

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 19, 2007



QUARTERLY FINANCIAL REPORT-SECOND QUARTER

ITEM

Review, accept, and direct Staff to file quarterly financial report for the second quarter of fiscal year 2006-2007

BACKGROUND

The District's fiscal year is now 50% complete. The consolidated operating revenues are at 57.94% of the budget, operating expenditures are at 43.04% of the budget and general and administrative expenditures are at 46.03 % of the budget.

Attached are the following which provide an overview of the first six months of the fiscal year:

Page 1	Summary of Approved Budget Amendments
Page 2	Summary of Revenues, Expenses and Cash Balances by Fund
Page 3	Consolidated Balance Sheet
Page 4-5	Consolidated Income Statement
Page 6-7	Graphs for Consolidated Revenues and Expenses
Page 8-11	Graphs for major funds (Town Water, Town Sewer, Blacklake Water and Blacklake Sewer)

Detailed information by fund is available in the office.

RECOMMENDATION

It is recommended that your Honorable Board accept and direct Staff to file the quarterly financial report for the second quarter of fiscal year 2006-2007.

NIPOMO COMMUNITY SERVICES DISTRICT
SUMMARY OF APPROVED BUDGET AMENDMENTS
SECOND QUARTER ENDING DECEMBER 31, 2006

DATE	DESCRIPTION	FUNDS	APPROVED BUDGET	APPROVED AMENDMENT	AMENDED BUDGET
10/11/06	Hydraulic Modeling by City of Santa Maria	#500-Supplemental Water	\$0	\$44,676	\$44,676
10/11/06	Strategic Workshop	#600-Property Taxes	\$0	\$2,500	\$2,500
10/25/06	Boyle Engineering Additional Services for Hetrick Construction	#700-Town Water Capacity Charges	\$0	\$6,529	\$6,529
11/8/06	Replacement Fence for Tefft Street Lift Station	#710-Town Sewer Capacity Charges	\$0	\$9,295	\$9,295
11/8/06	Water and Sewer Gems Modeling Software	#120-Town Water #130-Town Sewer	\$0	\$32,700	\$32,700
11/8/06	Dee Jaspar-Peer Review	#820-BL Funded Replacement-Water	\$0	\$10,000	\$10,000
11/22/06	Ford Escape	#110-Administration	\$0	\$15,806	\$15,806
12/13/06	Boyle Engineering-Supplemental Water Alternatives	\$500-Supplemental Water	\$0	\$183,000	\$183,000
		SECOND QUARTER TOTAL	\$0	\$304,506	\$304,506

SECOND QUARTER TOTAL	\$0	\$304,506	\$304,506
FIRST QUARTER TOTAL	\$178,365	\$110,698	\$289,063
FISCAL YEAR-TO-DATE	\$178,365	\$415,204	\$593,569

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NIPOMO COMMUNITY SERVICES DISTRICT
SUMMARY OF REVENUES AND EXPENSES BY FUND
SIX MONTHS ENDING DECEMBER 31, 2006

FUND	FUND #	YTD REVENUES	YTD EXPENSES	FUNDED REPLACEMENT	YTD SUPRLUS/ (DEFICIT)
Administration	110	120,409	(120,409)	0	0
Town Water	120	1,345,073	(674,528)	(44,000)	626,545
Town Sewer	130	413,103	(243,702)	(128,000)	41,401
Blacklake Water	140	183,878	(128,605)	0	55,273
Blacklake Sewer	150	120,333	(91,683)	(11,500)	17,150
Blacklake Street Lighting	200	11,748	(10,550)	0	1,198
Street Landscape Maintenance	250	5,654	(4,374)	0	1,280
Solid Waste	300	54,711	(21,606)	0	33,105
Drainage Maintenance	400	8,235	0	0	8,235
Supplemental Water Capacity Fees	500	59,473	0	0	59,473
Property Taxes	600	298,444	(43,962)	0	254,482
Town Water Capacity Fees	700	118,415	(2,610)	0	115,805
Town Sewer Capacity Fees	710	137,271	(2,944)	0	134,327
Funded Replacement-Town Water	800	45,985	0	44,000	89,985
Funded Replacement-Town Sewer	810	62,612	0	128,000	190,612
Funded Replacement-BL Water	820	11,878	0	0	11,878
Funded Replacement-BL Sewer	830	0	0	11,500	11,500
TOTAL		2,997,222	(1,344,973)	0	1,652,249

CASH BALANCE OF EACH FUND
AS OF DECEMBER 31, 2006

FUND	FUND #	CASH BALANCE 12/31/2006
Administration	110	(20,788)
Town Water	120	1,446,537
Town Sewer	130	579,664
Blacklake Water	140	12,138
Blacklake Sewer	150	38,744
Blacklake Street Lighting	200	44,362
Street Landscape Maintenance	250	9,750
Solid Waste	300	396,123
Drainage Maintenance	400	13,299
Supplemental Water Capacity Fees	500	2,268,994
Property Taxes (incl COP)	600	911,081
Town Water Capacity Fees	700	4,712,027
Town Sewer Capacity Fees	710	5,233,888
Funded Replacement-Town Water	800	1,862,464
Funded Replacement-Town Sewer	810	2,569,240
Funded Replacement-BL Water	820	457,180
Funded Replacement-BL Sewer	830	(21,666)
Funds held in Trust		254,569
TOTAL		20,767,606

NIPOMO COMMUNITY SERVICES DISTRICT
BALANCE SHEET - CONSOLIDATED
AS OF DECEMBER 31, 2006

ASSETS

Cash and Cash Equivalents	20,767,607.22
Accounts Receivable - Utility Billing	150,440.76
Unbilled Accounts Receivable	467,000.00
Property, Plant & Equipment	34,337,825.23
Accumulated Depreciation	(10,354,151.72)
Prepaid Expenses	18,613.02
Accrued Interest Receivable	236,603.67
Notes Receivable - MVI/MVII	1,176.34
Reservation Fee	37,500.00
Loan Fees - SRF Loan	256,834.00
Accumulated Amortization - SRF Loan Fees	(130,673.02)
Revenue COP's Bond Discount	178,100.60
Accumulated Amortization - Bond Discount	(18,552.00)

Total Assets	45,948,324.10

LIABILITIES

Accounts Payable	228,828.13
Other Payables	14,046.51
Refunds Payable	19,425.70
Construction Meter Deposits	9,500.00
Compensated Absences Payable	47,917.00
Deposits	12,316.81
Payroll Taxes Payable	1,082.78
Deposit - Pomeroy Rd Water Line	24,170.00
Deferred Revenue	6,300.00
Revenue Bonds - Current Portion	9,000.00
SRF Loan #110 - Current Portion	34,868.35
SRF Loan #120 - Current Portion	42,180.25
Revenue COP's-Current Portion	80,000.00
Revenue Bonds Payable - Long Term Portion	129,000.00
SRF Loan #110 Payable - Long Term Portion	418,420.20
SRF Loan #120 Payable - Long Term Portion	548,343.25
Revenue COP's - Long Term Portion	3,685,000.00

Total Liabilities	5,310,398.98

FUND EQUITY

Contributed Capital - Assets	8,466,426.78
Contributed Capital - Capacity Fees (CY)	71,896.75
Contributed Capital - Supplemental Water Fees (CY)	71,837.00
Contributed Capital - Capacity Fees (PY)	16,292,174.62
Contributed Capital - Supplemental Water Fees (PY)	898,030.75
Contributed Capital - Right of Way	70,100.00
Contributed Capital - Assessment Districts	1,359,013.00
Contributed Capital - Grants	2,952,571.66
Retained Earnings-Reserved (Debt Service)	15,600.00
Retained Earnings-Reserved (Emergencies)	50,000.00
Retained Earnings-Reserved (Sewer Grant)	285,000.00
Retained Earnings-Reserved (Funded Replacement)	5,301,977.40
Retained Earnings - Unreserved	3,151,048.68
CURRENT EARNINGS	1,652,248.48

Total Fund Equity	40,637,925.12

Total Liabilities and Fund Equity	45,948,324.10

UNAUDITED

NIPOMO COMMUNITY SERVICES DISTRICT
 INCOME STATEMENT - CONSOLIDATED
 FOR THE PERIOD ENDING DECEMBER 31, 2006

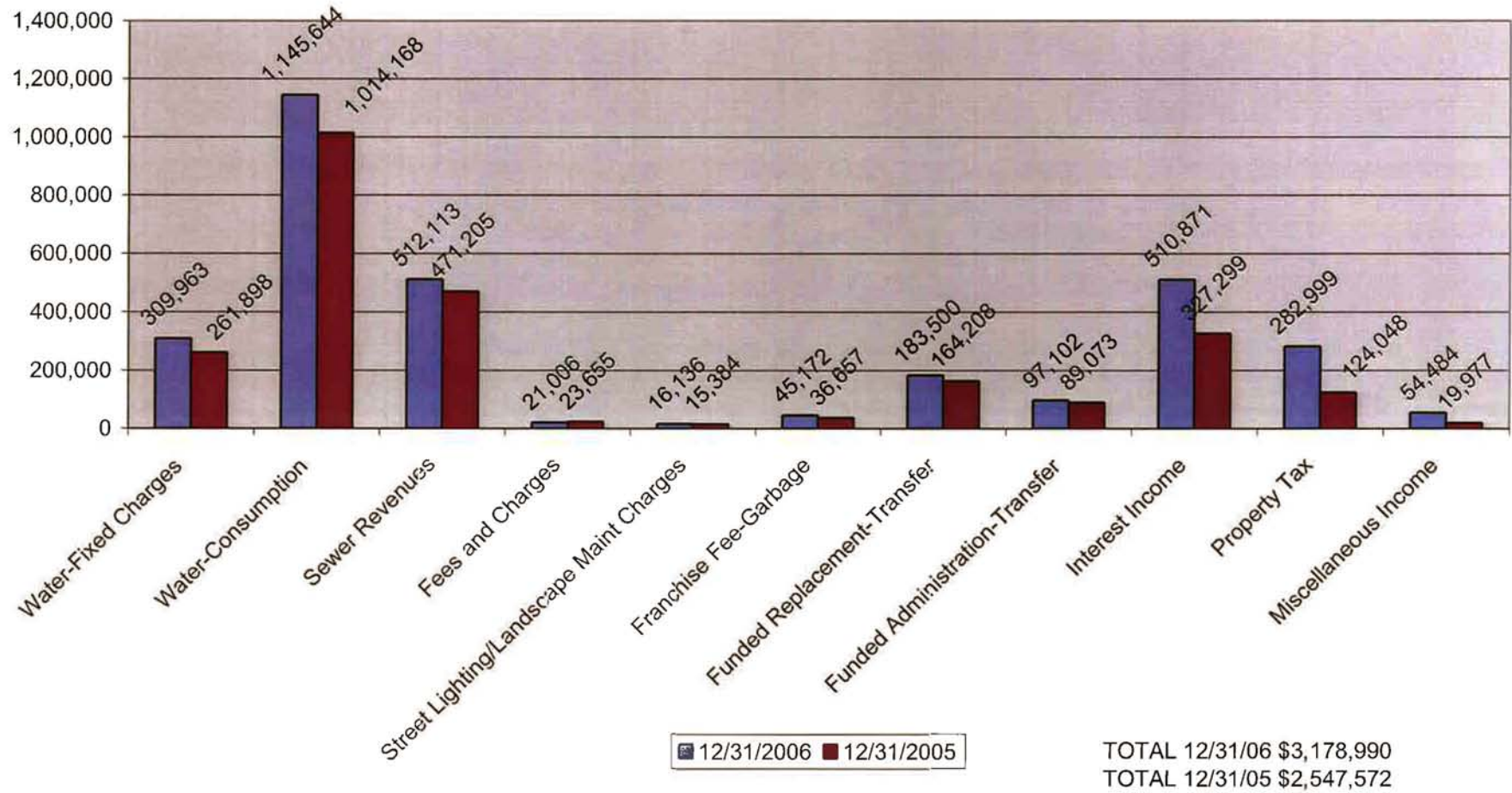
	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
REVENUES			
Water - Fixed Charge	309,962.83	607,000.00	51.06 %
Water - Usage	1,119,751.35	1,622,000.00	69.04 %
Construction Water	21,952.95	0	.00 %
Fire System Fee	1,755.32	3,600.00	48.76 %
Emergency Intertie Water Sales - SCWC	2,184.85	0	.00 %
Sewer Charges	512,113.07	1,021,000.00	50.16 %
Fees and Penalties	21,006.17	53,600.00	39.19 %
Meters	370.00	13,750.00	2.69 %
Plan Check & Inspection Fees	13,210.65	1,000.00	999.99 %
Sewer Lift Station Fees	(5,000.00)	0	.00 %
Sewer Reimbursement	5,992.00	0	.00 %
Franchise Fees	45,172.20	111,000.00	40.70 %
Miscellaneous Income	37,689.01	29,400.00	128.19 %
Street Lighting Charges	10,682.00	18,870.00	56.61 %
Landscape Maintenance Dist Charges	5,454.10	10,236.00	53.28 %
Operating Transfers In - Funded Administration	97,101.93	253,950.00	38.24 %
Operating Transfers In - Funded Replacement	183,499.92	367,000.00	50.00 %
Total Revenues	2,382,898.35	4,112,406.00	57.94 %
OPERATIONS AND MAINTENANCE			
Wages and Benefits	231,150.50	469,615.00	49.22 %
Electricity	264,017.27	576,620.00	45.79 %
Natural Gas	61,726.46	108,000.00	57.15 %
Water	694.30	1,900.00	36.54 %
Chemicals	13,196.85	24,000.00	54.99 %
Lab Tests	24,610.50	50,500.00	48.73 %
Operating Supplies	30,751.86	70,000.00	43.93 %
Outside Services	26,604.24	87,000.00	30.58 %
Permits and Operating Fees	13,644.59	13,995.00	97.50 %
Repairs and Maintenance	59,253.50	272,550.00	21.74 %
Engineering	72.90	13,500.00	.54 %
Fuel	12,154.10	22,000.00	55.25 %
Paging Service	2,373.68	5,600.00	42.39 %
Meters - New Installation	2,899.69	11,000.00	26.36 %
Meters - Replacement Program	10,895.00	18,000.00	60.53 %
Uniforms	2,433.96	5,300.00	45.92 %
Landscape Maintenance & Water	3,629.08	7,700.00	47.13 %
Clean Up	873.53	0	.00 %
Conservation Program	4,842.32	70,725.00	6.85 %
Street Sweeping	10,984.00	36,000.00	30.51 %
Operating Transfers Out - Funded Replacement	183,499.92	367,000.00	50.00 %
Subtotal - O & M	960,308.25	2,231,005.00	43.04 %
GENERAL AND ADMINISTRATIVE			
Wages and Benefits	179,832.95	430,600.00	41.76 %

