

NIPOMO COMMUNITY SERVICES DISTRICT

MONDAY, JULY 20, 2009

2:00 P. M.

SPECIAL MEETING NOTICE & AGENDA **INFRASTRUCTURE COMMITTEE**

COMMITTEE MEMBERS

ED EBY, CHAIR
MICHAEL WINN, MEMBER

PRINCIPAL STAFF

BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASSIST. GENERAL MANAGER
DONNA JOHNSON, BOARD SECRETARY
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER

MEETING LOCATION

District Board Room, 148 S. Wilson Street, Nipomo, California

1. **CALL TO ORDER, ROLL CALL AND FLAG SALUTE**
ACTION RECOMMENDED: None
2. **REVIEW STATUS OF SUPPLEMENTAL WATER DEVELOPMENT**
ACTION RECOMMENDED: Forward Recommendations to Board
3. **REVIEW STATUS OF SOUTHLAND WWTF UPGRADE PROJECT**
ACTION RECOMMENDED: Forward Recommendations to Board
4. **REVIEW SOUTHLAND WWTF EIR SCOPING COMMENTS**
ACTION RECOMMENDED: Forward Recommendations to Board
5. **SET NEXT COMMITTEE MEETING**
ACTION RECOMMENDED: Set Time/Date for Next Committee Meeting
6. **ADJOURN**

*** End Special Meeting Notice ***

TO: COMMITTEE MEMBERS
FROM: BRUCE BUEL *BB*
DATE: JULY 17, 2009

AGENDA ITEM

2

JULY 20, 2009

REVIEW SUPPLEMENTAL WATER DEVELOPMENT STATUS

ITEM

Review status of supplemental water development [Forward Recommendations to Board].

BACKGROUND – WATERLINE INTERTIE PROJECT

Mike Nunley from AECOM (Boyle Engineering) is scheduled to summarize the attached Monthly Report at the Committee Meeting.

The Wallace Group is preparing the Assessment Engineer's Report (See attached timeline).

Staff and AECOM are compiling permit applications. Staff has initiated the appraisal process for purchase of easements and real property. Staff, District Legal Counsel and Special Counsel is negotiating with the City of Santa Maria to finalize the Water Purchase Agreement. Staff and District Legal Counsel have been negotiating with the Woodlands, Rural and GSWC regarding their participation in WIP Funding. Staff has been negotiating with SLO County regarding the formation of an assessment district including properties outside of NCSD's boundaries. Staff has filed the Notice of Determination on the WIP FEIR.

BACKGROUND – DESALINATION

Staff is monitoring the progress of the South County Sanitation District regarding their desalination project. SCSD has yet to set a meeting to discuss their preliminary results.

RECOMMENDATION

Staff recommends that the Committee receive the staff updates and provide feedback and recommendations to the Board.

ATTACHMENT

- MONTHLY REPORT
- ASSESSMENT TIMELINE

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WIP ASSESSMENT TIMELINE

ITEM	June ETA	CURRENT ETA
Wallace Group Submits Research	Early August	8/15/09
Board Review of Research	8/12/09	8/22/09
Notice Mailed to Property Owners	8/31/09	Early October
Wallace Group Submits Preliminary Engineer's Report	Mid September	Mid October
Hearings for Property Owners who request alternate Assessment	9/30 to 10/28	11/18 to 10/28
WG Submits Final Report	Mid November	Early January 2010
Adoption of Preliminary Bond Resolutions (County)	December	January 2010
Ballots Mailed	early January 2010	February 2010
Ballots Counted	Late February 2010	Late March 2010
Adoption of Final Bond Resolutions	March 2010	April 2010
Sale of Bonds	March 2010	April 2010
Year #1 Assessments	FY2010-2011	FY2010-2011

AECOM
 1194 Pacific Street, Suite 100
 San Luis Obispo CA 93401
 T 805.542.9840 F 805.542.9990 www.aecom.com

Memorandum

Date: July 15, 2009
 To: Bruce Buel, General Manager – Nipomo Community Services District
 From: Michael K. Nunley, PE
 Subject: Waterline Intertie Project – Design Phase Status Report

Distribution:	Josh Reynolds, PE	Eileen Shields
	Cesar Romero, PE	Jim Froelicher
	Peter Sevcik, PE	Jon Hanlon, PE

The Project Team has completed the following work items this month:

1. AECOM is working closely with Padre to complete permit applications and prepare submittals to Army Corps of Engineers and Santa Barbara County Flood Control and Water Conservation District for technical review.
2. AECOM has integrated the District staff's comments into the Draft Narrative Report and produced a draft final copy for review. Once review is complete, AECOM will deliver 100 copies to the District.
3. AECOM submitted the 60% design plans and specifications for Bid Package #3 – Blosser Road Water Main and Flow Meter. Copies were delivered to the District, the peer reviewers, and the construction management team.
4. Potholing was performed by MGE to supplement subsurface utility investigations in Nipomo. AECOM is collecting information this week and will integrate it into the design.

