



Application of NV AB 356

Removal of Nonfunctional Turf

07 August 2023

International Association of Field Service Technicians
IAFST Federation of Labor
30 N Gould St STE R
Sheridan, WY 82801
Telephone: 757 655 3273
E-mail: press@iafst.org

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---

CUI//FOUO



Table of Contents

Table of Contents	2
1. Background	2
1.1 Purpose	3
1.2 Background	3
2. Discussion	3
2.1 Issue	3
2.2 History	3
2.3 Discussion	4
3. Conclusion	6
3.1 Summary	6
3.2 Conclusion	6
4. Author's Biography	7
5. About the International Association of Field Service Technicians	7
6. Copyright	8
7. Disclaimer	8

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---

CUI//FOUO



1. Background

1.1 Purpose

To establish a framework for compliance with [Nevada Assembly Bill 356](#) (AB 356).¹

1.2 Background

Assembly Bill 356, signed by then Nevada Governor Steve Sisolak in June 2021, prohibits Colorado River water distributed by the Southern Nevada Water Authority from being used to irrigate “nonfunctional turf” starting Jan. 1, 2027.

2. Discussion

2.1 Issue

Nearly one-third of all of the grass in Southern Nevada will need to be removed by the end of 2026 under AB 356, a significant conservation effort that comes as the state is facing its first federal water shortage amid declining Lake Mead levels and a two-decades-long drought that has shown no signs of ending. AB 356 specifically states that,

The waters of the Colorado River distributed by the SNWA or its member agencies may not be used to irrigate nonfunctional turf on any property that is not zoned exclusively for a single-family residence.

Specifically, this means that the grass, commonly referred to as lawns, on any property not zoned exclusively for a single-family residence, must be removed.

2.2 History

According to the water authority’s estimate, the new law will lead to the eventual removal of 3,900 to 4,000 acres of nonfunctional grass, or about 6 square miles worth of thirsty turf. That’s about 30 percent of the 13,000 acres of grass currently in the Las Vegas Valley. For more than two decades, the water authority has encouraged residents and business owners to tear out their grass, with the current incentive program offering

¹ <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7910/Overview>

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---



\$3 for every square foot of turf converted to desert landscaping. More than 4,500 acres of grass have been removed since that program's inception.

The continued decline of Lake Mead water levels prompted the federal government to declare a tier two shortage in August 2022, further limiting the amount of water Southern Nevada is allowed to withdraw from the Colorado River at Lake Mead beginning January 2023.

The Las Vegas Valley gets about 90 percent of its water from the Colorado River, which is facing the worst drought in the river basin's recorded history. The water level of Lake Mead, which serves the source of most of the community's drinking water, has dropped approximately 170 feet since January 2000.²

As a result of shortage conditions on the Colorado River, the Secretary of the Interior made the first-ever shortage declaration in 2021, which reduced the amount of water available to Nevada and other water users in 2022. A Tier Two shortage was declared in 2022 for 2023 operations, further reducing the amount of water available to Nevada and other water users.³

Issued in accordance with the 2007 Colorado River Shortage Guidelines, the declaration limits the amount of water Southern Nevada can withdraw from Lake Mead by 25,000 acre-feet, or about 8.1 billion gallons. The total obligations by all parties, including Arizona and Mexico, is 721,000 acre-feet.⁴

As Nevada is the nation's driest state, the reality is that compliance with this issue is not a line item choice for those in charge of distressed assets.

2.3 Discussion

AB 356 is not a discretionary law. In fact, from the humanitarian point-of-view, it is literally a life or death implementation. And whether or not asset managers wish to abide

2

<https://www.lvvwd.com/conservation/measures/index.html#:~:text=The%20Las%20Vegas,since%20January%20202000.>

3

<https://www.lvvwd.com/conservation/measures/index.html#:~:text=As%20a%20result,other%20water%20users.>

4

[https://www.lvvwd.com/conservation/measures/index.html#:~:text=Issued%20in%20accordance,gallons%20of%20water.\)](https://www.lvvwd.com/conservation/measures/index.html#:~:text=Issued%20in%20accordance,gallons%20of%20water.)

