

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: SEPT. 8, 2006



CREATE DISTRICT ENGINEER POSITION/DELETE CONTRACT PROJECT ASSISTANT

ITEM

Amend Personnel Policy to create position of District Engineer, delete contracts Projects Assistant position, and authorize recruitment and hire of District Engineer

BACKGROUND

The Board on August 23, 2006, promoted Bruce Buel from contract Projects Administrator to General Manager and directed staff to place an item on a subsequent agenda regarding a staffing proposal to maintain the District's current level of effort. Staff met with the Personnel Committee on August 22, 2006, and discussed the concept of replacing the contract position of Projects Administrator with a permanent position of District Engineer. Staff subsequently developed the attached District Engineer Job Description and requested feedback from the Committee on the text. Staff also developed the attached draft Resolution that would amend the Personnel Policy and Procedures to add the attached Job Description to Chapter Seven as Job Description 7090.

Staff has also developed the following salary range based on a limited review of the salaries paid for comparable positions by cities in San Luis Obispo County (it should be noted that this salary range will be refined by Koff and Associates for subsequent Board Review):

<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>
\$69,107	\$72,562	\$76,190	\$80,000	\$84,000

Should NCSD hire a District Engineer at Step 1 in February 2007, the reconfiguration of the old General Manager/Project Administrator to the new General Manager/District Engineer would be cost beneficial to the District for FY06-07, however, the total cost would increase as the District Engineer achieved merit raises in subsequent years.

RECOMMENDATION

It is recommended that your Honorable Board adopt the attached resolution, delete the contract position of Projects Administrator and authorize the General Manager to recruit and hire a District Engineer.

ATTACHMENTS

1. RESOLUTION AND EXHIBIT (JOB DESCRIPTION)

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\DISTRICT ENGINEER.DOC

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE DISTRICT PERSONNEL POLICY TO ADD THE POSITION OF
DISTRICT ENGINEER**

WHEREAS, the Nipomo Community Services District (herein "District") Board of Directors (herein "Board") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code; and

WHEREAS, pursuant to District Resolution 2002-826, the District Board of Directors adopted the NCSD Personnel Policies and Procedures; and

WHEREAS, the District Board of Directors desires to create the permanent position of District Engineer to be incorporated as part of the District's Personnel Policies and Procedures; and

WHEREAS, the job description attached as Exhibit A describes the definition of the position, the class characteristics, examples of duties, and employment standards for said District Engineer;

NOW, THEREFORE, the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

Exhibit "A", attached hereto, is hereby incorporated by this reference and is adopted as Job Description 7090 in chapter Seven of the District's Personnel Policies and Procedures.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
CONFLICTS:

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this ____ day of _____, 2006.

Lawrence Vierheilig, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

EXHIBIT A

7090 – DISTRICT ENGINEER

1. DEFINITION

Under direction of the General Manager and the Assistant Administrator, the District Engineer, as a salaried FLSA exempt position, manages budgeted District projects; recommends new District Projects; administrates developer Will Serve Applications; coordinates annexation applications; tracks Water Allocation program; maintains District SCADA system, GIS system, Utility Master Plans, and hydraulic models; processes Assessment District formation and reporting; prepares regulatory and operational reports; presents information to the District Board and Committees; interacts with utility staff, applicants, consultants, community members, and regulatory staffers; and performs related work as assigned.

2. CLASS CHARACTERISTICS

The employee in this class performs a variety of activities in technical support areas. Responsibilities include dealing with and providing staff support to the Board of Directors, under the Direction of the General Manager, and working with customers and a variety of agencies and consultants. Work assignments may be diverse, depending on the current needs of the District; however, the employee normally follows defined policies and procedures, has some responsibility for procedural changes and/or technical program oversight.

3. EXAMPLES OF DUTIES (Illustrative Only)

- A. Manages the implementation of District Projects including all tasks necessary to plan, design, comply with CEQA, secure permits, secure land, award bids, manage construction, accept completion, arrange for operation, and submit periodic reports on projects status in conjunction with authorized consultants, contractors, property owners, and agency personnel.
- B. Tracks the implementation of utility master plans; recommends development of master plan updates as appropriate including the addition of new projects and changes to previously approved projects; and submits periodic reports on Master Plan implementation.
- C. Administrates developer sponsored will serve applications including all tasks necessary to receive applications, determine the completeness of applications; process the intent to serve letter approval or denial; secure Plan Check and Inspection Agreement execution; assign an appropriate plan check consultant; monitor the plan check and inspection process; assist in select inspections; approve final plans; issue the Notice to Proceed; secure required easements; coordinate project construction inspection; coordinate with the county and other utilities; secure applicant submittals; secure applicant fee payments; issue a final will serve letter; present a Resolution of Acceptance to the Board; and finalize the warranties.

- D. Coordinates developer sponsored annexation application including all tasks necessary to receive applications, determine the completeness of applications; process Board review of the annexation application; develop the draft annexation agreement; present the annexation agreement to the Board; implement the conditions of the annexation agreement; and coordinate with LAFCO.
- E. Oversees District Water Allocation Program including all tasks necessary to maintain current allocation balances by category for approved projects; advise the Board on the commitment represented by projects; track the dedication of approved projects; submit periodic reports; and maintain waiting lists as required.
- F. Maintains and updates District Standard Specifications.
- G. Maintains District SCADA system, GIS system, Utility Master Plans, and hydraulic models including all tasks necessary to update each respective system and to recommend upgrades.
- H. Prepares and certifies Annual Assessment District Reports and Assessment Roles, presents reports and roles to Board, and assists as directed in the development of additional assessment districts.
- I. Prepares a variety of periodic and special reports for submission to District management and regulatory agencies; represents the District in contacts with other agencies, public and private groups and customers.
- J. Develops and monitors implementation of Capital Improvement Budgets; tracks project fiscal activity; and submits reports on Capital Improvement Project performance and cost.
- K. Develops and recommends changes to equipment, policies and procedures to maintain compliance with laws and regulations and effective system performance.
- L. Assists in the development of a preventative maintenance programs and updates the District's preventative maintenance program for newly completed projects and/or facilities developed by the District or developers.
- M. Assists in the development of rate studies.
- N. Assists the General Manager with major projects including the Waterline Intertie Project.
- O. Presents information to the District Board, District Committees, Agency Boards and Committees and citizen groups.
- P. Interacts with District Staff and Legal Counsel to respond to requests for engineering support under the supervision of the General Manager.
- Q. Represents the District in a professional manner.

4. EMPLOYMENT STANDARDS

Knowledge of:

- A. Principles and practices of civil engineering and surveying, including utility work planning, direction, review, inspection, and evaluation;

- B. The operation and maintenance of potable water production, treatment and distribution facilities and equipment;
- C. The operation and maintenance of wastewater collection and treatment facilities;
- D. The operation and maintenance of underground piping systems, including pipes, valves and related appurtenances;
- E. The use of SCADA systems, Geographic Information Systems, and Auto-Cad Systems;
- F. Safety equipment and practices related to the work, including the handling and storage of hazardous chemicals (Cal OSHA);
- G. Applicable laws, codes and regulations including CEQA and the Subdivision Map Act;
- H. Standard laboratory tests related to the treatment of water;
- I. Mechanical, electrical, electronic and hydraulic principles;
- J. Computer applications related to the work.

Skill in:

- A. Reading, drafting and interpreting engineering projects, plans, specifications, blueprints, charts, maps, bid documents, and construction contracts;
- B. Planning, drafting, reviewing and evaluating project and development plans and specifications;
- C. Complying with CEQA;
- D. Securing Permits for development of works;
- E. Inspecting works under construction;
- F. Coordinating the use of consultants and contractors;
- G. Developing and implementing work procedures to meet laws and regulations;
- H. Maintaining accurate records and preparing accurate reports and clear and concise correspondence;
- I. Working independently within established procedural guidelines;
- J. Making oral presentation to groups;
- K. Identifying customer problems and resolving them in an effective and congenial manner;
- L. Establishing and maintaining effective and professional working relationships with those contacted in the course of the work;
- M. Maintaining and using SCADA systems, GIS systems, and Auto-Cad;
- N. Typing reports and memorandum using word-processing programs.

Physical Characteristics:

- A. Vision to read gauges, meters, computer screens, and instruction manuals and to operate a motor vehicle;
- B. Hearing to interact in person, on the telephone and over a radio;
- C. Strength to lift and move equipment and tools weighing up to 80 pounds with proper equipment;
- D. Stamina to do moderate physical work;

- E. Mobility to inspect various work sites, work in confined spaces and climb ladders;
- F. Ability to wear self-contained breathing equipment.

Working Conditions:

- A. The normal working day starts at 8am and ends at 4:30pm;
- B. Employee must be able to work out of doors in all weather conditions;
- C. Employee must be available for attendance at evening and weekend meetings;
- D. The District Engineer is a designated position in terms of NCSD's Conflict of Interest Code and must comply with all FPPC reporting and conflict codes.


Licenses:

- A. Must possess and maintain a valid California Class C driver's license and have a satisfactory driving record;
- B. Must possess and maintain a valid California Professional Engineer License;
- C. Must be bondable by District's fidelity bond insurer.

Education and Experience:

Equivalent to graduation from an accredited four year college or university with a degree in civil engineering and at least four years of work experience as an engineer with utility application.

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TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: SEPT. 9, 2006

**AGENDA ITEM
F
SEPT. 13, 2006**

MANAGER'S REPORT

ITEM

Standing report to your Honorable Board

Period covered by this report August 19, 2006 through September 6, 2006

DISTRICT BUSINESS

Administrative

Nothing to report. All Administrative items will be on the agenda, as necessary.

Safety Program

No injury reports during the period – See the attached memorandum on activity

Project Activity

Please see the attached Projects Update.

Field Activity

No Report

Conservation Program Activities

Please see attached report.

RECOMMENDATION

Staff seeks direction and input from your Honorable Board.

ATTACHMENTS


- Memorandum Summarizing Projects Activity
- Memoranda from Madonna Dunbar regarding Safety Program
- Memorandum from Madonna Dunbar regarding Water Conservation Program Activities



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MEMORANDUM

TO: HONORABLE BOARD
FROM: BRUCE BUEL 
DATE: SEPTEMBER 8, 2006
RE: PROJECTS UPDATE – 8/16/06 to 9/6/06

Following is a narrative describing the status and progress on projects that office and field staff has worked on from 8/16/06 through 9/6/06. Additionally, this Update includes a section on Projects Completed, a section on Environmental Review Task Orders issued; a section on Small Construction Work Orders issued a section on new water allocations approved, a section on parks related activities, and a section on the Waterline Intertie Project fiscal activity.