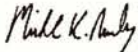
Schedule

The Project Schedule is attached.

Budget Status

As shown on the attached Design Budget and Invoice Summary, our fee earned matches the amount expended. This indicates we are on budget as of this date.

Yours Sincerely



Michael K. Nunley, PE

Enclosures: Design Budget and Invoice Summary; Project Budget Summary; and Project Schedule

Project Budget Summary

7/3/2009

Engineering Services for NCSD - SWP Design

Nipomo CSD

	Total Budget	Amount Previously Invoiced	Current Invoice Amount	% of Budget Earned to date	% of Work Complete
Task Group 1 - Concept Design Report	\$426,361.00	\$426,361.00	\$0.00	100%	100%
Task Group 2 - Permitting	\$30,607.00	\$27,164.82	\$465.00	90%	90%
Task Group 3 - Construction Documents	\$350,691.00	\$182,678.92	\$82,110.28	76%	76%
Task Group 4 - Project Management	\$43,520.00	\$31,679.63	\$3,373.50	81%	81%
Task Group 5 - Assistance During Bids	\$48,942.00	\$0.00	\$0.00	0%	0%
Task Group 6 - Office Engineering During Construction (5 Bid Packages)	\$175,837.00	\$0.00	\$0.00	0%	0%
Total	\$1,075,958.00	\$667,884.37	\$85,948.78	70%	70%

	Amount Previously Invoiced	Current Invoice Amount	Total Permitting Fees to date
Permitting Fees	\$1,572.91	\$0.00	\$1,572.91

Waterline Intertie Project

Opinion of Probable Project Costs from Concept Design Report (April 2009)

Table 8.1 – Opinion of Probable Project Costs

Item	Description	Budgeted Amount May 2008 Preliminary Engineering Memo.	Updated Amount 22-Apr-09 Concept Design Report
1	Mobilization	\$580,000	\$607,000
2	Blosser Extension (18-in)	\$1,247,000	\$1,129,000 -
3	Pump Station No. 1 turnout & meter (Blosser Rd)	\$61,000	\$158,000
4	River Crossing (24-in HDD & levee jack & bore)	\$6,135,000	\$5,462,500
5	24-in Pipeline to Joshua	\$656,000	\$400,000
6	Reservoir (0.5-MG)	\$1,361,000	\$1,365,000
7	Pump Station No. 2	\$603,000	\$1,572,500
8	Pressure Regulators (200 homes)	\$30,000	--
9	Pressure Reducing Valve Stations	\$18,000	\$243,000
10	Chloramination (Joshua & 5 wellheads)	\$707,000	\$739,500
11	Upgrade Southland to 12-in	\$799,500 (1)	\$849,000 (7)
12	Upgrade Frontage to 12-in	\$1,101,300 (1)	\$957,000 (7)
13	Upgrade Orchard to 12-in	\$509,000	\$1,103,500 (8)
14	Upgrade Division to 10-in between Allegre and Meridian (6)	\$53,000	--
15	Oakglen Avenue 12-in main (5)	--	\$457,000
16	Darby Lane 12-in main (5)	--	\$153,000
17	HWY 101 Bore & Jack (5)	--	\$241,000
18	Isolation Valves (5)	--	\$12,000
19	Pump Station All Weather Access Road	--	\$128,000
Construction Subtotal		\$13,860,800	\$15,577,000
20	Contingency	\$3,643,000	\$3,115,400 (10)
Construction Subtotal + Contingency		\$17,503,800	\$18,692,400
21	Property Allowance	<i>not included</i> (4)	\$500,000 (4)
22	Design-Phase Engineering		
	Original Agreement (July 2008)		\$744,993
	Budget Revision 1 - Pressure Reduction		\$132,798
	Budget Revision 2 - Biological Survey for HDD		\$4,050
	Budget Revision 3 - Modeling for GSW/Woodlands Turnouts		\$8,380
	Budget Revision 4 - Additional Survey Services		\$9,900
23	Office Engineering during construction		\$175,837
24	Estimated Construction Management (3)	\$2,428,000 (2)	\$1,507,170 (9)
25	Permitting Fees To Date	--	\$1,573
26	Non-Final Design Funds Spent To Date	<i>not included</i>	\$1,402,879 (11)
27	Estimated Other Costs (Assessment, etc)	<i>not included</i>	\$415,420 (11)
PROJECT TOTAL (Rounded to 1000)		\$19,932,000	\$23,596,000

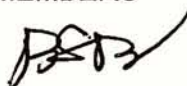
Waterline Intertie Project

Opinion of Probable Project Costs from Concept Design Report (April 2009)

