

TO: MICHAEL LEBRUN *ML*  
INTERIM GENERAL MANAGER

FROM: PETER SEVCIK  
DISTRICT ENGINEER

DATE: FEBRUARY 2, 2011

**AGENDA ITEM  
E-1  
FEBRUARY 9, 2011**

**SOUTH FRONTAGE ROAD TRUNK SEWER REPLACEMENT PROJECT  
ENVIRONMENTAL DETERMINATION AND AUTHORIZATION TO BID**

**ITEM**

Adopt Mitigated Negative Declaration and authorize staff to advertise for bids for South Frontage Road Trunk Sewer Replacement Project [RECOMMEND ADOPT MITIGATED NEGATIVE DECLARATION AND AUTHORIZE STAFF TO ADVERTISE PROJECT FOR BIDS].

**BACKGROUND**

The Board previously edited a draft Initial Study and directed staff to mail a Notice of Intent to Adopt a Mitigated Negative Declaration to responsible and trustee agencies. Staff mailed a Notice of Intent to Adopt a Mitigated Negative Declaration to 63 parties on October 25, 2010.

In response to staff's outreach, responses were received from the following State and local agencies: the State of California, Governor's Office of Planning and Research (November 29, 2010); the State of California, Department of Water Resources (November 10, 2010); the State Water Resources Control Board (November 19, 2010); the San Luis Obispo County Department of Agriculture (December 1, 2010) and the Air Pollution Control District (November 23, 2010). Concerns raised within these responses have, where applicable, been integrated into the attached current version of the document.

The Notice of Intent was also posted at the San Luis Obispo County Recorder's Office and published in the Santa Maria Times Newspaper. As of the date of this staff report, no additional comments have been received.

Attached is a draft resolution that would formalize the Board's Environmental Determination in the form of a Mitigated Negative Declaration.

The plans and specifications for the project are being finalized. In accordance with the District's Purchasing Policy, staff needs Board approval to solicit bids for the project.

**FISCAL IMPACT**

The Board previously retained Doug Wood & Associates Inc. to prepare the Initial Study and to assist in the processing of the environmental determination. In addition, previously budgeted staff time and legal consulting cost supported the preparation of this hearing.

The Board previously retained AECOM to design the project. The estimated construction cost is \$1,915,000 including a 10% contingency. Construction management costs are currently estimated at \$250,000. Funding in the amount of \$2,200,000 is budgeted in FY 2010-2011 for construction of the project.

**RECOMMENDATION**

Staff recommends that the Board:

1. Receive Doug Wood's presentation, feedback from the public and following closure of the public hearing, adopt the attached Resolution Adopting a Mitigated Negative Declaration for the South Frontage Road Trunk Sewer Replacement Project.
2. Authorize staff to solicit bids to construct the project.

**ATTACHMENTS**

- Notice of Intent to Adopt Negative Declaration
- Revised Initial Study
- Resolution 2011-XXXX Adopting Mitigated Negative Declaration for South Frontage Road Trunk Sewer Replacement Project

# NIPOMO COMMUNITY

**BOARD MEMBERS**  
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LARRY VIERHEILIG, VICE PRESIDENT  
MICHAEL WINN, DIRECTOR  
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# SERVICES DISTRICT

**STAFF**  
DON SPAGNOLO, P.E., GENERAL MANAGER  
LISA BOGNUDA, ASST. GEN. MGR./FINANCE DIR.  
JON SEITZ, GENERAL COUNSEL  
PETER SEVCIK, P.E., DISTRICT ENGINEER

*Celebrating 45 Years of Service 1965-2010*

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

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## NIPOMO COMMUNITY SERVICES DISTRICT

### Notice of Intent to Adopt a Mitigated Negative Declaration

**NOTICE IS HEREBY GIVEN** that the Nipomo Community Services District ("District") will consider adoption of a Mitigated Negative Declaration in accordance with the provisions of the California Environmental Quality Act ("CEQA") as set forth below:

**Project Description:** The Nipomo Community Services District (DISTRICT) proposes to construct 4300 linear feet of 21 inch and 24 inch sanitary sewer under South Frontage Road between Division Street and the Southland Wastewater Treatment Facility in Nipomo and to abandon the old 12 inch sanitary sewer in place.

**Project Location:** The proposed sanitary sewer would be installed under South Frontage Road between Division Street and the Southland Wastewater Treatment Facility in Nipomo.

**Address Where All Documents Pertinent to The Project May Be Accessed:** The proposed Initial Study/Mitigated Negative Declaration and Checklist with supporting documents are available for public review at the Nipomo Community Services District, 148 S. Wilson Street, Nipomo, CA 93444. These documents can also be reviewed on the DISTRICT's website – [ncsd.ca.gov](http://ncsd.ca.gov).

**Review Period Starting and Ending Dates During Which the District Will Receive Comment:**

9:00 a.m. October 25, 2010 **through** 5:00 p.m. November 23, 2010.

Please send your comments to Don Spagnolo, DISTRICT General Manager, (805) 929-1133, [dspagnolo@ncsd.ca.gov](mailto:dspagnolo@ncsd.ca.gov) or to the above referenced address.

**Date of District Public Hearing for Project and Consideration of Mitigated Negative Declaration Adoption:**

December 8, 2010 at 9 AM at the Nipomo Community Services District Board Meeting to be held at the District office, 148 S. Wilson Street, Nipomo, California. The public is invited to attend. After receipt of public testimony the District may continue its consideration and approval of the Mitigated Negative Declaration to another date.

**NOTICE OF INTENT  
TO ADOPT MITIGATED  
NEGATIVE  
DECLARATION**

Page 2 of 2

OCTOBER 25, 2010

**Substitution of Mitigation Measures:** At the Hearing the District may substitute one mitigation measure for another based on the finding that:

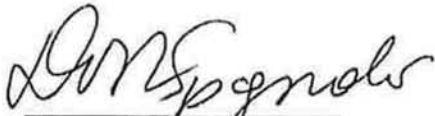
- The new measure is equivalent or more effective than the proposed mitigation measure;

and

- The new measure will not cause a significant effect on the environment.

**Project Approval:** The decision to approve or deny the Project as described above will be made separately from the approval of the Mitigated Negative Declaration. Said approval is currently scheduled for consideration at the December 8, 2010 Nipomo Community Services District Board Meeting as a separate agenda item.

**Further Information:** For additional information, please contact Don Spagnolo, General Manager at (805) 929-1133.



General Manager  
Nipomo Community Services District

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**SOUTH FRONTAGE ROAD  
TRUNK SEWER REPLACEMENT PROJECT  
EXPANDED INITIAL STUDY**

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 13, 2010

# I. INTRODUCTION AND PURPOSE

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This Expanded Initial Study assesses the potential environmental impacts and identifies appropriate mitigation measures associated with the proposed South Frontage Road Trunk Sewer Replacement project (to be referred to herein as the “proposed trunk sewer replacement project” or “proposed project”). The Nipomo Community Services District, as Lead Agency for this environmental document, has the responsibility for determining whether or not to approve the proposed project to be 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 proposed trunk sewer replacement project. Together with the technical analyses applicable to this project and other environmental documents incorporated by reference, this analysis will serve as the initial environmental review for the proposed trunk sewer replacement 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.

The Nipomo Community Services District is preparing this Expanded Initial Study to assist in their consideration of whether to prepare a Negative Declaration, a Mitigated Negative Declaration or an Environmental Impact Report for this proposed project. In the event that an EIR is required, this Initial Study will focus the EIR on the impacts determined to be potentially significant, identify any impacts determined to not be significant, describe the anticipated extent of analyses within the EIR and to assist the public and other responsible agencies in their evaluation of the proposed project and their formulation of initial environmental concerns in response to the Notice of Preparation.

This Expanded Initial Study will be the final environmental document for the proposed project pursuant to CEQA requirements if a Negative Declaration or a Mitigated Negative Declaration is required. 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 will be based upon the information and analyses contained in this Expanded Initial Study in combination with any other documents incorporated by reference.

This Expanded Initial Study 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 construction of the proposed trunk sewer replacement project and certification of this Expanded Initial Study by the Nipomo Community Services District. The proposed project design, grading and construction plans will require review and approval as well as issuance of encroachment permits by the County of San Luis Obispo, Department of Public Works and the possible acquisition of rights-of-way or easements necessary for construction and/or long-term maintenance.

This Expanded Initial Study 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 South Frontage Road Trunk Sewer Replacement project.

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

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 within Section V. Environmental Evaluation and in greater detail in Section VI. Impacts and Mitigation Measures. Section VII. Environmental Determination makes the final determination as to whether an EIR, Negative Declaration or 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 well as engineering and other technical analyses prepared by the Nipomo Community Sewer District as noted throughout this Expanded Initial Study are hereby incorporated by reference.

Pursuant to requirements within the State CEQA Guidelines (Section 15073), copies of the Draft Expanded Initial Study were distributed to various responsible and trustee agencies as well as to the public for review and comment. Responses were received from the following State and local agencies: the State of California, Governor’s Office of Planning and Research (correspondence dated November 29, 2010); the State of

California, Department of Water Resources (dated November 10, 2010); the State Water Resources Control Board (November 19, 2010); the San Luis Obispo County Department of Agriculture (December 1, 2010) and the Air Pollution Control District (November 23, 2010). Concerns raised within these responses have, where applicable, been integrated into the current version of this document.

This Expanded Initial Study provides a full and objective discussion of the potential environmental impacts of the proposed South Frontage Road Trunk Sewer Replacement 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 fully 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 construction, operation and maintenance.

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 prior to its consideration and certification. The conclusions and discussions contained herein reflect the independent judgment of the Nipomo Community Services District relative to that information at the time of publication.

## II. SUMMARY/MITIGATION MONITORING PROGRAM

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This Expanded Initial Study assesses the potential environmental impacts and identifies appropriate mitigation measures for the potential impacts associated with the proposed South Frontage Road Sewer Trunk Replacement project.

### A. PROJECT SUMMARY

The proposed South Frontage Road Trunk Sewer project involves the replacement of an existing 12-inch trunk sewer which runs along South Frontage Road from Division Street to the Southland Wastewater Treatment Facility (WWTF) influent pump station. This existing trunk sewer is currently in poor condition and is surcharging (i.e., the sewer line is completely full with wastewater backing partly up into existing manholes) during high flow conditions. Approximately 4,300 linear feet of existing sewer line will be replaced with a trunk sewer line ranging in size from 21 inches (from Division Street to Southland Street) to 24 inches (from Southland Street to the WWTF) (see Figure 4, South Frontage Road Pipeline). The sizes of the replacement sewer line are based upon the Water and Sewer Master Plan Update for the Nipomo Community Services District (dated December, 2007) and the Southland Wastewater Treatment Facility Master Plan (dated January, 2009). As noted above, installation of this replacement sewer line will avoid the need for emergency repairs in the future while also providing a wastewater transmission facility capable of meeting future peak wastewater flow rates through the year 2030.

The proposed replacement sewer line will be installed in 20 to 40 foot segments beginning at the Southland Wastewater Treatment Facility and leading north to Division Street. Each segment will be trenched, the pipeline installed and backfilled prior to proceeding to installation of the next segment. Installation of the replacement sewer line will also require replacement of existing manholes and connection to existing sewers from the side streets.

The proposed project involves a series of approvals and discretionary actions by the Nipomo Community Services District and other involved local agencies. These actions include: design approval and authorization to proceed with construction of the proposed sewer replacement project and certification of this Expanded Initial Study by the Nipomo Community Services District. The proposed project design, grading and construction plans will require review and approval as well as issuance of encroachment permits by the County of San Luis Obispo, Department of Public Works and the possible acquisition of rights-of-way or easements necessary for construction and/or long-term maintenance.

The Nipomo Community Services District anticipates that the proposed project will be constructed in one phase which is expected to require approximately six to eight months.



