

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: MAY 18, 2007

**AGENDA ITEM
E-5
MAY 23, 2007**

APPLICATION FOR SERVICE - TRACT 2715 – 365 BUTTERFLY LANE

ITEM

Consider Intent-to-Serve Application for water and sewer service at 365 Butterfly Lane (Tract 2715) [RECOMMEND APPROVAL]

BACKGROUND

Your Honorable Board previously approved an Intent-to-Serve Letter for an 8 unit single family residential subdivision to Greg Nester Construction for this site on June 23, 2004. That Intent to Serve Letter will expire on June 23, 2007 and the applicant has already used his one extension (See 2004 Application and 2004 I-T-S Letter attached). Greg Nester Construction has an executed Plan Check and Inspection Agreement and an outstanding Plan Check Deposit on account at NCSD. The project's development plans have been submitted for Plan Check.

The District received the attached new Intent to Serve Application from Greg Nester on April 16, 2007. Mr. Nester proposes the project as illustrated by the attached site map. Mr. Nester has confirmed his intent to develop this project in the next year.

Both the phasing and the calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected "total demand, including landscaping" shall be established as 0.45 AFY per small lot in single family subdivisions. According to Section 3.05.040(A1), a total of thirty two and one half (32.5) AFY including landscaping is reserved for single family dwelling units in any one allocation year. According to Section 3.05.100(A) the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 8 units at 2.4 AFY (8 times 0.45).

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 11.3 AF for other single family dwelling projects in Allocation Year 2006-07.

RECOMMENDATION

Staff recommends your Honorable Board direct staff to allocate 2.4 AFY of water to the project from the single family residential unit account in accordance the District's water allocation policy and re-issue the Intent-to-Serve (ITS) letter for the project with the following conditions:

- This project will obtain water and sewer service for all parcels, existing and planned.
- Water Service for the entire parcel (existing and new) shall be served by nine meters – One Meter for each dwelling unit and a separate meter for the landscaping.
- CALFIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges may be applicable.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
- Project landscape plan shall incorporate best management water conservation measures and be approved by the District General Manager.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.

- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- For improvements that will be dedicated to the District, submit the following:
 - Reproducible "As Built" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and after the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than single-family.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
 - Failure of the applicant to provide District with written verification that County application for the project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
 - End of allocation phasing period (October 1, 2008). However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.

Should your Honorable Board not wish to approve this intent to serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENT

- Current Application
- Previous Application
- Water Allocation Accounting Summary

T:\BOARD LETTER\BOARD LETTER 2007\SERVICE REQUESTS\SERVICE REQUEST TRACT 2715b.DOC



NIPOMO COMMUNITY SERVICES DISTRICT

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

Office use only:
Date and Time
Complete
Application and
fees received:
50⁰⁰

INTENT-TO-SERVE/WILL-SERVE APPLICATION

N.C.S.D. PAID APR 16 PAID

- This is an application for: 8 Sewer and Water Service _____ Water Service Only
- SLO County Planning Department/Tract or Development No.: TR 2715
- Attach a copy of SLO County application.

Note: District Intent-to-Serve letters expire eight (8) months from date of issue, unless the project's County application is deemed complete.

- Project location: 365 Butterfly Lane
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-142-016
- Owner Name: Butterfly Ct LLC
- Mailing Address: PO Box 219 Ag, CA 93421
- Email: Dana@gregnesterhomes.com
- Phone: 481-5182 FAX: 481-2790

- Agent's Information (Architect or Engineer):
Name: LGA / Cannon Assoc.
Address: _____
Email: _____
Phone: _____ FAX: _____

- Type of Project: (circle as applicable)
 Single Family Residence Duplex Secondary (a.k.a Granny) Unit
 Multi-Family (under single roof) Commercial Mixed-Use (commercial & residential)

- Number of Dwelling Units 8 Number of Low Income units _____

- Does this project require a sub-division? yes (yes/no)
If yes, number of new lots created 8

14. Site Plan:
For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. Water Demand Certification:

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential-portion of mixed use.

16. Commercial Projects Service Demand Estimates:

Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.

Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee..... \$50.00

(Non-refundable payment attached to this application)

Date 4.16.07

Signed

Dana N. Tuohy

(Must be signed by owner or owner's agent)

Print Name

Dana N. Tuohy

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	_____	X	0.18	=	_____
Number of Duplexes/Secondary Units	_____	X	0.3	=	_____
Number of Single Family Units with:					
Parcel less than 4,500 sq. ft.	<u>8</u>	X	0.3	=	<u>2.4</u>
Parcel between 4,500 and 10,000 sq. ft.	_____	X	0.45	=	_____
Parcel greater than 10,000 sq. ft.	_____	X	0.55	=	_____
Total demand all dwelling units including irrigation				=	_____

Certification

I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.18 AFY per Multi-Family Dwelling Unit;
- 0.3 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.3 AFY per Single Family Dwelling Unit located on a parcel size of four thousand five hundred (4,500) square feet or less;
- 0.45 AFY per Single Family Dwelling Unit located on a parcel size between four thousand five hundred (4,500) and ten thousand (10,000) square feet.
- 0.55 AFY per Single Family Dwelling Unit located on a parcel size that exceeds ten thousand (10,000) square feet.
- 0.85 AFY for the entire parcel when a secondary home is being added.