Table 8.1 (continued)**Table 8.1 Notes:**

ENR CCI: March 2008 = 8109; March 2009 = 8534

- (1) Costs are from the December 2007 Water and Sewer Master Plan (Cannon).
 - (2) Engineering and Construction Management were originally presented as a "lump sum" amount
 - (3) Includes material testing, construction staking, and environmental monitoring
 - (4) Estimate only. Item not included in previous construction cost opinions, but was added to the Concept Design Report to provide a complete assessment of anticipated project costs.
 - (5) These work items were added to relieve high pressures on Mesa as an alternative to service pressure regulating valves (See Tech Memo 9). One PRV station at Maria Vista was required initially. Four are recommended for revised project. This was design Budget Revision #1.
 - (6) Based on review of record drawings, this pipeline is already a 10-in main
 - (7) Initial estimate incorporated Master Plan project costs. Revised estimate includes higher unit costs to reflect paving 1 traffic lane, per County standards
 - (8) Updated unit costs include higher costs to reflect paving 1 traffic lane, per County standards
 - (9) To be provided by CM team - Has not been revised to reflect additional work for construction management of Oakglen, Darby, and Orchard extensions.
 - (10) Contingency was modified to 20% which is more appropriate for 30% design phase.
 - (11) Provided by District staff.
- not included* = Item was not included in previous construction cost opinions, but was added into the Concept Design Report to provide a complete assessment of anticipated project costs.

TO: COMMITTEE MEMBERS
FROM: BRUCE BUEL 
DATE: JULY 17, 2009

AGENDA ITEM

3

JULY 20, 2009

REVIEW STATUS OF SOUTHLAND WWTF UPGRADE PROJECT

ITEM

Review status of Southland WWTF Upgrade Project [Forward Recommendations to Board].

BACKGROUND

Attached is the latest Monthly Report from AECOM along with a draft project Budget.

DWA is proceeding to prepare the Draft EIR. See Agenda Item 4 regarding Scoping Comments.

It should be noted that the Board has already funded the proposed project and the District already owns the land for construction.

RECOMMENDATION

Staff recommends that the Committee receive AECOM's presentation and ask questions as appropriate.

ATTACHMENT

- MONTHLY REPORT AND BUDGET

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AECOM
1194 Pacific Street, Suite 100
San Luis Obispo CA 93401
T 805.542.9840 F 805.542.9990 www.aecom.com

Memorandum

Date: July 15, 2009
To: Bruce Buel, General Manager – Nipomo Community Services District
From: Michael K. Nunley, PE
Subject: Southland WWTF Upgrade Project – Design Phase Status Report

Distribution: Josh Reynolds, PE
Peter Sevcik, PE
Jon Hanlon, PE
Eileen Shields
Jim Froelicher
Kirk Gonzalez, PE

The Project Team has completed the following work items this month:

1. Fugro provided a plan for boring locations at the Southland WWTF. Stakes were placed on July 6th and USA was called for utility markings.
2. GTA performed field work for base map on July 9th and 10th.
3. Supplemental influent monitoring was started in May and results for the first month were received in June.

Schedule

The Project Schedule is attached. The Design Phase is on schedule.

Budget Status

The Invoice Summary is attached. The Invoice Summary indicates an amount invoiced which is consistent with the work completed to date. The project cost opinion has not been updated since the January 2009 Master Plan, but the summary table is included and will be updated with the 30% design submittal.