NIPOMO COMMUNITY SERVICES DISTRICT
 INCOME STATEMENT - CONSOLIDATED
 FOR THE PERIOD ENDING JUNE 30, 2007

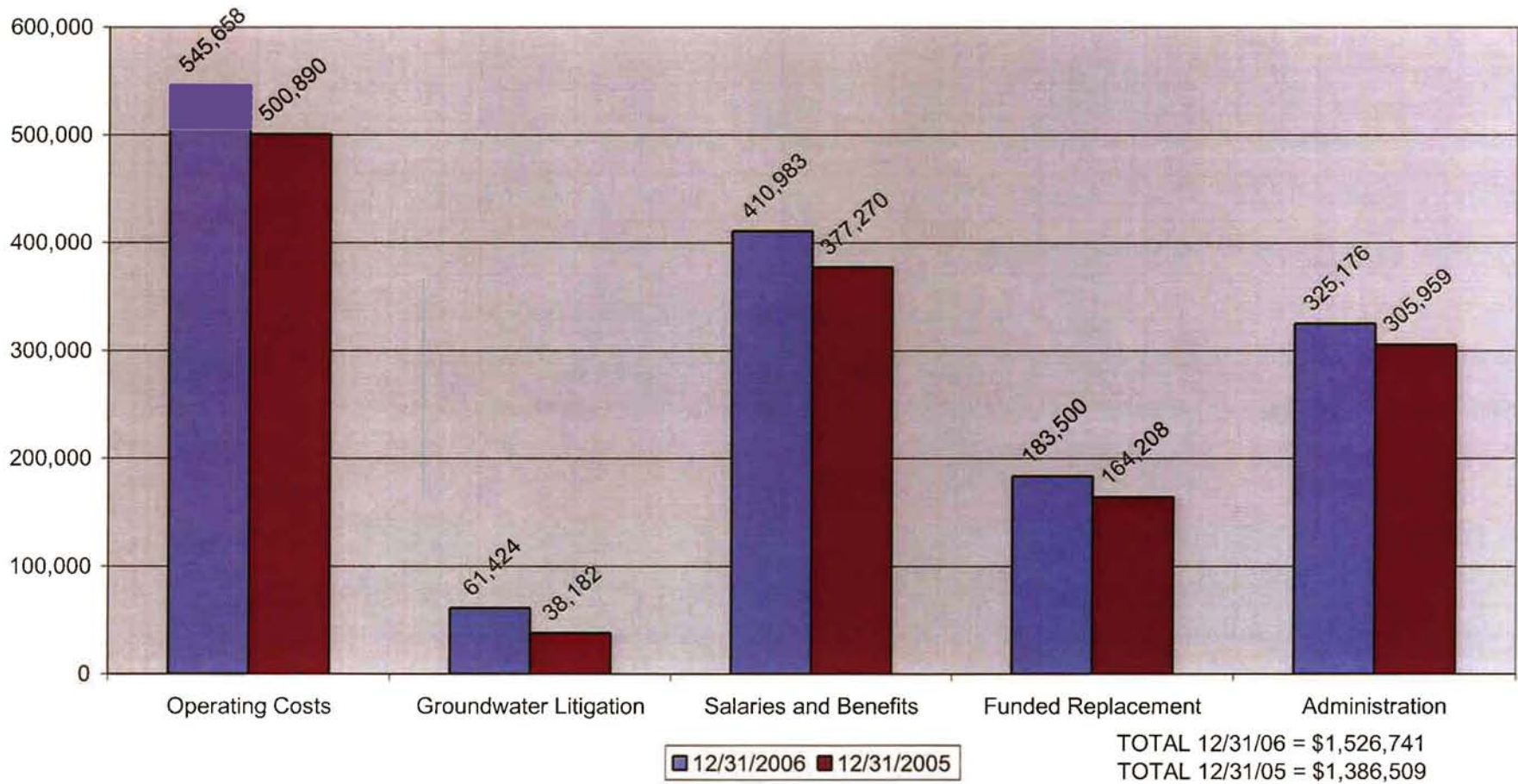
	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
Utilities	4,532.14	5,800.00	78.14 %
Audit	4,725.00	5,000.00	94.50 %
Bank Charges and Fees	736.65	1,795.00	41.04 %
Computer Expense	9,943.37	25,000.00	39.77 %
Director Fees	9,400.00	19,402.00	48.45 %
Dues and Subscriptions	7,006.88	7,000.00	100.10 %
Education and Training	1,031.00	8,500.00	12.13 %
Elections	0	6,000.00	.00 %
Insurance - Liability	17,418.96	36,000.00	48.39 %
LAFCO Funding	16,163.00	16,163.00	100.00 %
Landscape and Janitorial	4,117.50	8,700.00	47.33 %
Legal - General Counsel	36,737.09	81,000.00	45.35 %
Legal - Water Counsel	61,424.23	100,000.00	61.42 %
Professional Services	46,451.83	50,400.00	92.17 %
Miscellaneous	299.43	5,700.00	5.25 %
Office Supplies	9,318.44	10,000.00	93.18 %
Outside Service	1,815.23	7,500.00	24.20 %
Postage	6,464.23	14,000.00	46.17 %
Public Notices	4,394.00	8,750.00	50.22 %
Repairs and Maintenance	3,154.00	33,500.00	9.41 %
Property Taxes	812.02	690.00	117.68 %
Telephone	2,423.81	5,340.00	45.39 %
Travel and Mileage	4,387.95	10,000.00	43.88 %
Operating Transfer Out - Funded Administration	97,101.93	253,950.00	38.24 %
Subtotal - G & A	529,691.64	1,150,790.00	46.03 %
NON OPERATING INCOME			
Interest Income	510,870.58	610,093.00	83.74 %
Property Tax Revenues	282,999.08	454,000.00	62.33 %
Gain/Loss on Sale	2,222.00	0	.00 %
Subtotal - Non Operating Income	796,091.66	1,064,093.00	74.81 %
NON OPERATING EXPENSES			
Interest Expense	36,741.64	171,850.00	21.38 %
Subtotal - Non Operating Expenses	36,741.64	171,850.00	21.38 %
Net Surplus/(Deficit)	1,652,248.48	1,622,854.00	101.81 %

UNAUDITED

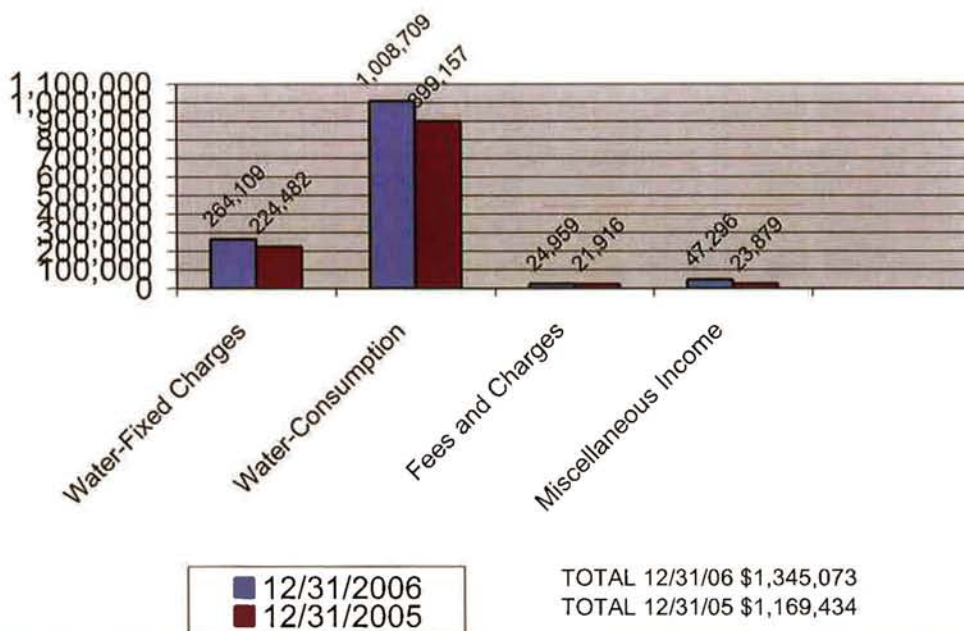
**NIPOMO COMMUNITY SERVICES DISTRICT
 COMBINED REVENUES FOR ALL FUNDS
 SIX MONTHS ENDED
 DECEMBER 31, 2006 AND DECEMBER 31, 2005**



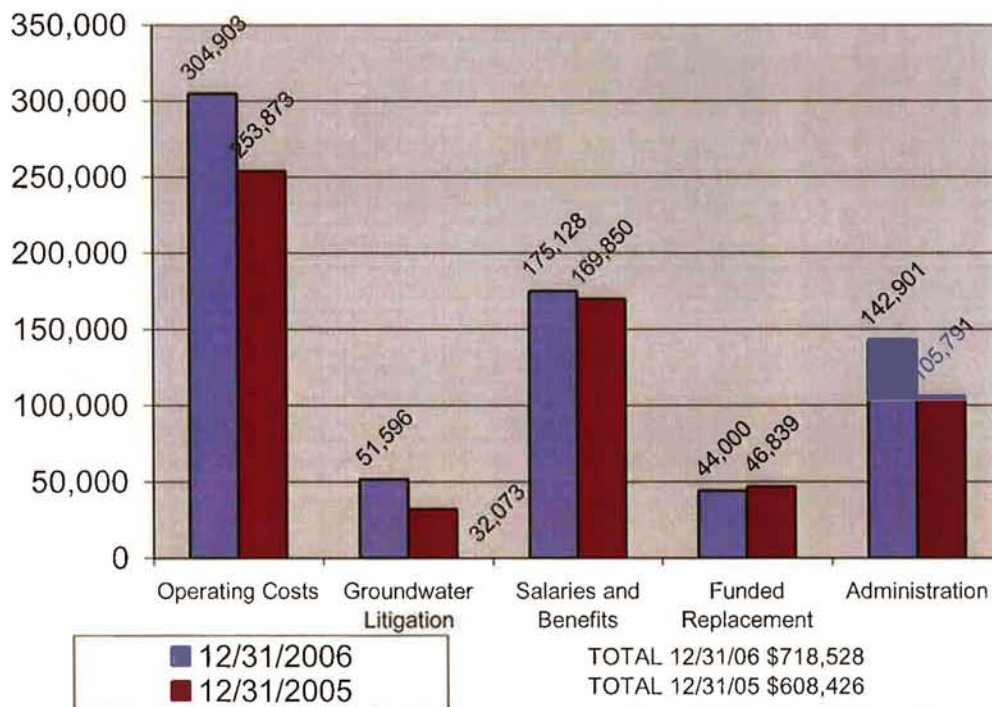
**NIPOMO COMMUNITY SERVICES DISTRICT
 COMBINED EXPENDITURES FOR ALL FUNDS
 SIX MONTHS ENDED
 DECEMBER 31, 2006 AND DECEMBER 31, 2005**



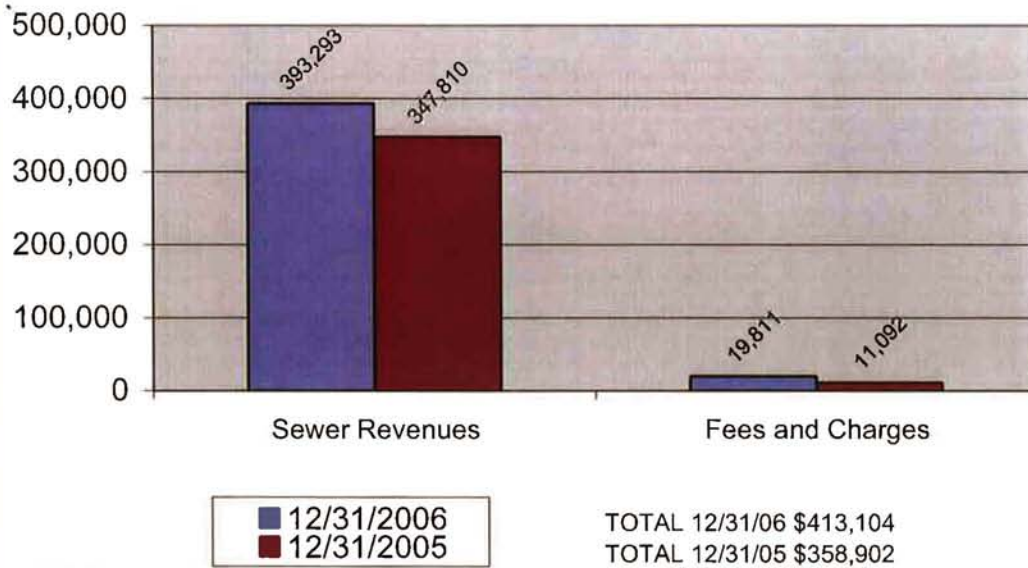
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN WATER FUND #120
REVENUES-DECEMBER 31 2006 AND DECEMBER 31, 2005**



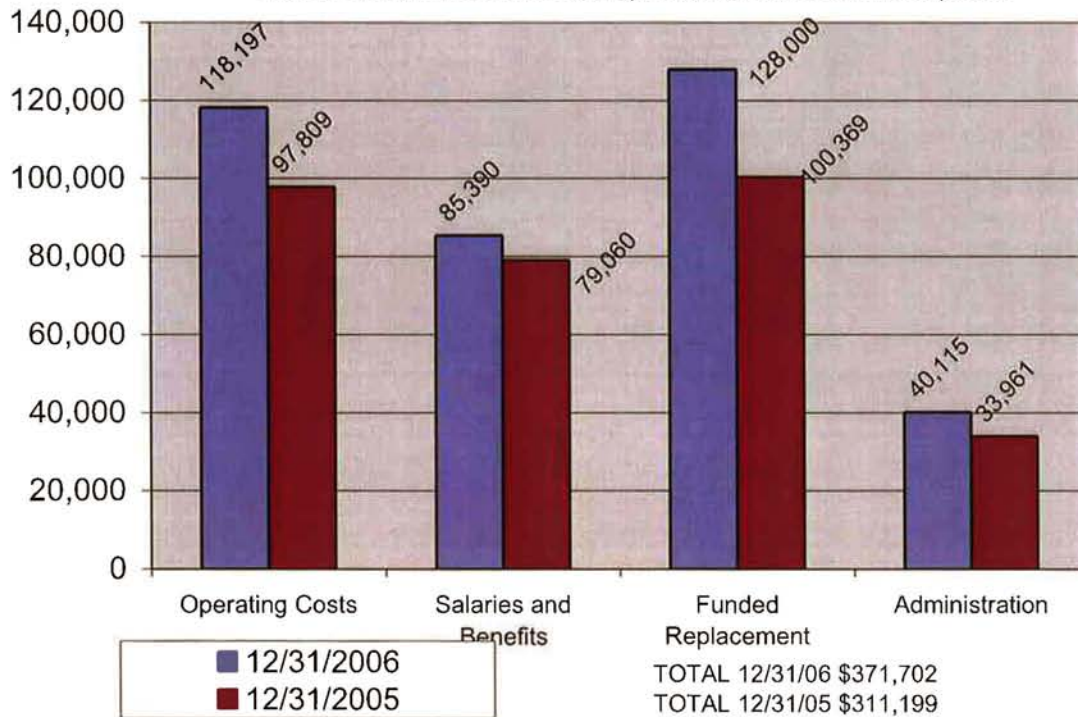
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN WATER FUND #120
EXPENDITURES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



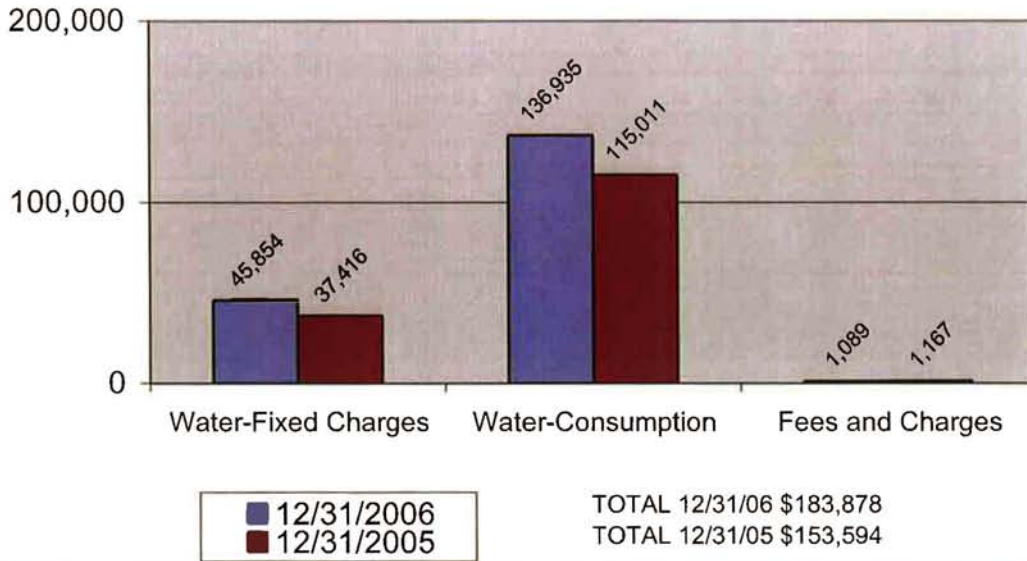
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN SEWER FUND #130
REVENUES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



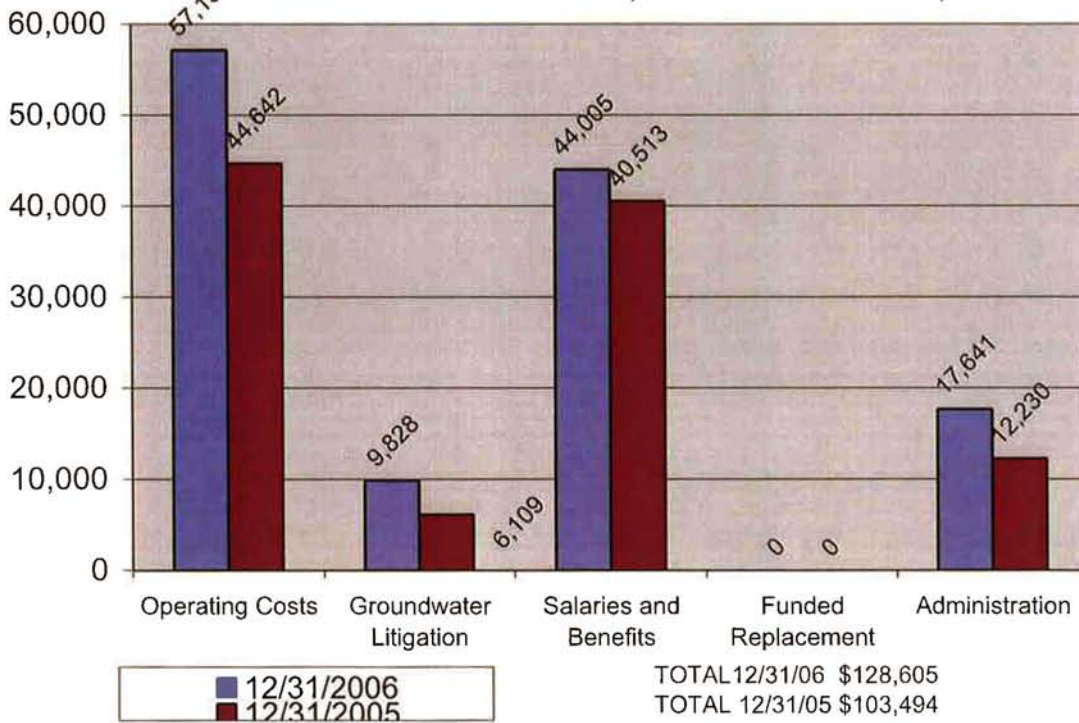
**NIPOMO COMMUNITY SERVICES DISTRICT
TOWN SEWER FUND #130
EXPENDITURES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