Note: "AFY" = acre-foot per year
 Parcel size is net area

Signed  Date 5.10.07
Must be signed by project engineer/architect

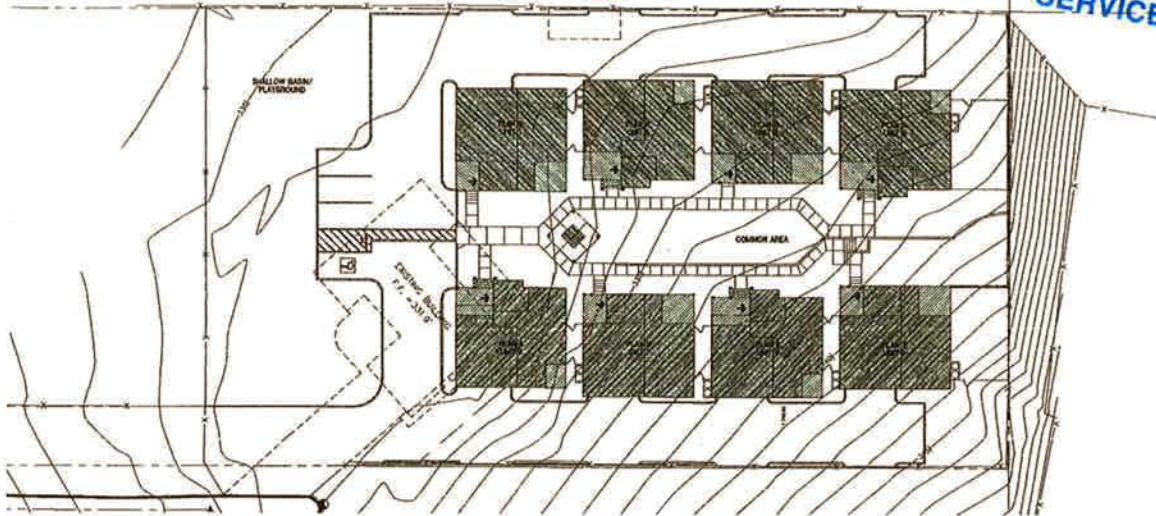
Title ARCHITECT License Number C26973

Project TRACT 2715 (e.g. Tract Number, Parcel Map #, APN)

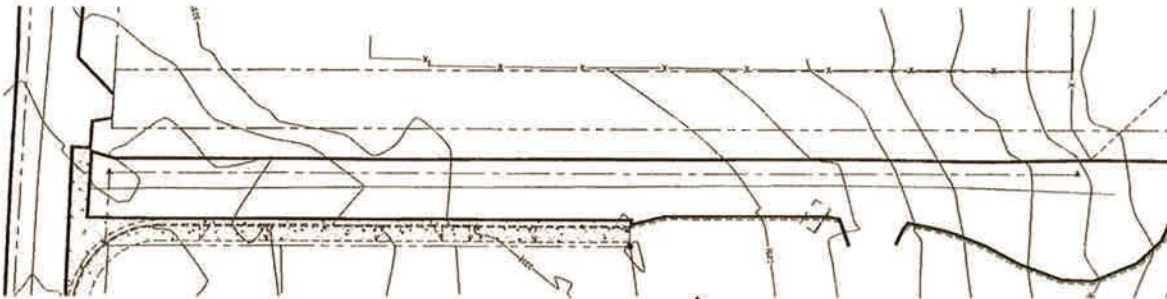
The Butterfly Ln. P.U.D.

Butterfly Lane, Nipomo
Staff Level Review Submittal: November 2004

RECEIVED
MAY 10 2007
NIPOMO COMMUNITY SERVICES DISTRICT



Site Plan - 1" = 20' - 0"



Pedestrian Green Park Plan - 1" = 20' - 0"

PROJECT DATA

DESCRIPTION: P.U.D. CONSISTS OF SINGLE FAMILY RESIDENCES TWO AND THREE BEDROOM UNITS.
PLAN A: PROPOSED 1,375 SQUARE FOOT TWO STORY SINGLE FAMILY RESIDENCE.
PLAN B: PROPOSED 1,395 SQUARE FOOT TWO STORY SINGLE FAMILY RESIDENCE.

OWNER: GREG HEYER
P.O. BOX 219
NIPOMO, CALIF. 93421
(805) 461-8182

ARCHITECT OF RECORD: EDWARD GRANT ARCHITECT C26873
330 JAMES WAY, NIPOMO BEACH, CA 93418
(805) 772-7113

SITE INFORMATION: STREET ADDRESS: 385 Butterfly Lane
A.P.N. #: 090-048-015
LEGAL DESCRIPTION: PARCEL 17, PARCEL MAP CO. 78-303, IMPROV. COUNTY OF SAN LUIS OBISPO STATE OF CALIFORNIA REF.

LAND USE CATEGORY: RES

AREA CALCS

PLAN A	PLAN B
LOWER FLOOR	LOWER FLOOR
UPPER FLOOR	UPPER FLOOR
TOTAL LIVING	TOTAL LIVING
GARAGE	GARAGE

AREA CALCS

PLAN A	PLAN B
LOWER FLOOR	LOWER FLOOR
UPPER FLOOR	UPPER FLOOR
TOTAL LIVING	TOTAL LIVING
GARAGE	GARAGE

LOT COVERAGE

LOT SIZE	49,201 S.F.
FOOTPRINT	4,300 S.F.
COVERED DRIVE	1,200 S.F.
LANDSCAPE	1,477 S.F.
TRUSS	1,000 S.F.