Yours Sincerely



Michael K. Nunley, PE

Enclosures: Project Schedule
Invoice Summary
Project Budget Summary

AECOM Water

Southland WWTF Design Schedule

Tue 7/14/09

ID	Task Name	Duration	Start	Finish	00	Qtr 1, 20	Qtr 2, 200	Qtr 3, 200	Qtr 4, 200	Qtr 1, 20	Qtr 2, 201	Qtr 3, 201	Qtr 4, 201	Qtr 1, 20	Qtr 2, 201	Qtr 3,				
					e	Jan	e	a	Apr	a	u	Jul	u	e	Oct	o	e	Jan	e	a
1	Negotiation and Notice to Proceed	20 days	Thu 2/26/09	Wed 3/25/09	100%															
2	Design	335 days	Thu 3/26/09	Wed 7/7/10																
3	Survey	80 days	Thu 3/26/09	Wed 7/15/09	0%															
4	Preliminary Soils Report	75 days	Thu 3/26/09	Wed 7/8/09	80%															
5	Draft Site Plan	85 days	Thu 3/26/09	Wed 7/22/09	0%															
6	Draft Soils Report	40 days	Thu 7/23/09	Wed 9/16/09																
7	Operations Plan - TM 1	20 days	Thu 7/16/09	Wed 8/12/09																
8	Administrative Draft Concept Report	45 days	Thu 9/17/09	Wed 11/18/09																
9	District Review	10 days	Thu 11/19/09	Wed 12/2/09																
10	Draft Concept Report	5 days	Thu 12/3/09	Wed 12/9/09																
11	District / Peer Review	10 days	Thu 12/10/09	Wed 12/23/09																
12	Final Concept Report	20 days	Thu 12/24/09	Wed 1/20/10																
13	60% Plans, Specifications, and Estimates	60 days	Thu 1/21/10	Wed 4/14/10																
14	District / Peer Review	10 days	Thu 4/15/10	Wed 4/28/10																
15	95% Plans, Specifications, and Estimates	20 days	Thu 4/29/10	Wed 5/26/10																
16	District / Peer Review	10 days	Thu 5/27/10	Wed 6/9/10																
17	Final Plans, Specifications, and Estimates	20 days	Thu 6/10/10	Wed 7/7/10																
18																				
19	Environmental Impact Report	231 days	Wed 4/8/09	Wed 2/24/10																
20	Notice of Award	1 day	Wed 4/8/09	Wed 4/8/09																
21	Preparation of Public Draft EIR	22.8 wks	Thu 4/9/09	Tue 9/15/09	0%															
22	EIR Public Review Period	7.4 wks	Fri 9/25/09	Mon 11/16/09																
23	Preparation of Administrative Final EIR/Responses to Comments	1 mon	Tue 11/17/09	Mon 12/14/09																
24	Completion and Receipt of Comments from District on Final EIR	6 days	Tue 12/15/09	Tue 12/22/09																
25	Completion of Final EIR	2 wks	Fri 1/1/10	Thu 1/14/10																
26	Completion of Findings of Fact	11 days	Fri 1/15/10	Fri 1/29/10																
27	Public Hearings/EIR Certification	11 days	Wed 2/10/10	Wed 2/24/10																
28																				
29	Bid Phase	55 days	Thu 7/8/10	Wed 9/22/10																
30	Advertisement	30 days	Thu 7/8/10	Wed 8/18/10																
31	Bid Opening	5 days	Thu 8/19/10	Wed 8/25/10																
32	Bid Review and Notice of Award	20 days	Thu 8/26/10	Wed 9/22/10																
33																				
34	Construction	295 days	Thu 4/15/10	Wed 6/1/11																
35	Retain Design Firm to Perform Services During Construction	20 days	Thu 4/15/10	Wed 5/12/10																
36	Construct	160 days	Thu 9/23/10	Wed 5/4/11																
37	Startup	10 days	Thu 5/5/11	Wed 5/18/11																
38	Testing	10 days	Thu 5/19/11	Wed 6/1/11																

Project: Southland Design 6 22 09.mpp
Date: Tue 7/14/09

Task		Baseline Milestone		Rolled Up Milestone		Rolled Up Progress		Project Summary	
Progress		Summary		Baseline Summary		Split		Group By Summary	
Baseline		Rolled Up Task		Rolled Up Baseline		Baseline Split		Deadline	
Milestone		Rolled Up Critical Task		Rolled Up Baseline Milestone		External Tasks			

Project Budget Summary

7/3/2009

Engineering Services for NCSD - Southland WWTF Upgrade

Nipomo CSD

	Total Budget	Amount Previously Invoiced	Current Invoice Amount	% of Budget Earned to date	% of Work Complete
Task Group 1 - Concept Design Phase	\$188,622.00	\$13,504.05	\$21,139.65	18%	18%
Task Group 2 - Construction Documents	\$478,948.00	\$0.00	\$0.00	0%	0%
Task Group 3 - Project Management	\$68,787.00	\$3,946.05	\$3,167.10	10%	10%
Task Group 4 - Assistance During Bid	\$39,539.00	\$0.00	\$0.00	0%	0%
Task Group 5 - Office Engineering Services	\$147,198.00	\$0.00	\$0.00	0%	0%
Total	\$923,094.00	\$17,450.10	\$24,306.75	5%	5%

Item	Description	Budgeted Amount Jan 2009 Master Plan	Updated Amount
1	Frontage Road sewer upgrade (street to influent pump station)	\$366,000 (4) (5)	\$366,000
2	Influent pump station upgrade	\$670,900	\$670,900
3	Influent screening system	\$327,400	\$327,400
4	Grit removal system	\$402,700	\$402,700
5	Phase I Biolac system	\$3,877,500	\$3,877,500
6	Phase I Sludge holding lagoons	\$67,700	\$67,700
7	Phase I Sludge drying beds	\$1,160,700	\$1,160,700
	Construction Subtotal	\$6,872,900	\$6,872,900
8	Contingency	\$2,061,870 (6)	\$2,061,870
9	Design-Phase Engineering	\$923,093	\$923,093
10	Construction Management	\$1,138,777 (7)	\$1,138,777
11	Environmental Mitigation	-- (8)	-- (8)
12	Environmental Monitoring	-- (8)	-- (8)
13	Permitting Fees	-- (8)	-- (8)
	PROJECT TOTAL (Rounded to 1000)	\$10,997,000	\$10,997,000