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---



by the law, the reality is that with public reporting available for non compliance⁵ by the citizenry themselves. Moreover, asset managers need to be aware of the fact that Home Owner Associations (HOA), condominium associations, and apartment complexes are all required to follow AB 356. Some of them have decided to apply the requirements of the law and lien the distressed assets themselves.

Bill Number 2011-36, Ordinance Number 6169 actually makes the tasks of the code enforcement officers much easier when it comes to identifying distressed assets.⁶ And whether or not asset managers believe that they will be granted special treatment due to the financial institution they are associated with, the reality is that in the case of AB 356, it will be implemented with Draconian force. In fact, the current rate of foreclosure is rapidly increasing throughout the Clark County area.⁷ The chart below is taken directly from the Clark County Community Dashboard.⁸

	Notices of Default			Notices of Trustee Sale			Trustee Deeds (Foreclosures)		
	Current Month	Trailing 3 Months	Trailing 12 Months	Current Month	Trailing 3 Months	Trailing 12 Months	Current Month	Trailing 3 Months	Trailing 12 Months
LAS VEGAS	74	227	775	30	101	362	10	40	146
Henderson	33	102	334	11	45	154	7	19	70
North Las Vegas	26	99	385	17	51	212	7	17	76
Mesquite	3	6	26	1	2	14	1	1	7
Boulder City	1	1	8	0	1	4	0	0	0
Unincorporated Clark County	98	317	1,225	54	168	590	20	72	238
Balance of Clark County	161	525	1,982	83	267	974	35	109	391
Clark County	235	752	2,757	113	368	1,336	45	149	537

To put this into perspective, HomeAdvisor states that the average size of a lawn in Nevada⁹ is 1,712 ft² or 5,639,328 ft² of grass. According to CBS News watering one

5

<https://www.lvvwd.com/conservation/water-waste/report-water-waste/index.cfml>

6 <https://files.lasvegasnevada.gov/code-enforcement/ORD-6169.pdf>

7

<https://communitydashboard.vegas/foreclosure#:~:text=44.44%25-,Southern%20Nevada%20Foreclosure%20Comparisons,-Notices%20of%20Default>

8

<https://communitydashboard.vegas/foreclosure#:~:text=44.44%25-,Southern%20Nevada%20Foreclosure%20Comparisons,-Notices%20of%20Default>

9 <https://www.homeadvisor.com/r/average-yard-size-by-state/>

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board
Reason(s): For Public Consumption
Declassify by: N/A
Prepared by: Williams, P

Controlled by: IAFST Board
CUI Category(ies): FOUO
Ltd Dissemination Control: N/A
POC: Williams, P

CUI//FOUO



square-foot of grass in Las Vegas uses 73 gallons of water per year.¹⁰ We are looking at the potential of 411,670,944 gallons of water lost in Las Vegas, per year, because our Industry refuses to follow AB 356.

3. Conclusion

3.1 Summary

AB 356 is here and it is not going away, ever. The *why* for the necessity of the law is up for multiple interpretations; however, the reality is that our Industry has lost nearly two years as the continued water depletion has rapidly increased. Building on that, the combined pressure from HOA's, condominium associations, and apartment complexes filing liens on properties as they perform the AB 356 requirements will eventually cloud titles costing tens of thousands of dollars, per asset, to clear.

3.2 Conclusion

Industry standards for removal of nonfunctional turf are pretty straight forward. The existing grass is removed and the remaining earth is treated with a herbicide after proper leveling and debriding. A covering layer of material is utilized, encapsulating the soil, with a mulchified base material applied on top. The final step is installing the artificial turf.