PLAN A	PLAN B
FINISH FLOOR ELEVATION	-1.25'
UPPER FLOOR STRUCTURE	9.08'
PLATE HEIGHT	1.00'
TRUSS HELL HEIGHT	12.08'
TRUSS HEIGHT	0.50'
PLYWOOD + TRUSS	8.50'
PROPOSED HEIGHT @ RIDGE	29.82'

PLAN A	PLAN B
FINISH FLOOR ELEVATION	-1.50'
UPPER FLOOR STRUCTURE	8.08'
PLATE HEIGHT	1.00'
TRUSS HELL HEIGHT	12.08'
TRUSS HEIGHT	0.50'
PLYWOOD + TRUSS	8.50'
PROPOSED HEIGHT @ RIDGE	30.02'

MAX. HEIGHT CALC.

PLAN A	PLAN B
ELEVATION @ CENTER OF BUILDING FOOTPRINT	0.00'
23.00' MAX. HEIGHT PER CITY STANDARDS	35.00'
MAXIMUM ALLOWABLE HEIGHT	35.00'

PLAN A	PLAN B
FINISH FLOOR ELEVATION	-1.25'
UPPER FLOOR STRUCTURE	9.08'
PLATE HEIGHT	1.00'
TRUSS HELL HEIGHT	12.08'
TRUSS HEIGHT	0.50'
PLYWOOD + TRUSS	8.50'
PROPOSED HEIGHT @ RIDGE	29.82'

FLOOR AREA COVERAGE RATIO

RECORDED LOT	BRNNG. AREA	NUMBER OF UNITS	FTK. SQUARE FOOTAGE	AREA PER UNIT / LOT AREA = 48% MAX
PLAN A	1,375 SF	1	4,300 SF	11.50 SF / 48.36 = 23.82
PLAN B	1,395 SF	1	4,300 SF	11.50 SF / 48.36 = 23.82

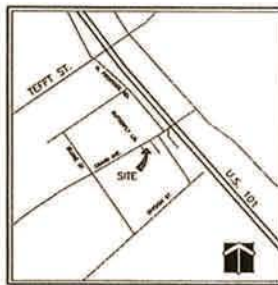
OPEN SPACE AREA RATIO

RECORDED LOT	FINISH FLOOR AREA	PROPOSED FINISH FLOOR AREA	NUMBER OF UNITS	FTK. SQUARE FOOTAGE	AREA PER UNIT / LOT AREA = 48% MAX
PLAN A	29 SF	100 SF	1	4,300 SF	11.50 SF / 48.36 = 23.82
PLAN B	29 SF	100 SF	1	4,300 SF	11.50 SF / 48.36 = 23.82

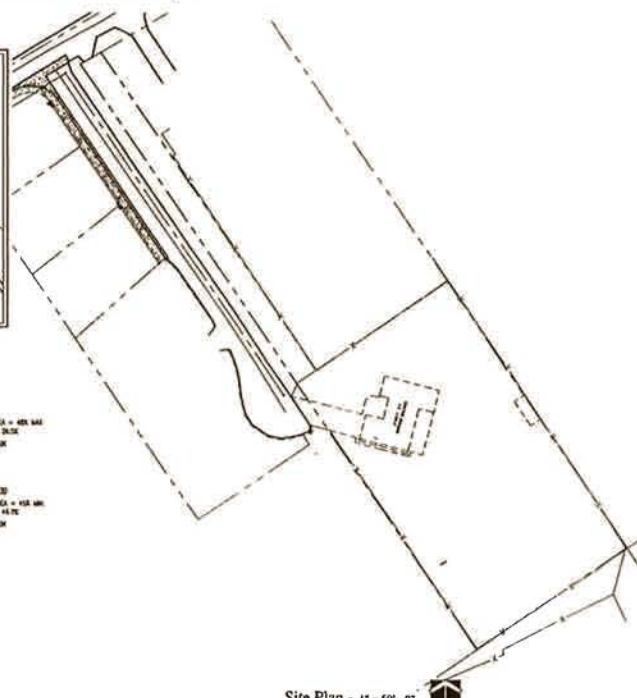
MAX. HEIGHT CALC.

PLAN A	PLAN B
ELEVATION @ CENTER OF BUILDING FOOTPRINT	0.00'
23.00' MAX. HEIGHT PER CITY STANDARDS	35.00'
MAXIMUM ALLOWABLE HEIGHT	35.00'