Notes:

- (1) ENR CCI: November 2008 = 8602
- (2) Costs are from the January 2009 Southland WWTF Master Plan.
- (3) Costs are escalated by 4 % per year to anticipated midpoint of construction (2011).
- (4) The Frontage Rd Sewer Upgrade project includes the sewer main from Division St. to the influent pump station. The portion between the street and the influent pump station is currently included in the Southland WWTF Upgrades project scope of work, but may be moved to the Waterline Intertie Project for expedited construction.
- (5) The cost for this portion of Frontage Rd was estimated by prorating the cost opinion for the Frontage Road Sewer Upgrade (based on linear footage) to arrive at the 2008 Construction Cost Opinion. A 4% per year escalation was used to arrive at the 2011 midpoint of construction cost opinion.
- (6) Contingency is estimated at 30% of construction subtotal.
- (7) To be updated by CM Team, assumed to be 30% of construction subtotal minus the engineering fee.
- (8) Costs to be developed with EIR process

TO: COMMITTEE MEMBERS
FROM: BRUCE BUEL *BB*
DATE: JULY 17, 2009



REVIEW SOUTHLAND WWTF EIR SCOPING COMMENTS

ITEM

Review SWUP EIR scoping comments [FORWARD RECOMMEDATIONS].

BACKGROUND

Attached are copies of the six scoping comments received. The State Clearinghouse letter describes the distribution of the NOP to state agencies and requires no action. The Native American Heritage Commission letter discusses process and provides the names of Most Likely Descendants for future contact. The Dept of Public Health letter requests specific information and provides standards for evaluation of alternatives. The SWRCB letter describes the State Revolving Fund and requires no action. The DWR letter describes limitations for encroachment on the CCWA Pipeline. The County Department of Agriculture letter encourages selection of alternatives that minimize impacts on agricultural lands.

All letters will be appended to the DEIR and requests for information will be responded to in the text of the DEIR.

RECOMMENDATION

Staff recommends that the Committee discuss the Department of Public Health letter and the County Ag Dept. letter.

ATTACHMENT

- SIX SCOPING LETTERS

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ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

May 29, 2009

To: Reviewing Agencies

Re: Nipomo Community Services District, Wastewater Treatment System Improvements
SCH# 2009051120

Attached for your review and comment is the Notice of Preparation (NOP) for the Nipomo Community Services District, Wastewater Treatment System Improvements draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Bruce Buel
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444-0326

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Assistant Deputy Director & Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

RECEIVED
JUN 03 2009
NIPOMO COMMUNITY
SERVICES DISTRICT

**Document Details Report
State Clearinghouse Data Base**

SCH# 2009051120
Project Title Nipomo Community Services District, Wastewater Treatment System Improvements
Lead Agency Nipomo Community Services District

Type **NOP** Notice of Preparation
Description The proposed project involves the provision of additional facilities necessary to expand the wastewater treatment capabilities of the existing Southland Wastewater Treatment Facility. The proposed project involves three basic elements related to the provision of additional facilities related to wastewater collection, treatment and disposal.

Lead Agency Contact

Name Bruce Buel
Agency Nipomo Community Services District
Phone 805-929-1133 **Fax**
email bbuel@ncsd.ca.gov
Address P.O. Box 326
City Nipomo **State** CA **Zip** 93444-0326

Project Location

County San Luis Obispo
City Nipomo
Region
Cross Streets South Frontage Road, Tefft Street

Lat / Long

Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways Hwy 101
Airports
Railways
Waterways
Schools
Land Use

Project Issues

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 4; Department of Health Services; Native American Heritage Commission; California Highway Patrol; Caltrans, District 5; Integrated Waste Management Board; State Water Resources Control Board, Division of Loans and Grants; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 3

Date Received 05/29/2009 **Start of Review** 05/29/2009 **End of Review** 06/29/2009

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



June 4, 2009

Bruce Buel
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444-0326

RE: SCH#2009051120 Nipomo Community Services District, Wastewater Treatment System Improvements; San Luis Obispo County.