I. PROJECTS UPDATE

NCSD Water Intertie Project –

- This project is in environmental review with the Draft EIR circulated on May 24, 2006. As of the August 16, 2006 deadline for submission of comments, sixteen comments had been received and Douglas Wood is preparing responses. Attached is a Critical Path for the project (Subject to Change as a result of additional research needed to respond to comments).
- The Board and Water Project Design & Construction Standing Committee on August 16, 2006 toured the OVSD HDD crossing of the Ventura River in Ojai.
- The Water Project Design & Construction Standing Committee held a Special Meeting on Wednesday August 30, 2006 at the NCSD Office to discuss water quality issues, to receive an update on the Pre-Design Study progress, and to discuss the process for responding to comments (See Minutes Attached to Agenda Item G-1). The Committee has set its next meeting for 2 pm on Wednesday September 20, 2006.

- Staff has submitted the energy rebate pre-application to PG&E authorized by the Board on August 9, 2006.
- Staff has circulated a Request for Statement of Qualifications for Construction Management services to eleven local firms to determine the interest and availability of these firms to provide Construction Management Services. Five firms responded and each responding firm has been pre-qualified to submit a proposal for the Project Construction Management. Staff is still preparing the RFP for these services.
- Staff and Director Winn held the second meeting with Rick Sweet and Bruce Nybo of the City of Santa Maria and with Boyle Engineering on August 31, 2006 to discuss the City's Water System Hydraulics.
- Staff has sent a third letter to the three remaining property owners who have not responded to earlier requests for access to their respective properties for testing.
- Staff submitted the un-audited Fy05-06 Financials to the I-Bank Staff in Sacramento on July 17, 2006 regarding the draft Loan Pre-Application developed by staff. Staff has now submitted all the required documentation to the I-Bank so that the I-Bank can determine NCSD's eligibility to submit a full Loan Application in November.
- Attached is a Memorandum from Boyle Engineering summarizing their efforts in August 2006.
- Staff has accomplished all critical path tasks necessary to accomplish the Timeline set forth in Section VI of the attached REVISED Strategic Plan Outline (See also the Critical Path Network attached).
- Staff is scheduled to speak at the September 9, 2006 Meeting of Save the Mesa regarding the WIP DEIR.

Southland WWTF Upgrade Project –

- Phase I of this project is complete (responding to the RWQCB's Notice of Violation). Phase II is in process (considering logical upgrades to the WWTF and to the adjacent collection system).
- The Board on July 26, 2006 the Board authorized the President to execute the agreement for the Phase II work.
- Boyle is proceeding with their Phase II Scope of Work and expects to complete all tasks by the end of November.
- Staff has completed its effort to remove sludge from the bottom of pond 4.

- Staff is attempting to facilitate the digestion of sludge in ponds 1, 2 and 3 with surface aeration. The "Sludge Judging" at Southland substantial progress as a result of the surface aeration. In addition, the discharge results from Southland are far superior to the water quality results that NCSD observed during this time in 2005.

Southland Shop Upgrades –

- This Project is at the Environmental Review stage with Douglas Wood and Associates preparing the Initial Study (IS) and Draft Mitigated Negative Declaration (MND).
- The Board on July 26, 2006 Board selected the "Preferred Project" for environmental review of enlarging the shop and reorganizing the site.
- Staff expects to circulate a Notice of Availability of the IS/MND in October, to respond to comments in November, and to conduct the Environmental Determination Hearing in December.
- Garing Taylor and Associates are completing the site improvement plan for incorporation into the IS/MND.

Hetrick Road Waterline Upgrade –

- Boyle Engineers has completed the preliminary design and presented the preliminary design to the Board at its April 26, 2006, Board Meeting. Staff expects that the Board will make an environmental determination on the Project at its October 11, 2006 Board Meeting. (NOTE: Staff thought that the Environmental Determination could be held on September 13, 2006 but District Legal Counsel ruled that the original Notice of Availability Specified the Determination Hearing Date on October 11, 2006).
- Padre Associates submitted a Draft Initial Study and the draft Mitigated Negative Declaration on July 11, 2006 and a Notice of Intent to Adopt a Mitigated Negative Declaration was posted and published. Copies of the IS/MND were circulated to Responsible Agencies, Trustee Agencies, Interested Parties and the Nipomo Library. As of the August 15, 2006 deadline for comment submittal, staff received no comments on the IS/MND.
- Staff has also circulated a Request for Statement of Qualifications for Construction Management Services (CM) to eleven local firms. Five firms responded to the RSOQ and each SOQ was responsive. Staff then circulated a Request for Quotes specific to the Hetrick Project. The Board on August 9, 2006 selected Ground Up Design and Construction Management to perform the construction management. Ground Up has executed the District's Standard Agreement and is preparing to do this work.

- Staff has requested that Boyle Engineering submit a proposal to provide Engineering Services During Construction. Staff expects to present this proposal to the Board on October 25, 2006
- Staff has worked with District Legal Counsel and Linda Beck of MHA to develop the front end bid documents for this project and as a model for subsequent projects. Staff expects to advertise for bids in September and request that the Board award the bid at the Board's October 25, 2006 Board Meeting.

Blacklake Pump Station Upgrade –

- This project is in the concept design phase with the consultant expected to produce a draft concept design report for upgrades to the pumps and the distribution system by the end of August. Staff expects to present the plans to the Board on October 11, 2006 and bid the project so that it is completed during the winter when water demand is at its lowest.
- The Board on May 10, 2006 approved an amendment to the design services agreement with Boyle Engineers to authorize additional engineering analysis. Staff has executed a task order with Boyle for the approved additional engineering.
- Staff is independently preparing to upgrade the intertie between the Town System and the Blacklake System so that the District can take the Blacklake Pump Station off-line when it comes time for the upgrade.

Frontage Road Relocation/Tefft Corridor Design Standards –

- The County is the lead agency on this project, which is in its concept phase with no defined timeline for completion.
- Staff attended the September 6, 2006 SCAC Meeting to observe the SCAC review of the West Tefft Corridor Design Standards. It is staff's understanding that the SLO County Planning Commission will review a final version of these standards at its November 9, 2006 Meeting.
- King Ventures and Shapiro have proposed to realign Frontage from Hill Street to Grande Street as part of their respective development proposals. EDA on behalf of the two parties submitted a draft set of plans and profiles to County Public Works last fall. The County and Caltrans have reviewed these initial plans and responded with redlines, but additional discussions are necessary to determine the exact alignment and to deal with reconfiguration of the Southbound off-ramp and drainage.

- Staff has also met with a representative of EDA regarding the proposed extension of Mary South from West Tefft Street to Hill Street and the reconfiguration of Hill Street from the new intersection of Mary down to the realigned segment of Frontage.
- Staff met with Dale Ramey of County Public Works on August 17, 2006 to discuss the County's timing and design concepts. Mr. Ramey indicated that he expected that the extension of Mary to Hill would be completed by spring 2008.

Telemetry and Control (SCADA)–

- The Telemetry and Control System is functioning with all water storage reservoirs, ten wells, 12 lift stations, both WWTFs, the Blacklake Blower Building, and the Blacklake Connection connected. The Board on May 10, 2006 accepted the system and authorized staff to close out the development agreement with the contractor.
- Staff still needs to integrate additional facilities and start using the data capabilities of the software to gather data.
- Staff has contacted Mark Hutchinson of the County Public Works Department to discuss the status of the CIMIS station at the Woodlands and to share information on groundwater monitoring on the Nipomo Mesa.

Geographic Information System (Geo-Viewer)

- The GIS System is functioning with data attributes available for most layers in most of the District's Service Area.
- Staff is still adding data and attempting to rectify features to the actual geography.

Basin Groundwater Monitoring-

- Staff has fully executed the agreement with the consultant (SAIC) and conducted a kick off meeting with Bob Beeby on August 1, 2006. Bob Beeby has submitted his request for data and staff is assembling the requested data.
- Staff expects that this program will extend for multiple years and will involve interaction with the other basin stakeholders.
- Staff has secured the monitoring program being implemented by the Woodlands and has met with Woodland's Engineer to discuss their ongoing groundwater monitoring and production.

Preventative Maintenance and Staffing Review -

- This project has just started with staff assembling all systems and facilities.
- Staff has reviewed various computer software systems capable of tracking and reporting on maintenance management and has focused on two competing systems that appear to be promising.
- The Master Plan Update RFP approved by the Board on July 26, 2006 Board includes work elements regarding Preventative Maintenance Management.

Woodgreen Lift Station Access Upgrade –

- This project is in the concept phase with significant input from the homeowners group. Staff is preparing a “show and tell” with likely contractors to secure quotes for upgrading this access. Staff has also mailed out a Request for Statement of Qualifications to likely contractors in anticipation of a future Request for Quotes to do this work. Thirteen contractors returned SOQs and all 13 were responsive.

Water Tank Security –

- The FY06-07 Budget includes funds to install video camera systems at the Tank Farm and the Standpipe Tank to address security issues.

Blacklake Salts –

- This project involves limiting the discharge from regenerative water softener units within the Blacklake development. Staff expects to develop education material to share with the property owners late this year or early in 2007.
- Staff understands that the Blacklake Homeowner’s Association has promulgated amendments to its Master CCRs prohibiting the installation of new regenerative water softeners and encouraging conversion of existing units to the canister format.
- Staff with substantial assistance from District Legal Counsel prepared a response to the Pacific Water Quality Association.

Relocation of NCSD Mains in/through County Drainage Structures -

- SLO County recently agreed to upgrade six Nipomo Drainage Structures over the next three fiscal years. Staff has discussed the opportunity to coordinate with County Public Works as they plan each upgrade.
- As currently planned, SLO County would work on the Mallagh Culvert and the Burton Culvert; the Sea & Burton Culvert and the Haystack Culvert; and the Thompson Avenue and the Tefft & Avocado Culvert in FY 06-07.

- The Board has approved funding for the Mallagh Culvert and the Burton Culvert in the District's FY06-07 Budget.
- Staff has advised Supervisor Achadjian of NCSD's willingness to cooperate with the County in implementing these upgrades.
- Staff met with Dale Ramey of County Public Works to discuss the County's timing and design concepts for the six projects proposed this fiscal year. Staff has also retained Boyle Engineering to develop cost estimates for each reach.

SSO Overflows General Waste Discharge Requirements –

- Staff researched the G-WDRs proposed by the SWRCB; discussed their potential impact on NCSD internally and with SWRCB staff; and presented staff conclusions at the Board's April 26, 2006 Board Meeting.
- The SWRCB at its May 2, 2006 Meeting did amend and then adopt the G-WDR. Staff presented the revised G-WDR at the June 14, 2005 District Board Meeting.
- Staff is scheduled to compile the Application for Board consideration at this Board Meeting in order to submit the application prior to the State's October 2, 2006 deadline.

AB885 –

- Staff is tracking the status of the SWRCB's Septic System Management Program Guidelines and will report once the revised guidelines are available for public comment.