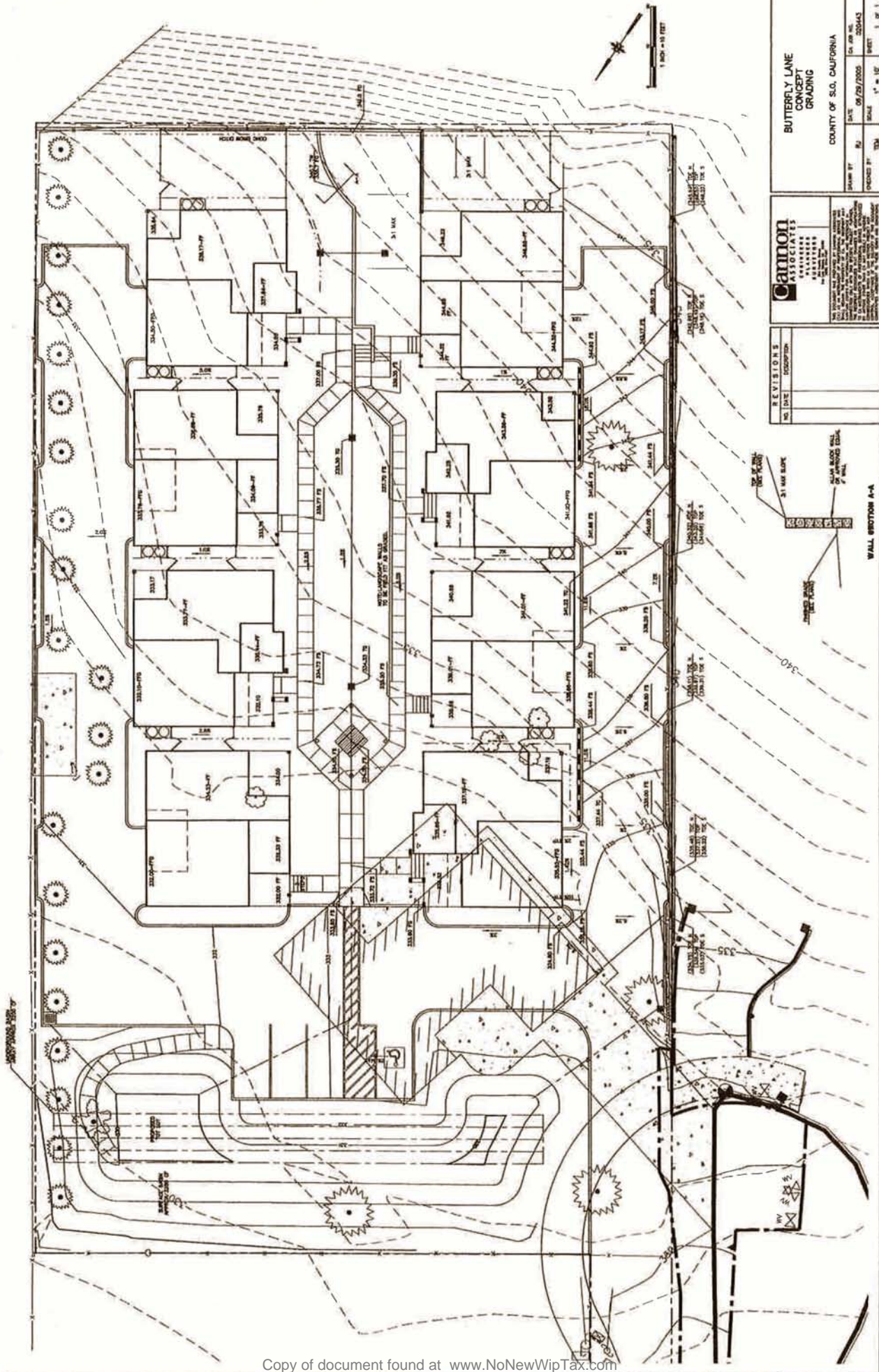
PLAN A	PLAN B
FINISH FLOOR ELEVATION	-1.50'
UPPER FLOOR STRUCTURE	8.08'
PLATE HEIGHT	1.00'
TRUSS HELL HEIGHT	12.08'
TRUSS HEIGHT	0.50'
PLYWOOD + TRUSS	8.50'
PROPOSED HEIGHT @ RIDGE	30.02'



Vicinity Map



Site Plan - 1" = 50' - 0"



BUTTERLY LANE CONCEPT GRADING COUNTY OF S.O. CALIFORNIA	
DATE	05/29/2005
SCALE	1" = 10'
PROJECT	200443
SHEET	1 OF 1

Cannon ASSOCIATES ARCHITECTS 10000 W. CENTRAL EXPRESSWAY SUITE 100 WESTLAKE, CALIFORNIA 91361 TEL: (818) 709-1000 FAX: (818) 709-1001 WWW.CANNONASSOCIATES.COM		
NO.	DATE	DESCRIPTION



DATE 6/15/04

NIPOMO COMMUNITY SERVICES DISTRICT
APPLICATION FOR
INTENT-TO SERVE LETTER

1. SLO County Planning Department/Tract or Development No.: parcelmap @ 76-595
2. Project's Location: 365 Butterfly Ct.
3. Assessor's Parcel Number (APN) of lot(s) to be served: 092-142-016
4. Total Number of Residential Units: 8
5. Owner Name: Greg Nester / Ron Veltman
6. Business Address: PO Box 219 Arroyo Grande Ca 93421
7. Mailing Address: PO Box 219 Arroyo Grande Ca 93421
8. Phone Number: 805 481 5182
9. Agent's Name (Architect or Engineer): Greg Nester
10. Mailing Address: PO Box 219 Arroyo Grande, Ca 93420
11. Phone Number: 805 481 5182
12. Type of Use:
 - Single Family Residence Duplex Triplex Multi-Family
 - Subdivision
 - Commercial? _____ Type _____
 - Remodel: (Project Description) _____
13. Submit six (6) copies of the tract map and one reduced copy (8 1/2" x 11").
(One for each Board member and the manager.)
14. COMMERCIAL PROJECTS - Please provide the following information:
 - a. An engineer or architect's estimate of yearly water (AFY) and sewer (MGD) demand for the project
Water 2.13 AFY Sewer 00128 MGD
 - b. Landscaping irrigation requirements. 1.0 AFY

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JUNE 23, 2004



REQUEST FOR SERVICE
365 BUTTERFLY LANE
CO 76-595
NESTER

 COPY

ITEM

Request for water and sewer service for an 8-unit development on Butterfly Lane

BACKGROUND

The District received a request for water and sewer service for an 8-unit development at 365 Butterfly Lane. The estimated water use for this proposed development is approx. 2.5 AFY and will produce approx. 0.00128 MGD. An Intent-to-Serve letter may be issued with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit two (2) sets of improvement plans showing appropriate District services to the project prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following prior to receiving services:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. Install separate fire service if CDF requires on-site fire protection.
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board approve an Intent-to-Serve letter for CO 76-595 with the above mentioned conditions.