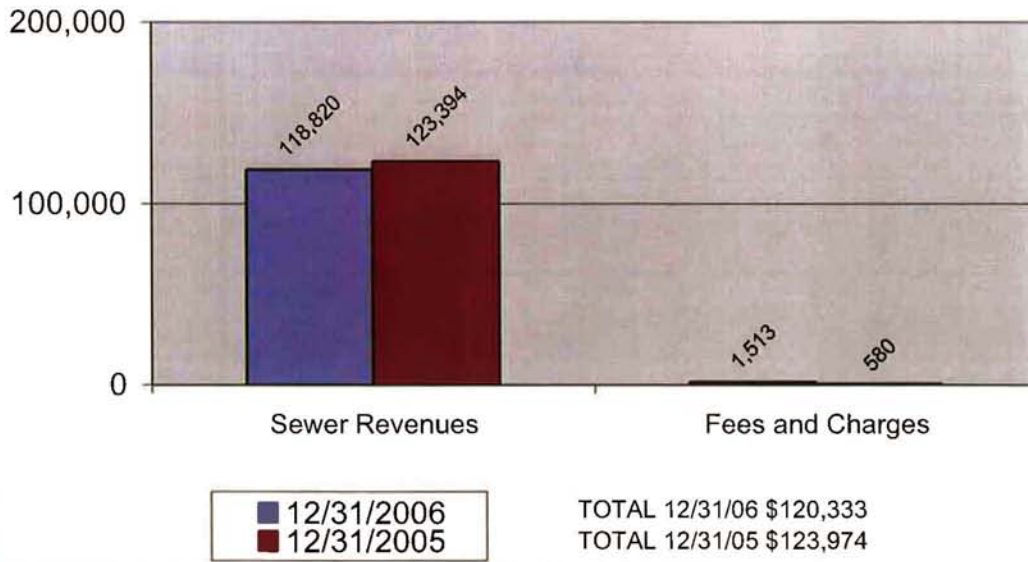
**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE WATER FUND #140
REVENUES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE WATER FUND #140
EXPENDITURES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



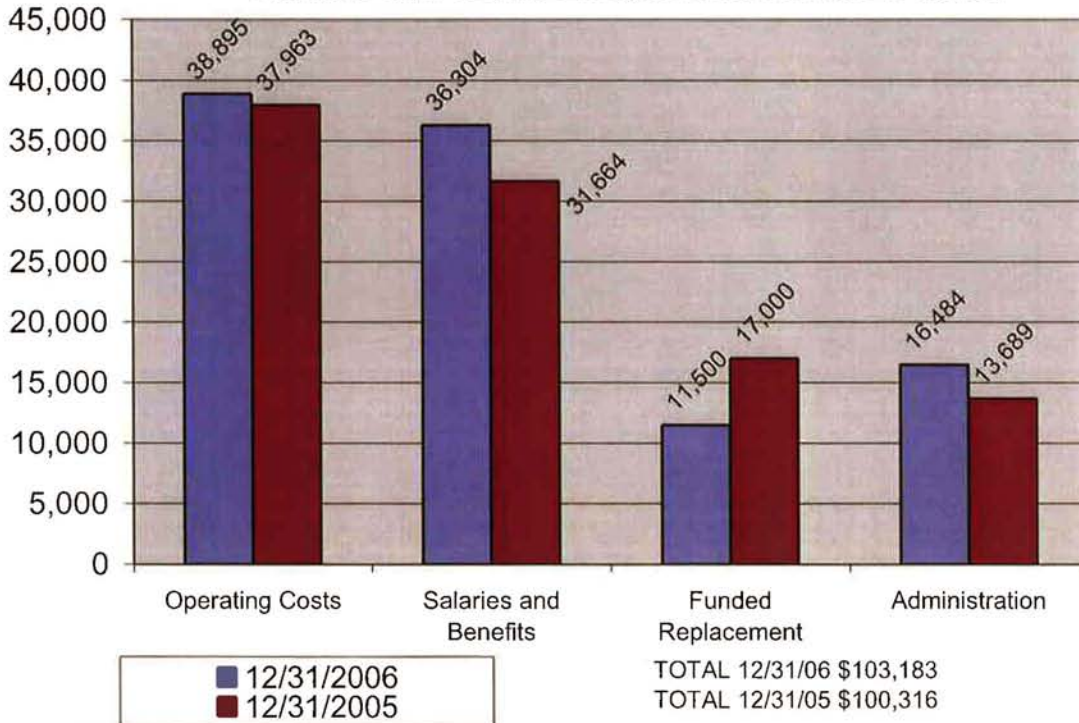
**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE SEWER FUND #150
REVENUES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



■ 12/31/2006
■ 12/31/2005

TOTAL 12/31/06 \$120,333
TOTAL 12/31/05 \$123,974

**NIPOMO COMMUNITY SERVICES DISTRICT
BLACKLAKE SEWER FUND #150
EXPENDITURES-DECEMBER 31, 2006 AND DECEMBER 31, 2005**



■ 12/31/2006
■ 12/31/2005

TOTAL 12/31/06 \$103,183
TOTAL 12/31/05 \$100,316

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JANUARY 19, 2007

**AGENDA ITEM
D-6
JANUARY 24, 2007**

SET DATE FOR REVIEW OF GENERAL MANAGER PERFORMANCE

ITEM

Set February 21, 2007 as date for review of the General Manager's performance [Recommend Approval].

BACKGROUND

In August 2006, your Honorable Board determined that Bruce Buel's performance as General Manager should be reviewed prior to March 5, 2007. President Winn recommends that this matter be scheduled at the end of the February 21, 2007 Special Meeting as a closed session agenda item.

Attached for use by each Board Member is a copy of the Performance Review Form from the District's Personnel Policy. President Winn requests that each Director fill in the form prior to the Special Meeting and forward a copy of the completed form to him for collation.

RECOMMENDATION

It is recommended that your Honorable Board set the Performance Review at the end of the February 21, 2007 Special Meeting and that each Director complete their respective form prior to the meeting.

ATTACHMENT

Performance Review Form

T:\doc\board matters\board meetings\board letter 2007\GM Perf Review

8020 - APPENDIX "C" -- PERFORMANCE EVALUATION FORM

NIPOMO COMMUNITY SERVICES DISTRICT
EVALUATION
EMPLOYEE'S WORK PERFORMANCE & INTRODUCTORY PERIOD REPORT

NAME: _____ DEPARTMENT: _____
 CLASSIFICATION TITLE: _____ REVIEW FROM: _____ REVIEW TO: _____
 STATUS: _____ INTRODUCTORY: _____ FULL TIME: _____ PART TIME: _____

INSTRUCTIONS TO THE RATER:

This performance evaluation form is designed to provide you the opportunity to place more emphasis on critical factors, which are designated, as the employee's area of primary responsibility. However, employees cannot feel fairly evaluated unless they are aware of the standards of the job you expect. You should make every effort to discuss these critical factors with all of the employees you rate as far in advance of his/her evaluation date as possible so they will know what is expected of them. When new employees are hired, this discussion should take place as soon as possible. It is your responsibility to provide an honest and objective evaluation of the employee's work performance and to work with an employee in those areas where improvement is needed or work performance is unsatisfactory.

Critical Factors	UNSATISFACTORY	IMPROVEMENT NEEDED	SATISFACTORY	ABOVE SATISFACTORY	OUTSTANDING
1. ACCURACY is the correctness of work duties performed.	<input type="checkbox"/> Makes frequent errors	<input type="checkbox"/> Careless; makes recurrent errors.	<input type="checkbox"/> Usually accurate; makes occasional minor errors.	<input type="checkbox"/> Requires little supervision; is exact and precise.	<input type="checkbox"/> Requires absolute minimum of supervision; is always accurate and exact.
2. QUANTITY OF WORK is the amount of work an individual does in a work day.	<input type="checkbox"/> Does not meet minimum requirement.	<input type="checkbox"/> Marginal productivity; must be improved.	<input type="checkbox"/> Volume of work is satisfactory	<input type="checkbox"/> Very industries; does more than is required.	<input type="checkbox"/> Superior work production record.
3. SUPERVISION REQUIRED to do the job well.	<input type="checkbox"/> Direct supervision required for all but routine activities.	<input type="checkbox"/> Sometimes requires additional supervision	<input type="checkbox"/> Requires little supervision other than occasional directions.	<input type="checkbox"/> Works very effectively without supervision.	<input type="checkbox"/> Dependable to act with initiative and minimum supervision.
4. ACCEPTANCE OF SUPERVISION is the ability to understand and follow instruction.	<input type="checkbox"/> Frequently ignores or resents supervision or instructions.	<input type="checkbox"/> Reluctantly accepts supervision; fails to follow instructions.	<input type="checkbox"/> Accepts supervision; understands and follows instructions	<input type="checkbox"/> Willingly accepts supervision; understands and follows instructions	<input type="checkbox"/> Always accepts supervision and follows instructions to full intent without delay.
5. DRIVE is the desire to attain goals.	<input type="checkbox"/> Does not complete work goals in a timely or satisfactory manner; shows practically no initiative	<input type="checkbox"/> Puts forth little effort to achieve work goals.	<input type="checkbox"/> Completes major work goals in a timely manner	<input type="checkbox"/> Completes all work goals on or before deadlines.	<input type="checkbox"/> Completed work exceed established goals; shows consistent initiative to increase productivity.
6. JOB KNOWLEDGE is the information concerning work duties which an individual should know for satisfactory job performance.	<input type="checkbox"/> Poorly informed about work duties	<input type="checkbox"/> Lacks knowledge of some phases of work.	<input type="checkbox"/> Basic understanding; can answer most questions.	<input type="checkbox"/> Thoroughly understands all phases of work.	<input type="checkbox"/> Has mastery of all phases of job.

7. **ALERTNESS** is the ability to grasp instructions, to meet changing conditions, and to solve problem situations.
- | | | | | | |
|--------------------------|---|--|--|---|---|
| <input type="checkbox"/> | <input type="checkbox"/> Inattentive; slow to grasp concepts. | <input type="checkbox"/> Requires detailed explanations and instructions | <input type="checkbox"/> Grasps instructions with average ability. | <input type="checkbox"/> Quick to understand and learn. | <input type="checkbox"/> Exceptionally alert. |
|--------------------------|---|--|--|---|---|
-
8. **CREATIVITY** is talent for having new ideas, for finding new and better ways of doing things, and for being imaginative.
- | | | | | | |
|--------------------------|--|---|---|---|---|
| <input type="checkbox"/> | <input type="checkbox"/> Disinterested; never suggests ideas for improvement/change. | <input type="checkbox"/> Shows little interest and makes few suggestions for improvement/change | <input type="checkbox"/> Reasonable number of new ideas and workable suggestions. | <input type="checkbox"/> Frequently suggests new ways of doing things; is very imaginative. | <input type="checkbox"/> Continually seeks new and better ways of doing things; is extremely imaginative. |
|--------------------------|--|---|---|---|---|
-
9. **INTERPERSONAL SKILL** is the extent to which the employee relates to the public, other employees, supervisory personnel and subordinates in a cooperative, tactful and productive manner.
- | | | | | | |
|--------------------------|---|--|--|--|---|
| <input type="checkbox"/> | <input type="checkbox"/> Discourteous & antagonistic. | <input type="checkbox"/> Sometimes needs to be more tactful. | <input type="checkbox"/> Establishes and maintains effective working relationships | <input type="checkbox"/> Always courteous, tactful & helpful; creates good public image. | <input type="checkbox"/> Extremely effective at establishing good will; inspiring to others in being courteous & very pleasant. |
|--------------------------|---|--|--|--|---|
-
10. **ATTENDANCE** is coming to work daily and conforming to work hours.
- | | | | | | |
|--------------------------|--|--|---|---|--|
| <input type="checkbox"/> | <input type="checkbox"/> Often absent without good excuse and/or frequently reports for work late. | <input type="checkbox"/> Careless; makes recurrent errors. | <input type="checkbox"/> Usually accurate; makes occasional minor errors. | <input type="checkbox"/> Requires little supervision; is exact and precise. | <input type="checkbox"/> Requires absolute minimum of supervision; is always accurate and exact. |
|--------------------------|--|--|---|---|--|
-
11. **SAFETY CONSCIOUSNESS** is the ability to maintain a safe and orderly work area.
- | | | | | | |
|--------------------------|---|---|---|--|--|
| <input type="checkbox"/> | <input type="checkbox"/> Disorderly or unsafe; repeated violations of safety rules. | <input type="checkbox"/> Careless in keeping work area neat and following safety rules. | <input type="checkbox"/> Ordinarily keeps work area neat; follows safety rules. | <input type="checkbox"/> Conscientious about neatness and safety rules | <input type="checkbox"/> Always neat; safety conscious; exemplary safety record. |
|--------------------------|---|---|---|--|--|
-
12. **PERSONAL APPEARANCE** is the personal impression an individual makes on others. (Consider cleanliness, grooming, neatness and appropriateness of dress on the job.)
- | | | | | | |
|--------------------------|---|--|--|---|---|
| <input type="checkbox"/> | <input type="checkbox"/> Adversely affects work relationships; inappropriate work attire. | <input type="checkbox"/> Careless about appearance; inappropriate work attire. | <input type="checkbox"/> Satisfactory personal appearance and appropriate work attire. | <input type="checkbox"/> Careful about personal appearance and in selection of work attire. | <input type="checkbox"/> Usually well groomed and always appropriately attired. |
|--------------------------|---|--|--|---|---|

THIS SECTION IS FOR THOSE EMPLOYEES WHO SUPERVISE

13. **ABILITY TO SUPERVISE** is the knowledge and ability to establish work standards; plan, assign and evaluate the work of subordinates and meet unit objectives.
- | | | | | | |
|--------------------------|--|--|---|---|---|
| <input type="checkbox"/> | <input type="checkbox"/> Consistently fails to meet the responsibilities of supervision. | <input type="checkbox"/> Occasionally fails to meet the responsibilities of supervision. | <input type="checkbox"/> Performs the basic functions of supervision. | <input type="checkbox"/> Almost always exceeds the basic responsibilities of supervision. | <input type="checkbox"/> Exemplary supervisor; subordinates have a superior work production record. |
|--------------------------|--|--|---|---|---|

An Outstanding or Unsatisfactory rating must be substantiated in a written statement by the rater.

OVERALL EVALUATION

- UNSATISFACTORY IMPROVEMENT NEEDED SATISFACTORY ABOVE SATISFACTORY OUTSTANDING

MAJOR STRONG POINTS: _____

AND THESE CAN BE USED MORE EFFECTIVELY BY DOING THE FOLLOWING:

AREAS OF SUGGESTED DEVELOPMENT, WORK PLAN AND GOALS:

AND THESE CAN BE STRENGTHENED AND ACCOMPLISHED BY DOING THE FOLLOWING:

DEPARTMENT HEAD COMMENTS: RECOMMENDED FOR STEP INCREASE: YES NO NOT APPLICABLE

I have reviewed this report with the employee and have discussed the ratings with him/her. This report is accurate according to my best knowledge and belief.

SIGNATURE OF DEPARTMENT HEAD: _____ DATE: _____

EMPLOYEE'S STATEMENT AND SIGNATURE: *I have received this report and have had the opportunity to discuss it with my Department Head. My signature does not necessarily mean that I agree with the report.*

SIGNATURE OF EMPLOYEE: _____ DATE: _____


GENERAL MANAGER USE ONLY: Approval: Disapproval:

SIGNATURE OF GENERAL MANAGER: _____ DATE: _____

Description of evaluation terms:

- A. Unsatisfactory work performance is well below the standard expected of a competent worker in that job, a majority of the time. Unsatisfactory ratings must be substantiated in a written statement by the rater.
- B. Improvement Needed Work performance is frequently less than the standard expected of a competent worker in that job, and improvable with additional training, experience, and/or effort.
- C. Satisfactory Work performance consistently meets the standard expected of a competent worker in that job.
- D. Above Satisfactory Work performance is generally above the standard expected of a competent worker in that job, a majority of the time.
- E. Outstanding Work performance is consistently and distinctly above the standard expected of a competent worker in that job; performance is definitely superior; Outstanding ratings must be substantiated in a written statement by the rater.

[*An employee has the right to respond in writing to an employee performance evaluation. Said response shall be attached to the performance evaluation and placed in the employees personnel file.]