***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 disturbance of impervious surfaces and exposed soils which could potentially alter the amount and composition of surface runoff which may degrade off-site water quality.</p>	<p>1. In compliance with the San Luis Obispo County Land Use Ordinance, the District shall prepare an Erosion and Sedimentation Control Plan outlining measures to address both temporary (i.e. site disturbance, stockpiling and construction activities) and final (post-construction) methods for stabilizing exposed soils, minimizing the potential for erosion and sedimentation as well as maintaining off-site water quality. These measures shall include, but may not be limited to:</p> <p>a. Provisions for utilization of Best Management Practices (BMP's) to prevent the discharge of construction materials, contaminants, washings, concrete, fuels and oils including proper maintenance of construction vehicles and equipment, conducting vehicle or equipment fueling on-site within bermed areas with an impervious surface, conducting any mixing or storage of concrete in contained areas, insuring that equipment washing is conducted on-site with runoff captured within bermed areas and removal of all refuse and excess material from the construction site as soon as possible.</p> <p>b. The use, if necessary, of silt fencing, straw bales or sandbags in order to reduce the potential for erosion from disturbed soils and</p>	<p>Prepare an Erosion and Sedimentation Control Plan.</p>	<p>Prior to and during project grading and construction.</p>	<p>County of San Luis Obispo and the Nipomo Community Services District.</p>

II. Summary/Mitigation Monitoring Program  
*South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study*

POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><u>Air Quality</u></p> <p>Fugitive dust and other pollutants may be generated during grading required for the proposed project.</p>	<p>c. Implementation of other methods for stabilizing disturbed soils and minimizing soil loss from the construction site.</p> <p>2. The following fugitive dust mitigation measures shall be initiated at the start and maintained throughout the duration of the grading or construction activity:</p> <ul style="list-style-type: none"> <li>a. Construction vehicle speed at the work site shall be limited to fifteen (15) miles per hour or less;</li> <li>b. Prior to any ground disturbance, sufficient water must be applied to the area to be disturbed to prevent the generation of visible emissions;</li> <li>c. Storage piles must be kept adequately wetted, treated with a chemical dust suppressant or covered when material is not being added to or removed from the pile;</li> <li>d. Equipment must be washed down before moving from the project site onto a paved public road;</li> <li>e. Visible track-out onto a paved public road must be cleaned using wet sweeping or a HEPA filter equipped vacuum device within twenty-four (24) hours;</li> <li>f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;</li> </ul>	<p>Implement fugitive dust mitigation measures.</p>	<p>During project grading and construction.</p>	<p>Nipomo Community Services District and County Air Pollution Control District.</p>

POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
	<p>g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting or other methods approved in advance by the APCD;</p> <p>h. All roadways and other surfaces to be paved should be completed as soon as possible;</p> <p>i. All trucks hauling dirt, sand, soil or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;</p> <p>j. All dust mitigation measures required should be shown on grading and building plans and</p> <p>k. The contractor shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.</p> <p>3. Should hydrocarbon contaminated soil be encountered during construction activities, the APCD must be notified as soon as possible and no later than 48 hours after affected materials are discovered to determine if an APCD Permit will be</p>	Cover contaminated soils.	During project grading and construction.	Nipomo Community Services District and County Air Pollution Control District.

II. Summary/Mitigation Monitoring Program  
*South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study*

POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
	<p>required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:</p> <ul style="list-style-type: none"> <li>a. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;</li> <li>b. Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TRH – non-permeable barrier such as a plastic tarp. No headspace shall be allowed where vapors could accumulate;</li> <li>c. Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;</li> <li>d. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance and</li> <li>e. Clean soil must be segregated from contaminated soil.</li> </ul> <p>4. Prior to any grading activities at the construction site, the project proponent shall insure that a geologic evaluation is conducted to determine if naturally-occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos Air Toxics Control Measure. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.</p>	<p>Prepare analysis to determine presence of asbestos-bearing soils.</p>	<p>Prior to and during project grading and construction.</p>	<p>Nipomo Community Services District and County Air Pollution Control District.</p>

II. Summary/Mitigation Monitoring Program  
*South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study*



POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><b><u>Transportation/Circulation</u></b></p> <p>The proposed project may result in the temporary diversion of automobile traffic, pedestrians, equestrians or bicyclists on South Frontage Road at the project entrance during grading and construction.</p> <p><b><u>Biological Resources</u></b></p> <p>The proposed project has the potential to result in temporary impacts to sensitive wildlife species observed in areas adjacent to the Southland Wastewater Treatment Facility.</p>	<p>5. All project construction sites occurring onto or adjacent to public roadways shall provide adequate signage, barriers and, if necessary, flagmen in order to insure safe diversion of vehicular traffic, bicyclists, equestrians and/or pedestrians. These measures shall also insure continued access from adjacent properties to local roadways.</p> <p>6. Pre-construction surveys shall be conducted by a qualified biologist two weeks prior to the initiation of construction activities in areas south of Southland Street impacted by project construction, in order to identify the possible presence of the Coast horned lizard, Western spadefoot toad and the American badger. If these species or evidence of their habitation is observed, construction in these areas shall be avoided until the California Department of Fish and Game is contacted and an appropriate buffer zone is established or until the species is relocated.</p> <p>7. A qualified biological monitor shall conduct a worker orientation program for all construction contractors (site supervisors, equipment operators and laborers) which emphasizes the potential for presence of special-status species within the project area, identification their habitat requirements and</p>	<p>Provide adequate signage, barriers and, if necessary, flagmen.</p> <p>Conduct pre-construction surveys.</p> <p>Conduct worker orientation program.</p>	<p>During project grading and construction.</p> <p>Prior to and during project grading and construction.</p> <p>Prior to project grading and construction.</p>	<p>Nipomo Community Services District.</p> <p>Nipomo Community Services District.</p> <p>Nipomo Community Services District.</p>

II. Summary/Mitigation Monitoring Program  
*South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study*

POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><u>Utilities</u></p> <p>The proposed project will result in short-term landform alteration during project construction and the disturbance of impervious surfaces and exposed soils which could potentially alter the amount and composition of surface runoff which may degrade off-site water quality.</p>	<p>applicable regulatory policies and provisions regarding their protection and measures being implemented to avoid and/or minimize impacts.</p> <p>8. In compliance with the San Luis Obispo County Land Use Ordinance, the District shall prepare an Erosion and Sedimentation Control Plan outlining measures to address both temporary (i.e. site disturbance, stockpiling and construction activities) and final (post-construction) methods for stabilizing exposed soils, minimizing the potential for erosion and sedimentation as well as maintaining off-site water quality. These measures shall include, but may not be limited to:</p> <p>a. Provisions for utilization of Best Management Practices (BMP's) to prevent the discharge of construction materials, contaminants, washings, concrete, fuels and oils including proper maintenance of construction vehicles and equipment, conducting vehicle or equipment fueling on-site within bermed areas with an impervious surface, conducting any mixing or storage of concrete in contained areas, insuring that equipment washing is conducted on-site with runoff captured within bermed areas and removal of all refuse and excess material from the construction site as soon as possible.</p>	<p>Prepare an Erosion and Sedimentation Control Plan.</p>	<p>Prior to and during project grading and construction.</p>	<p>County of San Luis Obispo and the Nipomo Community Services District.</p>

POTENTIALLY SIGNIFICANT IMPACT	MITIGATION MEASURE	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<p><b><u>Cultural Resources</u></b></p> <p>The proposed project may result in the excavation of paleontological and archaeological resources during project grading.</p>	<p>b. The use, if necessary, of silt fencing, straw bales or sandbags in order to reduce the potential for erosion from disturbed soils and</p> <p>c. Implementation of other methods for stabilizing disturbed soils and minimizing soil loss from the construction site.</p> <p>9. Prehistoric cultural resource monitoring shall accompany construction trenching and excavation along the South Frontage Road, between Division Street and Story Street (Site SLO-1254) and within the WWTF. A Cultural Resource Monitoring Plan shall be developed and approved by the County of San Luis Obispo which will include project review, a pre-construction cultural resources workshop, Chumash involvement, networking with all involved members of the project and the production of a final monitoring report.</p> <p>10. During any grading or excavation associated with the project, if any cultural materials are unearthed, work in that area shall be halted until all cultural materials can be examined by a qualified archaeologist, paleontologist or historian and appropriate recommendations made pursuant to the County LUO.</p>	<p>Monitor construction, trenching and excavation.</p> <p>Halt construction if cultural resources unearthed.</p>	<p>During project grading and construction.</p> <p>During project grading and construction.</p>	<p>Nipomo Community Services District.</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.

II. Summary/Mitigation Monitoring Program  
*South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study*

### **III. PROJECT DESCRIPTION**

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#### ***A. PROJECT LOCATION***

The proposed South Frontage Road Trunk Sewer Replacement project (to be referred to herein as either the “proposed trunk sewer replacement project” or “proposed project”) is located along South Frontage Road from Division Street to the Southland Wastewater Treatment Facility (WWTF) within the unincorporated community of Nipomo, a distance of approximately 4,300 linear feet or 0.82 miles. South Frontage Road runs parallel to and immediately west of U.S. Highway 101 and is located approximately one-quarter mile south of the Tefft Street/Highway 101 interchange (see Figure 1, Location Map, Figure 2, Vicinity Map and Figure 3, Aerial Photograph).

#### ***B. PROJECT BACKGROUND***

On May 26, 2010, the Nipomo Community Services District, Board of Directors directed District staff to develop a schedule for building and construction of the South Frontage Road Trunk Sewer Replacement Project. This proposed sewer replacement was designed in conjunction with other wastewater treatment facilities improvements being conducted by the District in order to insure design compatibility and adequate capacity within the replacement sewer line to meet future peak wastewater transmission demands.

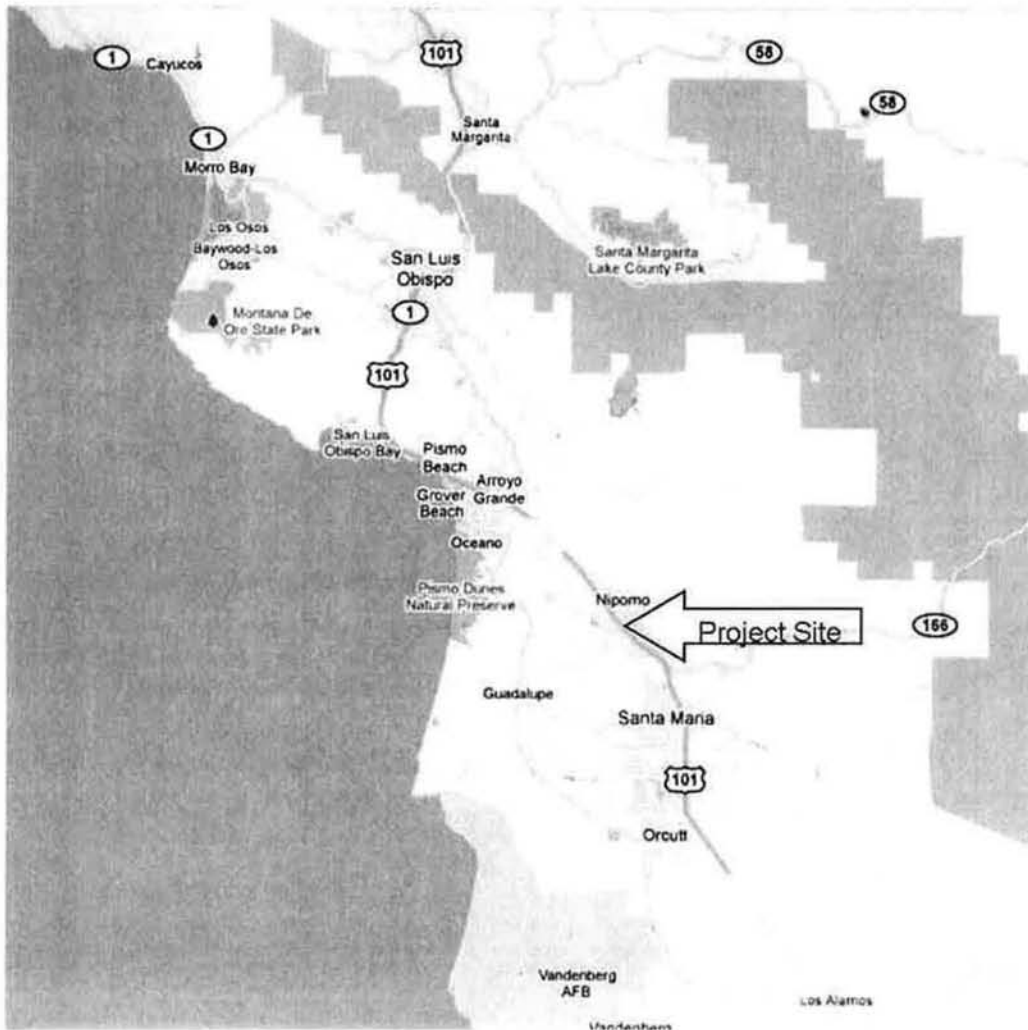
#### ***C. PROJECT OBJECTIVES***

The basic objective of the proposed project is to replace an existing 12-inch trunk sewer which runs from Division Street to the Southland Wastewater Treatment Facility (WWTF) with a 21 to 24-inch trunk sewer line. These pipe sizes are based upon the recommendations contained in the January, 2009 Southland WWTF Master Plan. The existing 12-inch trunk sewer is currently in poor operating condition. Replacement of the 12-inch trunk sewer will avoid the need for emergency repairs in the future and will provide a transmission facility capable of meeting estimated future peak wastewater flow rates through the year 2030.