Water and Sewer Master Plan Update-

- The Board approved a Request for Proposal for engineering firms to update our Water and Sewer Master Plan at its July 26, 2006 Board Meeting. Staff then circulated the RFP on July 27, 2006 with a submittal deadline of August 22, 2006. Three firms – Boyle, Cannon, and Penfield Smith submitted proposals and staff interviewed all three firms on September 6, 2006. The Board is scheduled to select one firm to perform this work at this (September 13, 2006) Board Meeting.

FY06-07 Projects Preparation -

- The adopted FY06-07 Budget includes funds for a valve exercising program and staff has initiated research on this program as well as the upgrades to the Gardenia Lift Station and the Hazel Lift Station proposed in the old Sewer Master Plan.

- Staff requested quotes from contractors for renovation of four of the percolation ponds at the Southland Wastewater Treatment Facility. Only one firm (Fred Asmussen) responded and staff is discussing the submitted quote with Asmussen.
- Staff is monitoring the efforts of OCSD/Grover Beach/Arroyo Grande to evaluate the feasibility of a Desalination Plant at their Waste Water Treatment Facility. The Tri-Agency Group has retained the Wallace Group to prepare a Feasibility Study evaluating the cost effectiveness of desalting water at their WWTF for development of a future water supply. Staff expects to hold talks with Conoco-Phillips this summer to determine Conoco-Phillips willingness to participate in a feasibility study of using excess heat at their refinery as the primary energy source for desalination of brackish supply water. Staff has also been tracking developments in both the technology and funding for desalination.

Willow Road Extension Referral From County –

SLO County Public Works has requested NCSD feedback regarding the rough draft plans for the extension/realignment of Willow Road from Pomeroy to Thompson and the interconnection of Willow Road at the proposed US 101 overpass to North Frontage Road. Staff has retained Boyle Engineering to assist in this response. Staff has meting with Dale Ramey of County Public Works Department on August 17, 2006 to discuss interaction between the County and NCSD as the project proceeds.

Pomeroy Road Widening Referral From County –

SLO County Public Works has requested NCSD feedback regarding their project to widen Pomeroy Road from Live Oak Ridge Road to Aden Way in the summer of 2007. Staff has retained Boyle Engineering to assist in this response and to develop specifications for resetting NCSD's water system valve canisters following County completion of their Widening Project.

II. PROJECTS COMPLETED

Staff has completed the Standard Specifications, the Fairways Street Light Painting, the Southland Pond 4 sludge removal and SP Maintenance has initiated street sweeping.

III. ENVIRONMENTAL REVIEWS PROCESSED

In addition to the Hetrick Project IS/MND reported earlier, staff has issued a Task Order with Douglas Wood and Associates for Environmental Review of the Southland Shop for \$4,800. Mr. Wood's quote was lower than Padre and Associates and the Morro Group.

IV. SMALL CONSTRUCTION PROJECT WORK ORDERS ISSUED

Staff issued a Work Order on September 5, 2006 to Victor Backhoe for \$20,000 for reconstruction of the Water Intertie with Blacklake. In addition, staff issued a work order for up to \$20,000 to Fred Asmussen and Company for reconfiguring the drying beds at the Southland Wastewater Treatment Facility.

V. CHANGES TO WATER ALLOCATION

No new Intent to Serve Letters have been issued since the past projects update. Attached is a Water Allocation Accounting Summary which shows the aggregate allocation committed this water year is at 53.6% whereas 86.3% of the water year has passed. In addition, your Honorable Board has conditionally approved an annexation Agreement with Kenneth Craig for Tract 2650.

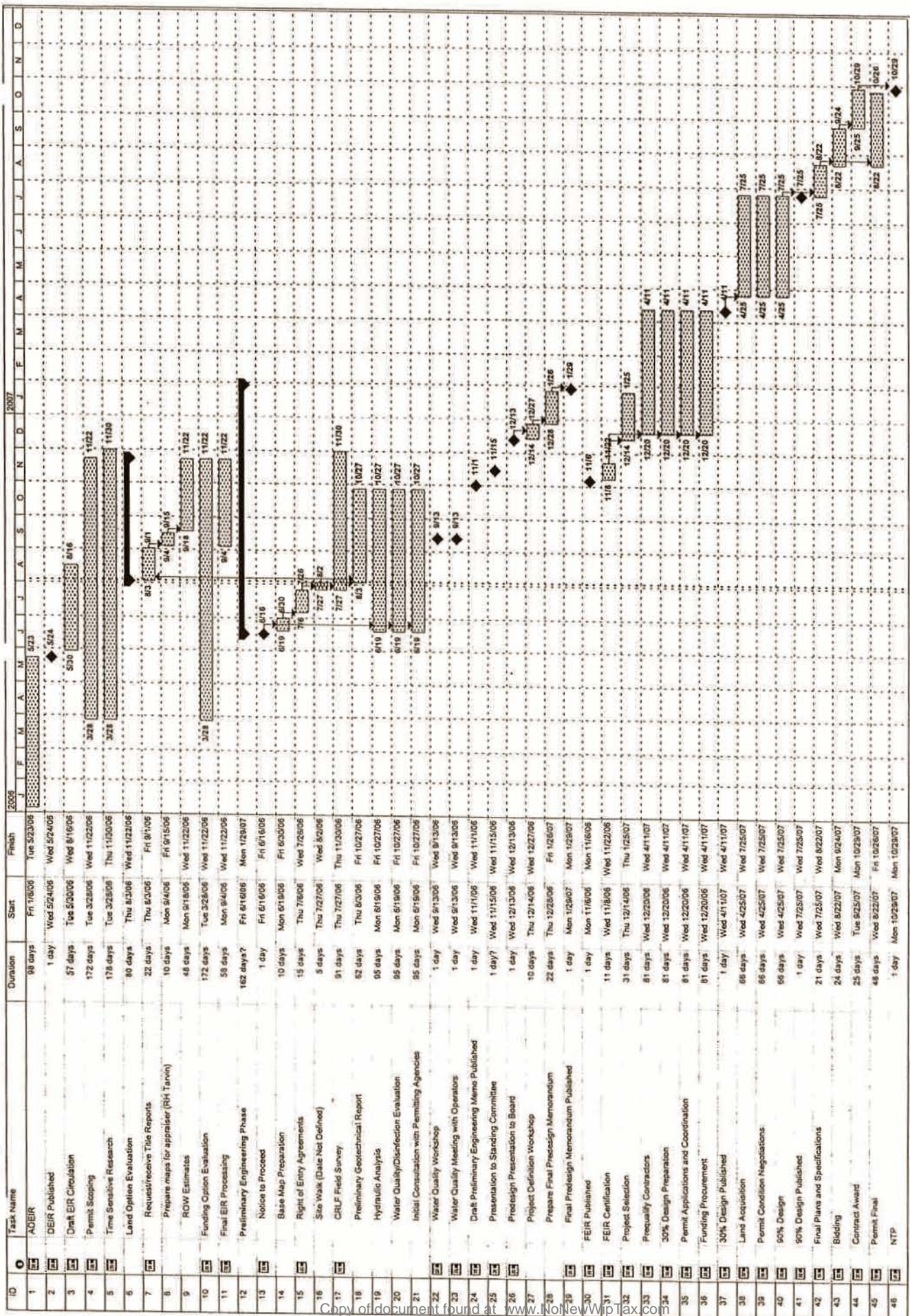
VI. PARKS ACTIVITIES

Staff provided support to the Parks Committee for its August 7, 2006 Meeting and is following up with research to present to the Committee at its September 11, 2006 Meeting. Staff attended the 8/14/06 SCAC Workshop on the Nipomo Community Park and a portion of the 8/28/06 SCAC Meeting. Staff also held a meeting with Pete Jenny and Jan DiLeo of the SLO County Parks Division on August 29, 2006 to discuss funding for recreational facilities.

VII. WIP FISCAL ACTIVITY

Attached is a WIP Fiscal Activity Report for July 2006.

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Project: NCSD Waiverline Interline Project
 CPK with Preliminary Engineering Phase
 Date: Thu 9/8/06

Task Critical Task Progress

Milestone Summary Rolled Up Task

Roller Up Critical Task Milestone

External Tasks Project Summary

Group By Summary

Deadline

Page 1

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Rough Draft NCSD WATERLINE INTERTIE PROJECT Strategic Plan Outline

3/8/06

Revised 5/30/06

7/3/06 Revisions in Bold Italics

- I. CEQA Timeline
- II. Design Timeline
- III. Permit Timeline
- IV. Land & ROW Timeline
- V. Funding Timeline
- VI. Critical Path
- VII. 2006 Board/Committee Meetings

I. Rough draft NCSD-WIP CEQA TIMELINE

1. PROJECT OBJECTIVES DEFINITION

- A. Initial Board Review 3/8/06
- B. Web & Office Posting 3/8/06 to 4/12/06
- C. Board Determination 4/12/06

2. DRAFT EIR

- A. Prepare Printcheck Draft 4/14/06 to 5/4/06 (21 days)
- B. Prepare Circulation Draft 5/4/06 to 5/11/06 (7 days)
- C. Printing 5/11/06 to 5/18/06 (7 days)
- D. NOC/Circulation 5/22/06 to **8/16/06**
- E. Board Status Report 5/24/06
- F. Presentation to WRAC 6/7/06

3. FINAL EIR

- A. Committee Review #1 **TBD**
- B. Prep Ad Draft Responses **8/16/06 to 9/16/06 (30 days)**
- C. Committee Review #2 **TBD**
- D. Prepare Printcheck Draft **10/1/06 to 10/16/06 (14 days)**
- E. Edit and Print Final **10/17/06 to 11/1/06**
- E. Presentation to Board **11/8/06**

4. CERTIFICATION

- A. Prepare Findings **11/1/06 to 11/23/06**
- B. Certification Hearing #1 **11/8/06**
- C. Certification Hearing #2 **11/22/06**
- D. Notice of Determination **11/23/06**

5. PROJECT SELECTION

- A. Committee Review TBD
- B. Board Review TBD

II. Rough Draft NCSD-WIP Design Timeline

1. DESIGN TEAM SELECTION

- | | | | |
|----|---|---------|----------------------|
| A. | Prepare Draft Design Services RFP | 3/17/06 | |
| B. | Board Review RFP and Concept | 3/22/06 | (See Footnote No. 1) |
| C. | Circulate Design Services RFP (mail/post) | 3/24/06 | (See Footnote No. 2) |
| D. | Receive Design Services Proposals | 4/21/06 | |
| E. | Committee Review of Proposals | 4/28/06 | |
| F. | Screen to Short List | 5/5/06 | |
| G. | Short List Interviews | 5/17/06 | |
| H. | Board Selection/Authorize Negotiation | 5/24/06 | |

2. DESIGN SERVICES AGREEMENT

- | | | | |
|----|----------------------------|-----|--|
| A. | Negotiate Design Agreement | TBD | |
| B. | Board Review | TBD | |
| C. | Execute Agreement | TBD | |