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: JANUARY 19, 2007

**AGENDA ITEM
D-7
JANUARY 24, 2007**

INITIATE REVIEW OF BOARD BYLAWS

ITEM

Initiate review of Board Bylaws [Set Hearing for February 14, 2007 Meeting].

BACKGROUND

The attached Bylaws call for an annual review by the Board at its first meeting in February. President Winn has requested that each Board Member receive the adopted bylaws at this meeting so that ample time is available for identification of concerns for discussion at the February 14, 2007 Meeting.

RECOMMENDATION

It is recommended that your Honorable Board set the annual review of the Board Bylaws at your February 14, 2007 Board Meeting.

ATTACHMENT

Board Bylaws

T:\doc\board matters\board meetings\board letter 2007\Bylaw Review Initiation

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2006-965
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AMENDED BY-LAWS (2006 UPDATE)**

WHEREAS, the Board of Directors of Nipomo Community Services District (District) is committed to providing excellence in legislative leadership; and

WHEREAS, the District is a member of the Special District Risk Management Authority (SDRMA); and

WHEREAS, SDRMA has adopted a Credit Incentive Program whereby the District can receive a one point credit for the adoption of Board Policies and Procedures (Director By-Laws); and

WHEREAS, the District can receive an annual one point credit for the annual review and re-adoption of the Director By-Laws; and

WHEREAS, Government Code §61054 provides that the Board of Directors shall adopt rules or bylaws for its proceedings; and

WHEREAS, on February 8, 2006, the District Board of Directors did review the District's previously adopted Board By-Laws and directed District Staff to return with an edited version for Board adoption. .

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District, as follows:

1. The Nipomo Community Services District Board of Directors By-Laws (2006 update) attached hereto as Exhibit "A" are hereby approved and adopted.
2. All prior Director By-Laws, Resolutions and Policies of the District that are inconsistent with the Board of Director By-Laws (2006 update) attached hereto as Exhibit "A" are hereby repealed.

Upon motion by Director Eby, seconded by Director Winn on the following roll call vote, to wit:

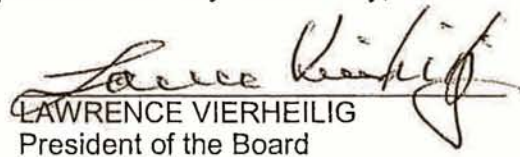
AYES: Directors Eby, Winn, Wirsing, and Vierheilig

NOES: None

ABSENT: Director Trotter

ABSTAIN: None

the foregoing resolution is hereby passed and adopted this 22nd day of February, 2006.


LAWRENCE VIERHEILIG
President of the Board

ATTEST:


DONNA K. JOHNSON
Secretary to the Board

APPROVED:


JON S. SEITZ
District Legal Counsel

NIPOMO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTOR
BY-LAWS
2006 UPDATE
(ATTACHMENT "A" TO RESOLUTION 2006-965)

1. OFFICERS OF THE BOARD OF DIRECTORS

- 1.1 The officers of the Board of Directors are the President and Vice President.
- 1.2 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/She shall have the same rights as the other Directors of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- 1.3 In the absence of the President, the Vice President of the Board of Directors or his/her designee shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining Directors present shall select one of themselves to act as chairperson of the meeting.
- 1.4 The President and Vice President of the Board shall be elected annually at the last regular meeting of each calendar year.
- 1.5 The term of office for the President and Vice President of the Board shall commence on January 1 of the year immediately following their election.

2. MEETINGS

- 2.1 Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month in the Board Room at the District Office located at 148 South Wilson, Nipomo, CA. The Board of Directors reserves the right to cancel or designate other dates, places, and times for Director meetings due to scheduling conflicts and holidays.
- 2.2 Special Meetings.

Special meetings may be called by the President or three (3) Directors with a minimum of twenty-four (24) hours public notice. Special meeting agenda shall be prepared and distributed pursuant to the procedures of the Brown Act by the General Manager or the Assistant Administrator in consultation with the President or in his or her absence, the Vice president or those Directors calling the meeting;
- 2.3 Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.
- 2.4 No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:
 - (a) Directors may briefly respond to statements or questions from the public;
 - (b) Directors may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting;
 - (c) A Director or the Board itself may take action to direct staff to place a matter on a future agenda;
 - (d) Directors may make brief announcements or make a brief report on his/her own activities under the Director Comment portion of the Agenda.

NIPOMO COMMUNITY SERVICES DISTRICT
DIRECTOR BY-LAWS 2006 UPDATE
ATTACHMENT "A" TO RESOLUTION 2006-965
PAGE 2

- 2.5 The President, or in his/her absence the Vice President (or his/her designee), shall be the presiding officer at District Board meetings. He/She shall conduct all meetings in a manner consistent with the policies of the District. He/She shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/She shall announce the Board's decision on all subjects. He/She shall vote on all questions and on roll call his/her name shall be called last.
- 2.6 Three (3) Directors of the Board shall constitute a quorum for the transaction of business. When a quorum is lacking for a regular, adjourned, or special meeting, the President, Vice President, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.
- 2.7 No ordinance, resolution or motion shall be passed or become effective without the affirmative vote of at least a majority of the total membership of the Board of Directors.
- 2.8 A roll call vote shall be taken upon the passage of all ordinances and resolutions, and shall be entered in the minutes of the Board, showing those Directors voting aye, those voting no, those abstaining, those not voting because of a conflict of interest, and absent. A roll call vote shall be taken and recorded on any motion not passed unanimously by the Board. Silence shall be recorded as an affirmative vote.
- 2.9 Votes of abstention shall be counted as a no vote.
- 2.10 Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without disruptive noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.11 All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speakers podium once the meeting begins. The President retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

3. AGENDAS

- 3.1. The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request an item to be placed on the regular meeting agenda no later than 4:30 p.m. one week prior to the meeting date. Such a request must be also submitted in writing either at the time of communication with the General Manager or delivered to the office within the next working day.
- 3.2 A block of 20 minutes time shall be set aside to receive general public comment. Comments on agendized items should be held until the appropriate item is called. Unless otherwise directed by the President, public comment shall be presented from the podium. The person giving public comment shall state his/her name and whether or not he/she lives within the District boundary prior to giving his/her comment. Public comment shall be directed to the President of the Board and limited to three minutes unless extended or shortened by the President at his/her discretion.
- 3.3 Those items on the District Agenda which are considered to be of a routine and non-controversial nature are placed on the "Consent Agenda". These items shall be approved, adopted, and accepted, etc. by one motion of the Board of Directors; for example, approval of Minutes, approval of Warrants, various Resolutions accepting

NIPOMO COMMUNITY SERVICES DISTRICT
DIRECTOR BY-LAWS 2006 UPDATE
ATTACHMENT "A" TO RESOLUTION 2006-965
PAGE 3

developer improvements, minor budgetary items, status reports, and routine District operations.

- (a) Directors may request that any item listed under "Consent Agenda" be removed from the "Consent Agenda", and the Board will then take action separately on that item. Members of the public will be given an opportunity to comment on the "Consent Agenda"; however, only a member of the Board of Directors can remove an item from the "Consent Agenda". Items which are removed ("pulled") by Directors of the Board for discussion will typically be heard after other "Consent Agenda" items are approved unless a majority of the Board chooses an earlier or later time.
- (b) A Director may ask questions on any item on the "Consent Agenda". When a Director has a minor question for clarification concerning a consent item which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Agenda". Directors are encouraged to seek clarifications prior to the meeting if possible.
- (c) When a Director wishes to consider/"pull" an item simply to register a dissenting vote, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote on a particular item without discussion. The item will be handled along with the rest of the Consent Agenda, and the District Secretary shall register a "no" vote in the minutes on the item identified by the Director.

4. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES

- 4.1 The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads;
- 4.2 The Minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions or motions.
- 4.3 The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 4.4 and 4.6 below, shall not be required to record any remarks of Directors or any other person.
- 4.4 Any Director may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include brief summaries of public comment, the General Manager's report, matters of concern to District legal counsel, District committee reports, and Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the General Manager, District Counsel, the Board President, or any Director.
- 4.5 The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board, the title of the subject matter to which their remarks related, and whether they spoke in support or opposition to such matter.
- 4.6 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

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DIRECTOR BY-LAWS 2006 UPDATE
ATTACHMENT "A" TO RESOLUTION 2006-965
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- 4.7 Any record of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. District electronic records may be retained indefinitely, pursuant to the discretion of the Board.

5. DIRECTORS

- 5.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors.
- 5.2 Members of the Board of Directors shall exercise their independent judgment on behalf of the interest of the entire District, including the residents, property owners and the public as a whole.
- 5.3 Information may be requested from staff or exchanged between Directors before meetings, within such limitations as required by the Brown Act. Information that is requested or exchanged shall be distributed through the General Manager, and all Directors will receive a copy of all information being distributed.
- 5.4 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.
- 5.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.
- 5.6 Except during open and public meetings the use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the Directors to develop a collective concurrence as to action to be taken on an item by the Board of Directors is prohibited.

6. AUTHORITY OF DIRECTORS

- 6.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.
- 6.2 Directors do not represent any fractional segment of the community but are, rather, a part of the body which represents and acts for the community as a whole.
- 6.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

7. AUTHORITY OF THE GENERAL MANAGER

The General Manager shall be responsible for all of the following:

- 7.1 The implementation of the policies established by the Board of Directors for the operation of the District.
- 7.2 The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors.
- 7.3 The supervision of the District's facilities and services.
- 7.4 The supervision of the District's finances.

NIPOMO COMMUNITY SERVICES DISTRICT
DIRECTOR BY-LAWS 2006 UPDATE
ATTACHMENT "A" TO RESOLUTION 2006-965
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8. DIRECTOR GUIDELINES

- 8.1 Directors, by making a request to the General Manager or Assistant Administrator, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the General Manager or the Assistant Administrator cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, work loads, and priorities, then the General Manager or Assistant Administrator shall inform the individual Director why the information is not or cannot be made available.
- 8.2 In handling complaints from residents or property owners within the District, or other members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and the District's response, if any.
- 8.3 Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should refer said concerns directly to the General Manager.
- 8.4 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager or Assistant Administrator. The chain of command should be followed. If a Director concludes that a personnel issue is not being adequately addressed in this manner, he/she should refer it to the Board's personnel committee for further consideration, in accordance with District Personnel Policy.
- 8.5 Directors and General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.
- 8.6 When responding to constituent request and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager, or in his/her absence, to the Assistant Administrator.
- 8.7 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

9. DIRECTOR COMPENSATION

- 9.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular, adjourned or special meeting of the Board of Directors attended by him/her.
- 9.2 Each Director is authorized to receive fifty dollars (\$50.00) as a compensation for each standing committee or ad hoc committee meeting of the District attended by him/her.
- 9.3 Each Director is authorized to receive one hundred dollars (\$100) per day as compensation for representation of the District at a public meeting or public hearing conducted by another public agency and/or participation in a training program on a topic that is directly related to the District, provided that the Board of Directors has previously approved the member's participation at a Board of Director's meeting and the member delivers a written report to the Board of Directors at the District's next regular meeting regarding the member's participation.
- 9.4 In no event shall Director compensation exceed \$100 per day.
- 9.5 Director compensation shall not exceed six full days in any one calendar month.

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DIRECTOR BY-LAWS 2006 UPDATE
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10. DIRECTOR REIMBURSEMENT

- 10.1** Each Director is entitled to reimbursement for their actual and necessary expenses, including the cost of programs and seminars, incurred in the performance of the duties required or authorized by the Board.
- (a)** It is the policy of the District to exercise prudence with respect to hotel/motel accommodations. It is also the policy of the District for Directors and staff to stay at the main hotel/motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.
- Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at group rate is available to the member of the Board of Directors at the time of booking (Govt Code §53232.2(d)). Personal phone calls, room service, and other discretionary expenditures are not reimbursable.
- (b)** Members of the Board of Directors shall use government and group rates offered by a provider of transportation for travel when available. Directors using his/her private vehicle on District business, shall be compensated at the prevailing IRS per diem mileage rate.
- (c)** Any Director traveling on District business shall receive in addition to transportation and lodging expenses, a per diem allowance to cover ordinary expenses such as meals, refreshments and tips. The amount set for per diem shall be considered fair reimbursement, and the Director shall neither be required to account for use of the per diem, return the unused portions, nor claim additional expenses for these items. The per diem shall include \$10.00 for breakfast, \$10.00 for lunch, and \$20.00 for dinner, for a daily total of \$40.00.
- (d)** All travel and other expenses for District business, conferences, or seminars outside of the State of California shall require separate Board authorization, with specific accountability as to how the District shall benefit by such expenditure.
- 10.2** All expenses that do not fall within the reimbursement policy set forth in 10.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred.
- 10.3** Board members shall submit an expense report on the District form within ten (10) calendar days after incurring the expense. The expense report shall be accompanied by receipts documenting each expense except for per diem allowances.
- 10.4** Members of the Board of Directors shall provide brief written or oral reports on meetings attended at the expense of the District at the next regular meeting of the Board of Directors.

11. COMMITTEES

11.1 Ad Hoc Committees

The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

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11.2 Standing Committees

- (a) The Board may create standing committees at its discretion. Standing committees shall be advisory committees to the Board of Directors and shall not commit the District to any policy, act or expenditure. Each standing committee may consider District-related issues, on a continuing basis, assigned to it by the Board of Directors. Members of the standing committees shall be appointed by the Board of Directors.
- (b) All standing committee meetings shall be conducted as public meetings in accordance with the Brown Act and Sections 2, 3 and 4 of these By-Laws. Summary notes for each meeting of each committee shall be forwarded to the NCSB Board of Directors as a public record.

12. CORRESPONDENCE DISTRIBUTION POLICY

Time permitting, the following letters and other documents shall be accumulated and delivered to the Board of Directors on Monday of each week and/or with agenda packet.

- 12.1** All letters approved by the Board of Directors and/or signed by the President on behalf of the District; and
- 12.2** All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

13. CONFLICTS AND RELATED POLICY

State laws are in place which attempt to eliminate any action by a Director or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to insure that all actions are taken in the public interest. Laws which regulate conflicts are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the FPPC at 1-800-ASK-FPPC (1-800-275-3772), prior to the day of the meeting, if they have questions about a particular agenda item.

13.1 Conflict of Interest

Each Director is encouraged to review the District Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Director has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision.

13.2 Interest in Contracts, Government Codes Section 1090

The prohibitions of Government Code Section 1090 provide that the Board of Directors may not contract with any business in which another Director has a financial interest.

13.3 Incompatible Office

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment to the other public interest, their discharge by one person is incompatible with that interest. When a Director is sworn in for such a second office, he/she is simultaneously terminated from holding the first office.

NIPOMO COMMUNITY SERVICES DISTRICT
DIRECTOR BY-LAWS 2006 UPDATE
ATTACHMENT "A" TO RESOLUTION 2006-965
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14. EVALUATION OF CONSULTANTS

The District's legal counsel shall be evaluated by the Board of Directors annually during the months of May and June of each year. The District's consulting engineer shall be evaluated by the General Manager during the months of May and June of each year and reported to the Board of Directors during the month of July of each year.

15. CONTINUING EDUCATION

Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Subject to budgetary constraints, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

16. BOARD BY-LAWS REVIEW POLICY

Subject to 3.1 the Board By-Laws Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

17. RESTRICTIONS ON RULES

The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws.

T:\BOARD MATTERS\RESOLUTIONS\RESOLUTIONS 2006\2006-965 BY LAW UPDATE.DOC

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: January 18, 2007

**AGENDA ITEM
E-1
JANUARY 24, 2007**

SOUTHLAND SHOP PROJECT ENVIRONMENTAL DETERMINATION

ITEM

Consider adoption of Mitigated Negative Declaration and Notice of Determination on Southland Shop Upgrade Project (Recommend Approval).

BACKGROUND

Your Honorable Board on July 26, 2006, reviewed the project design prepared by Garth Kornreich and authorized this environmental review. Staff then retained Douglas Wood and Associates (DWA) to prepare the Initial Study and to process the Environmental Review. DWA published the Draft Initial Study and Mitigated Negative Declaration in October 2006 and staff posted and published the attached Notice of Availability on October 26, 2006. At the end of the comment period, there was one comment received from Larry Vierheilig and this comment was incorporated into the attached Revised Initial Study.

Staff has prepared the attached Resolution Adopting a Mitigated Negative Declaration and Authorizing the General Manager to file the Attached Notice of Determination. The Board should note that the Mitigation and Monitoring Program attached to the Resolution implements the Mitigations set forth in the Revised Initial Study.

Doug Wood of DWA is scheduled to present the Initial Study to your Honorable Board at the Board Meeting. As set forth in the attached Notice of Availability this meeting is the opportunity for the public to provide feedback to the Board on the environmental determination.

The Board should note that should a Mitigated Negative Declaration be adopted, staff will solicit design proposals for subsequent Board consideration.