Board 2004/Intent Nester CO 76-595

NIPOMO COMMUNITY

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JUDITH WIRSING, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, DIRECTOR



SERVICES DISTRICT

STAFF

DOUGLAS JONES, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
JON SEITZ, GENERAL COUNSEL
DAN MIGLIAZZO, UTILITY SUPERVISOR

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

June 23, 2004

Greg Nester Construction
P O Box 219
Arroyo Grande, CA 93421

This is not a Will Serve letter

 **COPY**

**SUBJECT: INTENT-TO-SERVE WATER SERVICE
CO 76-595 365 BUTTERFLY LANE
8 UNIT DEVELOPMENT IN NPOMO**

An Intent-to-Serve letter for water and sewer service for CO 76-595, an 8 unit development on Butterfly Lane in Nipomo, is granted subject to the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Builts" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. Install and pay fees for separate fire service, if CDF requires on-site fire protection.
6. Comply with District water conservation program.
7. This Intent-to-Serve Letter will expire two years from date of issuance.

As required by Section 19.20.238 Title 19 of the San Luis Obispo County Code, the Nipomo Community Services District certifies that it will provide potable water service to CO 76-595 and that it has sufficient water resources and sewer system capacity to provide such service. Notwithstanding any other language in this letter, the District certifies that (1) it will provide new service to the parcel(s) within the development on the same basis as it provides new service to any other legal parcel within the District's service area; and (2) once new service is established for a parcel(s) within the development, the District will provide service to said parcel on the same basis as it provides service to other customers within the same land use designation.

This is not a Will Serve letter

Greg Nester Construction
CO 76-595
Intent-to-Serve
June 23, 2004
Page Two

Notwithstanding to the above paragraph, notice is provided that Nipomo Community Services District has been made a party to that lawsuit entitled Santa Maria Valley Water Conservation District, et al. v. City of Santa Maria, et al., Santa Clara Superior Court Case No. CV 770214. The case involves competing claims to the right to produce water from and/or store water in the Santa Maria Valley Groundwater Basin, the water source from which Nipomo Community Services District derives the water, which it serves. The District is now unable to predict with any certainty the outcome of the above-referenced litigation. However, the litigation conceivably could result in a limitation on the availability of groundwater for the District's production and/or an increase in the cost of water, which the District serves to its water customers.


The County Planning & Building Department is directed to withhold the building permit until the District's fees have been paid.

This "Intent-to-Serve" letter shall be subject to the current and future rules, regulations, fees, resolutions and ordinances of the Nipomo Community Services District. This "Intent-to-Serve" letter may be revoked as a result of conditions imposed upon the District by a Court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors for the protection of the health, safety, and welfare of the District. The District reserves the right to revoke this "Intent-to-Serve" letter at any time.

A TWO YEAR EXPIRATION DATE IS IN EFFECT


Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT



Doug Jones
General Manager

Will-Serve/Intent/ APN 090-384-013 & 014 Nester

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: MAY 18, 2007

**AGENDA ITEM
F
MAY 23, 2007**

MANAGER'S REPORT

ITEM

Standing report to your Honorable Board --*Period covered by this report May 3, 2007 through May16, 2007*

DISTRICT BUSINESS

Administrative

Our Water Conservation/Outreach Specialist, Celeste Whitlow, reported to work on May 14, 2007.

Staff expects to participate in the Planning Commission's May 24, 2007 Meeting regarding the Commission's review of the Level of Severity III Certification for Nipomo Mesa Water Supply.

The SLO Air Pollution Control District has invited NCSD to participate in a Joint Study of Potential Impacts from off-road vehicle activity at the Oceano Dunes SVRA. Attached is the cover letter for the invitation.

President Winn, Vice-President Vierheilig and General Manager Buel attended CSDA's Legislative Days on May 14 and 15, 2007 in Sacramento. One or more of the participants will provide a verbal update on the conference to the Board at the Board Meeting.

Safety Program

No injury reports during the period.

Project Activity

Staff will provide a verbal projects update to the Board at the Board Meeting. Attached is a fiscal accounting of Supplemental Water Project revenues and costs through April 2007.

Conservation Program Activities

Staff has been working with the Conservation Committee on the Emergency Shortage Ordinance.

RECOMMENDATION

Staff seeks direction and input from your Honorable Board.

ATTACHMENTS –

- APCD Invitation
- April 2007 SWP Fiscal Summary

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\MANAGERS REPORT070523.DOC



RECEIVED
MAY 2 2 2007
SLO CLEAN AIR DISTRICT

April 27, 2007

Bruce Buel, General Manager
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

SUBJECT: Participation in Joint Study of Potential Air Quality Impacts from Offroad Vehicle Activity at the Oceano Dunes State Vehicle Recreation Area

Dear Mr. Buel:

The San Luis Obispo County Air Pollution Control District (APCD) recently completed a multi-year air monitoring and data analysis project on the Nipomo Mesa in an effort to determine the nature and extent of unhealthy levels of airborne particulate matter regularly measured there. The study clearly documents windblown crustal particles from the upwind coastal dune complex as the single largest contributor to this problem. The role of offroad vehicle activity at the Oceano Dunes State Vehicle Recreational Area (SVRA) in contributing to this problem was analyzed, but the results were inconclusive. The APCD Board has directed staff to submit the results of this monitoring study to your agency. Our Board further requests your consideration to participate in a joint study effort to further clarify if and how offroad vehicle activity at the SVRA influences particulate pollution on the Mesa and how to address it.