#### ***D. PROJECT CHARACTERISTICS***

The proposed South Frontage Road Trunk Sewer project involves the replacement of an existing 12-inch trunk sewer which runs along South Frontage Road from Division Street to the Southland Wastewater Treatment Facility influent pump station. This existing trunk sewer is currently in poor condition and is surcharging (i.e., the sewer line is completely full with wastewater backing partly up into existing manholes) during high flow conditions. Approximately 4,300 linear feet of existing sewer line will be replaced with a trunk sewer line ranging in size from 21 inches (from Division Street to Southland Street) to 24 inches (from Southland Street to the WWTF) (see Figure 4, South Frontage Road Pipeline). The sizes of the replacement sewer line are based upon the Water and

**FIGURE 1**  
Regional Map



***South Frontage Road  
Trunk Sewer Replacement***

Douglas Wood & Associates, Inc.

*Expanded Initial Study*



**FIGURE 2**  
Vicinity Map



***South Frontage Road  
Trunk Sewer Replacement***

Douglas Wood & Associates, Inc.

*Expanded Initial Study*

**FIGURE 3**  
Aerial Photograph

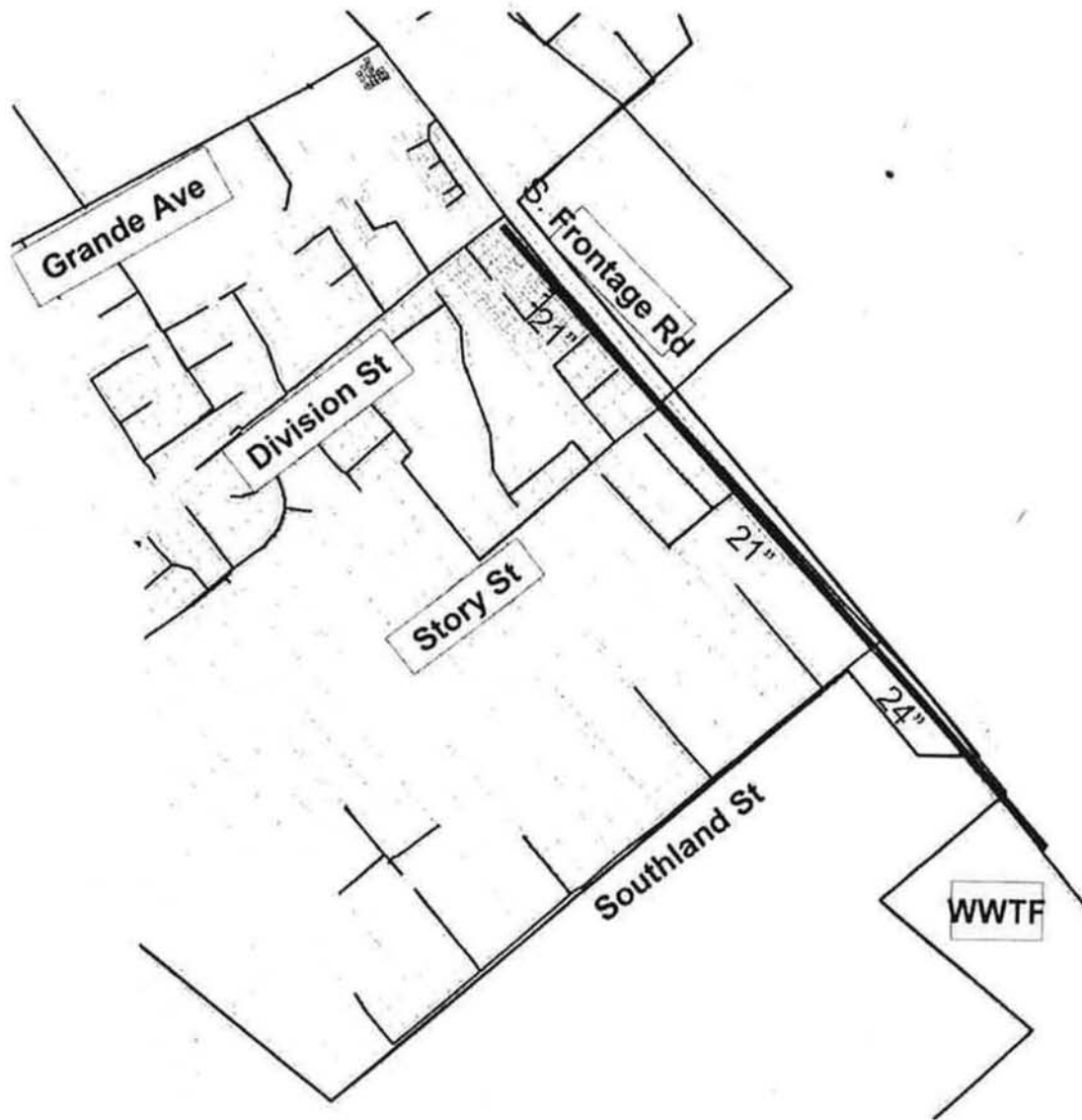


***South Frontage Road  
Trunk Sewer Replacement***

Douglas Wood & Associates, Inc.

*Expanded Initial Study*

**FIGURE 4**  
South Frontage Road Pipeline



***South Frontage Road  
Trunk Sewer Replacement***

Douglas Wood & Associates, Inc.

*Expanded Initial Study*

Sewer Master Plan Update for the Nipomo Community Services District (dated December, 2007) and the Southland Wastewater Treatment Facility Master Plan (dated January, 2009). The existing pipelines will be abandoned in place. As noted above, installation of this replacement sewer line will avoid the need for emergency repairs in the future while also providing a wastewater transmission facility capable of meeting future peak wastewater flow rates through the year 2030.

The proposed replacement sewer line will be installed in 20 to 40 foot segments beginning at the Southland Wastewater Treatment Facility and leading north to Division Street. Each segment will be trenched with an average trench width of eight feet, the pipeline installed and backfilled prior to proceeding to installation of the next segment. Installation of the replacement sewer line will also require replacement of existing manholes and connection to existing sewers from the side streets.

### ***E. PROJECT APPROVALS***

The proposed project involves a series of approvals and discretionary actions by the Nipomo Community Services District and other involved local agencies. These actions include: design approval and authorization to proceed with construction of the proposed sewer replacement project and certification of this Expanded Initial Study by the Nipomo Community Services District. The proposed project design, grading and construction plans will require review and approval as well as issuance of encroachment permits by the County of San Luis Obispo, Department of Public Works and the possible acquisition of rights-of-way or easements necessary for construction and/or long-term maintenance. The entire project will be financed by the Nipomo Community Services District without the involvement of Clean Water State Revolving Funds.

#### ***a. Design Approval and Construction***

The Nipomo Community Services District will oversee and ultimately approve the detailed engineering and design plans for the proposed project in accordance with the approved project plans, specifications and requirements, the nature and extent of which is described in Section III.D. Project Characteristics.

#### ***b. Environmental Certification***

This Expanded Initial Study will evaluate the potential environmental impacts associated with the construction, operation and maintenance of the proposed South Frontage Road Trunk Sewer Replacement project. This Expanded Initial Study will assist the District in their consideration of whether to prepare a Negative Declaration, a Mitigated Negative Declaration or an Environmental Impact Report for this project. In the event that an EIR is required, this Initial Study will focus the EIR on the impacts determined to be

potentially significant, identify any impacts determined to not be significant, describe the anticipated extent of analyses within the EIR and to assist the public and other responsible agencies in their evaluation of the proposed project and their formulation of initial environmental concerns in response to the Notice of Preparation.

This Expanded Initial Study will be the final environmental document for the proposed project pursuant to CEQA requirements if a Negative Declaration or a Mitigated Negative Declaration is required. 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 will be based upon the information and analyses contained in this Expanded Initial Study in combination with any other documents incorporated by reference.

In accordance with the State CEQA Guidelines, the final environmental document will enable the Nipomo Community Services District, as Lead Agency, to fully evaluate these environmental impacts and mitigation measures in their consideration of the proposed project.

*c. Encroachment Permits*

The proposed trunk sewer replacement project will require issuance of encroachment permits by the County of San Luis Obispo, Department of Public Works.

*d. Right-of-Way Acquisition*

The proposed project may require the acquisition of rights-of-way or easements by the Nipomo Community Services District necessary for construction and/or long-term operation and maintenance of the proposed trunk sewer replacement project.

***F. PROJECT TIMING***

The Nipomo Community Services District anticipates that the proposed project will be constructed in one phase which is expected to require approximately six to eight months.



## IV. ENVIRONMENTAL SETTING

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The proposed South Frontage Road Trunk Sewer Replacement project is located along South Frontage Road from Division Street to the Southland Wastewater Treatment Facility, a distance of approximately 4,300 linear feet or 0.82 miles. South Frontage Road runs parallel to and immediately west of U.S. Highway 101 within the unincorporated community of Nipomo. The alignment of the proposed replacement sewer line begins approximately one-quarter mile south of the Tefft Street/U.S. Highway 101 interchange.

- *Topography*

The project area contains nearly level to gently sloping topographic conditions with slope gradients between zero and two percent. The project area has a surface elevation of approximately 300 feet above mean sea level. Elevation changes in the area are due to smoothly eroded hills and shallow linear valleys.

- *Geology and Soils*

The project site is underlain by tan to brown colored, fine-grained loose sandy soils typical of the Nipomo Mesa. This soil type is well drained with a low potential for landslides and liquefaction with a high potential for erodability. However, the relatively flat nature of the project site reduces the occurrence of potentially significant erosion and sedimentation. Imported gravel and asphalt are found within and adjacent to local roadways including South Frontage Road. The Nipomo Mesa is underlain by massive sand dune deposits whose thickness ranges from 150 to 250 feet in depth.

The project area, while located within the seismically-active Central Coast region, lies outside of 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 which runs approximately 35 miles northeast of the project site 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 and near the project site.

- *Drainage*

The project site is a flat river terrace which drains to the south and southwest ultimately leading to Nipomo Creek which runs parallel to and east of U.S. Highway 101. The project site is located within the Nipomo Creek watershed area which contains approximately 16,318 acres. The area west of Highway 101 is characterized by open flat areas, linear valleys and hilly knolls. Drainage in the project area is conveyed by streets and underground pipes in developed areas and via sheet flow in undeveloped areas.

- ***Biological Resources***

Areas adjacent to South Frontage Road generally contain non-native grasses and ruderal (weedy) plant species. The project site and surrounding area contains three habitat types: coyote brush scrub, ruderal (disturbed) and developed habitats. Given the existing vegetation and its disturbed nature, the project site has a low probability of any sensitive plant species being found.