RECOMMENDATION

Staff agrees with DWA that this project qualifies for a Mitigated Negative Declaration based on implementation of the proposed Mitigation and Monitoring Program. Staff recommends that your Honorable Board open the Public Hearing, receive public input, close the Public Hearing and then adopt the attached Resolution.

ATTACHMENTS

- REVISED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
- NOTICE OF AVAILABILITY
- DRAFT RESOLUTION
- NOTICE OF DETERMINATION

**SOUTHLAND SHOP
UPGRADE PROJECT**

**EXPANDED INITIAL STUDY/MITIGATED
NEGATIVE DECLARATION**

Prepared for:

NIPOMO COMMUNITY SERVICES DISTRICT
148 S. Wilson Street
Nipomo, California 93444
(805) 929-1133

Prepared by:

DOUGLAS WOOD & ASSOCIATES, INC.
1461 Higuera Street
San Luis Obispo, California 93401
(805) 544-1680

December 4, 2006

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I. INTRODUCTION AND PURPOSE

This Expanded Initial Study/Mitigated Negative Declaration assesses the potential environmental impacts and identifies appropriate mitigation measures associated with the proposed Southland Shop Upgrade Project. The Nipomo Community Services District, as Lead Agency for this environmental document, has the responsibility for determining whether or not to approve this proposed expansion of the existing maintenance facilities operated by the Nipomo Community Services District.

As part of their decision-making process, the Nipomo Community Services District is required to review and consider the potential environmental effects that could result from this proposal. Together with the technical analyses applicable to this project and other environmental documents incorporated by reference, this analysis will serve as the environmental review for the proposed project. This review is required by the California Environmental Quality Act of 1970 (CEQA) as amended (Public Resources Code Section 21000 et. seq.) and the State CEQA Guidelines as well as Guidelines for the Implementation of CEQA adopted by the Nipomo Community Services District.

Section 15070 of the State CEQA Guidelines states that “a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.” This determination would be based upon the information and analyses contained in this Expanded Initial Study/Mitigated Negative Declaration in combination with the documents incorporated by reference.

This Expanded Initial Study/Mitigated Negative Declaration has been prepared in a manner which provides complete and adequate California Environmental Quality Act (CEQA) coverage for all actions and approvals associated with the proposed project. These actions include design approval and authorization to proceed with detailed engineering design of the proposed facilities as well as certification of this Expanded Initial Study/Mitigated Negative Declaration by the Nipomo Community Services District. The proposed project will also require issuance of grading permits and building permits by the County of San Luis Obispo. Additional approvals by other regulatory agencies (California Department of Fish and Game, etc.) are not anticipated to be required.

This Expanded Initial Study/Mitigated Negative Declaration begins with Section I. Introduction and Purpose, which provides an introductory discussion of the purpose and scope of the document. Section II. Summary/Mitigation Monitoring Program summarizes the potential impacts and proposed mitigation measures. This section also contains the State-mandated Mitigation Monitoring Program (pursuant to AB3180).

Section III. Project Description provides a detailed description of the proposed Southland Shop Upgrade Project.

Section IV. Environmental Setting provides an overview description of existing environmental conditions within and in the vicinity of the project area.

Section V. Environmental Evaluation contains the environmental checklist required by Section 15063(d)(3) of the State CEQA Guidelines. This checklist is intended to determine the nature and extent of various environmental effects of the proposed project followed by an explanation to justify the determination. In many instances, project impacts are identified as “no impact” or “less than significant impact.” The summary discussion following the checklist item provides the basis for this determination. Checklist items identified as “potentially significant unless mitigation incorporated” or “significant impact” are discussed in greater detail in Section VI. Impacts and Mitigation Measures. Section VII. Environmental Determination makes the final determination as to whether a Mitigated Negative Declaration is appropriate. Section VIII. Certification provides the required Lead Agency Certification Statement.

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data to the proposal currently being considered. The South County General Plan, Inland as well as other long-range planning documents prepared by the County of San Luis Obispo as noted throughout this Expanded Initial Study are hereby incorporated by reference.

This Expanded Initial Study/Mitigated Negative Declaration provides a full and objective discussion of the potential environmental impacts of the proposed Southland Shop Upgrade Project. In preparing this document, the Nipomo Community Services District decision-makers, staff and members of the public will be fully informed as to the potential impacts and required mitigation measures associated with the proposed project. In accordance with Section 15021 of the State CEQA Guidelines, this document is intended to enable the Nipomo Community Services District, as Lead Agency for this environmental document, to evaluate these environmental impacts and mitigation measures in their consideration of the proposed project. The Lead Agency has an obligation to balance possible adverse effects of the project against a variety of public objectives, including economic, environmental and social factors, in determining whether the project is acceptable and approved for development.

Pursuant to California Public Resources Code 21082.1, the Nipomo Community Services District has independently reviewed and analyzed the information contained in this Expanded Initial Study/Mitigated Negative Declaration prior to its consideration and certification. The conclusions and discussions contained herein reflect the independent judgment of the Nipomo Community Services District to those issues at the time of publication.

II. SUMMARY/MITIGATION MONITORING PROGRAM

This Expanded Initial Study/Mitigated Negative Declaration assesses the potential environmental impacts and identifies appropriate mitigation measures for the potential impacts associated with the proposed Southland Shop Upgrade Project.

A. PROJECT SUMMARY

The proposed Southland Shop Upgrade project consists of the following elements as discussed below: a) expansion of the existing structure to accommodate additional offices, covered storage and garage space; b) redesign of the existing access roadway; c) provision of security fencing around the perimeter of the facility; d) paving of currently-unpaved interior areas of the upgraded facility; e) provision of a new sign/entry monument at the facility entrance and f) paving of the existing unpaved access road leading to the existing wastewater treatment facility south of the project site.

The proposed project does not propose or involve any changes in the operation or employee level of the existing Southland Shop Facility. The proposed project also does not involve any changes to the function of the existing hazardous waste collection facility located adjacent to the project site.

B. IMPACT/MITIGATION SUMMARY AND MITIGATION MONITORING PROGRAM

Provided below is a summary listing of all potentially significant environmental impacts and mitigation measures associated with the proposed project. Following each mitigation measure is an indication of the action involved with enforcement or implementation of the mitigation measure (i.e. "Specific Action"), the timing of implementation (i.e. "Mitigation Milestone") and the Responsible Monitoring Party. This Mitigation Monitoring Program is intended to reflect the requirements of AB 3180 which requires a monitoring program to insure the implementation of these mitigation measures.

POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><u>Water</u></p> <p>The proposed project will result in short-term landform alteration during project construction and the creation of additional impervious surfaces which could potentially alter the composition of surface runoff.</p>	<p>1. Prior to the issuance of grading permits, a detailed Drainage and Erosion Control Plan shall be submitted to the County of San Luis Obispo for review and approval. These plans shall maintain the existing site drainage patterns to the greatest extent feasible with drainage flows directed to the existing on-site detention basin. The Drainage and Erosion Control Plan shall include, but may not be limited to, the following elements:</p> <ul style="list-style-type: none"> a. In order to avoid erosion at drainage discharge locations during project construction, erosion control devices such as temporary berms, culverts, sandbagging or detention basins will be provided where necessary. b. Drainage from areas disturbed by project grading shall be directed to the existing on-site detention basin. c. Drainage from all paved areas within the completed project shall be directed to the existing on-site detention basin. 	<p>Submittal of a detailed Drainage and Erosion Control Plan to maintain existing on-site drainage patterns to the greatest extent feasible with drainage flows directed to the existing on-site detention basin.</p>	<p>Prior to project grading and construction.</p>	<p>County of San Luis Obispo.</p>

II. Summary/Mitigation Monitoring Program

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POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><u>Air Quality</u></p> <p>Fugitive dust will be generated during grading required for the proposed project.</p>	<p>2. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed water shall be used for dust control and other construction-related purposes during project construction.</p> <p>3. All dirt stockpile areas shall be sprayed daily as needed.</p> <p>4. Exposed ground areas that are planned to be reworked at dates greater than one month shall be sown with a fast-germinating native grass seed and watered until vegetation is established.</p> <p>5. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting or other methods approved in advance by the APCD.</p> <p>6. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.</p> <p>7. All trucks hauling dirt, sand, soil, or other</p>	<p>Use water trucks or sprinklers for dust control.</p> <p>Spray dirt stockpile areas.</p> <p>Plant native grass seed on exposed surfaces.</p> <p>Stabilize disturbed soils.</p> <p>Restrict construction vehicle speeds.</p> <p>Cover or maintain</p>	<p>During project grading and construction</p>	<p>Nipomo Community Services District and County of San Luis Obispo</p>

II. Summary/Mitigation Monitoring Program

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POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p>Hazards</p> <p>Project construction activities may result in the temporary blockage of access to the existing San Luis County Hazardous Waste Collection Facility.</p> <p>Aesthetics</p> <p>The proposed project will include the provision of lighting which may potentially result in the generation of additional light and glare.</p>	<p>loose materials shall be covered or maintain at least two feet of freeboard.</p> <p>8. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where possible.</p> <p>9. Access to the San Luis Obispo County Hazardous Waste Collection Facility during project construction shall be maintained during all hours of its operation. Access will be maintained either via the existing driveway or, if necessary, through the provision of an additional temporary access.</p> <p>10. Prior to the issuance of building permits, a detailed Exterior Lighting Plan shall be submitted to the County of San Luis Obispo for review and approval. This plan shall specify the following:</p> <p>a. All lighting fixtures shall be directed downward and shielded so that neither the lamp nor the interior reflective surface is visible from areas outside the boundaries</p>	<p>adequate freeboard on all hauling trucks</p> <p>Sweep streets containing soil material.</p> <p>Maintain access to hazardous waste collection facility.</p> <p>Submittal of detailed Exterior Lighting Plan to insure that all project lighting is shielded and directed downward.</p>	<p>During project grading and construction.</p> <p>Prior to project grading and construction.</p>	<p>Nipomo Community Services District.</p> <p>County of San Luis Obispo.</p>

II. Summary/Mitigation Monitoring Program

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POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><u>Cultural Resources</u></p> <p>The proposed project may result in the excavation of paleontological and archaeological resources during project grading.</p>	<p>of the project site.</p> <p>b. All lights, poles, fixtures and hoods shall be dark, non-reflective colors.</p> <p>c. Security lighting shall be shielded with lighting heights no more than is absolutely necessary so as not to create glare when viewed from areas outside the boundaries of the project site.</p> <p>11. If any cultural resources are encountered during project grading, a qualified paleontologist/archeologist shall be empowered to temporarily halt or redirect construction equipment while resources are evaluated and appropriate recommendations made.</p>	<p>Retention of a qualified archaeologist/paleontologist if cultural resources are encountered.</p>	<p>During project grading and construction.</p>	<p>Nipomo Community Services District.</p>

C. Determination

It has been determined that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document have been added to the project.

III. PROJECT DESCRIPTION

A. PROJECT LOCATION

The proposed Southland Shop Upgrade project is located at the existing Nipomo Community Services District (NCS D) shop facility at 509 Southland Street. This facility is located near the intersection of South Frontage Road extending south from Tefft Street and the eastern terminus of Southland Street in the community of Nipomo. The project site is adjacent to and immediately west of Highway 101 (see Figure 1, Location Map).

B. PROJECT OBJECTIVES

The basic objective of the proposed project is to provide expanded office, storage and garage facilities in order to improve the ongoing operations of maintenance operations currently being performed by the Nipomo Community Services District. The proposed project does not involve any changes in District operations currently occurring at this location.

C. PROJECT CHARACTERISTICS

The proposed Southland Shop Upgrade project consists of the following elements as discussed below: a) expansion of the existing structure to accommodate additional offices, covered storage and garage space; b) redesign of the existing access roadway; c) provision of security fencing around the perimeter of the facility; d) paving of currently-unpaved interior areas of the upgraded facility; e) provision of a new sign/entry monument at the facility entrance and f) paving of the existing unpaved access road leading to the existing wastewater treatment facility south of the project site (see Figure 2, Site Plan and Figure 3, Floor Plan).

It should be noted that the proposed project does not propose or involve any changes in the operations or employee level of the existing Southland Shop Facility. The proposed project also does not involve any changes to the function of the existing hazardous waste collection facility located adjacent to the project site.

a. Expansion of the Existing Structure

The existing 2,875 square foot structure is proposed to be expanded to include 2,210 square feet of additional office area which will include additional office area, an additional restroom, two showers and a meeting room. The existing facility contains one bathroom and no showers which does not respond to the health and safety needs of District employees particularly in light of their possible exposure to sewage and other toxic substances. An additional 685 square feet of covered storage area, located adjacent to the expanded office area is proposed. This covered storage area is anticipated to contain small equipment including, but not limited to, mixers, pumps, generators, etc. A

1921 square foot garage addition is also proposed which would contain as many as five additional service bays. A portion of this area may be devoted to vehicle (trucks, backhoe, tractor) and parts storage. Security lighting will be provided along the perimeter of the building.

b. Redesign of Access Driveway

The existing access driveway is proposed to be widened in order to provide a turn-in area for large vehicles serving the shop facility (solid waste trucks, etc.) as well as vehicles accessing the existing hazardous waste collection facility.

c. Provision of Security Fencing

In order to provide increased security, fencing will be provided around the perimeter of the expanded shop facility. This fencing will consist of six-foot chain link fence topped by barbed wire in order to preclude unauthorized access and will follow the existing property line of the shop facility area. Drought tolerant vegetation (trees and shrubs) will be planted along the portion of the proposed fencing facing Southland Street to the north and Highway 101 to the east in order to provide a visual screen from these outside vantage points.

d. Paving of Interior Areas

All currently unpaved areas approximately totaling 68,300 square feet within the expanded shop facility area are proposed to be paved. Additional impervious surfaces including these newly-paved areas as well as additional roofs will be designed to drain into the existing retention basin located south of the shop facility. The retention basin possesses sufficient capacity to accept this additional runoff.

e. Provision of new sign/entry monument

New sign and entry monumentation will be provided at the entrance to the shop facility. This signage will be lit for nighttime identification and will be surrounded by vegetation and landscape materials in order to provide an aesthetically pleasing identification of the proposed facility.

f. Paving of Access Road

The existing unpaved access road leading to the existing wastewater treatment facility to the south is proposed to be paved. This paved roadway will extend approximately 600 feet to the south of the shop facility and will be 24 feet wide totaling 14,400 square feet in order to provide two travel lanes of sufficient size to accommodate two large vehicles.

This paving activity will result in the removal of the existing row of poplar trees which are adjacent to Highway 101 and replacement with other vegetative screening.

The total area impacted by proposed project facilities includes the 4,816 square foot expansion of the existing structure, paving of 68,300 square feet of unpaved interior area and paving the access road leading to the wastewater treatment plant which involves 14,400 square feet. This results in a total area of disruption of 87,516 square feet or 2.01 acres.

D. PROJECT APPROVALS

The proposed project will require design approval and authorization to proceed with detailed engineering design and construction of the proposed facilities as noted above by the Nipomo Community Services District. The proposed project will also require issuance of grading permits and building permits by the County of San Luis Obispo. Additional approvals by other regulatory agencies (California Department of Fish and Game, etc.) are not anticipated to be required.

E. PROJECT TIMING

The proposed project will be constructed in one phase. Project grading and site preparation is anticipated to require one month with construction of structures, paving, provision of signage and fencing, etc, requiring an additional two months.

IV. ENVIRONMENTAL SETTING

The existing Southland Shop Facility consists of a 2,875 square foot structure that contains garage and storage areas, an office, restroom and kitchen. Access to the structure is provided by a paved driveway and gated entry extending south from Southland Street. Various pieces of construction/maintenance equipment and containers are currently stored on-site. South of the existing structure is a retention basin (measuring approximately 150 feet by 150 feet) which is currently utilized to capture drainage flows from the paved surfaces and existing rooftop within the existing shop facility. An unpaved roadway extends south from the shop facility approximately 600 feet leading to the existing NCSW wastewater treatment facility.

A San Luis Obispo County Hazardous Waste Collection Facility currently operates adjacent to the entry roadway leading to the gated entry. This collection facility is located outside the existing shop facility boundaries and is not part of the proposed project.

- ***Topography***

The area containing the existing Southland Shop Facility, which will be the location of the proposed Southland Shop Upgrade Project, (to be referred to herein as the “project area”) contains nearly level to gently sloping topographic conditions with slope gradients between zero and five percent. The project area, located within the Nipomo Mesa, has a surface elevation of approximately 300 feet above mean sea level. Elevation changes are due to smoothly eroded hills and shallow linear valleys. Surface elevations across the mesa gently decrease from east to west consistent with the coastal plain in the surrounding area.

- ***Geology and Soils***

The Nipomo Mesa and adjacent coastal areas are underlain by massive sand dune deposits whose thickness ranges from approximately 70 to 80 feet in the project area. Given these conditions, landslide potential is considered to be negligible with liquefaction potential being unlikely. While the Natural Resource Conservation Service Soil Survey identifies the potential erodibility of this soil type to be high, the relatively gentle slopes of the project area reduce the occurrence of potentially significant erosion and sedimentation.