Dear Mr. Buel:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
Katy Sanchez
Program Analyst
(916) 653-4040

RECEIVED

JUN 08 2009

NIPOMO COMMUNITY
SERVICES DISTRICT

CC: State Clearinghouse

Native American Contact
San Luis Obispo County
June 4, 2009

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks , CA 91362
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Tataviam
Fernandeño

Mona Olivas Tucker
660 Camino Del Rey
Arroyo Grande , CA 93420
(805) 489-1052 Home
(805) 748-2121 Cell

Chumash

Julie Lynn Tumamait
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Matthew Darian Goldman
495 Mentone
Grover Beach , CA 93433
805-748-6913

Chumash

Lei Lynn Odom
1339 24th Street
Oceano , CA 93445
(805) 489-5390

Chumash

Frank Arredondo
PO Box 161
Santa Barbara , Ca 93102
805-617-6884
ksen_sku_mu@yahoo.com

Chumash

Randy Guzman - Folkes
4577 Alamo Street, Unit C
Simi Valley , CA 93063
ndnrandy@hotmail.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Palute
Yaqui

Coastal Band of the Chumash Nation
Janet Garcia, Chairperson
P.O. Box 4464
Santa Barbara , CA 93140
805-964-3447

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051120 Nipomo Community Services District, Wastewater Treatment System Improvements; San Luis Obispo County.

Native American Contact
San Luis Obispo County
June 4, 2009

Diane Napoleone and Associates
Diane Napoleone
1433 Camino Trillado Chumash
Carpinteria , CA 93013
805-684-4213

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
P.O. Box 517 Chumash
Santa Ynez , CA 93460
(805) 688-7997
(805) 686-9578 Fax

Northern Chumash Tribal Council
Fred Collins, Spokesperson
67 South Street Chumash
San Luis Obispo , CA 93401
(805) 801-0347 (Cell)

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road Chumash
Grover Beach , CA 93433
cheifmvgil@fix.net
(805) 481-2461
(805) 474-4729 - Fax

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517 Chumash
Santa Ynez , CA 93460
varmenta@santaynezchumash.org
(805) 688-7997
(805) 686-9578 Fax

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051120 Nipomo Community Services District, Wastewater Treatment System Improvements; San Luis Obispo County.



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

June 4, 2009

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

Dear Mr. Buel:

Subject: Notice of Preparation of a Draft EIR

The California Department of Public Health, Division of Drinking Water, (CDPH) has received and reviewed the Notice of Preparation project description for improvements to your wastewater treatment and disposal facilities in a memo dated May, 26, 2009. The CDPH does not issue a permit for the discharge of wastewater or the use of recycled water. CDPH provides comments to the Regional Water Quality Control Board (RWQCB) based on the information provided in a Title 22 Engineering Report and compliance with Title 22 Recycled Water Regulations. The RWQCB issues the permit to the agency.

Based on the information provided in the Notice of Preparation (NOP), the CDPH will need the following issues to be addressed in the EIR or other supporting documentation:

1. The NOP describes additional proposed disposal areas located within the Nipomo Community Service District's (NCSD) boundaries. The disposal would be through percolation ponds or discharge into subsurface disposal systems. The NCSD will need to provide information on the location of any domestic water supply well within 2000 feet of any disposal area. Also, if the disposal area will be subsurface, the NCSD will need to provide information on the depth of disposal, construction of the disposal system, hydrological and geological information on the area.
2. The NOP proposes irrigation of agricultural or recreation areas. The NCSD shall submit a Title 22 Engineering Report to CDPH and the RWQCB for review and approval prior to utilizing recycled water for a direct beneficial use.

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JUN 04 2009

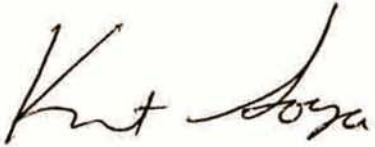
NIPOMO COMMUNITY
SERVICES DISTRICT

3. The NOP describes the final treatment of the wastewater as four additional filtration ponds, unlined ponds that would utilize the soil column in order to filter the treated effluent. The filtered water effluent would be pumped to areas for percolation, subsurface disposal or irrigation. The filtered effluent would need to meet the Title 22 turbidity monitoring and quality requirements if used for irrigation. Also, the well or other mechanism to pump the filtered water effluent from beneath the pond to the surface would need to be described in detail. If the water is used for irrigation of agriculture and recreation areas, the filtered water effluent would need to comply with the inactivation portion of Title 22; example, chlorine as a disinfectant, a 450 mg/l-min of contact time would need to be achieved prior to use.

The concept of using the soil to filter wastewater effluent prior to reuse is not new in California. There are other agencies using similar techniques. CDPH would recommend a scoping meeting with the NCSD and their consultants to discuss options related to this alternative.

If you have any questions, please call this office at (805) 566-1326.