- ***Land Use***

The project site involves the segment of South Frontage Road from Division Street to the Southland Wastewater Treatment Facility. Areas adjacent to this roadway include a mix of residential, commercial and public utility uses adjacent to South Frontage Road, Southland Street, Tefft Street and other local roadways. Approximately one-quarter mile north of the project site is the Tefft Street/Highway 101 interchange which is surrounded by commercial land uses within the Nipomo Central Business District.

The project site is currently designated Commercial Retail, Residential Single Family and Public Facility by the South County Area Plan. The land use designation on the opposite side of U.S. Highway 101 is Residential Single Family.

- ***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 the existing interchange at Tefft Street. The local circulation system serving the project area includes South Frontage Road, Tefft Street, Division Street, Story Street, Grande Avenue and Southland Street. These latter four streets intersect and have their eastern terminus at South Frontage 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 such as South Frontage Road and Tefft Street 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 over 100 degrees 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 Cal Fire. The Nipomo Station 20, located at 450 Pioneer Street in Nipomo (at the corner of Oak Glen Avenue and Pioneer Street near Tefft Street) and the Nipomo Mesa Station 22 located at 2391 Willow Road would be the first stations to participate in any fire or emergency response. Both stations are equipped with two Type I fire engines while the Nipomo Station 20 also has one Schedule B wildland fire engines (used during the dry season), one rescue engine, one battalion chief vehicle and one utility vehicle for both fire-fighting and personnel transport. Cal Fire 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 Nipomo area is provided communications services from Pacific Bell and Charter Communications. The California Department of Water Resources California Aqueduct, Coastal Pipeline right-of-way, which contains a buried 42-inch diameter pipeline, crosses Highway 101 in a southwestern direction approximately 1000 feet south of the southern terminus of South Frontage Road.

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***

Surface walkover surveys and an archival records search of the project site revealed one pre-historic site, SLO-1254, which was recorded adjacent to the existing pavement of South Frontage Road between Division and Southland Street. In addition, several Franciscan and Monterey chert flakes (silica rock utilized for the manufacture of or use as a stone tool such as arrowheads, knives or other cutting or scraping tool) were recorded during surface walkover surveys of the Southland Wastewater Treatment Facility. The Nipomo area contains more square meters of light density cultural deposits than any other area in southern San Luis Obispo County. Surveys conducted throughout the Nipomo Mesa have recorded many archaeological sites along the edge of the mesa but very few in the interior.

## V. ENVIRONMENTAL EVALUATION

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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 V. Environmental Evaluation and summarized 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 this section as well as 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 checked="" type="checkbox"/>	<input 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.* Areas immediately adjacent to and south of South Frontage Road are currently designated Commercial Retail, Residential Single Family and Public Facility by the South County Area Plan. The proposed trunk sewer replacement 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. *Less-Than-Significant 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. The proposed South Frontage Road Sewer Replacement project is considered to be an integral link in the overall wastewater collection system operated by the Nipomo Community Service District. The existing line is insufficiently sized to accommodate existing and future average and peak wastewater flow rates. The proposed replacement sewer line will improve the efficiency and reliability of the operations of the existing NCSW wastewater treatment and disposal system and is intended to serve the existing customers within the NCSW service area. As such, the proposed trunk sewer replacement project will not generate or induce, either directly or indirectly, any development within the NCSW service area. Since the proposed project conforms to the current County General Plan, the proposed project does not conflict with the APCD Clean Air Plan. The proposed project will not

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conflict with the Commercial Retail, Residential Single Family and Public Facility land use designations applied to areas adjacent to and south of South Frontage Road.

- c. *Less-Than-Significant Impact.* The area in which the proposed trunk sewer replacement project occurs is devoted to residential, commercial and public utility uses. The proposed project may represent a short-term conflict with existing residential and commercial land uses immediately west of South Frontage Road during construction activities. Impacts to adjacent residents and commercial customers due to temporary and limited construction activities are considered to be short-term and less than significant.
- d. *No Impact.* The proposed project is not adjacent to or in the immediate vicinity of agricultural farmlands. Agricultural activities including grading, discing or spraying will not affect the proposed project. Since project construction activities will be confined to South Frontage Road and immediately adjacent areas, 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.
- e. *No Impact.* The limited extent of the proposed project insures that it 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 checked="" type="checkbox"/>	<input 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 trunk sewer replacement project will not directly generate any new population or housing within the NCSO service area thereby not exceeding any regional or local growth projections.



b. *Less-Than-Significant Impact.* The proposed project involves the provision of upgraded wastewater collection facilities within the Nipomo community. The proposed replacement sewer line will improve the efficiency and reliability of the existing NCSD wastewater treatment and disposal system. The proposed trunk sewer replacement project will not eliminate a constraint to development nor will it generate any new population growth. The proposed pipeline expansion is considered to be a response to a health and safety issue as a result of currently poor operating condition and lack of capacity within the existing pipeline. At this time, the existing pipeline is surcharging during high flow conditions (i.e. the sewer line is completely full with wastewater backing partly up into existing manholes). The upsizing of the proposed pipeline expansion is based upon long-range wastewater transmission needs as identified in the District's Water and Sewer Master Plan Update. This approach is in conformance with future District needs and sound engineering practices.

It should also be noted that the proposed project will not alter any existing zoning within the project's service area. Existing zoning and future land use approvals are within the control of the County of San Luis Obispo.

Section 15126.2 of the CEQA Guidelines states that an EIR must "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas)."

It should be recognized that there are several other significant constraints within the District's overall wastewater collection, treatment and disposal system for which the proposed project is a small piece of this larger system. The major constraint to expanded wastewater treatment capacity within the NCSD is the Southland WWTF. The future expansion of this facility and its potential for generating new development will be addressed (pursuant to the CEQA Guidelines cited above) in an EIR to be prepared for this larger project. The currently proposed trench sewer replacement project can occur independent of and separate from the future WWTF improvements. As such, the proposed project will not generate or induce, either directly or indirectly, substantial population or housing growth in the NCSD service 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, tsunامي, 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 site 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 the proposed replacement sewer line is considered unlikely. As such, impacts due to fault rupture in the project area are considered to be 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 in the region. 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 is underlain by massive sand dune deposits whose thickness ranges from approximately 70 to 80 feet in the project area. South Frontage Road and areas immediately to the south are underlain by tan to brown colored, fine-grained loose sandy soils typical of the Nipomo Mesa. 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 large 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 areas adjacent to and south of South Frontage Road are nearly level with slope gradients between zero and two percent. Since the proposed trunk sewer replacement project occurs in an area of level terrain, the potential for landslides or mudflows is eliminated.
- 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 on the project area reduces potential erosion and sedimentation impacts to a less than significant level.
- g. *Less-Than-Significant Impact.* The potential for seismically-induced subsidence or 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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any water body?

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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"/> |

***Substantiation:***

- a. *Less-Than-Significant-Impact.* The proposed trunk sewer replacement project will not result in the addition of significant impervious surfaces nor does the replacement pipeline 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 trunk sewer replacement 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 approximately 0.79 acres. This runoff could, without proper mitigation, contribute to the incremental degradation of off-site water quality. Erosion of graded areas and discharge of sediment to off-site areas could occur if exposed soils are not stabilized, the potential for erosion and sedimentation is not minimized and off-site water quality is not maintained. These potentially significant impacts can be mitigated to an insignificant level through the use of Best Management Practices, erosion control devices and other methods for stabilizing disturbed soils (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 trunk sewer replacement project are considered negligible.
- d. *No Impact.* Given the lack of major rivers or streams adjacent to the project site in combination with the relatively small area disturbed by the proposed trunk sewer replacement 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 the proposed project will not result in the addition of a significant amount of impervious surfaces, the potential loss of groundwater recharge is considered to be 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 project facilities. Peak periods of grading will result in the greatest levels of air pollution emissions. A relatively small area (totaling 0.79 acres or approximately 34,400 square feet) will be disturbed by project development. The proposed replacement sewer line will be installed in 20 to 40 foot segments beginning at the Southland Wastewater Treatment Facility and leading north to Division Street. Each segment will be trenched, the pipeline installed and backfilled prior to proceeding to installation of the next segment. This construction method will result in the maximum area of disturbance not exceeding 320 square feet at any one time. Construction activities for development projects are estimated in the San Luis

Obispo County Air Pollution District CEQA Handbook to generate approximately 40 pounds per acre per day or approximately 0.42 ton per acre per month of disturbed soil. Assuming a maximum probable “worst-case” scenario of the entire project being constructed concurrently, project construction could, based upon the above factors, generate a maximum of approximately 31.2 pounds of particulates per day or 0.995 tons per quarter. These maximum totals would likely be reduced by at least 50% (15.6 pounds per day or 0.497 tons per quarter) given the required application of water on any disturbed area. These estimated particulate emissions fall well below the APCD significance threshold of 2.5 tons of particulates per quarter. Although the proposed project does not exceed the APCD thresholds for generation of fugitive dust, the APCD requires implementation of a variety of dust control measures including limitation of construction vehicle speed, watering of graded surfaces and dirt stockpiles, washing of hauling trucks and street sweeping at the end of each construction day (see Section VI. Impacts and Mitigation Measures.)

In the event that hydrocarbon contaminated soils are encountered during project construction, the Air Pollution Control District (APCD) must be notified and several measures related to covering and separation of contaminated soils must be implemented (see Section VI. Impacts and Mitigation Measures).

In addition, the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, a geologic evaluation must be conducted in order to determine the presence of NOA and, if present, an Asbestos Dust Mitigation Plan and Asbestos Health and Safety Program must be approved by the APCD (see Section VI. Impacts and Mitigation Measures). Since the existing pipelines will be abandoned in place, potential asbestos-related impacts from pipelines containing this material will not occur.

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 significantly impacted by the proposed project, the potential for local air quality impacts (i.e. air pollutant concentrations near intersections) will be less than significant.

#### *Global Climate Change/Greenhouse Gas Emissions*

The California Air Resources Board (CARB) is the lead agency for implementing AB 32 the California Global Warming Solutions Act of 2006. In October 2008, CARB published a Proposed Scoping Plan, in coordination with the Climate Action Team (CAT), to establish a comprehensive set of actions designed to reduce overall



greenhouse gas emissions in California. The measures in the Scoping Plan approved by CARB will be developed by 2011 and will be in place by 2020. Significant progress can be made toward the 2020 goal which includes improving existing technologies and the efficiency of energy use. Other solutions involve improving the State's infrastructure, transitioning to cleaner and more secure sources of energy and adopting 21<sup>st</sup> century land use planning and development practices.

To meet the 1990 target established by CARB 32, CARB recommends a de minimis (minimal importance) emission threshold of 0.1 million metric tons annually (100,000 MT per year) of carbon dioxide per transportation source category. Source categories whose total aggregated emissions are below this level are not proposed for emission reduction requirements in the Scoping Plan. In addition to the Proposed Scoping Plan, CARB has released the Preliminary Draft Staff Proposal with the objective of developing interim significant thresholds for commercial and residential projects. CARB has proposed a threshold of 7,000 annual MT for industrial operational sources. However, the CARB has not yet defined or developed thresholds applicable to residential, commercial sources or recreational land uses.

Short-term emissions resulting from project construction will generate emissions which may contribute to global climate change. The primary source of greenhouse gas emissions (primarily carbon dioxide) generated by construction activities is from the use of diesel-powered construction equipment and other combustion sources (i.e., generators, worker vehicles, materials delivery, etc.). Increased human habitation and man-related activities also represent an additional, albeit minor, source of additional greenhouse gas emissions. It is estimated that project construction activities will generate a total of 0.78 metric tons of greenhouse gases over the entire project construction period of approximately six to eight months. Of this total, a maximum of 0.51 metric tons of carbon dioxide will be generated during grading and 0.27 metric tons during repaving.

The primary source of long-term greenhouse gas emissions from the proposed project will be generated by motor vehicles. The only long-term motor vehicles emissions associated with the proposed project will be for facilities maintenance. Based upon a "worst-case" average trip length of 5.0 miles and two vehicle trips per day, a total of 10.0 vehicle miles per day will be generated. This total of vehicle miles travelled is estimated to generate 0.78 metric tons per year of greenhouse gas emissions.