The project area, while located within the seismically-active Central Coast region, lies outside any fault rupture zones (formerly Special Studies zones) established by the Alquist-Priolo Act of 1972. Should a major earthquake occur in the area, significant groundshaking is expected to occur. The San Andreas fault is considered the most likely to generate a major earthquake in the region in the near future. Such an earthquake is expected to produce moderate to strong ground shaking at the Nipomo Mesa.

IV. Environmental Setting

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- ***Drainage***

The project area is located within the Nipomo Creek watershed area which contains approximately 16,318 acres. The project area west of Highway 101 is characterized by open flat areas, linear valleys and hilly knolls, all with sandy soils. Slopes generally range between zero and five percent with some areas containing localized depressions which do not show evidence of ponding water. The project area lies outside the 100-year flood zone. Drainage in the project area is conveyed by streets and underground pipes in developed areas and via sheet flow in undeveloped areas.

- ***Biological Resources***

The project site contains non-native grasses, ruderal (weedy) plant species and a row of planted poplar trees adjacent to Highway 101. The Nipomo Mesa area contains certain sensitive plant species (Sand mesa manzanita, Well's manzanita, Pismo clarkia, Marsh sandwort, Gambel's watercress, Kellogg's horkelia, Nipomo Mesa lupine, La Graciosa thistle and dune larkspur) which require protection. Given the existing vegetation and its disturbed nature, the project site has a low probability of any sensitive plant species being found in the project area

- ***Land Use***

Areas adjacent to the existing Southland Shop facility include existing residential uses immediately to the north, adjacent to Southland Street and a mix of residential and commercial uses adjacent to the Highway 101 frontage road. Immediately east of the facility is Highway 101 beyond which are residential and agricultural uses. Areas to the west and south contain scattered residences, agricultural uses and vacant open space. The project area contains a variety of land uses including low and medium density residential uses, agricultural farmlands, commercial uses and open space.

- ***Traffic and Circulation***

Primary access to the project area is provided via State Highway 101. In the project area, Highway 101 is a four-lane freeway served by interchanges at Hutton Road (Highway 166) and Tefft Street. The local circulation system serving the project area include Tefft Street, Southland Street, the South Frontage Road and Orchard Road. With the exception of the four lanes on Tefft Street, all of these local roadways are two lane paved roads.

- ***Noise***

Ambient noise levels in the project area range from the low-30 to mid-60 dBA. Noise sources include traffic on Highway 101, automobile and truck traffic on local roadways and other less obtrusive non-urban noise sources.

- ***Climate***

The climate of San Luis Obispo County can be generally characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Inland areas are characterized by a wide range of temperature conditions. Maximum summertime temperatures can reach the high 90's whereas minimum winter temperatures range to the low 20's.

- ***Public Services and Utilities***

Law enforcement services for the Nipomo area are provided by the County of San Luis Obispo, Sheriff's Department from their Oceano Substation in Oceano. The Oceano Substation has an allocation of 23 patrol deputies and one commander. The Nipomo area is patrolled by vehicle. Fire protection and emergency response services for the Nipomo area are currently provided by the California Department of Forestry / San Luis Obispo County Fire Department. The Nipomo Station 20, located at 450 Pioneer Street in Nipomo (at the corner of Oak Glen and Pioneer Streets near Tefft Street), would be the first station to participate in any fire or emergency response. This station is equipped with two wildland fire engines (used during the dry season), one Schedule A (on-road) fire engine and a CDF bulldozer. The Department also has a hazardous materials specialist.

The Nipomo area is situated within the service boundaries of the Southern California Gas Company for natural gas service and Pacific Gas and Electric Company for electrical service. Existing underground natural gas and electrical mains are located throughout the project area which provide utility services to developed land uses.

The project area is located within the Nipomo Community Services District which provides wastewater treatment, water supply, storm drainage, retention basins and lighting services in select portions of the Nipomo area.

- ***Cultural Resources***

The Nipomo area contains more square meters of light density cultural deposits than any other area in southern San Luis Obispo County. Surveys conducted along the south, west and north sides of Nipomo Mesa have recorded many archaeological sites along the edge of the mesa but very few in the interior.

V. ENVIRONMENTAL EVALUATION

The following pages contain a checklist based on the format presented in the State CEQA Guidelines. The checklist was used to identify physical changes in the environment which may result from implementation of the proposed project. Impact assessments result in the determination of either “No Impact,” “Less-Than-Significant Impact,” “Potentially Significant Unless Mitigation Incorporated” or “Potentially Significant Impact.”

The determination of “No Impact” applies where the impact is not applicable to the project under consideration. For example, if the project site is not located proximate to areas of volcanic activity then the item asking whether the project would result in or expose people to potential impacts involving volcanic hazards should be marked as “no impact.”

The determination of “Less-Than-Significant Impact” applies where the impact would occur, but the magnitude of the impact is considered insignificant or negligible. For example, a development which would only slightly increase the amount of surface water runoff generated at a project site would be considered to have a less-than-significant impact on surface water runoff.

“Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” Incorporated mitigation measures are noted within the summary discussion immediately following the checklist item with a detailed discussion of the mitigation measure and how it reduces the impact to a less-than-significant level provided in Section VI. Impacts and Mitigation Measures of this Expanded Initial Study. This designation is appropriate for a Mitigated Negative Declaration, where potentially significant issues have been analyzed and mitigation measures have been recommended.

The determination of “Potentially Significant Impact” applies where the project impact has the potential to cause a significant environmental impact and there are not sufficient mitigations available to reduce these impacts to a less than significant level. If there are one or more items remaining as “Potentially Significant Impact,” on the checklist, an EIR is required.

In many cases, potential project impacts are identified as “no impact” or “less-than-significant impact.” The summary discussion following the checklist item provides the basis for this determination. Checklist items identified as “potentially significant unless mitigation incorporated” or “potentially significant impact” are discussed in greater detail in Section VI. Impacts and Mitigation Measures of this Expanded Initial Study.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
I.	LAND USE AND PLANNING. Would the proposal:				
	a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

- a. *No Impact.* The proposed Southland Shop Upgrade Project does not involve any required amendments to the South County Area Plan, Inland or any other Elements of the County General Plan and does not require any changes to existing zoning
- b. *No Impact.* The proposed project would not conflict with any environmental plans or policies adopted by agencies with jurisdiction over the project area. Environmental plans which apply to the project area include the South County Area Plan, Inland or other Elements of the County General Plan or other long-range planning documents. Since the proposed project conforms to the current County General Plan, the proposed project does not conflict with the APCD Clean Air Plan.
- c. *Less-Than-Significant Impact.* The area in which the proposed project occurs is devoted to residential, commercial, agricultural farmlands or vacant open space uses. The proposed project may represent a short-term conflict with existing residential land uses adjacent to the project site along Southland Street during construction activities. Impacts to adjacent residents due to temporary construction activities are considered to be short-term and less than significant.
- d. *No Impact.* The proposed project will occur in an area containing agricultural farmlands. Since project construction activities will be largely confined to the project site, they are not expected to affect agricultural-related traffic ingress/egress. As such, little in the way of impact to ongoing agricultural operations is expected due to the proposed project.

V. Environmental Evaluation

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e. *No Impact.* The limited extent of the proposed project insures that the proposed project will not divide any established community.

Sources: South County Area Plan, Inland; County of San Luis Obispo, General Plan and APCD Clean Air Plan

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
II.	POPULATION AND HOUSING. Would the proposal:				
	a) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

a. *No Impact.* The proposed Southland Shop Upgrade Project will not directly generate any new population or housing thereby not exceeding any regional or local growth projections.

b. *No Impact.* The proposed project involves the expansion of existing maintenance facilities of the Nipomo Community Services District. As such, the proposed project will not induce, either directly or indirectly, substantial population or housing growth in the area.

c. *No Impact.* The proposed project will not displace any existing housing.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
III.	GEOLOGICAL PROBLEMS. Would the proposal result in or expose people to potential impacts involving:				
	a) Fault rupture?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Subsidence of the land?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

a. *Less-Than-Significant Impact.* The project area lies outside any fault rupture zones established by the Alquist-Priolo Act of 1972. Should a major earthquake occur in the area, significant groundshaking is expected to occur. Since the project area is not located within the boundaries of a special studies zone and no active faults are known to pass through the area, surface fault rupture in the areas devoted to project facilities is considered unlikely. As such, impacts due to fault rupture in the project area are considered less than significant.

b. *Less-Than-Significant Impact.* The San Andreas fault is considered the most likely source of a major earthquake in the region. Such an earthquake is expected to produce moderate to strong ground shaking at the Nipomo Mesa. The application of standard construction techniques contained in the most recent version of the Uniform Building Code will reduce potential seismic hazards to less than significant levels.

c. *Less-Than-Significant Impact.* Due to the seismic and geologic conditions as currently known, the potential for secondary seismic hazards in the project area is considered to be low. The Nipomo Mesa and adjacent coastal areas are underlain by massive sand dune deposits whose thickness ranges from approximately 70 to 80 feet in the project area. Given these conditions, liquefaction potential is considered to be unlikely due to the grain size and density of natural soils and the anticipated compaction of the surficial soils. Potential liquefaction hazards are, therefore, considered less than significant.

d. *No Impact.* Tsunamis and seiches do not pose hazards due to the inland location and lack of bodies of standing water in the project area. No areas of known volcanic activity are in proximity to the project area. No impacts regarding seiches, tsunamis or volcanic hazards have been identified.

e. *No Impact.* Terrain within undeveloped portions of the project site are nearly level with topographic conditions with slope gradients between zero and two percent. The

proposed project site occurs in an area of level terrain thereby eliminating the potential for landslides or mudflows.

f. Less-Than-Significant Impact. The Natural Resource Conservation Service Soil Survey identifies the potential erodibility of soil types in the project area to be high. However, the relatively level terrain in the project area reduces the potential occurrence of significant erosion and sedimentation to a less than significant level.

g. Less-Than-Significant Impact. The potential for seismically-induced settlement to impact project facilities is low due to the density of underlying earth materials and the anticipated compaction of near surface soils during construction of project facilities.

h. Less-Than-Significant Impact. The potential for expansive soils to impact project facilities is low due to the density of underlying earth materials and the anticipated compaction of surface soils during construction of project facilities.

i. No Impact. The project site does not contain any unique or geological features that would be impacted by development of the proposed project.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
IV. WATER. Would the proposal result in:				
a) Changes in absorption rates, drainage patterns or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in currents or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of ground water recharge?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. Environmental Evaluation

*Southland Shop Upgrade Project
Expanded Initial Study/Mitigated Negative Declaration*

Substantiation:

- a. *Less-Than-Significant-Impact.* The proposed Southland Shop Upgrade Project will not result in the addition of significant impervious surfaces (approximately 87,516 square feet or 2.01 acres) nor do these proposed facilities result in a significant alteration of existing drainage patterns. Potential impacts related to changes in absorption rates, drainage patterns or the rate and amount of surface runoff are considered to be less than significant.
- b. *Potentially Significant Unless Mitigation Incorporated.* The proposed project will result in short-term landform alteration during project construction which could potentially alter the composition of surface runoff. Project construction activities may temporarily alter the composition of surface runoff through the grading of ground surfaces which will total 87,516 square feet or 2.01 acres. This runoff could, without proper mitigation, contribute to the incremental degradation of downstream water quality. Erosion of graded areas and discharge of sediment to downstream areas will occur if project grading operations occur during the wet season or if adequate detention or erosion control facilities are not constructed. These potential impacts can be mitigated through the provision of adequate erosion control measures at points of drainage discharge and directing of all project drainage, related to both project construction and ongoing project operations, to the existing on-site detention basin (see Section VI. Impacts and Mitigation Measures).
- c. *No Impact.* Given the lack of any standing water bodies in the project area in combination with the relatively small amount of area disturbed by the proposed project, changes in the amount of surface water in any water body downstream of the proposed project facilities are considered negligible.
- d. *No Impact.* Given the lack of major rivers or streams in the project area in combination with the relatively small area disturbed by the proposed project, changes in the currents or the course or direction of water movement are considered negligible.
- e. *Less-Than-Significant Impact.* The proposed project will not involve the withdrawal of groundwater or grading that would intercept any groundwater aquifers, thereby not affecting existing groundwater supplies. Since no significant addition of impervious surfaces (less than one acre) will be created by the proposed project, the potential loss of groundwater recharge is considered less than significant.
- f. *No Impact.* The proposed project will not involve the direct withdrawal of groundwater and will not alter the direction or rate of flow of groundwater.
- g. *No Impact.* The proposed project will not involve the direct withdrawal of groundwater and will not impact groundwater quality.

h. No Impact. The proposed project will not involve the direct withdrawal of groundwater which would otherwise be available for public use.

Sources: South County Area Plan, Inland

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
V. AIR QUALITY. Would the proposal:				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Alter air movement, moisture or temperature or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a. Potentially Significant Unless Mitigation Incorporated.. Temporary air quality impacts will result from project construction activities. Fugitive dust will be generated during grading required for the proposed Southland Shop Upgrade Project. Peak periods of grading will result in the greatest levels of air pollution emissions. Given the relatively small amount of area disturbed by project development (approximately 87,516 square feet or 2.01 acres), the air pollutant emissions generated during grading will likely fall below the SCAQMD significance thresholds. These potential impacts can be mitigated to an insignificant level through a variety of dust control measures involving watering of graded surfaces and dirt stockpiles, planting and/or stabilization of disturbed soil areas, restricting speed of construction vehicles, covering of hauling trucks and street sweeping at the end of each construction day (see Section VI. Impacts and Mitigation Measures.)

Air pollutants will also be generated by the operation of construction equipment and by construction personnel traveling to and from the project site. These remaining elements of project construction will generate significantly lower emissions than grading which will result in less than significant air quality impacts. Since traffic in the project area will not be impacted by the proposed project, the potential for local air quality impacts (i.e. air pollutant concentrations near intersections) will be less than significant.

b. Less-Than-Significant Impact. Given the lack of significant short- or long-term air pollutant generation associated with the proposed project, the potential for exposure of sensitive receptors to air pollutants is considered to be less than significant.

c. *No Impact.* The proposed project will not alter air movement, moisture, temperature or cause a change in climate.

d. *Less-Than-Significant Impact.* The proposed project will not create objectionable odors that would significantly impact adjacent properties. Any localized odors associated with project construction and ongoing project operations will be confined to the project site.

Sources: San Luis Obispo County Air Quality Management District, Clean Air Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:				
a) Increased vehicle trips or traffic congestion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

a. *Less-Than-Significant Impact.* The proposed Southland Shop Upgrade Project will generate a minor amount of traffic during construction activities. The traffic generated by project construction activities will involve automobile trips associated with worker commutes, haul trucks and construction equipment. These potential traffic and circulation impacts are considered to be short-term and less than significant. The proposed project will not involve any changes in the operations or employee level of the existing Southland Shop facility. Traffic generation and flows will, therefore, not be affected by the long-term operation of project facilities.

b. *Less-Than-Significant Impact.* Project construction activities will be largely confined to the project site. However, the temporary diversion of automobile traffic along Southland Street at the project entrance may occasionally be necessary during project construction. These potential impacts are not considered to represent a hazard

to existing automobile traffic or to the ongoing use of farm equipment in adjacent areas. These impacts to traffic and circulation are considered to be short-term and less than significant.

- c. *No Impact.* Project construction activities will not block or impede access to adjacent properties. No impacts to emergency access or access to adjacent uses is anticipated.
- d. *No Impact.* The proposed project will not result in the loss of any available parking on roadways since project construction activities will be largely confined to the project site and parking is not allowed on Southland Street in the vicinity of the project site.
- e. *No Impact.* The proposed project will not result in the temporary blockage of pedestrian and bicycle routes on roadways since project construction activities will be largely confined to the project site.
- f. *No Impact.* The proposed project will not conflict with any adopted alternative transportation polices.
- g. *No Impact.* The proposed project will not impact any existing rail, waterborne or air traffic operations.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VII. BIOLOGICAL RESOURCES. Would the proposal result in:				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Adopted conservation plans and policies (e.g., Resource Management Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

- a. *Less-Than-Significant Impact.* The project site primarily contains non-native grasses, ruderal (weedy) plant species and a row of planted poplar trees adjacent to Highway 101. Although the Nipomo Mesa contains certain sensitive plant species (Sand mesa

manzanita, Well's manzanita, Pismo clarkia, March sandwort, Gambel's watercress, Kellogg's horkelia, Nipomo Mesa lupine, La Graciosa thistle and dune larkspur) which require protection, the existing vegetation and disturbed nature of the project site results in a low probability of any sensitive plant species being found in the project area.

The proposed Southland Shop Upgrade Project will occur in an area generally lacking significant biological resources. Given the nature and extent of existing vegetation and the relatively small area disturbed by project construction (approximately 87,516 square feet or 2.01 acres), the proposed project will not impact any endangered, threatened or rare species or their habitats.