3. QUALITY CONTROL (QA/QC) TEAM SELECTION

- | | | | |
|----|-------------------------|------------|--|
| A. | Circulate QA/QC RFP | <i>TBD</i> | |
| B. | Receive QA/QC Proposals | <i>TBD</i> | |
| C. | Board Review | <i>TBD</i> | |
| D. | Execute Agreement | TBD | |

4. DESIGN

- | | | | |
|----|--------------------------|-----------------------|--|
| A. | Issue NTP#1 | TBD | |
| B. | Research & 30% Design | 120 Days from NTP#1 | |
| C. | 30% Review & Issue NTP#2 | TBD (See Footnote #3) | |
| D. | 90% Design Submittal | 120 Days from NTP#2 | |
| E. | 90% Review & Issue NTP#3 | TBD | |
| F. | 100% Design Submittal | 21 Days from NTP#3 | |
| G. | Printing | 7 Days | |

5. CONSTRUCTION MGMT (CM) TEAM SELECTION – If Necessary

- | | | | |
|----|----------------------|-----|--|
| A. | Circulate CM RFP | TBD | |
| B. | Receive CM Proposals | TBD | |
| C. | Board Review | TBD | |
| D. | Execute Agreement | TBD | |

II. **Rough Draft NCSD-WIP Design Timeline (Continued)**

6. ENGINEERING SERVICES DURING CONSTRUCTION (ESDC)

- | | | |
|----|-----------------------|-----|
| A. | Negotiate ESDC BUDGET | TBD |
| B. | Board Review | TBD |
| C. | Execute Agreement | TBD |

7. BIDDING

- | | | |
|----|--------------------------------------|-----|
| A. | Advertise | TBD |
| B. | Open Bids and Resolve Protest | TBD |
| C. | Award Bids | TBD |
| D. | Execute Contracts/Secure Bonds, Etc. | TBD |
| E. | Issue NTP | TBD |

NOTE #1: Assumes no Value Engineering Exercise and CM is not done by Design Team

NOTE#2: *Boyle Engineering selected by Board.*

NOTE #3: Assumes 30% Submittal instead of the 75% proposed by Cannon (June 2005)

III. Rough Draft NCSW-WIP Permit Timeline

1. INITIAL CONTACTS & CONFIRMATIONS

A.	Letter to Each Agency	3/30/06	(See Footnote #1)
B.	Calls/Meetings with Each Agency	4/5 to 4/26	
C.	Determine Time Sensitive Research	4/26/06	
D.	Secure Proposals to Perform Research	TBD	(See Footnote #2)
E.	Board Consideration of Proposals	TBD	
F.	Execute Agreements	TBD	
G.	Perform Research & Secure Results	TBD	
H.	Summary of Results	TBD	

2. DEIR COMMENT REVIEW

A.	Review DEIR Comment Submitted	7/10/06	
B.	Calls/Meetings with Each Agency	7/11/06 to 7/25/06	
C.	Summary of Results	7/31/06	

3. PERMIT PROCESSING

A.	Prepare and Submit Application	TBD	(See Footnote #3)
B.	Interact with Agency	TBD	
C.	Negotiate Potential Conditions	TBD	
D.	Committee Review of Policy Issues	TBD	
E.	Board Review of Policy Issues	TBD	
F.	Secure Permits	TBD	

4. PERMIT IMPLEMENTATION

A.	Secure Proposals for New Research	TBD	
B.	Board Consideration of Proposals	TBD	
C.	Execute Agreements	TBD	
D.	Perform Research & Secure Results	TBD	
E.	Integrate Conditions/Research into Design	TBD	
F.	Integrate Conditions into Construction	TBD	

NOTE #1 – Permit Agencies: US ACE (Section 404 & NPDES); Ca DFG (1601); CCRWQCB (401 & NPDES); USFWS (7g/10); Caltrans (Encroachment); City Santa Maria (Encroachment Permit); County Santa Barbara (Encroachment Permit); County of SLO (Encroachment Permit);

NOTE #2 – Mitigation D7 Research must start by 8/15/06 to conclude by 10/31/06

NOTE #3 – As soon as possible after FEIR Certification

IV. Rough Draft NCSD-WIP Land & ROW Timeline

1. INTIAL CONTACTS

- A. Letter to Each Owner 3/17/06
- B. Calls to Each Owner 3/24/06 to 3/31/06
- C. Summary of Results 4/7/06

2. ROUGH APPRAISAL

- A. RFQ/RFP to Potential Appraisers 3/17/06 (See Footnote #1)
- B. Receive Proposals 4/7/06
- C. Board Selection re Rough Appraisal 4/26/06
- D. Execute RA Agreement 4/28/06
- E. Secure Rough Appraisal 5/31/06
- F. Board Review (Closed Session) 6/14/06

3. DETAILED APPRAISAL

- A. Board Authorization for Detailed 11/15/06
- B. Execute D A Agreement 11/17/06
- C. Secure Detailed Appraisal Jan 2007
- D. Board Review (Closed Session) Jan 2007

4. NEGOTIATIONS

- A. Tender Offers Jan 2007
- B. Negotiate w Prop Owners Jan 2007 to TBD
- C. Board Review Feb 2007
- D. Open Escrows Feb 2007 to TBD
- E. Board Review TBD

5. FUNDING

- A. Secure Funding Feb 2007
- B. Board Adopt Notice of Acceptance Feb 2007
- C. Close Escrow TBD
- D. Secure Title and File Documents TBD

NOTE #1 – *Board selected Tarvin and Associates to prepare Budget Appraisals*

V. Rough Draft NCSD-WIP Funding Timeline

1. EVALUATION OF OPTIONS

A.	Project Connection Charge Revenues	2/28/06 to 3/31/06	(Note #1)
B.	Describe Potential Grants/Appropriations	2/28/06 to 3/31/06	(Note #2)
C.	Describe Low Interest Loans	2/28/06 to 3/31/06	(Note #3)
D.	Describe Municipal Bond/COP Options	2/28/06 to 3/31/06	(Note #4)
E.	Describe Purveyor Buy In Options	2/28/06 to 3/31/06	
F.	Describe LLP Turn Key Concept	2/28/06 to 3/31/06	
E.	Summary of Results	4/5/06	

2. INITIAL REVIEW OF OPTIONS

A.	Committee Review	>4/5/06
B.	Board Review	4/26/06

3. FUNDING DEVELOPMENT

A.	Connection Charge Monitoring	Ongoing
B.	Grant Monitoring & Applications	Ongoing
C.	Process Loan/Bond/COP Paperwork	TBD
D.	Secure Funds	TBD

NOTE #1 - Also track County In-Lieu Fees for O&M Coverage

NOTE #2 – Prop 50 w County; Prop 50 NCSD

NOTE #3 – Ca Infrastructure Bank

NOTE #4 – Assessment Bond; Revenue Bond; COP NCSD

VI. Rough Draft NCSD-WIP Critical Path

ELEMENT	TIMEFRAME
Administrative DEIR	1/6/06 to 5/23/06
DEIR PUBLISHED	5/24/06
Draft EIR Circulation	5/30/06 to <i>8/16/06</i>
Permit Scoping	3/28/06 to <i>11/22/06</i>
Time Sensitive Research	3/28/06 to <i>11/22/06</i>
Land Option Evaluation	3/28/06 to <i>11/22/06</i>
Funding Option Evaluation	3/28/06 to <i>11/22/06</i>
PREDESIGN STUDIES	5/24/06 to <i>11/22/06</i>
Final EIR Processing	7/13/06 to <i>11/22/06</i>
PREDESIGN PUBLISHED	10/2/06
FEIR PUBLISHED	<i>11/1/06</i>
FEIR Certification	<i>11/8/06 to 11/22/06</i>
Project Selection	<i>11/22/06 to 12/27/06</i>
PRE-QUALIFY CONTRACTORS	<i>11/22/06 to Mar 07</i>
30% Design Preparation	<i>11/22/06 to Mar 07</i>
Permits and Conditions	<i>11/22/06 to Mar 07</i>
Funding Procurement	<i>11/22/06 to Mar 07</i>
30% DESIGN PUBLISHED	<i>Mar 2007</i>
Land Acquisition	<i>Mar 07 to July 07</i>
90% Design Preparation	<i>Mar 07 to July 07</i>
90% DESIGN PUBLISHED	<i>July 2007</i>

Bidding	<i>August 07</i>
Contract Award	<i>August 07</i>
Permit Final	<i>August 07 to Sept. 07</i>
NTP	<i>Sept. 07</i>

VII. Rough Draft 2006 NCSD-WIP Board/Committee Meetings

Board Meeting Date	Committee Meeting Date	TOPIC
3/8	3/3	Policy Issues & Timelines Policy Issues & Timeline
3/22		Design Services RFP
4/12	<4/26	Project Objectives
4/26		Funding Options Funding Options; Retain Appraiser
5/10	<5/24	Review Design Proposals
5/24		Select Design Team & DEIR Status Report
		Review Rough Appraisal Results
		Design Team Agreement & QA/QC Team Selection
8/9	>8/13	Review of FEIR Comments
	>9/16	Review of Responses to FEIR Comments
9/27		
11/8		FEIR Certification #1
11/22		FEIR Certification #2
12/13		Project Selection #1
12/27		Project Selection #2; Authorize detailed proposals

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MEMORANDUM

TO: Bruce Buel

FROM: Mike Nunley, PE

SUBJECT: Nipomo CSD / Santa Maria Waterline Intertie Project
Progress Report – Preliminary Engineering Phase

September 6, 2006

1. Water Quality – Boyle developed a testing protocol to evaluate potential impacts of the intertie project on distribution system nitrification, corrosion, and trihalomethane formation potential. Fruit Growers Laboratory is conducting the tests and results should be available for review within the next week to 10 days.
2. Alignment Study – Boyle and Jacobs Associate (Horizontal Directional Drilling subconsultant) conducted a site walk on August 3 to evaluate the EIR alignment options. The route alternatives have been refined from those presented in the Environmental Impact Report (to be presented at the September 13 Board meeting). On September 15, preliminary easement layouts will be provided to the District's appraiser (R.H. Tarvin) for use in preparing the appraisals.

Supporting studies currently underway include the preliminary geotechnical evaluation, permitting analysis, and development of directional drilling options by Jacobs Associates. An internal draft of the directional drilling study has been submitted to Boyle by Jacobs and is under review.

3. Hydraulic Analysis – Boyle, District, and City of Santa Maria staff met on Thursday, August 31, to discuss the intertie project and City disinfection operations. The City requested that the District submit their delivery options (flow variations by month and by day) to the City so they can determine whether system impacts would be acceptable. Their consultants, Carollo Engineers, would not be able to respond to this request until January, 2007.

We have developed a "skeleton" hydraulic model of the Nipomo distribution system and calibrated the model through hydrant tests performed on September 1, 2006. We received the City's hydraulic model and have begun performing model runs in order to identify constraints in the Santa Maria system at various flow rates and demand conditions. Depending on the findings from our hydraulic analyses, and potential for impacts on the City system, the City's review schedule (discussed above) may result in project delays.