Both the short and long-term generation of greenhouse gas emissions associated with the proposed project fall well below the preliminary thresholds developed by the California Air Resources Board. The emissions generated by this project will contribute a miniscule amount to overall global climate change. By way of comparison, based upon global data from the United Nations, the proposed project is estimated to contribute approximately 0.000000021% to the GHG burden for the planet. When compared to California's GHG emissions, the contribution from the

proposed project is estimated to be 0.00000015% of 2004 California emissions. Therefore, impacts associated with the generation of greenhouse gas emissions from the proposed project are considered to 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 largely confined to the construction areas.

**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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 trunk sewer replacement project will over the short-term (six to eight months) 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. It is estimated that at any one time project construction activities will involve the following equipment and vehicles: a small



grader/backhoe/tractor, a haul truck and four employee vehicles which will generate an estimated 12 vehicle trips per day. In addition, equipment/material deliveries are estimated to generate an additional six deliveries or twelve vehicle trips per day. This level of construction activity is anticipated to generate a maximum (“worst-case”) total of 24 vehicle trips per day and a maximum of 12 peak hour vehicle trips. According to traffic volume data (July, 2006) provided by the County Department of Public Works, South Frontage Road south of Tefft Street has an average daily traffic volume of 7,290 vehicles per day with morning peak hour traffic volumes averaging 531 vehicle trips and evening peak hour traffic volumes averaging 587 vehicle trips. South Frontage Road north of Southland Street has an average daily traffic volume of 2,219 vehicles per day with morning peak hour traffic volumes averaging 215 vehicle trips and evening peak hour traffic volumes averaging 278 vehicle trips, Tefft Street west of the Highway 101 interchange has an average daily traffic volume of 21,024 vehicles per day. Morning peak hour traffic volumes average 1,884 vehicle trips while the evening peak hour volumes average 2,143 vehicle trips. Construction-related traffic generation will not significantly impact existing daily or peak hour traffic levels on South Frontage Road, Tefft Street or the Highway 101/Tefft Street interchange. Construction-related daily vehicle traffic of 24 trips per day represents a short-term 1.1% addition to the average daily traffic volumes on South Frontage Road north of Southland Street and a 0.3% addition to the average daily traffic volumes on South Frontage Road south of Tefft Street. If the construction-related peak hour total of 12 vehicle trips per day occurs during the morning peak hour, a “worst-case” addition of 5.5% to existing morning peak hour traffic levels on South Frontage Road and a 2.3% “worst-case” addition existing evening peak hour traffic levels. It should be noted that these “worst-case” estimates assume that all construction-related project traffic to and from will arrive and depart via the same segment of South Frontage Road. A more likely scenario is a nearly even split in the directional distribution of construction-related project traffic, thereby reducing these percentage traffic contributions by half. In addition, it is likely that peak hour construction will not totally coincide with the timing of existing morning peak hours (7:00 AM to 8:00 AM south of Tefft Street and 8:00 AM to 9:00 AM north of Southland Street) or existing evening peak hours (6:00 PM to 7:00 PM south of Tefft Street and 5:00 PM to 6:00 PM north of Southland Street) on South Frontage Road. These factors significantly reduce the already insignificant increase in traffic associated with project construction. Therefore, the potential traffic and circulation impacts associated with project construction activities are considered to be short-term and less than significant.

Long-term operation and maintenance of the proposed project facilities will generate a total of two daily vehicle trips. The total daily traffic generation associated with long-term project operations and maintenance therefore represents a “worst-case” addition of 0.54 percent to daily traffic levels on South Frontage Road north of Southland Street and a 0.16 percent addition south of Tefft Street. These percentage additions again assume that all long-term traffic will arrive and depart via the same segment of South Frontage Road. The additional long-term project-related daily traffic will not,

therefore, significantly impact traffic and circulation conditions on Tefft Street or other local roadways.

The Tefft Street /Highway 101 interchange currently operates at Level of Service F. The County of San Luis Obispo defines Level of Service D the lowest acceptable level of service in developed areas. Significance criteria developed by the County states that a significant impact is created when a project contributes additional long-term traffic to intersections or roadways currently operating at an unacceptable level of service. The above data indicates that the proposed project will, however, contribute an insignificant amount of additional traffic (a likely total of six construction-related and two long-term peak hour trips) to this impacted intersection. These additions represent a very conservative estimate of a 0.25% increase to morning peak hour traffic during construction and 0.08% over the long-term.

- b. Potentially Significant Unless Mitigation Incorporated.* Project construction activities within developed areas will be largely confined to South Frontage Road and its adjacent right-of-way. However, the temporary diversion of automobile traffic along South Frontage Road may occasionally be necessary during project construction. This potential impact, without proper traffic control, may represent a hazard to existing automobile traffic particularly along South Frontage Road. This potentially significant impact can be mitigated to an insignificant level through the provision of adequate signage, barriers and/or, if necessary, flagmen in order to insure the safe diversion of traffic (see Section VI. Impacts and Mitigation Measures).
- 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 are anticipated.
- d. Less-Than-Significant Impact.* The proposed project may result in the temporary loss of available parking on South Frontage Road which may be subject to project construction activities. This loss of parking is considered to be short-term and less than significant.
- e. Potentially Significant Unless Mitigation Incorporated.* The proposed project may result in the temporary diversion of pedestrians, equestrians and bicyclists on South Frontage Road during project construction. This potentially significant impact can be mitigated to an insignificant level through the provision of adequate signage, barriers and/or, if necessary, flagmen in order to insure a safe diversion of pedestrians and bicyclists (see Section VI. Impacts and Mitigation Measures).
- 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 and the Institute of Transportation Engineers Trip Generation Factors (8<sup>th</sup> Edition)

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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. Potentially Significant Unless Mitigation Incorporated.* The project site south of Southland Street primarily contains non-native grasses and ruderal (weedy) plant species. Areas north of Southland Street adjacent to South Frontage are developed thereby lacking any native biological resources. No special-status plant species were observed within the project area south of Southland Street during the May, 2009 site surveys. No sensitive plant communities are known to occur within the planned installation area of the proposed replacement sewer line. Given the existing vegetation and its disturbed nature, the project site has a low probability of any sensitive plant species being impacted in the project area.

Loss of non-native, ruderal habitat areas adjacent to the Southland Wastewater Treatment Facility is not considered a significant impact to wildlife because it supports a relatively low density and diversity of wildlife species.

Three special-status wildlife species (Coast horned lizard, Western spadefoot toad and the American badger) were observed during May, 2009 field surveys. Noise, dust and vehicle operation generated by construction activities may disrupt foraging activities of some wildlife within the boundaries of the project site and immediate vicinity. Although highly mobile wildlife species (e.g., birds) would be expected to avoid the area undergoing construction, these activities may result in mortality of less mobile species, particularly, fossorial (ground-dwelling) species. Overall, due to the current level of disturbance within the project area, the limited number of wildlife species

occurring within the area and the availability of suitable habitat in the region, impacts to general wildlife are expected to be less than significant. However, the proposed project has the potential to result in temporary impacts to the three sensitive wildlife species noted above, the Coast horned lizard, the Western spadefoot toad and the American badger. Potentially significant impacts to these three species can be mitigated to an insignificant level through conducting pre-construction surveys as well as providing a worker orientation program to minimize impacts to sensitive species (see Section VI. Impacts and Mitigation Measures).

*b. No Impact.* The project area does not contain any locally designated species such as heritage trees. The proposed project will not, therefore, impact any locally designated species.

*c. No Impact.* The project site south of Southland Street primarily consists of non-native grasses and ruderal (weedy) plant species. Project areas north of Southland Street are developed thereby lacking native biological resources. Given the nature and extent of existing on-site vegetation and the relatively small area disturbed by project construction, the proposed project will not significantly impact any locally designated natural plant communities such as oak forests or coastal habitats.

*d. No Impact.* The proposed project will not directly or indirectly impact any riparian scrub community and wetland habitats of the nearby Nipomo Creek which runs parallel to but east of Highway 101. Short-term construction activities and long-term project operations and maintenance do not have the potential to result in secondary impacts (i.e., habitat disturbance, sedimentation impacts, etc.) to the adjacent Nipomo Creek due to the intervening separation of the project site by Highway 101.

*e. Less-Than-Significant Impact.* Wildlife migration corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Migration corridors may be local, such as those between foraging and nesting/denning areas or they may be regional in nature. "Habitat linkages" are migration corridors that contain contiguous strips of native vegetation between source and receiver areas. Habitat linkages provide cover and forage sufficient for temporary inhabitation by a variety of ground-dwelling animal species. Wildlife migration corridors are essential to the regional fitness of an area as they provide avenues of genetic exchange and allow animals to access alternative territories as fluctuating dispersal pressures dictate.

Given the limited area of disturbance due to project construction, the short duration of construction related impacts and the level of development and/or prior disturbance within the project site, potential impacts to existing wildlife movement corridors are considered to be less-than-significant.

*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 plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 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. 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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limited to: oil, pesticides, chemicals or radiation?				
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 type="checkbox"/>	<input checked="" 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"/>

**Substantiation:**

- a. *Less-Than-Significant Impact.* Current safety regulations governing the construction of the proposed replacement sewer line will reduce the risk of an accidental explosion or release of hazardous materials to a level of insignificance.
- b. *No Impact.* Given the relatively small amount of area distributed by project construction, the proposed project will not interfere with any emergency response or evacuation plan.
- c. *Less-Than-Significant Impact.* Current safety regulations governing the construction and operation of the proposed replacement sewer line will reduce the potential for creation of health hazards to a level of insignificance.
- d. *Less-Than-Significant Impact.* The construction, operation and maintenance of the proposed replacement sewer line 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 an insignificant level.
- e. *Less-Than-Significant Impact.* The proposed project will occur in an area of relatively low fire hazard (i.e. commercial, residential uses and the existing wastewater treatment plant, etc.). Safety regulations governing project construction and operations in combination with these low fire hazard conditions reduces potential fire hazards to an insignificant 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 trunk sewer replacement 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 a small grader/backhoe/tractor and haul truck. Grading and hauling 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-generated noise levels. 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 an insignificant level.

*b. Less-Than-Significant Impact.* The nearest sensitive noise receptors in the area are existing residences and commercial uses adjacent to and west of South Frontage Road south of Division Street. Maximum noise levels from construction equipment required for the project to the nearest residential or commercial land use would reach as high as 68 dBA with a projected peak level range of 42 to 68 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 locations. The County of San Luis Obispo Noise Ordinance contains 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 and Noise Ordinance

	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, operation and maintenance of the proposed trunk sewer replacement project is not expected to have any impact upon fire protection services currently provided by CalFire.
- b. *No Impact.* The construction, operation and maintenance of the proposed trunk sewer replacement project is not expected to have any impact upon police protection services currently 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 a minor, short-term impact upon local roadways due to construction activities associated with the proposed trunk sewer replacement project within or adjacent to South Frontage Road. Since the proposed project will be maintained by the Nipomo Community Services District, potential impacts upon the maintenance of any other public facilities are considered to be less than significant.
- e. *No Impact.* The construction, operation and maintenance of the proposed project will have no impact 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 checked="" type="checkbox"/>	<input 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.* Construction, operation and maintenance of the proposed trunk sewer replacement project will require the use of electrical power. Any additional energy demand associated with the proposed project is not anticipated to be significant and falls within the anticipated service parameters of the involved service providers.
- b. *No Impact.* The proposed trunk sewer replacement project will not involve the expansion of communications systems.
- c. *No Impact.* The proposed trunk sewer replacement project will not generate the demand for water service nor will it impact local or regional water treatment or distribution facilities. The California Department of Water Resources California Aqueduct, Coastal Pipeline right-of-way, which contains a buried 42-inch diameter pipeline, crosses Highway 101 approximately 1,000 feet south of the southern terminus of South Frontage Road. As such, the proposed project will have no impact upon this regional water distribution facility.
- d. *Less-Than-Significant Impact.* The proposed trunk sewer replacement project is intended to improve the efficiency and reliability of the operations of the existing NCSD wastewater treatment and disposal system and is intended to serve existing customers within the NCSD service area. This proposed project is therefore considered to represent a beneficial impact to wastewater collection facilities within the NCSD wastewater treatment and disposal system. Since the proposed project will not increase the level of wastewater generation within the NCSD, impacts upon existing wastewater treatment and disposal facilities is considered to be less than significant.
- 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 approximately 0.79 acres (approximately 34,400 square feet). This runoff could, without proper mitigation, contribute to the incremental degradation of off-site water quality. Erosion of graded areas and discharge of sediment to off-site areas will occur if exposed soils are not stabilized, the potential for erosion and sedimentation is not minimized and off-site water quality is not maintained. These potentially significant impacts can be mitigated to an insignificant level through the use of Best Management Practices, erosion control devices and other methods for stabilizing disturbed soils (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. Long-term operation and maintenance of the proposed replacement sewer line will not generate significant amounts of solid waste.

g. *No Impacts.* The proposed trunk sewer replacement 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Substantiation:**

a. *Less-Than-Significant-Impact.* Construction activities associated with the proposed trunk sewer replacement project will result in short-term visual impacts to views from adjacent roadways and land uses. The roadway visually impacted by project construction activities, South Frontage Road, is not designated as scenic highway. Any impacts to scenic vistas due to the proposed project are, therefore considered to be less than significant.

b. *Less-Than-Significant Impact.* Construction activities associated with the proposed trunk sewer replacement 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. *No Impact.* The proposed trunk sewer replacement project will not involve any additional lighting or any potential light and glare impacts.