Background

It has been well documented that exposure to airborne fine particulate matter (PM) can cause significant adverse health effects, including increased respiratory distress, decreased lung function, aggravated asthma, development of chronic bronchitis, pulmonary stress and premature death in people with heart or lung disease. Air quality monitoring on the Nipomo Mesa over the past 20 years has shown that PM concentrations there are considerably higher than other areas of San Luis Obispo County. Over the past decade the District has performed supplemental monitoring and data analysis to better understand this problem. While these past efforts have helped to increase our knowledge, they did not provide a definitive explanation of the source and scope of elevated particulate levels on the Mesa.

A year long particulate monitoring study was initiated by the District from April 2004 through March 2005 to better delineate the nature and extent of the high concentrations observed on the Mesa. Comprehensive sampling of both fine (PM_{2.5}) and coarse (PM₁₀) particulate matter was conducted across the Mesa with extensive chemical analysis of the filter media to provide a more complete understanding of the sources and conditions responsible for the elevated particulate levels observed in that area.

The study was supported by the California Air Resources Board (CARB) and the United States Environmental Protection Agency (EPA) with loans of sampling equipment, chemical analysis of the filters, and a federal grant of \$25,000. District staff designed and coordinated the study and performed the year long sampling program, with input from experts at the University of California, Davis. Substantial efforts were made by District staff to ensure that all data from the over 10,000 data values collected and used in the study met stringent data quality requirements. The final study results were peer reviewed by scientists at the Santa Barbara APCD.

Study Results

District staff spent considerable time and effort over the past year analyzing and interpreting the study data to determine what it tells us about particulate pollution on the Nipomo Mesa. The results of this analysis document a serious problem on the Mesa, with exceedances of five of the six state and federal health standards for fine and coarse particulates recorded over the study period. Exceedances of the state 24 hour PM₁₀ standard were measured on over one quarter of the sample days.

The study data clearly demonstrates that the single largest contributor to the particulate problem is high northwesterly wind events entraining crustal particles upwind from the Mesa and transporting them to the Mesa area; particulate concentrations dropped off substantially at the farther inland locations on the Mesa. The farther the winds extended inland, the farther inland the high particulate concentrations extend. One exception to this pattern was the observation of localized areas of higher concentration that occurred near dirt roads composed of fine, sandy particles.

This study also attempted to evaluate the potential impacts from offroad vehicle activities at the Oceano Dunes State Vehicle Recreational Area (SVRA) on the elevated particulate levels measured on the Mesa. The SVRA is located upwind of the Mesa in the area shown by the study data to be the major source of particulates when high PM concentrations are recorded on the Mesa. An analysis of average weekend and weekday particulate measurements taken on the Mesa over the past 12 years was conducted to determine if there were higher PM levels on the weekends relative to the typically higher weekend offroad vehicle activity at the SVRA. The analysis found higher weekend concentrations at one monitoring station, but the data as a whole were not conclusive. Secondary impacts from the offroad activities, such as denuding vegetation, may also play a role by destabilizing the dune structure, allowing winds to entrain fine particles and carry them downwind. Determining the potential secondary impacts of the offroad activities was beyond the scope of the study, but deserves further evaluation.

Study Recommendations

The study documents the frequent occurrence of unhealthful particulate levels on the Mesa; the relative contribution to this problem from human activities and natural sources has not been conclusively determined. The composition of the particulates is mostly natural crustal particles; however, that does not lessen the health implications. All fine airborne particulate matter, regardless of composition, can cause respiratory distress and other serious health problems when inhaled, especially to the very young, the elderly and those with compromised respiratory systems. In addition, sand particles are high in crystalline silica, a known carcinogen with a high risk factor.

To reduce the elevated PM concentrations observed in localized areas near dirt roads, the District is moving forward with control strategies adopted by the APCD Board as part of the 2005 Particulate Matter Report developed to meet state air quality requirements. One of these strategies addresses unpaved roads and will likely result in recommended control measures to reduce emissions that could include speed limit reductions, application of dust suppressants or paving new and existing unpaved roads. Any resulting regulation would likely establish specific applicability thresholds, considering such factors as average daily trips and locations in close proximity to populated areas of the county. As defined in the adopted implementation schedule, technical evaluation of this strategy will occur from 2008 to 2009, with APCD Board consideration of a regulation to implement the measure in 2010.

To address the particulate contribution from the coastal dune complex upwind of the Mesa, the APCD Board directed staff to work with the County, California Department of Parks and Recreation, California

Coastal Commission, Oceano CSD, Nipomo CSD and the South County Advisory Council to further investigate the influence of off-road vehicle use at the SVRA on the elevated PM levels measured on the Mesa, and what mitigation measures are reasonable and feasible to reduce that impact. The APCD Board further directed staff to expand the particulate monitoring area to include Oceano to determine the level of PM concentrations currently experienced in the residential areas closest to the SVRA.