As discussed in the August 30 WIP Standing Committee meeting, Boyle is currently evaluating various pipeline diameters on a lifecycle cost basis. Expected range of sizes for our evaluation is 14 inches through 24 inches (inner diameter). Diameters larger than 14 inches may require additional environmental review (to be addressed by District staff outside of this progress report).

4. Field Tour of HDD Projects – Boyle and Ojai Valley Sanitary District staff led District Board, staff, and interested citizens on a tour of horizontal directional drill (HDD) projects near Ojai on August 16, 2006.

5. Storage Evaluation – Boyle is currently reviewing storage alternatives. The following characteristics will be reviewed:
- Volume (Expected to vary from approximately 2 to 8.4 million gallons, per the EIR)
 - Materials (concrete and steel)
 - Position (completely buried, partially buried, or below ground)
 - Number (one or two tanks)

Similar to the pipeline evaluation, tanks will be compared on a lifecycle cost basis. Significant changes to the EIR project description (two above-grade 4.2 million gallon tanks for storage) may require additional environmental review.

6. Milestones – Submittal and meeting dates are summarized below:

Draft Preliminary Engineering Memorandum	November 1, 2006
Completion of CRLF surveys	November 30, 2006
Predesign Presentation to NCSD Board	December 13, 2006
Final Preliminary Engineering Memorandum	January 29, 2007

Copy to: Josh Reynolds, PE

Nipomo Community Services District
Water Allocation Accounting Summary

Water Year 2005-2006														Notes:
Project	NUMBER OF UNITS				ACRE-FEET OF ALLOTTED WATER					Total	Tally			
	SFR > 10	SFR 4.5 - 10	SFR < 4.5/DUP	SEC	MF	Low 1	SFR/DUP	SEC	MF			Low 1		
APN 092-083-009/010 - PHASED (year 2 of 4)					11		32.5	5	10.2	3.3		51	Low 1 pulls from SRF/DUP and MF, Proportionally. Approved 4/9/05	
092-130-019, Hill Street - Phased (year 2 of 2)			21				0.0	0.0	(2.0)	0.0	(2.0)	49.0	Phased, 4- years, Board approved 5/25/05	
APN 092-572-046, 852 PRIMROSE	3						(6.3)	0.0	0.0	0.0	(8.3)	42.7	Phased, 2- years, Board approved on 5/11/05	
APN 091-311-010, Haanpaa	3			3			(1.7)	0.0	0.0	0.0	(1.7)	41.1	Issued by GM on 10/24/05	
APN 092-130-043, GRANDE, PEARSON, Phased 1/3					11	4	(1.7)	(0.9)	0.0	0.0	(2.6)	38.5	BOD approved 10/26/05	
APN 090-135-006, W. TEFFT, SPENSER					3		0.0	0.0	(2.0)	(0.7)	(2.7)	35.8	BOD approved 10/26/05	
APN 092-138-013, 759 JUNIPER	1			1			0.0	0.0	(0.5)	0.0	(0.5)	35.3	BOD approved 11/28/05	
APN 090-143-005/007, Sparks/Dana			4				(0.6)	(0.3)	0.0	0.0	(0.9)	34.4	GM approved 2/15/06	
APN 092-130-071, FEDERER	2	1					(1.2)	0.0	0.0	0.0	(1.2)	33.2	Re-issued ITS by BOD, 2/22/06	
APN 091-263-057, RITCHIE	2						(1.6)	0.0	0.0	0.0	(1.6)	31.7	Re-issued ITS by BOD, 3/08/06	
APN 092-141-028, KRICHEVSKY	3						(1.1)	0.0	0.0	0.0	(1.1)	30.6	Issued by GM on 03/27/06	
APN 092-241-022, WALKER	1						(1.7)	0.0	0.0	0.0	(1.7)	28.9	Issued by GM on 04/26/06	
APN 092-130-044 ROOSEVELT apts, Phased 1/4					11	4	(0.8)	0.0	0.0	0.0	(0.8)	28.4	Issued by GM on 04/27/06	
Tract 2855, Mid State Properties			3				0.0	0.0	(2.0)	(0.7)	(2.7)	25.7	BOD Approved 5/10/06	
APN 092-261-007, Orle Johnson					3		(0.9)	0.0	0.0	0.0	(0.9)	24.8	Issued by GM on 05/23/06	
APN 092-531-005, Chris Candini	1						0.0	0.0	(0.5)	0.0	(0.5)	24.3	Issued by GM on 6/20/06	
Totals	15	1	28	4	39	4	(17.7)	(1.2)	(7.0)	(1.4)	(27.3)	23.7	Issued by GM on 6/22/06	
Percent of annual allotment:							54.5%	24.0%	68.4%	43.6%	53.6%			
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)														
Phased allocation =							8.3							
Updated:							8/15/06							
Percent Water-Year over:							83.3%							
Abbreviations:														
SFR = single family residence														
SEC = secondary dwelling (a.k.a. Granny Unit)														
DUP = Duplex														
MF = multi-family development (e.g. mutple dwelling units sharing a common roof)														

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**NIPOMO COMMUNITY SERVICES DISTRICT
WATERLINE INTERTIE PROJECT
MONTHLY REPORT TO THE BOARD OF DIRECTORS
JULY 2006**

REVENUES FY 2006-2007 (1)	<u>MONTH OF</u> <u>JULY</u>	<u>FISCAL YEAR</u> <u>7/1/2006 TO</u> <u>6/30/2007</u>
Supplemental Water Capacity Fees Collected	11,556.00	11,556.00
Interest Income (monthly & quarterly posting)	9,460.90	9,460.90
Revenue Subtotal	<u>21,016.90</u>	<u>21,016.90</u>
EXPENDITURES FY 2006-2007 (2)		
<u>CONSULTANTS</u>		
1590-A1 Feasibility Study (Cannon)	0.00	0.00
1590-A2 EIR Preparation (Wood & Assoc)	4,585.53	4,585.53
1590-A3 Estimate/Preliminary Schedule (Cannon)	0.00	0.00
1590-A4 Proposed Routes/Facilities (Cannon)	0.00	0.00
1590-A5 Prop 50 Grant Applicatin (Cannon)	0.00	0.00
1590-A6 Project Support (Cannon)	0.00	0.00
<u>LEGAL</u>		
1590-B1 Shipsey & Seitz	1,043.25	1,043.25
1590-B2 McDonough, Holland & Allen	0.00	0.00
1590-B3 Richards, Watson & Gershon	0.00	0.00
<u>LAND ACQUISITION</u>		
1590-C1 Tarvin & Associates	880.00	880.00
<u>FINANCIAL</u>		
1590-D1 Reed Group	0.00	0.00
<u>ENGINEERING</u>		
1590-E1 Preliminary Engineering Design (Boyle)	5,601.07	5,601.07
<u>SALARY AND BENEFITS (3)</u>		
1590-Z1 Wages-Capitalized	4,846.16	4,846.16
1590-Z2 Payroll Taxes-Capitalized	93.70	93.70
1590-Z3 Retirement-Capitalized	1,402.99	1,402.99
1590-Z4 Medical-Capitalized	715.34	715.34
1590-Z6 Workers Compensation-Capitalized	59.98	59.98
Expenditure Subtotal	<u>19,228.02</u>	<u>19,228.02</u>
 Net Revenues less Expenditures	 <u>1,788.88</u>	 <u>1,788.88</u>
 Beginning Fund Balance as of July 1, 2006		 2,421,250.05
 Ending Fund Balance as of July 30, 2006		 <u>2,423,038.93</u>

(1) See attached "Supplemental Water Fees Collected" Schedule for more detail.

(2) See attached "Supplemental Water Cost Summary" for more detail.

(3) Salary and Benefits of Project Manager are allocated among NCSD projects and capitalized as part of the cost of the project.

T:\documents\projects\supplemental Water\SWP\Financial Reports\FY 6-30-07\monthly report to board.xls

NIPOMO COMMUNITY SERVICES DISTRICT
SUPPLEMENTAL WATER FEES COLLECTED

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL
2513	COOL	7 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	6/23/05	59,406.00	7,320.00	66,726.00
2513	COOL	1 FOUR INCH FIRE SYSTEM	6/23/05	37,125.23	4,588.52	41,713.75
2514	NEWDOLL	7 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	6/23/05	69,307.00	8,540.00	77,847.00
2619	ALLSHOUSE	22 RESIDENTIAL MINUS 4 EXISTING PLUS 1 IRRIGATION	6/30/05	188,119.00	23,180.00	211,299.00
2619	ALLSHOUSE	1 TWO INCH FIRE SYSTEM	6/30/05	11,870.37	1,467.13	13,337.50
2513	COOL	REFUND 1 FOUR INCH FIRE SYSTEM	8/29/05	(37,125.23)	(4,588.52)	(41,713.75)
2619	ALLSHOUSE	REFUND 1 TWO INCH FIRE SYSTEM	8/29/05	(11,870.37)	(1,467.13)	(13,337.50)
FISCAL YEAR 2004-2005			SUBTOTAL	316,832.00	39,040.00	355,872.00

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL
090-095-011 to 090-095-014	DANMARK	4 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	8/4/05	29,703.00	3,660.00	33,363.00
2561	VISTA COLINA	8 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	11/7/05	79,208.00	9,760.00	88,968.00
090-381-006	DENNERLEIN	1 RESIDENTIAL SERVICE 182 EAST CHESTNUT	1/25/06	9,901.00	1,220.00	11,121.00
CO 04-0581	PRUIT	2 ONE INCH METERS	2/1/06	19,802.00	2,440.00	22,242.00
CO 04-0581	PRUIT	1 FOUR INCH FIRE SYSTEM	2/1/06	37,125.23	4,588.52	41,713.75
091-322-046	HARDESTY	1 ONE INCH METER	3/20/06	9,901.00	1,220.00	11,121.00
090-251-021	BLUME	1 ONE INCH METER	4/19/06	9,901.00	1,220.00	11,121.00
2565	PUHEK	5 RESIDENTIAL PLUS 1 IRRIGATION	5/9/06	59,406.00	7,320.00	66,726.00
CO 04-0606	MVIII	5 RESIDENTIAL	5/18/06	49,505.00	6,100.00	55,605.00
2499	NESTER	18 RESIDENTIAL	6/9/06	178,218.00	21,960.00	200,178.00
FISCAL YEAR 2005-2006			SUBTOTAL	482,670.23	59,488.52	542,158.75

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL
090-091-017	SCOGGINS	2 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING-325 N THOMPSON	7/18/06	10,288.00	1,268.00	11,556.00
FISCAL YEAR 2006-2007			SUBTOTAL	10,288.00	1,268.00	11,556.00