Sincerely,



Kurt Souza, P.E., Chief
Southern California Section
CDPH-DWFOB

Cc: SLO County EHD
RWQCB - SLO

H:/San Luis Obispo/Recycled/Nipomo/L NOP 05 2009



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Financial Assistance

1001 I Street • Sacramento, California 95814 • (916) 341-5700 FAX (916) 341-5707
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
Internet Address: <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

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JUN 29 2009

NIPOMO COMMUNITY
SERVICES DISTRICT

JUN 25 2009

Mr. Bruce Buel
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444-0326

Dear Mr. Buel:

NOTICE OF PREPARATION (NOP) FOR NIPOMO COMMUNITY SERVICES DISTRICT (DISTRICT); WASTEWATER TREATMENT SYSTEM IMPROVEMENTS PROJECT (PROJECT); SAN LUIS OBISPO COUNTY; STATE CLEARINGHOUSE NO. 2009051120

Thank you for the opportunity to review the above document. We understand that the District is not currently pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing comments on the California Environmental Quality Act (CEQA) document to be prepared for the Project.

The District may want to consider the CWSRF Program to provide funding for future construction. The State Water Board, Division of Financial Assistance, is responsible for administering CWSRF funds. The primary purpose of the CWSRF Program is to implement the Clean Water Act and similar state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, and provide for estuary enhancement, thus protecting and promoting health, safety and welfare of state inhabitants. The CWSRF Program provides low-interest funding equal to one-half the most recent State General Obligation Bond Rates with a 20-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at:
www.waterboards.ca.gov/waterissues/programs/grantsloans/srf/index.shtml.

The CWSRF Program is partially funded by the U.S. Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. Three information sheets are included that further explain the environmental review process and additional federal requirements in the CWSRF program. In addition, an environmental form is included for the District to submit should it pursue State Water Board funding. The State Water Board can consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF funding commitment for the proposed Project. For further information on the CWSRF program please contact Ms. Michelle L. Jones at (916) 341-6983.

If the District decides to pursue CWSRF funding, the District as Lead Agency should be proactive in consulting with resources agencies at the federal and state levels to address any adverse impacts to special status species or habitat. In addition, the environmental impact report should be project-specific and cover, in detail, what the District is constructing, and how direct and indirect impacts will be mitigated.



It is important to note that prior to a CWSRF funding commitment, projects are subject to provisions of the Federal Endangered Species Act and must obtain approval from the U.S. Fish and Wildlife Service (USFWS), and/or National Marine Fisheries Service (NMFS) for any potential effects to special status species. Please be advised that the State Water Board can consult with USFWS, and/or NMFS on behalf of the District regarding all federal special status species the Project has the potential to impact if the Project is to be funded under the CWSRF program.

In addition, the State Water Board has responsibility for ensuring compliance with Section 106 and the State Water Board's Cultural Resources Officer (CRO) consults directly with the SHPO. SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant for projects having potential to impact cultural resources. Please contact the State Water Board's CRO, Ms. Cookie Hirn, at 916-341-5690, with any questions on how to begin the Section 106 compliance process. Note that the District will need to identify the Area of Potential Effects (APE), including construction, staging areas, and depth of any excavation.

If the District pursues State Water Board funding, provide the CRO with a copy of a current records search for the Project area, including maps that show all recorded sites and surveys in relation to the Project APE. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area, and extends below ground to the depth of any Project excavations. The records search request should be made for an area larger than the APE. The appropriate area varies for different projects, but should be drawn large enough to provide information on what types of sites may exist in the area.

Other federal requirements pertinent to the Project under the CWSRF Program include the following:

- A. Compliance with the federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- B. Compliance with the Migratory Bird Treaty Act: List any birds that are protected under this Act that may be impacted by the Project, and identify conservation measures to minimize such impacts.
- C. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.
- D. Protection of Wetlands: Identify whether or not the Project, or construction activities will impact streams, flood control, or wetlands.

Mr. Bruce Buel

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JUN 25 2009

- E. Flood plain Management: Identify whether or not the Project is in a Flood Management Zone, and provide a copy of the Federal Emergency Management Agency flood zone maps for the Project area.
- F. Farmland Protection Policy Act: Identify whether or not the proposed Project will impact any important farmland or land under Williamson Act control.

Thank you once again for the opportunity to review the District's environmental document. If you have any questions regarding my comments, please feel free to contact me at (916) 341-5686, or by email at jhockenberry@waterboards.ca.gov.

Sincerely,



Joh James Hockenberry
Environmental Scientist

Enclosures (4)

cc: State Clearinghouse
(Re: SCH# 2009051120)
P. O. Box 3044
Sacramento, CA 95812-3044

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

**RECEIVED**

JUL 09 2009

**NIPOMO COMMUNITY
SERVICES DISTRICT**

JUN 30 2009

Mr. Bruce Buel
Nipomo Community Services District
P.O. Box 325
Nipomo, CA 93444-0326

Notice of Preparation for an Environmental Impact Report for the Nipomo Community Services District's Southland Wastewater Treatment Facility Improvement Project, Coastal Aqueduct, Milepost 100.1, San Joaquin Field Division, San Luis Obispo County, SCH2009051120

Dear Mr. Buel:

Thank you for the opportunity to review and comment on the Notice of Preparation for an Environmental Impact Report for the Nipomo Community Services District's (District) Southland Wastewater Treatment Facility Improvement Project, in San Luis Obispo County. The notice describes the proposal by the District to expand the wastewater treatment capabilities of the existing Southland Wastewater Treatment Facility, including construction of new treatment plant structures and construction of pipelines to distribute treated wastewater for offsite percolation and spreading. The proposed project is located west of, and adjacent to, Highway 101, and southeast of Southland Street in the City of Nipomo. The Department of Water Resources' (DWR) Coastal Aqueduct Pipeline (CAPL), part of the State Water Project, runs through the center of the Southland facility.