**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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 within the project area, little in the way of significant paleontological resources are expected to be found on the project site. No paleontological resources were encountered during recently-conducted surveys on the project site. However, the potential exists that paleontological resources may be unearthed during project grading and trenching. This potential impact to paleontological resources can be mitigated to a level of insignificance by requiring a qualified paleontologist to examine any unearthed paleontological resources (see Section VI. Impacts and Mitigation Measures).

b. *Potentially Significant Unless Mitigation Incorporated.* Data from archival record searches conducted at the Central Coast Archaeological Information Center at UCSB conducted in 2005, 2008 and 2009 in combination with walkover surveys conducted in 2009 indicated the prior recordation of one prehistoric site, SLO-1254 located adjacent to South Frontage Road. In addition, several Franciscan and Monterey chert flakes (silica rock utilized for manufacture of or use as a stone tool such as arrowheads, knives or other cutting or scraping tools) were recorded during surface walkover surveys at the Southland Wastewater Treatment Facility.

Site SLO-1254 was first recorded in 1988 and is located on a five acre parcel southwest of the corner of Division Street and South Frontage Road. This

archaeological site measures approximately 175 meters by 100 meters (3.86 acres). Several artifacts including biface manufacturing flakes were observed in a cut bank immediately west of South Frontage Road at this location. Subsurface testing was conducted on the site in 1988 in which;

“a 30 meter by 50 meter area contained on estimated total of 11 to 154 chert flakes per cubic meter or an estimated total of 82,500 flakes. Surrounding areas may contain an additional 75,000 flakes. One fragment of mortar and two pieces of burnt rock indicate the occurrence of some food preparation although no ovens, shell, bone or charcoal were noted.”

Subsequent to these surveys, a multi-family residential development was constructed on the five acre parcel which destroyed the SLO-1254 site with no additional testing or mitigation. It is possible that intact or displaced prehistoric materials from SLO-1254 are present beneath the South Frontage Road between Division Street and Story Street which may be encountered during construction trenching along the South Frontage Road during construction of the proposed replacement sewer line. Given the lack of information concerning intact portions of SLO-1254, it is recommended that cultural resource monitoring accompany construction trenching along the South Frontage Road from Division Street south to Story Street. If any displaced or intact cultural resources are unearthed, work in that area should halt until they can be evaluated by a qualified archeologist and Chumash representative and appropriate recommendations made (see Section VI. Impacts and Mitigation Measures).

Recently-conducted (2009) surface walkover surveys adjacent to an existing aeration lagoon within the Southland Wastewater Treatment Facilities (WWTF) revealed several Franciscan and Monterey chert flakes. An additional Monterey chert flake was recorded along a dirt access road south of an existing aeration lagoon. The areas containing the artifacts are highly disturbed due to the development of the WWTF and the subsequent grading and exporting of sand in the western and southwestern areas of the facility. Initial surveys of the WWTF site conducted in 1975 recorded a prehistoric site SLO-753 which was described as a 50 meter by 50 meter surface concentration of chert flakes and chunks located immediately west of the fence adjacent to Highway 101. Another prehistoric site, SLO-1783, estimated to be 100 meters south of SLO-753, was recorded in 1996. This latter site contained a highly localized subsurface concentration of 27 Monterey and Franciscan chert flakes immediately below the ground surface in an area measuring five meters by five meters. Both of these sites were destroyed as a result of construction activities associated with the Southland WWTF. The artifacts noted above were displaced as a result of these activities. No other intact cultural resources were observed in the WWTF site. However, it is recommended that cultural resources monitoring accompany any grading or earth disturbance at the WWTF site (see Section VI. Impacts and Mitigation Measures).

- c. *Potentially Significant Unless Mitigation Incorporated.* Recently-conducted (2008 and 2009) walkover surveys of the project site did not uncover any evidence of significant historic resources. However, a significant amount of weathered shell fragments and a bone fragment were observed on the south side of Southland Street on a lot directly south of 641 Southland, approximately one-quarter mile west of South Frontage Road. Several areas of soft sand at this location produced small fragments of Pismo and other clam species including Washington clam, Turban snail, non-native oyster and domestic animal bone. These shells have been determined to be a modern deposit and are not considered to be a significant cultural resource. However, the potential exists that historic resources may be unearthed during project grading and trenching. This potential impact to historic resources can be mitigated to a level of insignificance by requiring a qualified archaeologist or historian to examine any unearthed historic resources (see Section VI. Impacts and Mitigation Measures).
- 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 trunk sewer replacement project will not directly generate any new population or housing thereby not generating demand for parks or other recreational facilities.
- b. *No Impact.* The proposed trunk sewer replacement 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
<b>XVI. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
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 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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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 replacement of an existing 12-inch trunk sewer which runs along South Frontage Road from Division Street to the Southland Wastewater Treatment Facility with a 21 to 24-inch trunk sewer line. The proposed project will not generate or induce, either directly or indirectly, any development within the NCSO service area and is, therefore, considered to have less than significant impact regarding potential to induce substantial growth in the area.
- 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**

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The following impacts were identified within Section V. Environmental Evaluation of this Expanded Initial Study 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.)

*The proposed project will result in short-term landform alteration during project construction and the disturbance of impervious surfaces and exposed soils which could potentially alter the amount and composition of surface runoff which may degrade off-site water quality.*

### **Utilities** (Checklist Item XII.e.)

*The proposed project will result in short-term landform alteration during project construction and the disturbance of impervious surfaces and exposed soils which could potentially alter the amount and composition of surface runoff which may degrade off-site water quality.*

### **Mitigation Measure**

1. In compliance with the San Luis Obispo County Land Use Ordinance, the District shall prepare an Erosion and Sedimentation Control Plan outlining measures to address both temporary (i.e. site disturbance, stockpiling and construction activities) and final (post-construction) methods for stabilizing exposed soils, minimizing the potential for erosion and sedimentation as well as maintaining off-site water quality. These measures shall include, but may not be limited to:

- a. Provisions for utilization of Best Management Practices (BMP’s) to prevent the discharge of construction materials, contaminants, washings, concrete, fuels and oils including proper maintenance of construction vehicles and equipment, conducting vehicle or equipment fueling on-site within bermed areas with an impervious surface, conducting any mixing or storage of concrete in contained areas, insuring that equipment washing is conducted on-site with runoff captured within bermed areas and removal of all refuse and excess material from the construction site as soon as possible.
- b. The use, if necessary, of silt fencing, straw bales or sandbags in order to reduce the potential for erosion from disturbed soils and
- c. Implementation of other methods for stabilizing disturbed soils and minimizing soil loss from the construction site.

**Air Quality** (Checklist Item V.a.)

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

**Mitigation Measures**

2. The following fugitive dust mitigation measures shall be initiated at the start and maintained throughout the duration of the grading or construction activity:
  - a. Construction vehicle speed at the work site shall be limited to fifteen (15) miles per hour or less;
  - b. Prior to any ground disturbance, sufficient water must be applied to the area to be disturbed to prevent the generation of visible emissions;
  - c. Storage piles must be kept adequately wetted, treated with a chemical dust suppressant or covered when material is not being added to or removed from the pile;
  - d. Equipment must be washed down before moving from the project site onto a paved public road;
  - e. Visible track-out onto a paved public road must be cleaned using wet sweeping or a HEPA filter equipped vacuum device within twenty-four (24) hours;
  - f. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
  - g. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting or other methods approved in advance by the APCD;
  - h. All roadways and other surfaces to be paved should be completed as soon as possible;
  - i. All trucks hauling dirt, sand, soil or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
  - j. All dust mitigation measures required should be shown on grading and building plans and
  - k. The contractor shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
  
3. Should hydrocarbon contaminated soil be encountered during construction activities, the APCD must be notified as soon as possible and no later than 48 hours after affected materials are discovered to determine if an APCD Permit will be required. In addition, the following measures shall be implemented immediately after contaminated soil is discovered:
  - a. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;

- b. Contaminated soil shall be covered with at least six inches of packed uncontaminated soil or other TRH – non-permeable barrier such as a plastic tarp. No headspace shall be allowed where vapors could accumulate;
- c. Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
- d. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance and
- e. Clean soil must be segregated from contaminated soil.

4. Prior to any grading activities at the construction site, the project proponent shall insure that a geologic evaluation is conducted to determine if naturally-occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos Air Toxics Control Measure. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

**Traffic/Circulation** (Checklist Items VI.b. and VI.e.)

*The proposed project may result in the temporary diversion of automobile traffic, pedestrians, equestrians or bicyclists on South Frontage Road at the project entrance during grading and construction.*

**Mitigation Measure**

5. All project construction sites occurring onto or adjacent to public roadways shall provide adequate signage, barriers and, if necessary, flagmen in order to insure safe diversion of vehicular traffic, bicyclists, equestrians and/or pedestrians. These measures shall also insure continued access from adjacent properties to local roadways.

**Biological Resources** (Checklist Items VII.a.)

*The proposed project has the potential to result in temporary impacts to sensitive wildlife species observed in areas adjacent to the Southland Wastewater Treatment Facility.*

**Mitigation Measures**

6. Pre-construction surveys shall be conducted by a qualified biologist two weeks prior to the initiation of construction activities in areas south of Southland Street impacted by project construction, in order to identify the possible presence of the Coast horned lizard, Western spadefoot toad and the American badger. If these species or evidence of their habitation is observed, construction in these areas shall be avoided until the California Department of Fish and Game is contacted and an appropriate buffer zone is established or until the species is relocated.

7. A qualified biological monitor shall conduct a worker orientation program for all construction contractors (site supervisors, equipment operators and laborers) which emphasizes the potential for presence of special-status species within the project area, identification their habitat requirements and applicable regulatory policies and provisions regarding their protection and measures being implemented to avoid and/or minimize impacts.

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

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

**Mitigation Measure**

8. Prehistoric cultural resource monitoring shall accompany construction trenching and excavation along the South Frontage Road, between Division Street and Story Street (Site SLO-1254) and within the WWTF. A Cultural Resource Monitoring Plan shall be developed and approved by the County of San Luis Obispo which will include project review, a pre-construction cultural resources workshop, Chumash involvement, networking with all involved members of the project and the production of a final monitoring report.

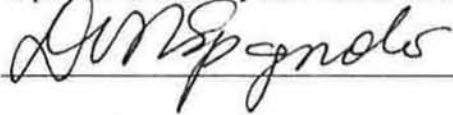
9. During any grading or excavation associated with the project, if any cultural materials are unearthed, work in that area shall be halted until all cultural materials can be examined by a qualified archaeologist, paleontologist or historian and appropriate recommendations made pursuant to County Land Use Ordinance Section 22.0.