District staff have developed a draft outline of the potential elements and possible range of costs of such a further study effort. It is recommended that the study be designed to evaluate both the primary and secondary impacts of offroad vehicle use at the SVRA in contributing to elevated particulate concentrations in the region. Evaluation of primary impacts would attempt to determine the amount of fine sand particles that become airborne and get transported downwind as a result of the mechanical actions of the vehicles moving across the dunes. The analysis of secondary impacts would focus on evaluating if changes to the natural dune vegetation and/or dune structure caused by off road vehicle use in that area may result in an increased ability of winds to entrain particles from the dune surface and transport them downwind.

It is estimated that at least one full year of PM monitoring in both impacted areas and in similar, nearby non-impacted areas will be necessary to provide an adequate database for performing a comprehensive analysis. Significant time and effort would also be needed after the monitoring is completed to analyze the data and reach sound conclusions upon which decisions could be based. Our preliminary cost estimates for this study range from \$60,000 to \$300,000, depending on the cost of monitoring equipment and sample analyses, the level of field operations required and the amount of data analysis needed to reach definitive conclusions.

The attached document provides more detail on our preliminary study proposal; however, significant coordination and discussion with you and other participating agencies will be needed to fully flesh out the specific components and costs to ensure the study is designed to answer the right questions and to provide conclusive results. I would like to set up a meeting with all interested parties in the near future to discuss this in more detail and will be calling you in the next few weeks to follow-up on this.

I appreciate your consideration to participate and look forward to working with you on this important issue.

Sincerely,



Larry R. Allen
Air Pollution Control Officer

Enclosures

cc: Andy Zilke, Calif Dept of Parks & Rec.
Peter Douglas, Calif Coastal Commission
Arnie Dowdy, Oceano CSD
Phil Henry, South County Advisory Council

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**NIPOMO COMMUNITY SERVICES DISTRICT
WATERLINE INTERTIE PROJECT
MONTHLY REPORT TO THE BOARD OF DIRECTORS
APRIL 2007**

REVENUES FY 2006-2007 (1)	<u>MONTH OF</u> <u>APRIL</u>	<u>FISCAL YEAR</u> <u>7/1/2006 TO</u> <u>6/30/2007</u>
Supplemental Water Capacity Fees Collected	0.00	80,623.50
Interest Income (monthly & quarterly posting)	7,184.95	92,142.77
Revenue Subtotal	7,184.95	172,766.27
EXPENDITURES FY 2006-2007 (2)		
<u>CONSULTANTS</u>		
1590-A1 Feasibility Study (Cannon)	0.00	0.00
1590-A2 EIR Preparation (Wood & Assoc)	0.00	16,053.83
1590-A3 Estimate/Preliminary Schedule (Cannon)	0.00	0.00
1590-A4 Proposed Routes/Facilities (Cannon)	0.00	0.00
1590-A5 Prop 50 Grant Applicatin (Cannon)	0.00	0.00
1590-A6 Project Support (Cannon)	0.00	0.00
<u>LEGAL</u>		
1590-B1 Shipsey & Seitz	224.00	17,076.25
1590-B2 McDonough, Holland & Allen	0.00	15,871.65
1590-B3 Richards, Watson & Gershon	135.00	27,954.81
<u>LAND ACQUISITION</u>		
1590-C1 Tarvin & Associates	0.00	16,170.00
<u>FINANCIAL</u>		
1590-D1 Reed Group	0.00	0.00
<u>ENGINEERING</u>		
1590-E1 Preliminary Engineering Design (Boyle)	4,182.42	221,838.79
1590-E2 Water Modeling by Carollo (City of Santa Maria)	0.00	24,942.00
1590-E3 Alternative Water Supplies (Boyle)	42,570.90	67,100.40
<u>OTHER</u>		
1590-F1 FGL Environmental	0.00	5,047.00
1590-F2 Copy/Print	0.00	740.24
<u>SALARY AND BENEFITS (3)</u>		
1590-Z1 Wages-Capitalized	2,115.38	30,596.06
1590-Z2 Payroll Taxes-Capitalized	30.66	510.77
1590-Z3 Retirement-Capitalized	609.02	8,821.98
1590-Z4 Medical-Capitalized	203.51	2,960.00
1590-Z5 Dental/Vision-Capitalized	25.32	197.26
1590-Z6 Workers Compensation-Capitalized	19.22	293.78
Expenditure Subtotal	50,115.43	456,174.82
Net Revenues less Expenditures	(42,930.48)	(283,408.55)
Beginning Fund Balance as of July 1, 2006		2,421,250.05
Ending Fund Balance as of April 30, 2007		2,137,841.50