- b. *Less-Than-Significant Impact.* The project site contains a row of planted poplar trees adjacent to Highway 101 which are proposed for removal and replacement with other vegetative screening. These trees are not considered to be heritage species and given their proximity to Highway 101 and the existing shop facilities, they do not represent potential habitat for any sensitive species.
- c. *Less-Than-Significant Impact.* The project area primarily consists of non-native grasses, ruderal (weedy) plant species and a row of planted poplar trees adjacent to Highway 101. Given the nature and extent of existing vegetation and the relatively small area disturbed by project construction, the proposed project will not significantly impact any locally designated natural plant communities.
- d. *No Impact.* The proposed project does not occur within or near any waterways under the jurisdiction of the U.S. Army Corps of Engineers or wetlands as defined by California Department of Fish and Game. The proposed project will, therefore, have no impact upon existing waterways or wetlands.
- e. *No Impact.* Given the relatively small amount of area disturbed by project construction which is primarily located adjacent to existing roadways, existing wildlife dispersal or migration corridors will not be impacted.
- f. *No Impact.* The proposed project does not conflict with any adopted conservation or wildlife management plans.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VIII.	ENERGY AND MINERAL RESOURCES.				
	Would the proposal:				
	a) Conflict with adopted energy conservation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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plans?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Use non-renewable resources in a wasteful and inefficient manner? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Substantiation:

a. *No Impact.* The proposed project will conform with all applicable State and local energy conservation requirements enforced by the County of San Luis Obispo and the Nipomo Community Services District. No impacts regarding any conflict with adopted energy conservation programs have been identified.

b. *Less-Than-Significant Impact.* Project construction activities will require the use of nonrenewable liquid fuels including diesel and gasoline to operate construction equipment. Fuel consumption will be minimized wherever possible during construction operations. Operation of project facilities will consume relatively small amounts of electricity and natural gas. The proposed project is not anticipated to result in the use of non-renewable resources in a wasteful or inefficient manner. Impacts upon non-renewable resources are considered less than significant.

c. *No Impact.* There are no known mineral resources within the project area. The proposed project should have no impact regarding availability of a known mineral resource that would be of future value to the region and the residents of the State.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
IX. HAZARDS. Would the proposal involve:				
a) A risk of accidental explosion or release of hazardous substances (including but not limited to: oil, pesticides, chemicals or radiation?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Increased fire hazard in area with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Substantiation:

- a. *Less-Than-Significant Impact.* The existing Southland Shop facility contains equipment which utilizes gasoline, oil and lubricants all of which are stored on-site. Storage of standard herbicides also occurs at the existing facility. The proposed project will not involve any changes in the operations or employee level of the existing Southland Shop facility. Current safety regulations governing the construction and operations of the proposed Southland Shop Upgrade Project reduce the risk of an accidental explosion or release of hazardous materials to a less than significant level.
- b. *No Impact.* Since project construction activities will be confined to the project site, the proposed project will not interfere with any emergency response or evacuation plan.
- c. *Potentially Significant Unless Mitigation Incorporated.* Current safety regulations governing the construction and operation of the proposed project facilities will reduce the potential for creation of health hazards. However, project construction activities may result in the temporary blockage of access to the existing San Luis Obispo County Hazardous Waste Collection Facility which currently operates adjacent to the entry roadway leading to the existing Southland Shop facility. Any blockage of access to this waste facility will impede its ability to safely handle and store hazardous wastes. This potential impact can be mitigated through the maintenance of access to the waste collection facility during project construction, either via the existing driveway access or, if necessary, through the provision of an additional temporary access, during all hours of operation of the County Hazardous Waste Collection Facility (see Section VI. Impact and Mitigation Measures).
- d. *Less-Than-Significant Impact.* The construction and operation of the proposed project is not expected to expose people to existing sources of potential health hazards. Project construction and operations are not expected to involve the release of any significant amounts of hazardous materials including oils, pesticides or chemicals thereby reducing the potential for exposure to health hazards to a less than significant level.
- e. *Less-Than-Significant Impact.* The proposed project will occur in an area of relatively low fire hazard (i.e. agricultural farmlands, residential uses, etc.) and away from areas containing significant flammable vegetation. Safety regulations governing project construction and operations in combination with these low fire hazard conditions reduces potential fire hazards to a less than significant level.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
X.	NOISE. Would the proposal result in:				
	a) Increases in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a. *Less-Than-Significant Impact.* The primary noise source associated with the proposed Southland Shop Upgrade Project which may impact adjacent land uses will be construction noise. Noise resulting from the long-term operation of project facilities is expected to be negligible. Construction noise represents a short-term impact upon ambient noise levels. Noise generating construction equipment includes trucks, graders, backhoes and bulldozers. Grading and trucking activities typically represent the highest potential sources of construction noise. Local control of construction hours to daylight hours provides the most effective method of controlling construction noise. The County of San Luis Obispo restricts construction activities to the hours of 7 a.m. to 7 p.m. on weekdays and 9 a.m. to 5 p.m. on Saturday. Construction is not allowed on Sundays or holidays. Compliance with these policies reduces potential short-term construction noise impacts to a less than significant level.

b. *Less-Than-Significant Impact.* The nearest sensitive noise receptors in the area are the existing residences on Southland Street no less than 500 feet from the project site. Maximum noise levels from construction equipment to the nearest residence would reach as high as 74 dBA with a projected peak level range of 49 to 74 dBA. These maximum noise levels would be intermittent and represent a “worst case” estimate of construction noise. Average noise levels are not expected to exceed 60 CNEL at these off-site locations. The County of San Luis Obispo has adopted noise standards of 60 CNEL for exterior land uses and an interior noise standard of 45 CNEL. Construction of the proposed project is not anticipated to create noise levels that exceed these standards.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XI.	PUBLIC SERVICES. Would the proposal have an effect upon or result in a need for new or altered government services in any of the following areas:				
	a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

- a. *No Impact.* The construction and operation of the Southland Shop Upgrade Project is not expected to significantly impact fire protection services currently provided by the California Department of Forestry/San Luis Obispo County Fire Department.
- b. *No Impact.* The proposed project is not expected to have any impact upon police protection services provided by the County of San Luis Obispo, Sheriff's Department.
- c. *No Impact.* Since the proposed project will not directly generate any school age children, no impacts to schools are anticipated.
- d. *Less-Than-Significant Impact.* The proposed project will have no impact upon local roadways since project construction activities will be confined to the project site. Since the proposed project will not involve any changes in the operations or employee level of the existing Southland Shop facility and the County Hazardous Waste Collection Facility, potential impacts upon the maintenance of public facilities are considered to be less than significant.
- e. *No Impact.* The construction and operation of the proposed project will have no effect on any other governmental services.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XII. UTILITIES AND SERVICE SYSTEMS.				
Would the proposal result in a need for new systems or supplies or substantial alterations to the following utilities:				
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

- a. *Less-Than-Significant Impact.* The proposed Southland Shop Upgrade Project will not involve any changes in the operations or employee level of the existing Southland Shop Facility. While construction and operation of the proposed project will require the use of electrical power and natural gas, any additional energy demand is not anticipated to be significant and falls within the anticipated service parameters of the involved service providers.
- b. *No Impact.* The proposed project will not involve the expansion of communications systems.
- c. *No Impact.* Since the proposed project will not involve any changes in the operations or employee level of the existing Southland Shop facility, the proposed project will not generate additional demand for water service.
- d. *No Impact.* Since the proposed project will not involve any changes in the operations or employee level of the existing Southland Shop facility, the proposed project will not generate additional demand for sewer service.
- e. *Potentially Significant Unless Mitigation Incorporated.* The proposed project will result in short-term landform alteration during project construction which could potentially alter the composition of surface runoff. Project construction activities may temporarily alter the composition of surface runoff through the grading of ground surfaces which will total 87,516 square feet or 2.01 acres. This runoff could, without proper mitigation, contribute to the incremental degradation of downstream water

quality. Erosion of graded areas and discharge of sediment to downstream areas will occur if project grading operations occur during the wet season or if adequate detention or erosion control facilities are not constructed. These potential impacts can be mitigated through the provision of adequate erosion control measures at points of drainage discharge and directing of all project drainage, related to both project construction and project operations, to the existing on-site detention basin (see Section VI. Impacts and Mitigation Measures).

f. *Less-Than-Significant Impact.* The proposed project will generate solid waste during project construction. This solid waste generation is considered to be a short-term impact. Given the limited extent of project construction, these solid waste impacts are considered to be less than significant.

g. *No Impact.* The proposed project will not impact local or regional water supplies.

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XIII. AESTHETICS. Would the proposal:				
a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create light or glare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Substantiation:

a. *Less-Than-Significant-Impact.* Construction activities associated with the proposed Southland Shop Upgrade Project will result in short-term visual impact to views from adjacent roadways and land uses. The existing row of planted poplar trees adjacent to Highway 101 are proposed for removal and replacement with other vegetative screening. None of the roadways visually impacted by project construction activities (Highway 101, Southland Street) have been designated as scenic highways. Project construction activities are considered to be short-term. Any impacts to scenic vistas due to the proposed project are considered to be less than significant.

b. *Less-Than-Significant Impact.* Construction activities associated with the proposed project will have a short-term visual impact upon adjacent roadways and land uses. Given the relatively small amount of area disturbed by project construction activities, these aesthetic impacts are considered to be short-term and less than significant.

c. *Potentially Significant Unless Mitigation Incorporated.* The proposed project will include the provision of security lighting along the perimeter of the main building and elsewhere in the project. This lighting may potentially result in the generation of additional light and glare which may impact surrounding areas. This potential impact can be mitigated through the provision of lighting that is shielded and directed downward (see Section VI. Impacts and Mitigation Measures).

Sources: South County Area Plan, Inland and County of San Luis Obispo General Plan

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XIV. CULTURAL RESOURCES. Would the proposal:				
a) Disturb paleontological resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Disturb archaeological resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Affect historical resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

a. *Potentially Significant Unless Mitigation Incorporated.* Given the amount of prior disturbance on the project site, little in the way of significant paleontological resources are expected to be found on the project site. However, the possibility exists that paleontological resources may be unearthed during project grading. These potential impacts to paleontological resources can be mitigated through requiring a qualified paleontologist to examine any unearthed resources (see Section VI. Impacts and Mitigation Measures).

b. *Potentially Significant Unless Mitigation Incorporated.* Given the amount of prior disturbance on the project site, little in the way of significant archaeological resources are expected to be found on the project site. However, the possibility exists that archaeological resources may be unearthed during project grading. These potential impacts to archaeological resources can be mitigated through requiring a qualified archaeologist to examine any unearthed resources (see Section VII. Impacts and Mitigation Measures).

c. *No Impact.* No recorded or observed historical resources exist in the area to be devoted to project facilities. No impacts to historical resources due to the proposed project are anticipated.

d. *No Impact.* The proposed project will not cause any physical changes which could affect unique ethnic cultural values.

e. *No Impact.* The proposed project will not restrict any existing religious or sacred uses.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XV. RECREATION. Would the proposal:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Affect existing recreational opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Substantiation:

a. *No Impact.* The proposed Southland Shop Upgrade Project will not directly generate any new population or housing thereby not creating any demand for parks or other recreational facilities.

b. *No Impact.* The proposed project will not directly generate any new population or housing thereby not impacting any existing recreational opportunities.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
XVI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited but cumulatively	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.)

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?

Substantiation:

- a. *Less-Than-Significant Impact.* Provided that all recommended mitigation measures are implemented, the proposed project would not have a substantial impact on biological or cultural resources.
- b. *Less-Than-Significant Impact.* The proposed project involves the expansion of existing maintenance facilities operated by the Nipomo Community Services District. The proposed project does not involve any changes in the operation or employee level of the existing Southland Shop Facility. Given these factors, the proposed project is considered to have less than significant impact regarding potential to induce substantial growth in the area either directly or indirectly.
- c. *No Impact.* The proposed project is not expected to cause substantial adverse effects on human beings either directly or indirectly.

VI. IMPACTS AND MITIGATION MEASURES

The following impacts were identified within Section V. Environmental Evaluation of this Expanded Initial Study/Mitigated Negative Declaration as a “Potentially Significant Impact Unless Mitigation Incorporated.” These identified impacts are followed by mitigation measures which, if implemented, will reduce these potential impacts to a less than significant level.

Water (Checklist Item IV. b.) and **Storm Water Drainage** (Checklist Item XII .e.)

The proposed project will result in short-term landform alteration during project construction and the creation of additional impervious surfaces which could potentially alter the composition of surface runoff.

Mitigation Measure

1. Prior to the issuance of grading permits, a detailed Drainage and Erosion Control Plan shall be submitted to the County of San Luis Obispo for review and approval. These plans shall maintain the existing site drainage patterns to the greatest extent feasible with drainage flows directed to the existing on-site detention basin. The Drainage and Erosion Control Plan shall include, but may not be limited to, the following elements:

- a. In order to avoid erosion at drainage discharge locations during project construction, erosion control devices such as temporary berms, culverts, sandbagging or detention basins will be provided where necessary.
- b. Drainage from areas disturbed by project grading shall be directed to the existing on-site detention basin.
- c. Drainage from all paved areas within the completed project shall be directed to the existing on-site detention basin.

Air Quality (Checklist Item V.a.)

Fugitive dust will be generated during grading required for the proposed project.

Mitigation Measures

2. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day. Increased watering frequency will be required whenever wind speeds exceed 15

mph. Reclaimed water shall be used for dust control and other construction-related purposes during project construction.

3. All dirt stockpile areas shall be sprayed daily as needed.
4. Exposed ground areas that are planned to be reworked at dates greater than one month shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
5. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting or other methods approved in advance by the APCD.
6. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
7. All trucks hauling dirt, sand, soil, or other loose materials shall be covered or maintain at least two feet of freeboard.
8. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where possible.

Hazards (Checklist Item IX .c.)

Project construction activities may result in the temporary blockage of access to the existing San Luis Obispo County Hazardous Waste Collection Facility.

Mitigation Measure

9. Access to the San Luis Obispo County Hazardous Waste Collection Facility during project construction shall be maintained during all hours of its operation. Access will be maintained either via the existing driveway or, if necessary, through the provision of an additional temporary access.

Aesthetics (Checklist Item XIII .c.)

The proposed project will include the provision of lighting which may potentially result in the generation of additional light and glare.

Mitigation Measure

10. Prior to the issuance of building permits, a detailed Exterior Lighting Plan shall be submitted to the County of San Luis Obispo for review and approval. This plan shall specify the following:

- a. All lighting fixtures shall be directed downward and shielded so that neither the lamp nor the interior reflective surface is visible from areas outside the boundaries of the project site.
- b. All lights, poles, fixtures and hoods shall be dark, non-reflective colors.
- c. Security lighting shall be shielded with lighting heights no more than is absolutely necessary so as not to create glare when viewed from areas outside the boundaries of the project site.

Cultural Resources (Checklist Items XIV. a. and b.)

The proposed project may result in the excavation of paleontological and archaeological resources during project grading.

Mitigation Measure

11. If any cultural resources are encountered during project grading, a qualified paleontologist/archeologist shall be empowered to temporarily halt or redirect construction equipment while resources are evaluated and appropriate recommendations made.