DWR has reviewed the submitted material for the proposed wastewater treatment plant project and has the following comments:

1. Because the CAPL and the SWP fiber-optic communication cable are located within the project boundaries, the Applicant shall survey the property and clearly mark the DWR right of way. No excavation or test drilling shall be done without prior approval from DWR and Central Coast Water Authority (CCWA), the operator of the project. The Applicant shall also notify Underground Service Alert (USA) at (800) 642-2444 for Northern CA and MCI Telecommunications Corporation at (800) 624-9675 for information regarding the locations of the CAPL and communication and control cables within DWR right of way.
2. DWR and, the operator of the CAPL, are concerned about any treatment plant design that would direct untreated wastewater across the CAPL.



Mr. Bruce Buel
JUN 30 2009

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3. Applicant shall maintain access to the CAPL right of way at all times. Any modification to existing access shall be approved by DWR or CCWA.
4. An Encroachment Permit from DWR is required prior to start of any construction work in DWR right of way. More information on obtaining an encroachment permit from DWR can be viewed at:

http://www.doe.water.ca.gov/Services/Real_Estate/Encroach_Rel/index.cfm

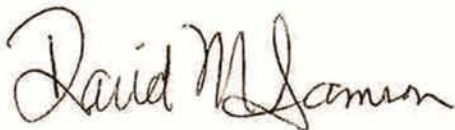
Please provide DWR with a copy of any subsequent environmental documentation when it becomes available for public review. Any future correspondence relating to DWR's concerns should be sent to:

SWP Encroachments Section
Division of Operations and Maintenance
Department of Water Resources
1416 Ninth Street, Room 641-2
Sacramento, CA 95814

In addition, please continue to keep DWR and CCWA informed of any future actions with respect to the Southland Wastewater Treatment Facility Improvement Project.

If you have any questions, please contact Scott Williams of my staff at (916) 653-5746.

Sincerely,



David M. Samson, Chief
State Water Project Operations Support Office
Division of Operations and Maintenance

cc: (see attached)

Mr. Bruce Buel

JUN 30 2009

Page 3

cc: State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

John Brady
Operations Manager/Engineer
Central Coast Water Authority
255 Industrial Way
Buellton, CA 93427-9565



COUNTY OF SAN LUIS OBISPO
Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A, SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY (805) 781-5910
AGRICULTURAL COMMISSIONER/SEALER FAX: (805) 781-1035
AgCommSLO@co.slo.ca.us

DATE: July 10, 2009
TO: Bruce Buel, General Manager
FROM: Lynda L. Auchinachie, Agriculture Department *LA*
SUBJECT: Nipomo Community Services District, Wastewater Treatment System
Improvements Notice of Preparation of a Draft Environmental Impact
Report

Name of Contact Person: Lynda Auchinachie
2156 Sierra Way, Suite A
San Luis Obispo, CA 93401
781.5914

Approval Authority: San Luis County Agriculture and Open Space Element (AOSE)

Environmental Information: The proposed wastewater treatment system improvements could result in the significant impacts to agricultural resources and operations. Development of the proposed percolation ponds would result in the conversion of agricultural resources and the construction and operation of the facility could impact nearby agricultural operations. Proposal should be consistent with AOSE policies to protect agricultural resources.

Permit Conditions: The proposed project should avoid impacts to agricultural resources. Conditions should include, but not be limited to, continued access to agricultural operations during construction and operation of system; dust management; agricultural buffers; mitigation for the conversion of agricultural resources; and should treated water be used for the production of food crops, such water must meet Titles 22 California Code of Regulations California Department of Public Health's Recycled Water Regulations.

Alternatives: Consider alternatives that are located away from agricultural resources.

Relevant Information: Agriculture and Open Space Element.

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JUL 15 2009
NIPOMO COMMUNITY
SERVICES DISTRICT

TO: COMMITTEE MEMBERS
FROM: BRUCE BUEL *BB*
DATE: JULY 17, 2009



SET NEXT COMMITTEE MEETING

ITEM

Set next committee meeting [Set Date/Time].

BACKGROUND

The Committee would normally meet next on August 24, 2009.

RECOMMENDATION

Staff recommends that the Committee set a time and date.

ATTACHMENT- NONE

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