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

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

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

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

<u>A/C #</u>	<u>DESCRIPTION</u>	<u>7/1/2004 TO 6/30/2005</u>	<u>7/1/2005 TO 6/30/2006</u>	<u>7/1/2006 TO 6/30/2007</u>	<u>GRAND TOTAL</u>
1645	Reservation Fee-City of Santa Maria	37,500.00	0.00	0.00	37,500.00
1590-A1	Feasibility Study (Cannon)	25,887.29	0.00	0.00	25,887.29
1590-A2	EIR Preparation (Wood & Assoc)	29,037.48	87,100.23	16,053.83	132,191.54
1590-A3	Est/Preliminary Schedule (Cannon)	3,706.19	2,602.75	0.00	6,308.94
1590-A4	Proposed Routes/Facilities (Cannon)	5,050.07	520.00	0.00	5,570.07
1590-A5	Prop 50 Grant Application (Cannon)	2,757.00	6,210.00	0.00	8,967.00
1590-A6	Project Support (Cannon)	0.00	11,797.44	0.00	11,797.44
1590-B1	Shipsey & Seitz	0.00	23,095.55	17,076.25	40,171.80
1590-B2	McDonough, Holland & Allen	0.00	34,177.28	15,871.65	50,048.93
1590-B3	Richard, Watson & Gershon	0.00	9,472.38	27,954.81	37,427.19
1590-C1	Tarvin Appraisal	0.00	0.00	16,170.00	16,170.00
1590-D1	Reed Group	0.00	2,809.85	0.00	2,809.85
1590-E1	Preliminary Engineering Design (Boyle)	0.00	6,470.33	221,838.79	228,309.12
1590-E2	Water Modeling by Carollo (City of SM)	0.00	0.00	24,942.00	24,942.00
1590-E3	Alternative Water Supplies (Boyle)	0.00	0.00	67,100.40	67,100.40
1590-F1	Lab Testing (FGL Environmental)	0.00	0.00	5,047.00	5,047.00
1590-F2	Copy/Print	0.00	0.00	740.24	740.24
1590-Z1	Wages-Capitalized	0.00	29,076.92	30,596.06	59,672.98
1590-Z2	Payroll Taxes-Capitalized	0.00	587.22	510.77	1,097.99
1590-Z3	Retirement-Capitalized	0.00	8,418.08	8,821.98	17,240.06
1590-Z4	Medical-Capitalized	0.00	2,861.36	2,960.00	5,821.36
1590-Z5	Dental/Vision-Capitalized	0.00	0.00	197.26	197.26
1590-Z6	Workers Compensation-Capitalized	0.00	260.35	293.78	554.13
		<u>103,938.03</u>	<u>225,459.74</u>	<u>456,174.82</u>	<u>785,572.59</u>

**NIPOMO COMMUNITY SERVICES DISTRICT
CERTIFICATES OF PARTICIPATION
DEBT SERVICE SCHEDULE**

	PRINCIPAL	INTEREST	TOTAL DEBT SERVICE	PRINCIPAL BALANCE
				4,000,000.00
FY June 30, 2004	0.00	136,384.79	136,384.79	4,000,000.00
FY June 30, 2005	75,000.00	169,950.00	244,950.00	3,925,000.00
FY June 30, 2006	80,000.00	167,625.00	247,625.00	3,845,000.00
FY June 30, 2007	80,000.00	165,225.00	245,225.00	3,765,000.00
FY June 30, 2008	85,000.00	163,132.50	248,132.50	3,680,000.00

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NIPOMO COMMUNITY SERVICES DISTRICT
SUPPLEMENTAL WATER FEES COLLECTED

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

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL
090-095-011 to 090-095-014	DANMARK	4 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING	8/4/05	29,703.00	3,660.00	33,363.00
2561	VISTA COLINA	8 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING PLUS 1 IRRIGATION	11/7/05	79,208.00	9,760.00	88,968.00
090-381-006	DENNERLEIN	1 RESIDENTIAL SERVICE 182 EAST CHESTNUT	1/25/06	9,901.00	1,220.00	11,121.00
091-327-075	PRUIT	2 ONE INCH METERS	2/1/06	19,802.00	2,440.00	22,242.00
091-327-075	PRUIT	1 FOUR INCH FIRE SYSTEM	2/1/06	37,125.23	4,588.52	41,713.75
091-322-046	HARDESTY	1 ONE INCH METER	3/20/06	9,901.00	1,220.00	11,121.00
090-251-021	BLUME	1 ONE INCH METER	4/19/06	9,901.00	1,220.00	11,121.00
2565	PUHEK	5 RESIDENTIAL PLUS 1 IRRIGATION	5/9/06	59,406.00	7,320.00	66,726.00
CO 04-0606	MVIII	5 RESIDENTIAL	5/18/06	49,505.00	6,100.00	55,605.00
2499	NESTER	18 RESIDENTIAL	6/9/06	178,218.00	21,960.00	200,178.00
FISCAL YEAR 2005-2006			SUBTOTAL	482,670.23	59,488.52	542,158.75

PROJECT	DEVELOPER	SUMMARY	DATE PAID	WATER SUPPLY PORTION	PIPELINE PORTION	SUPPLEMENTAL TOTAL
090-091-017	SCOGGINS	2 RESIDENTIAL MINUS CREDIT FOR 1 EXISTING-325 N THOMPSON	7/18/06	10,288.00	1,268.00	11,556.00
2595	BAUR	6 RESIDENTIAL MINUS CREDIT FOR 2 EXISTING	10/11/06	41,152.00	5,072.00	46,224.00
091-327-075	PRUIT	FINAL FEES PAID-BALANCE DUE TO FEE INCREASE 7/1/06	10/11/06	2,226.00	275.00	2,501.00
090-381-002	STEELE	1 RESIDENTIAL	10/18/2006	10,288.00	1,268.00	11,556.00
2619	ALLSHOUSE	FINAL FEES PAID-BALANCE DUE TO FEE INCREASE 7/1/06	3/28/2007	7,820.00	966.50	8,786.50
FISCAL YEAR 2006-2007			SUBTOTAL	71,774.00	8,849.50	80,623.50

GRAND
TOTAL 871,276.23 107,378.02 978,654.25

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