## 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 MITIGATED 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 10/11/10

Mr. Don Spagnolo  
General Manager  
Nipomo Community Services District

VII. Environmental Determination  
South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study

## VIII. CERTIFICATION

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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.



Mr. Don Spagnolo  
General Manager  
Nipomo Community Services District

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VIII. Certification  
*South Frontage Road Trunk Sewer Replacement  
Expanded Initial Study*



**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2011-XXXX**

**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 SOUTH FRONTAGE ROAD TRUNK SEWER REPLACEMENT PROJECT**

**WHEREAS**, the Nipomo Community Services District (District) desires to construct a 21 inch to 24 inch diameter replacement sanitary sewer in South Frontage Road within the boundary of the District as described in Section III of the Expanded Initial Study dated December 13, 2010 (herein the Project); and

**WHEREAS**, California Environmental Quality Act (CEQA) requires the District to assess the impact of the Project on the environment, circulate such assessment and hold a public hearing on the findings thereof; and

**WHEREAS**, Douglas Wood and Associates have prepared an Expanded Initial Study dated December 13, 2010, (herein Initial Study) for the Project which proposes that a Mitigated Negative Declaration be approved. The analysis and findings of said Initial Study are incorporated herein by reference; and

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

**WHEREAS**, the District mailed a Notice of Intent to Adopt a Mitigated Negative Declaration to 63 parties on October 25, 2010; and

**WHEREAS**, comments were received from the following State and local agencies: the State of California, Governor's Office of Planning and Research (November 29, 2010); the State of California, Department of Water Resources (November 10, 2010); the State Water Resources Control Board (November 19, 2010); the San Luis Obispo County Department of Agriculture (December 1, 2010) and the Air Pollution Control District (November 23, 2010). Concerns raised within these responses have, where applicable, been integrated into the proposed mitigated measures; and

**WHEREAS**, on Wednesday, February 9, 2011, the District held a Public Hearing on the proposed Mitigated Negative Declaration, reviewed written comments, and accepted public testimony regarding the proposed Mitigated Negative Declaration; and

**WHEREAS**, the hearings on this Project have been appropriately noticed under the Brown Act and the California Environmental Quality Act; and

**WHEREAS**, based on the information contained in the Initial Study prepared for this Project, the proposed mitigation measures, the staff report, and testimony received as a result of the public notice, the District, using its own independent and objective judgment, finds that all potentially significant effects of the Project on the environment can and will be avoided or mitigated to a level of insignificance by imposing the mitigation measures identified in the Initial study.

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2011-XXXX**

**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  
SOUTH FRONTAGE ROAD TRUNK SEWER REPLACEMENT PROJECT**

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:**

1. The District has independently reviewed and analyzed the Initial Study and considered the information contained therein and all documents, written and oral received prior to approving this Resolution.
2. The Board of Directors finds that the Initial Study has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA guidelines.
3. The District, using its own independent and objective judgment, finds that all potentially significant effects of the Project on the environment can and will be avoided or mitigated to a level of insignificance by imposing the mitigation measures identified in the Initial study.
4. The mitigation measures and monitoring program as described in Section II of the Expanded Initial Study dated December 13, 2010 are hereby approved and adopted. The mitigation and monitoring measures shall be incorporated into the Project contract documents. District staff shall monitor compliance with the mitigation measures and may utilize environmental consultants to assist in monitoring Project construction to ensure compliance.
5. A Mitigated Negative Declaration is hereby adopted for the Project.
6. The General Manager or his/her designee is instructed to file a Notice of Determination for the Project, as required by law.
7. The above recitals, including referenced and associated documents, are incorporated herein by this reference and constitute further findings in support of the District's approval of this Resolution.
8. The Nipomo Community Services District, located at 148 S. Wilson St., Nipomo, CA, as lead agency, attention District General Manager, is the custodian of the documents and other materials which constitute the record of the proceedings upon which this Resolution and CEQA findings are based.

Upon motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the following roll call vote, to wit:

AYES:  
NOES:  
ABSTAIN:

the foregoing Resolution is hereby passed and adopted this 9<sup>th</sup> day of February, 2011.

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2011-XXXX**

**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  
SOUTH FRONTAGE ROAD TRUNK SEWER REPLACEMENT PROJECT**

\_\_\_\_\_  
JAMES HARRISON  
President of the Board

ATTEST:

APPROVED:

\_\_\_\_\_  
MICHAEL LEBRUN  
Interim General Manager and  
Secretary to the Board

\_\_\_\_\_  
JON S. SEITZ  
District Legal Counsel

T:\BOARD MATTERS\RESOLUTIONS\RESOLUTIONS 2011\2011-XXXX SOUTH FRONTAGE ROAD TRUNK SEWER MIT NEG DEC.DOC

TO: MICHAEL LEBRUN *ML*  
INTERIM GENERAL MANAGER

FROM: PETER SEVCIK  
DISTRICT ENGINEER

DATE: FEBRUARY 2, 2011

**AGENDA ITEM  
E-2  
FEBRUARY 9, 2011**

**SLUDGE REMOVAL AT SOUTHLAND WASTEWATER FACILITY**

**ITEM**

Consider executing a Change Order with AWS DREDGE for the Southland Wastewater Treatment Facility sludge removal project and approve budget adjustment [APPROVE CHANGE ORDER AND BUDGET ADJUSTMENT].

**BACKGROUND**

In early and mid 2010, the Southland Wastewater Treatment Facility exceeded effluent Discharge Permit requirements for Biochemical Oxygen Demand and Suspended Solids on several occasions. Sludge measurements taken in May 2010 in the treatment ponds suggested that the level of sludge near the outlets of Treatment Ponds 3 and 4 was affecting effluent water quality.

At the July 28, 2010 Board meeting, the Board awarded a contract to AWS Dredge to remove the accumulated sludge in Treatment Ponds 1, 2, 3, and 4 and pump the sludge to the two existing sludge drying beds. At the time, staff indicated that dredging of Treatment Ponds 3 and 4 was required and that dredging of Treatment Ponds 1 and 2 was recommended due to the amount of sludge that had accumulated. The original contract breakdown was as follows, (not including the \$15,000 Board approved project contingency):

<b>Contractor</b>	<b>Ponds 3 and 4</b>	<b>Option of Ponds 1 and 2</b>	<b>Total Dredging Cost</b>
AWS Dredge	\$82,933.92	\$57,706.47	\$140,640.39

Treatment Ponds 3 and 4 were dredged in September 2010 and both sludge drying beds were filled to capacity. Thus, at the time, the contractor was unable to dredge the sludge from Treatment Ponds 1 and 2. While the total suspended solids results have improved since Treatment Ponds 3 and 4 were dredged, the monthly average continues to exceed the permit limit. Staff suspects that the accumulated sludge in Treatment Ponds 1 and 2 continues to adversely impact effluent water quality.

Staff investigated several options that would allow the District to proceed with dredging the sludge from Treatment Ponds 1 and 2 and received approval from Central Coast Regional Water Quality Control Board staff to utilize Infiltration Bed #2 as a temporary sludge drying bed. The contractor has agreed to hold the original bid price for Treatment Ponds 1 and 2 and will charge an additional mobilization/demobilization cost of \$22,800.

Removal of all dried sludge from the Southland plant will be budgeted in FY 2011/2012 and scheduled for late summer/fall of 2011, in preparation for facility upgrade. Timely transfer of the sludge from the treatment ponds will allow for maximum drying of the material prior to transport off-site.

**FISCAL IMPACT**

The cost to date is \$82,933.92 and the current remaining contract amount is \$57,706.47. Additional funding in the amount of \$22,800 is required to complete the project. The cost to implement the Southland WWTF Sludge Removal Project is included in the FY 10-11 Capital Improvement Town Capacity Fund #710 in the amount of \$155,640.39 which includes \$15,000 contingency previously approved by the Board. Further funds are requested as a Budget Amendment to Fund #710 in the amount of \$22,800 to complete the dredging of Treatment Ponds 1 and 2.

**RECOMMENDATION**

Staff recommends that the Board:

1. Authorize staff to execute a contract change order with AWS Dredge for \$22,800 for additional mobilization/demobilization costs for the dredging of accumulated sludge in the Treatment Ponds 1 and 2 at the Southland WWTF.
2. Adopt a Resolution to authorize a Budget Amendment transferring \$22,800 in funds to Fund #710.

**ATTACHMENT**

Updated Quote from AWS Dredge





Dredge, Inc.  
Air Water Soil

5046 North 2400 West  
Benson, UT 84312  
Phone: 435-563-2522  
Fax: 435-563-2767  
Email: Leyda@awsdredge.com

October 15, 2010

Mr. Peter V. Sevcik, P.E.  
District Engineer  
Nipomo Community Services District  
P.O. Box 326  
Nipomo, CA 93444-0326

Email: psevcik@ncsd.ca.gov

Re: Southland Wastewater Treatment Facility --Dredging Accumulated Biosolids  
from Two (2) Treatment Ponds #1 and #2 Project in 2011

Hello Peter,

AWS is excited to complete another dredging project for you in the upcoming year. AWS is a national dredging contractor that has performed hundreds of projects with an excellent safety and performance record. Dredging of ponds 3 and 4 at Nipomo went well, and we can offer the same price we already submitted to dredge ponds 1 and 2.

AWS primary focus is to provide the following:

#1 Safety #2 Performance #3 Price

#### **Project Description**

AWS has viewed the treatment ponds and understands that the dredging project for ponds 1 and 2 will be very similar to the project we recently completed working with ponds 3 and 4. AWS further understands that we may be pumping to a different discharge area, which should be no problem up to 1,000 feet away. As before, AWS will not be involved in managing the discharge area. Ponds 1 and 2 are smaller in surface area than ponds 3 and 4; however the volume of material and the overall project is very similar.

#### **Project Cost**

AWS' cost for the project is a lump sum bid to include dredging only. AWS is not managing the dewatering operation. The ponds will be cleaned out; however some residual sludge material will remain in place when we are complete. It is not possible to completely clean the ponds. AWS also understands that Nipomo will have a different contractor remove the dewatered sludge from the dried decant basins. AWS is not planning on waiting or standing by for the decant basins to perform. We understand we will be able to dredge as quickly as possible to remove the biosolids. AWS will charge a stand by rate if we must stand down for reasons beyond our control (\$1,200/day).



This overall project cost is comprehensive covering mobilization, prevailing wage per diem, materials and supplies, dredge, work truck, and all prevailing wage labor.

Mobilization/Demobilization	<u>\$22,800</u>
Dredging Lump Sum (already bid)	<u>\$57,706</u>
Total Project	<u>\$80,506</u>

**Project Schedule**

If we are able to get this project awarded and on our project board now for 2011 – we will be able to guarantee a spot on our schedule. Our 2011 project calendar is quickly filling up, if we wait until next year to put this on our schedule we can not guarantee the time period will be available to do the Nipomo project. However, if this project gets approved this year 2010 – AWS will commit to be on site, in Nipomo, March-April timeframe next year 2011.

AWS is looking forward to working with you again, please call with any questions you may have. Please give us as much notice as possible to schedule your project.

Sincerely,



Mark Leyda  
President  
AWS Dredge

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *MSL*  
INTERIM GENERAL MANAGER  
DATE: FEBRUARY 4, 2011



**REVIEW BOARD BY-LAWS AND POLICIES  
AND PROPOSE EDITS FOR CONSIDERATION**

**ITEM**

Review Board By-Laws and Policies and propose edits for consideration [RECOMMEND REVIEW OF BY-LAWS AND DIRECT STAFF TO RETURN WITH REVISIONS FOR FUTURE BOARD APPROVAL]

**BACKGROUND**

Pursuant to Section 17 of the Board By-Laws, 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.

Attached are the Board By-Laws and Policies for your review.

**RECOMMENDATION**

Staff recommends that your Honorable Board review the by-laws and policies, propose edits for consideration and direct Staff to place this item on the February 23, 2011, Board Meeting for adoption.

