

NAVIGATING AB 1572

WHAT IS AB 1572

Assembly Bill (AB) 1572 is a State law enacted in 2023 that bans the use of potable (drinkable) water to irrigate what is considered “nonfunctional turf” on commercial properties, (including HOA’s, like Nepenthe.

WHAT IS NONFUNCTIONAL TURF

Not clearly defined in the bill, BUT it is generally considered any turf (grass) that is decorative and has no other purpose, such as grassy strips adjacent to sidewalks, medians, and areas that are not used for tree irrigation, recreation and other similar uses.

WHAT IS FUNCTIONAL TURF?

Common area turf that maintains tree life, is used for community gatherings and recreation, OR turf irrigated with recycled water.

WHAT IS THE DEADLINE FOR COMPLIANCE?

Jan 1, 2027: Properties owned by local governments

Jan 1, 2028: Commercial, industrial properties

Jan 1, 2029: Homeowner associations

June 30, 2031: HOA’s with irrigate turf must certify to CA State Water Resources Control Board, every three years.

WHY DID THE LEGISLATURE ENACT THIS BILL?

Citing the ongoing drought conditions and increased drinking water demand, the goals are to

- Limit waste of drinking water by diverting it from being used to irrigate nonfunctional turf
- Promote use of native and drought-tolerant plants
- Act as an important component of the State’s overall goals of sustainable water conservation

HOW DO WE START PLANNING NOW?

Assess existing landscape – identify and evaluate our functional and nonfunctional turf

Incorporate compliant landscape solutions – outline long and short-term strategies that could include turf conversion to drought-tolerant groundcover, for example.

Work with our local water agency to clarify functional vs. nonfunctional issues and make sure that turf conversion/replacement qualifies for financial rebate incentives (which Nepenthe has done in the past).

WHAT’S IN IT FOR US? HOW DOES THE HOA BENEFIT?

Reduced Maintenance Costs – It has been demonstrated that it takes much less time - AND MONEY! - to prune drought-tolerant plants than to mow turf.

For example, it is estimated that 1,000 square feet of turf uses about 58,000 gallons of water per year, compared to a drought-tolerant plant conversion that uses 12,000 gallons of water per year - an 80% reduction! Savings depend on configuration of the space and plant types to be installed

NO NEED TO PANIC - IF WE HAVE A PLAN!

WHERE DO WE START? WHAT ARE SOME FIRST STEPS?

Luckily for us, there are resources out there to help us in developing our own approach. The information below is a summary of suggestions that we have found so far.

DEVELOP A SAMPLE CHECKLIST/Framework TO HELP GUIDE IMPLEMENTATION FOR THE ENTIRE COMMUNITY – HOMEOWNERS, BUDGET AND GROUNDS COMMITTEES, HOA BOARD

GET THE FACTS

With the help of our landscape professionals, map and measure functional, nonfunctional, and “not sure” turf. There are templates that may help to organize this information.

Understand our current irrigation system. As many of you know, Nepenthe has a mix of several types: drip, spray, emitter, and netafim.

DEFINE OPTIONS, TIMEFRAMES AND PRIORITIES

With accurate information, we can develop a realistic phased work plan that keeps us within our budget.

Here are some options under consideration by other HOAs:

- Make nonfunctional turf functional by adding lawn furniture, or planting appropriate medium-sized trees
- Convert to low-water, drought tolerant ground covers
- Stop watering, no replanting

Issues to consider

- What do we want to use this space for? What is the size and shape
- What is current condition of soil
- What grass should be kept or removed
- What is the sun exposure
- Are there drainage issues
- Privacy and safety concerns
- Understand drought-tolerant plants’ characteristics and water needs
- Do we want to consider hardscape, decomposed granite, walkways, benches, other outdoor activities

ONGOING MONITORING

Working with our landscape partner, the HOA should make sure Nepenthe’s water provider (City of Sacramento) is provided with documentation of compliance information.

WHERE DO WE GO FROM HERE?

- Monitor City of Sacramento development of rules and regulations
- Continue to research and educate ourselves on implementation options for Nepenthe