GRAND
TOTAL 809,790.23 99,796.52 909,586.75

**NIPOMO COMMUNITY SERVICES DISTRICT
SUPPLEMENTAL WATER COST SUMMARY**

<u>A/C #</u>	<u>DESCRIPTION</u>	<u>7/1/2004 TO 6/30/2005</u>	<u>7/1/2005 TO 6/30/2006</u>	<u>7/1/2006 TO 6/30/2007</u>	<u>GRAND TOTAL</u>
1645	Reservation Fee-City of Santa Maria	37,500.00	0.00	0.00	37,500.00
1590-A1	Feasibility Study (Cannon)	25,887.29	0.00	0.00	25,887.29
1590-A2	EIR Preparation (Wood & Assoc)	29,037.48	87,100.23	4,585.53	120,723.24
1590-A3	Est/Preliminary Schedule (Cannon)	3,706.19	2,602.75	0.00	6,308.94
1590-A4	Proposed Routes/Facilities (Cannon)	5,050.07	520.00	0.00	5,570.07
1590-A5	Prop 50 Grant Application (Cannon)	2,757.00	6,210.00	0.00	8,967.00
1590-A6	Project Support (Cannon)	0.00	11,797.44	0.00	11,797.44
1590-B1	Shipsey & Seitz	0.00	23,095.55	1,043.25	24,138.80
1590-B2	McDonough, Holland & Allen	0.00	34,177.28	0.00	34,177.28
1590-B3	Richard, Watson & Gershon	0.00	9,472.38	0.00	9,472.38
1590-C1	Tavrin Appraisal	0.00	0.00	880.00	880.00
1590-D1	Reed Group	0.00	2,809.85	0.00	2,809.85
1590-E1	Preliminary Engineering Design (Boyle)	0.00	6,470.33	5,601.07	12,071.40
1590-Z1	Wages-Capitalized	0.00	29,076.92	4,846.16	33,923.08
1590-Z2	Payroll Taxes-Capitalized	0.00	587.22	93.70	680.92
1590-Z3	Retirement-Capitalized	0.00	8,418.08	1,402.99	9,821.07
1590-Z4	Medical-Capitalized	0.00	2,861.36	715.34	3,576.70
1590-Z6	Workers Compensation-Capitalized	0.00	260.35	59.98	320.33
		<u>103,938.03</u>	<u>225,459.74</u>	<u>19,228.02</u>	<u>348,625.79</u>

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NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326
NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
www.nipomocsd.com

MEMORANDUM – Manager's Report

TO: BRUCE BUEL, GENERAL MANAGER
FROM: MADONNA DUNBAR, SAFETY SPECIALIST *MD*
DATE: SEPTEMBER 5, 2006
RE: SAFETY PROGRAM ACTIVITIES – August 2006

PROGRAM ACTIVITIES:

- 1) Staff updated Material Safety Data Sheet (MSDC) binders for the shop.
- 2) Staff updated the California Emergency Response Plan Guidance Plan to reflect changes in the protocol and chain of command since May 2005. This plan is now available in a hardcopy binder in the District office and in the shop.
- 3) Staff coordinated a reorganization of the administrative office storeroom, eliminating possible earthquake hazards due improper storage methods.
- 4) Staff is reviewing:
 - a) NCSD Illness and Prevention Program (May 2004) manual
 - b) SDRMA Liability Loss Control Program Review and Hazard Identification Survey
 - c) SDRMA Occupational Safety & Health Program Review and Hazard Identification Survey
- 5) Staff is researching safety incentive programs for NCSD.

NIPOMO COMMUNITY SERVICES DISTRICT



148 SOUTH WILSON STREET
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www.nipomocsd.com

MEMORANDUM – Manager’s Report

TO: BRUCE BUEL, GENERAL MANAGER
FROM: MADONNA DUNBAR, CONSERVATION/COMPLIANCE SPECIALIST
DATE: SEPTEMBER 5, 2006
RE: CONSERVATION PROGRAM ACTIVITIES – August 2006

PROGRAM ACTIVITIES:

- 1) “Water Wise Landscaping Workshop #3” (Our Water, Our World - Healthy Gardening Techniques) was held on Sat. August 26, 2006, led by Ms. Debi Tidd, Education Director of Heather Farms. This particular workshop focused on alternatives to pesticide use in home gardens. The \$2500 program fee was funded by the education/outreach program of the San Luis Obispo County Storm Water Management Program and SLO County Partners in Water Quality. 29 people attended the class, which was very well received. Each attendee received a free resource binder of the workshop materials.
- 2) “Composting and Green Waste Workshop # 1” was held on Sat. Aug 19, 2006. This workshop series is being funded by the education program of the Air Pollution Control District, and facilitated by Urban Soil Solutions. This series will continue through fall 2006 and spring 2007. It is a 4 part course covering the topics of: soil analysis, landscaping best management practices for water conservation and water quality preservation, creating mulch and compost on site, reducing soil erosion and storm water runoff and more. APCD’s initial registration drives yielded 14 attendees, however 12 more have signed up for the next (October 28th) class through the NCSD conservation program efforts. Attendees receive a free resource binder, free soil analysis testing, and free consultation.
- 3) Staff prepared additional new outreach literature in water conservation, water quality. (attached) Continued expansion of education section of NCSD website.
- 4) The NCSD Conservation Education Program was the Business of the Month at Mid-State Bank during August 2006. An information table was on display Aug. 1-31, 2006 on the topics of home and landscape water conservation.
- 5) On-going cross training in general front office procedures.

PROFESSIONAL DEVELOPMENT / TRAINING:

9/2/06 - Attended the "Talk About the Bay" Conference. This was a regional conference highlighting water quality and regulatory compliance issues on the Central Coast.

KEY MEETINGS:

Ongoing networking with local agencies, in environmental education, water conservation, water quality, Nipomo civic organizations.

8/4/06 –Water Festival 2007 planning meeting. This group is the outreach subcommittee of Partners in Water Quality. The group is organizing an education festival focused on water conservation and water quality for May 2007.

8/8/06 – Creek Day Meeting. This group is planning the countywide Creek and Community Cleanups. Two volunteer event dates are confirmed: Sat. Sept. 16 for Coastal Cleanup; Sat. Sept. 30 for Creek Day and Community Cleanups. The group is exploring the necessary permitting procedures, event sponsorship and regional collaborations. Staff is working on the Nipomo Clean Up preparations.

8/15/06; 8/18/06; 8/24/06; 9/5/06 – Meetings with Tim Bolander, Urban Soil Solutions (on behalf of the Air Pollution Control District) to discuss workshops for Nipomo area residents on composting and green waste burning alternatives.

A partnership proposal is scheduled for presentation to the NCSD BOD on Sept 27, 2006 - regarding a demonstration site at the NCSD office on rainwater diversion, soil erosion prevention, and flood control for homeowners. This would be an additional component of the NCSD Demonstration Garden, with APCD providing funding.

8/29/06 – met with Brad Marks, of Irrrometer Corporation – to review in ground soil moisture sensor product line. Staff is researching the possibility of installing 2-3 demonstration / testing areas using the Water Saving Monitoring Kit, to test the devices to minimize the over-watering of turf. (Demo site possibilities: at Nipomo Regional Park; at Nipomo High School athletic fields; at the Black Lake Village Commons putting green).

NIPOMO COMMUNITY SERVICES DISTRICT



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NIPOMO, CA 93444 - 0326
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www.nipomocsd.com

Press Release / For Immediate Release – 8/31/06

**From: Madonna Dunbar, Conservation/Compliance Specialist
Nipomo Community Services District
Email: mdunbar@nipomocsd.com
Phone: 805-929-1133 ext. 209**

September 11-14 is Community Cleanup Week

During the week of Sept. 11-14, Nipomo customers of South County Sanitary Service can get bulky, oversized household items picked up at the curb – on their regular pick up day. Clean-Up Week garbage may be placed in standard trash cans, various containers, or tied into bundles. Containers or bundles of garbage must weigh 75 pounds or less and must measure four feet or less in overall length. Please place trash on the curb no later than 6 am on the regular garbage collection day. To dispose of bulky items such as old appliances and furniture, residents must contact South County Sanitation at 489-4246, at least two business days ahead of their regular pickup day. Standard bulk pickup is free to customers, however, fees apply for the curbside pickup of appliances and furniture.


Residents are reminded that common items, such as household batteries, fluorescent lights, paints, cleaners and solvents are considered Household Hazardous Waste (HHW) and cannot be placed out to the curb for this program, but must be taken to the HHW Disposal site at 509 Southland in Nipomo on Saturdays between 11 am-3 pm.

Sept 30th is Nipomo Creek Day

On September 30th, from 9 am- 12 noon, Nipomo Community Services District is sponsoring a community cleanup of Nipomo Creek and Olde Towne as part of "SLO Creek Day 2006". This is the first time the creek cleaning event will be held countywide. All major watersheds from Nipomo to Paso Robles will have cleanups occurring on the same day!

Many local creeks contain debris which has blown into the creek or has been dumped there illegally. Fall is an important time to remove trash from the creeks, before winter storms arrive and wash the debris downstream, causing flooding and health problems, and eventually reaching the ocean. Creek Day is a great way to improve the beauty of our county, while sending a message that this type of pollution is not acceptable in our communities.

Please join us to volunteer for a few hours to get to know your neighbors and improve your neighborhood creek. If you would like to participate, please check in at 9 am at the Adobe Plaza on East Tefft Street. You will be assigned to a creek cleaning team, provided with a map to your creek site, trash bags, and gloves. Please call Madonna Dunbar, Conservation and Compliance Specialist with Nipomo Community Services District at 805-929 -1133 or go to www.creekday.org for additional information. We hope to see you there!

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: SEPT. 8, 2006

AGENDA ITEM
G-1
SEPT. 13, 2006

COMMITTEE REPORTS

ITEM

Receive Minutes from August 30, 2006 Waterline Intertie Project Design & Construction Committee Meeting (adopt draft minutes).

BACKGROUND

Attached is a set of draft minutes from the 8/30/06 Project Design & Construction Committee Meeting. Chairman Trotter, Director Eby, or staff can respond to questions and receive comments from the Board regarding the meeting or the draft minutes.

RECOMMENDATION

It is recommended that your Honorable Board edit the draft minutes as appropriate and, adopt a final set of minutes.

ATTACHMENTS

1. Draft Minutes

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2006\COMMITTEE REPORTS 060913.DOC



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MINUTES OF THE 8/30/06 MEETING OF THE WATERLINE INTERTIE PROJECT DESIGN & CONSTRUCTION COMMITTEE

1. CALL TO ORDER, ROLL CALL AND FLAG SALUTE

Chairman Trotter called the Special Meeting to order at 2pm in the NCSD Board Chambers. Both Chairman Trotter and Director Eby were in attendance along with staff member Bruce Buel, Boyle representative Mike Nunley, DWA representative Doug Wood and six members of the public. Chairman Trotter described the purpose and format of the meeting. Chairman Trotter acknowledged the Board's August 23, 2006 action to promote Bruce Buel as NCSD's new General Manager effective September 5, 2006. Bruce Buel summarized the July Committee meeting and the Board tour of the Ventura River Horizontal Directional Drilling project. (Note: see item 3 for public comments on this items 1 through 3).

