWA recognizes that many properties in Southern Nevada will be affected by the legislation and these definitions.

- Web pages that include the definitions and examples
- Speakers bureau, tailored to industry
- Direct mail to property owners
- Stakeholder briefings
- Targeted outreach to professional associations and business groups
- Water bill insert information
- *Water Smart Living* homeowner newsletter information
- Social media
- Vegas Valley H2O segment
- Springs Preserve tours of water smart landscaping
- Dedicated conservation staff to handle call volume, inquiries and program management



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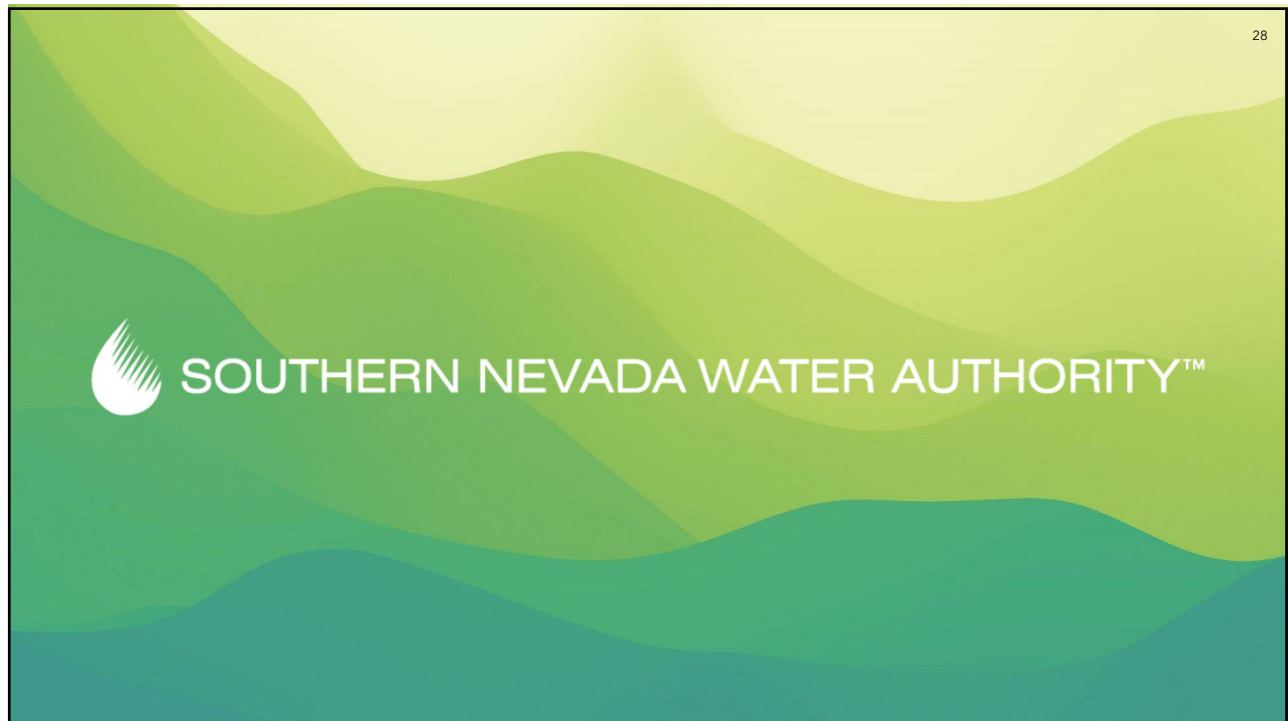
NEXT STEPS

Today	Discuss and finalize recommendations
Dec. 8, 2021 <i>(if needed)</i>	Finalize recommendations
Jan. 20, 2022	SNWA Board meeting – <i>consider recommendations report</i>
2022	<i>Public Outreach</i>
TBD	Reconvene NTRAC to discuss other issues pertaining to the implementation of AB 356

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