VII. ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document have been added to the project. A NEGATIVE DECLARATION will be prepared.	<input checked="" type="checkbox"/>
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	<input type="checkbox"/>
I find that the project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and 2) has been addressed by mitigation measures based on an earlier analysis. If the effect is a potentially significant impact or potentially significant unless mitigated, an ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that need to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including project revisions or mitigation measures that are imposed upon the proposed project.	<input type="checkbox"/>

Nipomo Community Services District:

Date _____

Bruce Buel
 General Manager
 Nipomo Community Services District

VII. Environmental Determination

*Southland Shop Upgrade Project
 Expanded Initial Study/Mitigated Negative Declaration*

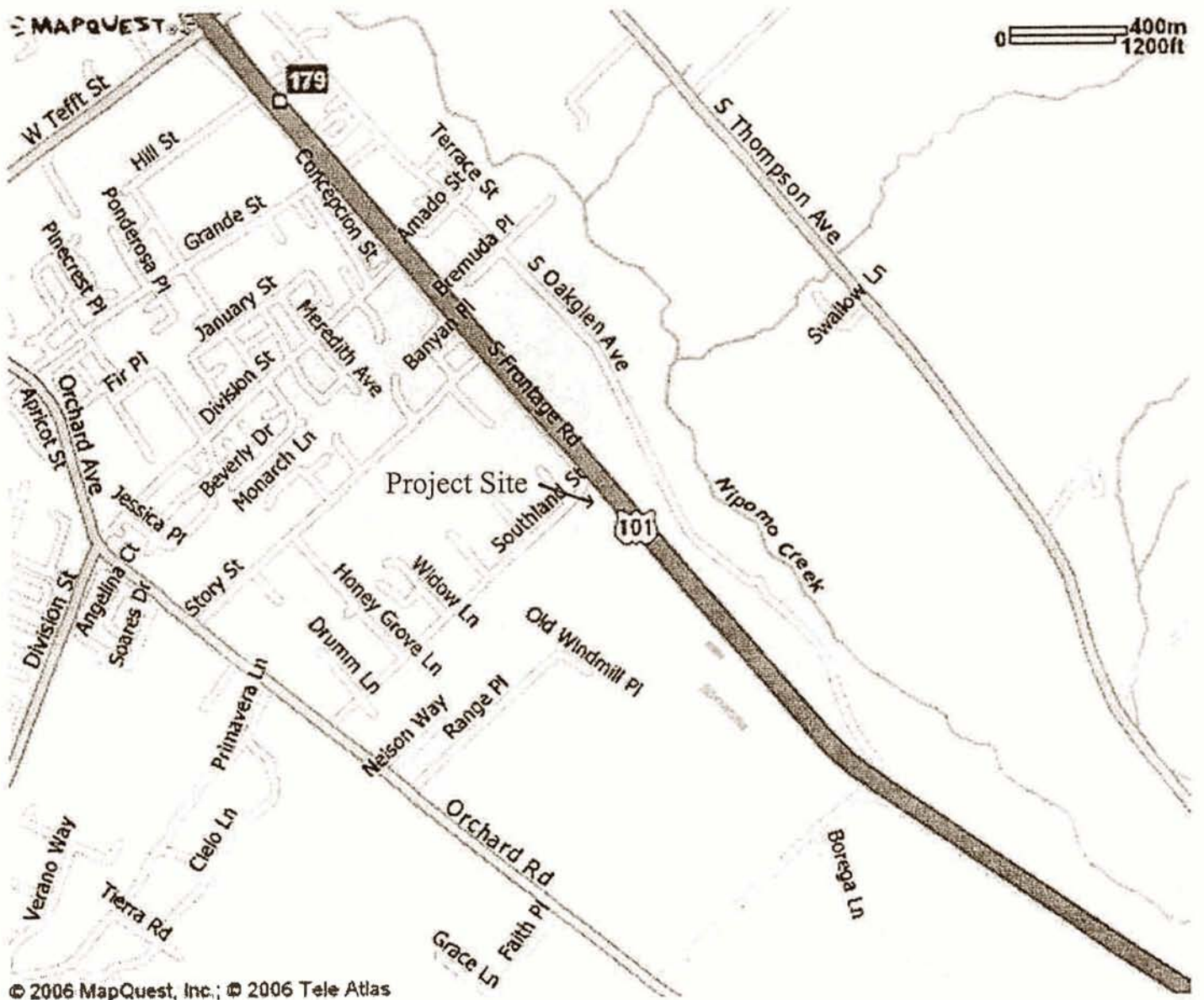
VIII. CERTIFICATION

I hereby affirm to the best of my knowledge, based on available information provided to me through specialist's technical reports, public documents and original research, analysis and assessments, the statements and information contained within this environmental document are true and correct to the degree of accuracy necessary for public disclosure purposes in accordance with Public Resources Code Section 21003, 21061 and 21100.

Bruce Buel
General Manager
Nipomo Community Services District

VIII. Certification
Southland Shop Upgrade Project
Expanded Initial Study/Mitigated Negative Declaration

FIGURE 1
Location Map



Southland Shop Upgrade Project

FIGURE 2
Site Plan

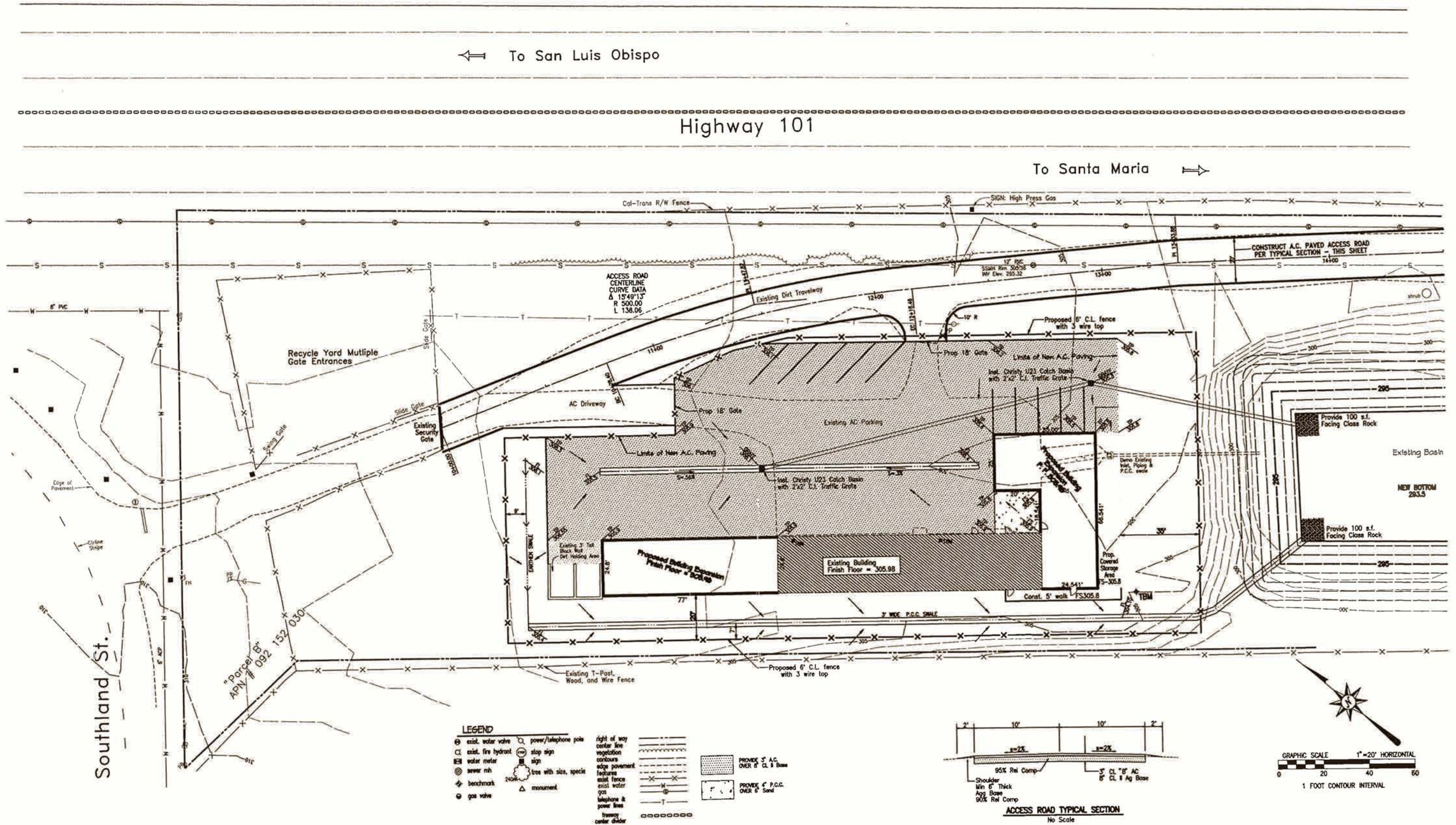
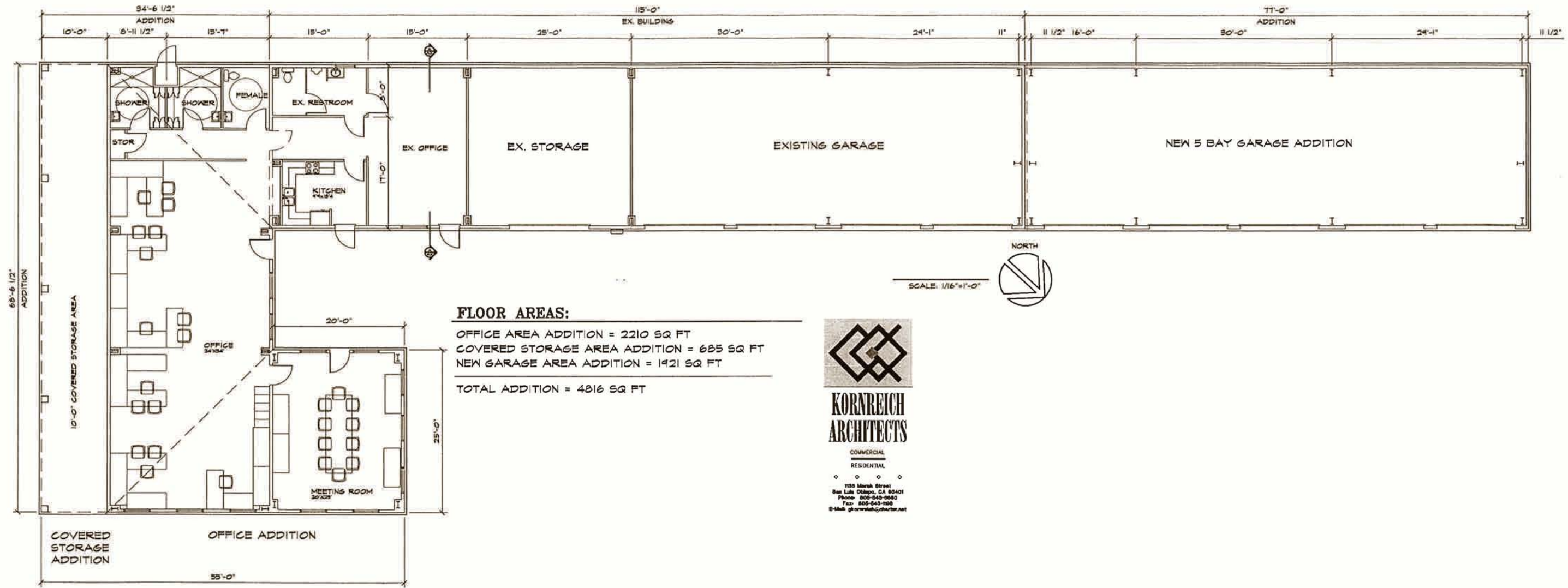


FIGURE 3
Floor Plan



NIPOMO COMMUNITY

BOARD MEMBERS

LARRY VIERHEILIG, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
ED EBY, DIRECTOR



SERVICES DISTRICT

STAFF

BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
JON SEITZ, GENERAL COUNSEL

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: nipomocsd.ca.gov

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

October 23, 2006

PROJECT: The Nipomo Community Services District (DISTRICT) proposes to enlarge and remodel its shop building, pave the parking area adjacent to the shop building, and replace the existing fencing around the perimeter of the site.

LOCATION: The shop complex is located to the South of the intersection of Southland Avenue and Frontage Road in Nipomo.

REVIEW PERIOD: Friday October 27, 2006 through Monday December 3, 2006.

ENVIRONMENTAL DETERMINATION: The DISTRICT Board of Directors is scheduled to make a determination on whether to adopt a mitigated Negative Declaration or to order the preparation of an Environmental Impact Report at its January 24, 2007 Board Meeting (the meeting will start at 9am and will be held at the DISTRICT Office, 148 South Wilson Street, Nipomo, CA.)

AVAILABLE INFORMATION: An Initial Study and a draft Mitigated Negative Declaration are available for public review during business hours (8am to 4:30pm) at the DISTRICT Office, 148 South Wilson Street. These documents can also be reviewed on the DISTRICT's website – nipomocsd.com.

CONTACT: Bruce Buel, DISTRICT Projects Assistant, (805) 929-1133 or bbuel@nipomocsd.com

This Notice is prepared pursuant to Public Resources Code 21092

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RESOLUTION NO. 2007-Mit Neg Dec

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING A MITIGATED NEGATIVE DECLARATION AND
AUTHORIZING THE GENERAL MANAGER TO
FILE A NOTICE OF DETERMINATION FOR
THE SOUTHLAND SHOP UPGRADE PROJECT
(DISTRICT INITIATED PROJECT)**

WHEREAS, the Nipomo Community Services District ("District") is a community services district with limited purposes and powers as identified in Sections 61100 et seq. of the Government Code; and

WHEREAS, pursuant to Government Code Section 61100 (a) and (b) the Nipomo Community Services District is authorized to supply water and sewer service for beneficial use to its residents; and

WHEREAS, the District has initiated a Southland Shop Upgrade Project ("Project") to expand and improve its existing maintenance shop and facilities located at 509 Southland Street, Nipomo, California ("Project"); and

WHEREAS, the proposed Project consists of: a) expansion of the existing structure to accommodate additional offices, covered storage and garage space; b) redesign of the existing access roadway; c) provision of security fencing around the perimeter of the facility; d) paving of currently-unpaved interior areas of the upgraded facility; e) provision of a new sign/entry monument at the facility entrance and f) paving of the existing unpaved access road leading to the existing wastewater treatment facility that is located adjacent to the Southland Shop; and

WHEREAS, the California Environmental Quality Act (CEQA) requires the District to assess the impact of the Project on the environment, and to circulate such assessment for public comment; and

WHEREAS, as part of the environmental review process the District retained Douglas Wood & Associates, Inc., to assess the impacts of the Project on the environment; and

WHEREAS, Douglas Wood & Associates, Inc., has prepared a document titled Southland Shop Upgrade Project Expanded Initial Study/Mitigated Negative Declaration ("Initial Study"). The Initial Study includes a detailed description of the Project and a Mitigation Monitoring and Reporting Program. The Initial Study is incorporated herein by reference; and

WHEREAS, the Initial Study proposes that a Negative Declaration with Mitigation Measures be approved for the Project (herein "Mitigated Negative Declaration"); and

WHEREAS, public notice of the proposed Mitigated Negative Declaration was given as required by Section 21092 of the Public Resource Code; and

WHEREAS, on January 24, 2007, the District held a Public Hearing on the proposed Mitigated Negative Declaration, wherein Staff responded to written comments, and public testimony received by the Board of Directors; and

WHEREAS, having received, reviewed and considered the foregoing information, as well as any and all information in the record and based on its independent review, judgment and analysis, the Board of Directors hereby makes these Findings:

1. The Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act (Public Resources Code Section 21000, et seq) (CEQA), and CEQA Guidelines (14 Cal. Code Regs §§15000 et seq.), and the Board of Directors has received, reviewed and considered the information contained in the Initial Study, and all hearings and submissions of testimony from the public and other agencies and organizations.
2. That all potentially significant effects of the Project on the environment can and will be avoided or mitigated to a less than significant level by imposing on the Project the mitigation measures and Mitigation Monitoring and Reporting Program.
3. There is no substantial evidence supporting a fair argument that the Project as mitigated will result in any substantial or potentially substantial adverse change in the environment.
4. The District's record supporting these Findings, includes but is not limited to the following, which are located at the Nipomo Community Services District Offices, 148 S. Wilson, Nipomo, California, 93444:
 - A. Documentary and oral evidence, testimony, and staff comments and responses received and reviewed by the Board during public hearings on the proposed Mitigated Negative Declaration for the Project.
 - B. The Initial Study prepared by Douglas Wood & Associates, Inc. and documents and Mitigation Monitoring and Reporting Programs referenced therein.
 - C. Revisions to the Mitigated Negative Declaration in response to comments.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District, as follows:

1. That the Board of Directors of the Nipomo Community Services District, based on the Board of Directors independent judgment does hereby approve and adopt a Mitigated Negative Declaration for the Project, including the adoption of the mitigation measures and Mitigation Monitoring and Reporting Program identified in the Initial Study.

2. District Staff will be responsible for oversight of Project construction activities to insure compliance with the Mitigation Monitoring and Reporting Program.
3. The General Manager is authorized to file a Notice of Determination in compliance with Section 21108 and/or 21152 of the Public Resource Code and the State Department of Fish & Game, Certificate of Fee Exemption.
4. The above Recitals and Findings are true and correct and incorporated into this Resolution by reference.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this _____ day of January, 2007, on the following roll call vote:

AYES: Directors

NOES:

ABSENT:

CONFLICTS:

MICHAEL WINN, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

Notice of Determination

TO: County Clerk
San Luis Obispo County
Government Center Room 385
San Luis Obispo, CA 93408

FROM: Nipomo Community Services District
P O Box 326
Nipomo, CA 93444-0326

SUBJECT: Filing of Notice of Determination in compliance with
Section 15072 and 15094 of the Public Resources Code

PROJECT TITLE: Southland Shop Upgrade Project
State Clearinghouse House Number : NA

CONTACT PERSON: Bruce Buel **TELEPHONE:** (805) 929-1133

PROJECT LOCATION: Nipomo

PROJECT DESCRIPTION: Enlargement of Shop Building and regarding/paving Shop
Yard and access road to Southland WWTF.

This is to advise that the **NIPOMO COMMUNITY SERVICES DISTRICT** has approved the above described project and has made the following determinations regarding the above described project on January 24, 2007.

1. The Project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A statement of Overriding Considerations was not adopted for this project.

This is to certify that the final report with comments and responses and record of project approval is available to the General Public at:

Nipomo Community Services District Office
148 S. Wilson Street
Nipomo, CA 93444

Date Rec'd for Filing: _____ Signature: _____
General Manager

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