2. REVIEW OPTIONS TO RESOLVE WATER QUALITY INCOMPATIBILITIES

Mike Nunley described three options for reconciling the chloramine disinfection used by the City of Santa Maria and the hypo-chloride disinfection used by NCSD and commented on the advantages and disadvantages of the three methods. He indicated that Boyle was still performing water quality evaluations of the City's water and the District's water to determine the potential for nitrification and disinfection by-products under different circumstances. Committee discussion followed on the cost of stripping out the chloramines and the feasibility/effectiveness of converting the disinfection systems at NCSD's wells to chloramine. Mike Nunley indicated that Boyle would have more information to share with the Board at the Board's September 13, 2006 Meeting. Director Ed Eby requested that Boyle be prepared to explain at the September 13 meeting the half-life of chloramines, the relative speed that each disinfection option becomes effective, and disinfection choices made by other CCWA users. Mike Nunley then distributed a handout on the observed background levels of fluorides in the City's water and the District's water, the optimal levels of fluoridation, and the state's contaminant level for fluoridation. Committee discussion followed on the legislative trend towards requiring fluoridation for health reasons and the mixing of Santa Maria water with fluorides and the District water without fluorides. Chairman Cliff Trotter observed that both the disinfection change and the fluoridation change could be sensitive topics for the public and that NCSD aim for maximum disclosure. (Note: see item 3 for public comments on this items 1 through 3).

**MINUTES OF THE 8/30/06 MEETING OF THE
WATERLINE INTERTIE PROJECT DESIGN & CONSTRUCTION COMMITTEE
Page Two**

3. RECEIVE UPDATE FROM BOYLE RE PREDESIGN RESEARCH

Mike Nunley distributed charts depicting the life cycle costs of the proposed pipeline at various sizes at various capacities and the potential sizing of storage reservoirs and summarized his firm's research to date on the project design. Committee discussion followed on the pipeline sizing and the assumptions built into Boyle's analysis. Director Ed Eby expressed his opinion that any increase in the pipeline diameter above that evaluated in the draft EIR would require careful consideration. Director Ed Eby requested that Boyle determine why Cannon recommended the 16" size and be prepared to explain the history of the earlier sizing to the Board at the September 13, 2006 meeting. Committee discussion followed on the selection of reservoir storage sizes with an explanation from Mike Nunley regarding the implications of various levels of demands and the rate of feed from the City of Santa Maria. Director Ed Eby requested that Boyle research why Cannon recommended the 8.4 million gallons of storage. Bonnie Eisner requested that Boyle explain the increase in capital cost for up-sizing the pipeline. Mike Nunley indicated that a 16" main could cost about \$2 million whereas a 30" main could cost about \$2.5 million. Bob Blair urged the District to go with the larger pipeline size in order to maximize the flexibility for the future. Bill Nelson urged the District to work closely with the other three participating purveyors. Chairman Cliff Trotter agreed with Mr. Nelson and directed staff to increase its contact with the other three participating purveyors.

4. REVIEW STAFF EFFORTS RE WATERLINE INTERTIE PROJECT DEVELOPMENT

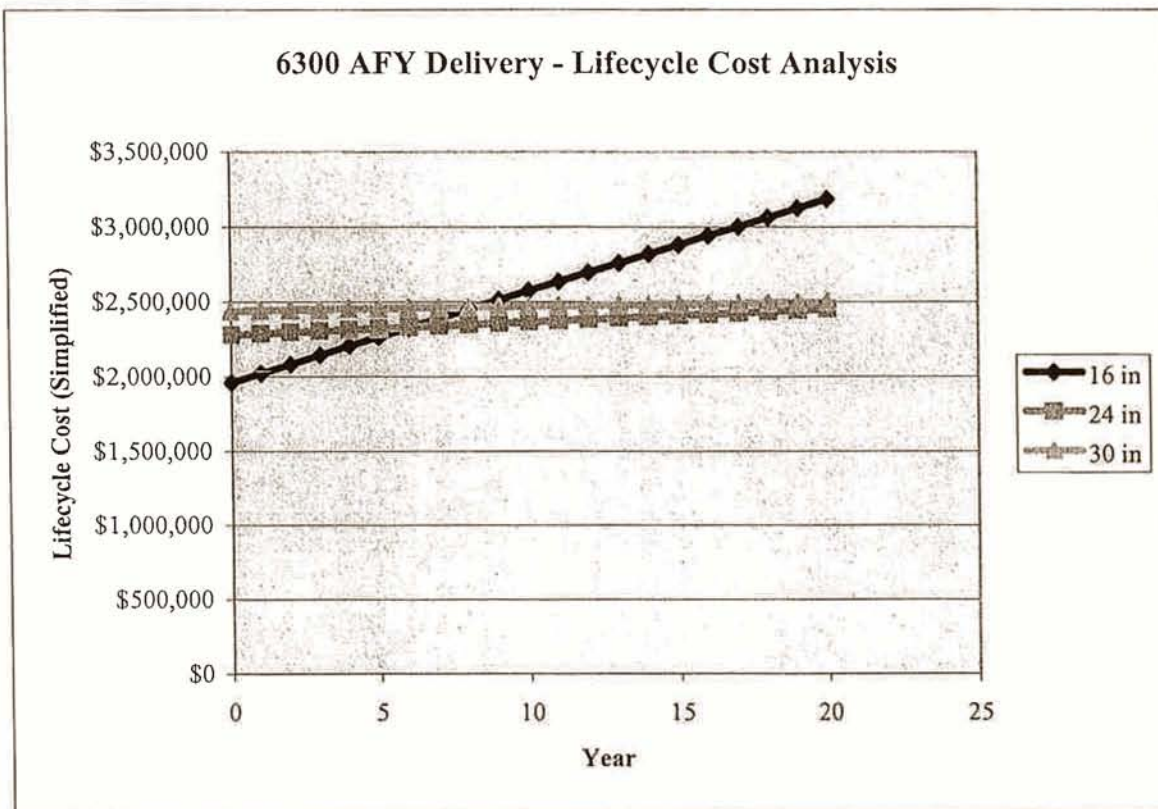
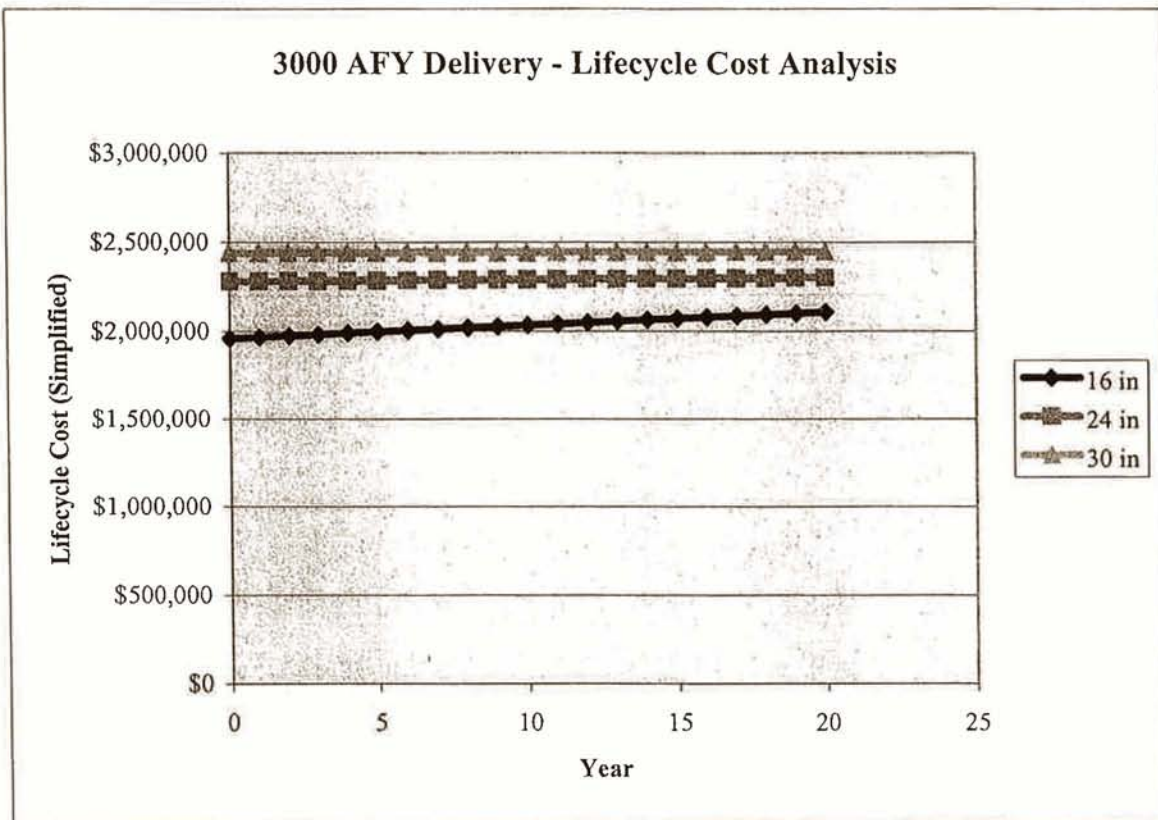
Bruce Buel described staff's efforts to respond to the comments submitted on the Draft EIR and distributed a letter from Doug Wood outlining process options for responding to the comments. Doug Wood then summarized his letter and recommended that the District consider re-circulating revised sections of the DEIR prior to certification. Doug Wood further indicated that whether or not NCSD chooses to re-circulate, significant additional research will be needed to respond to the comments. Committee discussion followed regarding the process options. At Director Ed Eby's request, Bruce Buel explained that staff's normal protocol for responding to the comments would be to present a Draft Final EIR to the Board so that the Board could edit the proposed responses. At Director Ed Eby's request, Doug Wood explained that re-circulation would be more prudent if the Board ordered significant changes to the project from that described in the original DEIR. Bob Blair urged the District to bullet proof the process to minimize the threat of litigation. The Committee, by consensus, agreed that the District should proceed with the research necessary to respond to the comments as quickly as possible and make the process determination after the Board decides if it wishes to redefine the project.

5. ADJOURNMENT

Chairman Cliff Trotter thanked the public for participating and adjourned the meeting at 3:44 p.m.