From a pricing point-of-view it is critically important to understand that the Industry norm of creating a new channel for profit with unfunded and underfunded mandates shouldered by Labor is not an option. The legal requirements of applying herbicides are clear and side stepping these would have extremely negative financial results as well as legal implications. And the necessary licensing to evacuate the existing grass and install the artificial turf have similar licensing requirements.

The history of this Industry has been wrought with the cutting of corners as well as the refusal to pay Labor based upon spurious, at best, reasons. With respect to this new channel, it would be wise for the Industry to follow other mainstream Industries especially with the sensitivity of AB 356.

10

<https://www.cbsnews.com/news/las-vegas-water-conservation-grass/#:~:text=Watering%20one%20square%2Dfoot%20of%20grass%20in%20Las%20Vegas%20uses%2073%20gallons%20of%20water%20per%20year%2C%20while%20drought%20tolerant%20landscaping%20uses%20just%2018%20gallons.>

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---



4. Author's Biography

This White Paper was written by:

Paul Williams

IAFST Press Secretary

On behalf of the IAFST Federation of Labor

Editor-in-Chief, Foreclosurepedia

Founder, Digital Matrix Group

5. About the International Association of Field Service Technicians

The International Association of Field Service Technicians (IAFST) is the global professional trade association for the Mortgage Field Services, with global headquarters in the USA and affiliated Institutes and Chapters throughout the world including Canada and Mexico.

As the chief advocate of the Mortgage Field Services Industry, the IAFST serves as the Industry's international standard-setter, sole provider of globally accepted internal certifications utilizing the Credential Transparency Description Language (CTDL), and principal researcher and educator.

The IAFST sets the bar for Industry integrity and professionalism around the world with its 'Industry Professional Practices Framework' (IPPF), a collection of guidance that includes the 'International Standards for the IAFST' and the 'Code of Ethics'.

The IAFST provides a globally accepted rigorous basis for the operations within the Industry. Procedures for the mandatory provisions require public exposure and formal consideration of comments received from IAFST members and non-members alike. The standards development process is supervised by multiple Committee members, the IAFST Oversight Council, which is appointed by the IAFST Board of Directors and comprises persons representing stakeholders such as boards, management, public and private sector auditors, regulators and government authorities, investors, international organisations, and members specifically selected by the IAFST Board of Directors.

The IAFST ensures its members and the profession as a whole are well-represented with decision-makers and influencers, and is extensively represented on a number of committees and prominent working groups in the United States and internationally.

The IAFST was established in 2016 dozens of local area Chapters. Generally, members work throughout the Industry in internal auditing, risk management, governance, internal control, information technology audit, education, and security.

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---

CUI//FOUO



6. Copyright

This White Paper contains a variety of copyright material. Some of this is the intellectual property of the author, some is owned by state and federal agencies and some from public publications. Some material is owned by others which is shown through attribution and referencing. Some material is in the public domain. Except for material which is unambiguously and unarguably in the public domain, only material owned by the IAFST and the IAFST Federation of Labor, and so indicated, may be copied, provided that textual and graphical content are not altered and the source is acknowledged. The IAFST reserves the right to revoke that permission at any time. Permission is not given for any commercial use or sale of the material.

7. Disclaimer

While the IAFST has attempted to ensure the information in this White Paper is as accurate as possible, the information is for personal and educational use only, and is provided in good faith without any express or implied warranty. There is no guarantee given to the accuracy or currency of information contained in this White Paper. The IAFST does not accept responsibility for any loss or damage occasioned by use of the information contained in this White Paper.

The International Association of Field Service Technicians
is the Premiere Mortgage Field Services Industry Trade Association

Classified by: IAFST Board Reason(s): For Public Consumption Declassify by: N/A Prepared by: Williams, P	Controlled by: IAFST Board CUI Category(ies): FOUO Ltd Dissemination Control: N/A POC: Williams, P
---	---

CUI//FOUO