Fluoride Comparison

Nipomo CSD	0.0 – 0.3 mg/L in wells (Olympic, Omiya, Church, Sundale, and Knollwood)
Santa Maria	0.92-0.96 mg/L (added to City water supplies)
Optimal levels	0.8-1.2 mg/L (depending on temperature – per Title 22 of CCR)
CDHS Maximum Contaminant Level	2.0 mg/L



Lifecycle Cost Comparison
 3000 AFY

Year	16 in	24 in	30 in
0	\$1,960,000	\$2,280,000	\$2,440,000
1	\$1,967,412	\$2,281,031	\$2,440,348
2	\$1,974,824	\$2,282,062	\$2,440,696
3	\$1,982,237	\$2,283,092	\$2,441,044
4	\$1,989,649	\$2,284,123	\$2,441,392
5	\$1,997,061	\$2,285,154	\$2,441,740
6	\$2,004,473	\$2,286,185	\$2,442,088
7	\$2,011,885	\$2,287,216	\$2,442,436
8	\$2,019,298	\$2,288,246	\$2,442,785
9	\$2,026,710	\$2,289,277	\$2,443,133
10	\$2,034,122	\$2,290,308	\$2,443,481
11	\$2,041,534	\$2,291,339	\$2,443,829
12	\$2,048,946	\$2,292,370	\$2,444,177
13	\$2,056,359	\$2,293,400	\$2,444,525
14	\$2,063,771	\$2,294,431	\$2,444,873
15	\$2,071,183	\$2,295,462	\$2,445,221
16	\$2,078,595	\$2,296,493	\$2,445,569
17	\$2,086,007	\$2,297,524	\$2,445,917
18	\$2,093,420	\$2,298,554	\$2,446,265
19	\$2,100,832	\$2,299,585	\$2,446,613
20	\$2,108,244	\$2,300,616	\$2,446,961

6300 AFY

Year	16 in	24 in	30 in
0	\$1,960,000	\$2,280,000	\$2,440,000
1	\$2,021,415	\$2,288,541	\$2,442,884
2	\$2,082,829	\$2,297,082	\$2,445,768
3	\$2,144,244	\$2,305,622	\$2,448,652
4	\$2,205,659	\$2,314,163	\$2,451,536
5	\$2,267,073	\$2,322,704	\$2,454,420
6	\$2,328,488	\$2,331,245	\$2,457,304
7	\$2,389,902	\$2,339,786	\$2,460,187
8	\$2,451,317	\$2,348,327	\$2,463,071
9	\$2,512,732	\$2,356,867	\$2,465,955
10	\$2,574,146	\$2,365,408	\$2,468,839
11	\$2,635,561	\$2,373,949	\$2,471,723
12	\$2,696,976	\$2,382,490	\$2,474,607
13	\$2,758,390	\$2,391,031	\$2,477,491
14	\$2,819,805	\$2,399,572	\$2,480,375
15	\$2,881,219	\$2,408,112	\$2,483,259
16	\$2,942,634	\$2,416,653	\$2,486,143
17	\$3,004,049	\$2,425,194	\$2,489,027
18	\$3,065,463	\$2,433,735	\$2,491,911
19	\$3,126,878	\$2,442,276	\$2,494,795
20	\$3,188,293	\$2,450,816	\$2,497,679

BOYLE

Assumptions

HDD / bridge crossing costs are not significantly different for 16" and 24" dia. pipe at this level of analysis
 Hazen-Williams C Coefficient 140
 Length 6000 ft (4000 trench, 2000 HDD)
 Power cost \$0.13 per kw-hr

Q (AFY)	Q (gpm)	ID (in)	V (ft/s)	hf (ft)	Power \$ / day	Power \$/yr
600	372	16	0.6	0.5	\$ 0.21	\$75
600	372	20	0.4	0.2	\$ 0.07	\$25
600	372	24	0.3	0.1	\$ 0.03	\$10
600	372	30	0.2	0.0	\$ 0.01	\$4
2000	1240	16	2.0	4.9	\$ 6.39	\$2,334
2000	1240	20	1.3	1.7	\$ 2.16	\$788
2000	1240	24	0.9	0.7	\$ 0.89	\$325
2000	1240	30	0.6	0.2	\$ 0.30	\$110
3000	1860	16	3.0	10.4	\$ 20.31	\$7,412
3000	1860	20	1.9	3.5	\$ 6.86	\$2,503
3000	1860	24	1.3	1.4	\$ 2.82	\$1,031
3000	1860	30	0.8	0.5	\$ 0.95	\$348
6300	3905	16	6.2	41.0	\$ 168.26	\$61,415
6300	3905	20	4.0	13.8	\$ 56.82	\$20,737
6300	3905	24	2.8	5.7	\$ 23.40	\$8,541
6300	3905	30	1.8	1.9	\$ 7.90	\$2,884

Capital Cost

	Trenching		HDD		Total Cost
		\$/lf		\$/lf	
16	4000	\$140	2000	\$700	\$1,960,000
20	4000	\$160	2000	\$725	\$2,090,000
24	4000	\$195	2000	\$750	\$2,280,000
30	4000	\$210	2000	\$800	\$2,440,000

BOYLE

Draft – Tank Alternatives

Alternative	Storage Volume	Tank Size		Conceptual Cost
		Dia.	Ht.	
1 (EIR)	8.4 MG (2 - 4.2 MG Ea.)	134 ft	40 ft	\$8.4 MG
2 (Constant 3000 AFY deliveries) Capacity for 1900 gallons per minute over 18 hours	2.5 MG (2 – 1.25 MG Ea.)	76 ft	38 ft	\$2.5 MG
3 (Variable deliveries) Deliveries would vary to match demand patterns Annual total = 3000AFY To be determined after hydraulic evaluation is completed	TBD	TBD	TBD	TBD

Options:

- Height
- Diameter
- Color
- Materials (Concrete or Steel)
- Architectural features
- Future phasing and site planning for 6300 AFY (?)

Douglas Wood & Associates, Inc.

Land Use Planning / Governmental Relations / Environmental Analysis

MEMORANDUM

TO: BRUCE BUEL, NIPOMO COMMUNITY SERVICES DISTRICT
JON SEITZ, SHIPSEY & SEITZ

FROM: DOUG WOOD, DOUGLAS WOOD & ASSOCIATES, INC.

SUBJECT: PROJECT REVISIONS, NCSO WATERLINE INTERTIE

DATE: AUGUST 28, 2006

This memorandum is intended to address the CEQA requirements relative to recently-proposed revisions to the NCSO Waterline Intertie Project and public comments received on the Draft EIR.

It is my understanding that the project engineer will propose an expanded pipeline size (from 14 to 20 inches interior pipeline diameter) to reduce long-term energy costs. In addition, it should be noted that two concerns voiced within several correspondence received on the current draft EIR are: 1) the incomplete analysis of the growth-inducing/cumulative impacts of these increased water supplies, particularly the 3,300 acre-feet proposed to serve new development beyond the 3,000 acre-feet required under the existing Memorandum of Understanding with the City of Santa Maria and 2) the impacts of the proposed water purchase and transfer upon the Santa Maria Management Area/Groundwater Basin.

Given this background, I consulted pertinent sections of the CEQA Guidelines (see attached) and contacted Scott Morgan at the Governor's Office of Planning and Research. Provided below are the results of this research.

Section 15088.5(a) of the State CEQA Guidelines states:

- (a) "A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. The term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect."

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Sections 15088.5(c) and 15088.5(d) further state:

- (c) "If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087 and consultation pursuant to Section 15086."

As noted in Section 15088.5(f), "recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers." The method for responding to comments when only a portion of the original EIR is revised is noted in Section 15088.5(f)(2):

- (2) "When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR."

The Lead Agency must provide a Notice of Recirculation, which is similar to the Notice of Preparation which was circulated prior to the public review of the Draft EIR. According to Section 15088.5 (f)(3), this Notice of Recirculation must be provided

"to every agency, person, or organization that commented on the prior EIR. The notice shall indicate, at a minimum, whether new comments may be submitted only on the recirculated portions of the EIR or on the entire EIR in order to be considered by the agency."

The advantages to the recirculation of the revised portions of the EIR in the manner noted above include:

1. The impacts associated with the proposed project revisions will be addressed.
2. The public is provided the opportunity to comment on the revisions in a manner where they are directed to focus their comments on certain specific issues.
3. This recirculated document provides the opportunity to respond to (i.e. provide additional information) relative to the two issues noted above (growth-inducing/cumulative impacts and impacts upon the Santa Maria Management Area).
4. Inclusion of a discussion of these two issues will: a) provide the basis for our response to the original comments received; b) provide additional information on

these issues thereby strengthening the final document and c) the public will have an opportunity to fully review this information during a second public review period rather than in a response to comments package which is provided immediately prior to public hearings and

5. The recirculated document provides the opportunity to indicate and address other project revisions. In this regard, it would be advisable to meet with the project engineers prior to the circulation of the Notice of Preparation if we proceed with this approach.

I hope the above information provides guidance on this issue.

respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.

- (2) When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.
- (3) As part of providing notice of recirculation as required by Public Resources Code Section 21092.1, the lead agency shall send a notice of recirculation to every agency, person, or organization that commented on the prior EIR. The notice shall indicate, at a minimum, whether new comments may be submitted only on the recirculated portions of the EIR or on the entire EIR in order to be considered by the agency.
- (g) When recirculating a revised EIR, either in whole or in part, the lead agency shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21092.1, Public Resources Code; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal. 4th 1112.

15089. PREPARATION OF FINAL EIR

- (a) The Lead Agency shall prepare a final EIR before approving the project. The contents of a final EIR are specified in Section 15132 of these Guidelines.
- (b) Lead Agencies may provide an opportunity for review of the final EIR by the public or by commenting agencies before approving the project. The review of a final EIR should focus on the responses to comments on the draft EIR.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21100, 21105, and 21151, Public Resources Code; *City of Carmel-by-the-Sea v. Board of Supervisors*, (1977) 71 Cal. App. 3d 84.

Discussion: This section makes clear the requirement for the Lead Agency to prepare a final EIR before approving the project. It also provides interpretations for several questions dealing with the final EIR. This section specifies that agencies need not provide a separate review period for the final EIR. In this regard, the CEQA process is deliberately made shorter than federal process under NEPA. Federal agencies must allow a 30-day review period on the contents of the final EIS to receive comments on how the final EIS deals with the problems raised with the draft EIS. In order to save time, the CEQA process requires public review only at the draft EIR stage. The final EIR can be submitted directly to the decision-making body of an agency for consideration.

Public Resources Code Section 21092.5 requires the lead agency to provide a written proposal response to each public agency which commented on the EIR. The proposed response must be provided to the pertinent public agency 10 days prior to the lead agency's certification of the final EIR.

- (d) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the Lead Agency should either:
- (1) Revise the text in the body of the EIR, or
 - (2) Include marginal notes showing that the information is revised in the response to comments.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21092.5, 21104, and 21153, Public Resources Code; *People v. County of Kern* (1974) 39 Cal. App. 3d 830; *Cleary v. County of Stanislaus* (1981) 118 Cal. App. 3d 348.

15088.5. RECIRCULATION OF AN EIR PRIOR TO CERTIFICATION

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:
- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043)
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.
- (f) The lead agency shall evaluate and respond to comments as provided in Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. The following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.
- (1) When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not