**ATTACHMENT**

- 2011 By-laws with proposed edits

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NIPOMO COMMUNITY SERVICES DISTRICT  
**BOARD BY-LAWS AND POLICIES**  
~~2010-2011~~ UPDATE  
PAGE 1  
(ATTACHMENT "A" TO RESOLUTION ~~20102011~~-xxx)

~~NIPOMO COMMUNITY SERVICES DISTRICT~~  
~~BOARD OF DIRECTOR~~  
~~20110 UPDATE~~  
~~BOARD BY-LAWS AND POLICIES~~  
(ATTACHMENT "A" TO RESOLUTION ~~20110~~-xxx)

**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 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.
- 1.6 The President, and in his/her absence the Vice President or their designee, are authorized to attend meetings of the San Luis Obispo County Planning Commission and meetings of the San Luis Obispo County Board of Supervisors without compensation except reimbursement for use of his/her private vehicle to attend such meetings pursuant to 10.1(b) of these by-laws.

**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 and/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 General Manager in consultation with the President or in his or her absence, the Vice President or those Directors calling the meeting.



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- 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) The Board may take action to direct the General Manager 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.
- 2.5 The President, or in his/her absence the Vice President, 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 vote on all questions and on roll call votes 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 Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.
- 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.

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- 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 the 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. twelve calendar days 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 The following applies to reconsideration of prior Board actions.
- (a) After the passage of 9 months from the effective date of the motion, resolution, or ordinance, the matter may be placed on the agenda pursuant to Section 3.1, above, or other provisions of the Brown Act.
  - (b) Prior to the passage of 9 months, any member of the Board of Directors or the General Manager may request the Board of Directors, by motion, to agree to reconsider a prior Board action at a subsequent meeting of the Board.
  - (c) The President of the Board of Directors, upon a determination that there is a need to take immediate action, may place an item on the agenda for reconsideration.
- 3.3 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.
- 3.4 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



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Resolutions accepting 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, an abstention or conflict of interest, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote, an abstention or conflict of interest, 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, an abstention or conflict of interest, in the minutes on the item identified by the Director.

**4. PREPARATION OF MINUTES AND MAINTENANCE OF RECORDINGS**

- 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 The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board during general public comment.



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- 4.5 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 the names of speakers who provided public comment on each agenda item and a summary of the 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.
- 4.6 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.
- 4.7 Any recording 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. Consistent with Government Code Section 54953.5(b), the District will maintain the recordings for a 30-day period after the recording. During the 30-day period, the District will provide, without charge, the necessary equipment for inspection of said recordings at the District Office during regular business hours. In addition to the 30-day requirement, the District will attempt to maintain the recordings, without legal obligation to do so, for a minimum of 5 years after the date of the recording. However, during this extended period, the District may not be able to produce the recording, a quality recording and/or produce the necessary equipment to facilitate an inspection.

5. **DIRECTORS**

- 5.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors. Directors are encouraged to seek clarification prior to the meeting, if possible.
- 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, dissenting Directors should not create barriers to the implementation of said action.

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- 5.6 Except during an open and public meeting, a majority of the Board of Directors shall not use a series of communications of any kind, directly or thru intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter of the District. s the use of direct communication, personal intermediaries, or technological devices that are 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.
- 5.7 Section 5.6 shall not be construed as preventing District management staff from engaging in separate conversations or communications with members of the District Board of Directors in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the District, so long as that management staff person does not communicate to members of the Board of Directors the comments or positions of any other member or members of the Board of Directors.
- 5.8 Directors shall not be prohibited by action of the Board of Directors from citing his or her District affiliation or title in any endorsement or publication, so long as no misrepresentation is made, or implied, about the District's position on the issue.

**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.



**8. DIRECTOR GUIDELINES**

- 8.1 Directors, by making a request to the General Manager or Assistant General Manager, 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 General Manager 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 General Manager 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 General Manager. 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 General Manager.
- 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 appointed to a committee is authorized to receive one hundred dollars (\$100) as compensation for each public meeting of a standing committee or ad hoc committee attended by him/her.

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9.3 Each Director is authorized to receive fifty dollars (\$50.00) as a compensation for each ~~non-public~~ ad hoc committee meeting of the District attended by him/her.

~~9.4~~ **9.4** 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 the Board of Directors has previously approved the member's participation and the member delivers a written report to the Board of Directors at the District's next regular meeting regarding the member's participation.

**OPTIONAL/DISCUSSION ONLY**

**9.5** The following training programs are authorized/approved for Director compensation

(a) Ethics Training as required by Gov't. Code §53235

(b) New Director orientation program provided by District

(c) New Director orientation provided by the Local Chapter of Special Districts Association

(d) One California Special Districts Seminar/Educational Program, per year, sponsored by the California Special Districts Association

**9.56** In no event shall Director compensation exceed \$100 per day.

**9.67** Director compensation shall not exceed six full days in any one calendar month.

**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.

If lodging is in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board of Directors at the time of booking. If the group rate is not available, the Director shall use lodging that is comparable



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with the group rate. 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. The per diem shall include \$10.00 for breakfast, \$15.00 for lunch and \$30.00 for dinner, for a daily total of \$55.00.
- (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.~~ Expense reports for mileage, as referenced in Section 10.1(b), shall be submitted no later than the end of each quarter (March, June, September and December).
- 10.4 Members of the Board of Directors shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board of Directors.

## **11 ETHICS TRAINING**

- 11.1 Pursuant to sections 53234 et seq. of the Government Code all Directors and designated District personnel shall receive at least 2 hours of ethics training every two years.
- 11.2 Each newly elected Board Member shall receive ethics training no later than one year from the first day of service with the District and thereafter shall receive ethics training at least once every two years.

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**1112. COMMITTEES**

**1112.1 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.

**1112.2 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 NCSD Board of Directors as a public record.

**1213. 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.

**1213.1** All letters approved by the Board of Directors and/or signed by the President on behalf of the District; and

**1213.2** All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

**1314. 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.

**1314.1 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



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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.

**1314.2** Interest in Contracts, Government Code 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.

**1314.3** Incompatible Office, Government Code Section 1099

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.

**1415. 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.

**1516. 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.

**1617. BOARD BY-LAWS REVIEW POLICY**

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

**1718. RESTRICTIONS ON RULES BY-LAWS**

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.

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
INTERIM GENERAL MANAGER  
DATE: FEBRUARY 4, 2011

**AGENDA ITEM  
E-4  
FEBRUARY 9, 2011**

**WASTEWATER TREATMENT PLANT FIELD TRIP TO VENTURA COUNTY**

**ITEM**

Consider Wastewater Treatment Plant Field Trip to Ventura County, Review Costs and Goals [CONSIDER INFORMATION AND DIRECT STAFF].

**BACKGROUND**

The District is in the process of upgrading its Southland Wastewater Treatment Facility. During the preliminary design phase of the Project, members of your Board toured the City of Moorpark's Wastewater treatment Facility in Ventura County. Moorpark uses a treatment technology similar to what the Board considered and ultimately selected for the Southland Facility upgrade.

Two of your Board's Directors did not attend the previous tour. Staff has tentatively scheduled a tour of the Moorpark Facility for March 16, 2011. All Directors have expressed an interest in attending this tour, which would be a full day and include a tour of the nearby City of Fillmore's Wastewater Facility. The Fillmore Facility includes a recycled water component similar to what may be considered in future upgrades of the Southland Facility. Staff estimates policy decisions regarding recycled water are at least a year away.

**FISCAL IMPACT**

A 'field trip' that would include your full Board would require compliance with the Brown Act and staffing. Principal District staff including the General Manager, District Engineer, and Utilities Superintendent along with the consulting Project and Design Engineer would staff the field trip. Staff estimates the cost of the field trip, including staff time, consultant time, meals, a rental vehicle, and Board compensation, to be in the range of \$5,000.

If your Board were to send interested Directors in pairs to tour the Moorpark Facility. Your Board could pre-approve pay and per diem as appropriate. Staff would facilitate the tour. The costs of this approach would be approximately \$150 per Director.

**RECOMMENDATION**

Staff recommends your Board consider the information and direct staff.

**ATTACHMENTS**

None

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *MSL*  
INTERIM GENERAL MANAGER  
DATE: FEBRUARY 4, 2011



**SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY NOTIFICATION OF NOMINATIONS**

**ITEM**

Consider SDRMA'S 2011 Notification of Nominations [CONSIDER INFORMATION AND DIRECT STAFF].

**BACKGROUND**

The District is a member of the Special District Risk Management Authority. The Authority provided a packet (Attached) outlining the schedule for elections and responsibilities of SDRMA Directors.

**FISCAL IMPACT**

Budgeted staff time used to prepare information.

**RECOMMENDATION**

Consider the information and direct staff accordingly.

**ATTACHMENTS**

- January 19, 2011 SDRMA Correspondence



Special District Risk  
Management Authority

Maximizing Protection,  
Minimizing Risk.

1112 I Street, Suite 300  
Sacramento, California 95814-2865  
T 916.231.4141  
F 916.231.4111  
Toll-free 800.537.7790  
www.sdrma.org



## Notification of Nominations – 2011 Election SDRMA Board of Directors

January 19, 2011

Mr. James Harrison  
Board President  
Nipomo Community Services District  
Post Office Box 326  
Nipomo, California 93444-0326

Dear Mr. Harrison:

Notice of Nominations for the Special District Risk Management Authority (SDRMA) Board of Directors 2011 Election is being provided in accordance with the SDRMA Sixth Amended and Restated Joint Powers Agreement. The following nomination information is enclosed: Nomination Packet Checklist, Board of Director Fact Sheet, Nomination/Election Schedule, SDRMA Election Policy No. 2011-02, Candidate Nomination Resolution and Candidate Statement of Qualifications.

General Election Information - Three (3) Directors seats are up for election. The nomination filing deadline is Wednesday, May 4, 2011. Ballots will be mailed to all SDRMA member agencies in mid-May. Mail-in ballots will be due September 16, 2011.

Nominee Qualifications - Nominees must be a board member or full-time management employee (see SDRMA Election Policy 2011-02, Section 4.1) and be an active member agency of either SDRMA's property/liability or workers' compensation programs. Candidates must be nominated by resolution of their member agency's governing body and complete and submit a "Statement of Qualifications".

Nomination Documents and Information - Nomination documents (Nominating Resolution and Candidates Statement of Qualifications) and nomination guideline information may also be obtained on SDRMA's website at [www.sdrma.org](http://www.sdrma.org). To obtain documents electronically:



*From the SDRMA homepage, click on the "2011 Nomination & Election Information" button. All necessary nomination documents and election information may be downloaded and printed.*

Term of Office – Directors are elected to 4-year terms. The term of office for the newly elected Directors will begin January 1, 2012 and expire December 31, 2015.

Nomination Filing Deadline – Nomination documents **must be received in SDRMA's office no later than 5:00 P.M. on Wednesday, May 4, 2011.**

Please do not hesitate to contact me at 800.537.7790, if you have any questions regarding the 2011 SDRMA Board of Director Nominations or the election process.

Sincerely,  
Special District Risk Management Authority

  
Gregory S. Hall, ARM  
Chief Executive Officer

A proud California Special Districts  
Alliance partner

California Special Districts Association  
1112 I Street, Suite 200  
Sacramento, California 95814-2865  
Toll-free 877 924 CSDA (2732)  
Fax 916 442 7889

CSDA Finance Corporation  
1112 I Street, Suite 200  
Sacramento, California 95814-2865  
Toll-free 877 924 CSDA (2732)  
Fax 916 442 7889

Copy of document found at [www.NoNewWipTax.com](http://www.NoNewWipTax.com)

RECEIVED

JAN 24 2011

NIPOMO COMMUNITY  
SERVICES DISTRICT

# 2011 Nomination Packet Checklist



## SDRMA BOARD OF DIRECTORS NOMINATION AND ELECTION GUIDELINES

January 5, 2011, marked the official commencement of nominations for the SDRMA Board of Directors. Three seats on the Board of Directors are up for election in September 2011.

**For your convenience we have enclosed the necessary nomination documents and election process schedule.** Please note that some items have important deadlines. All document contained in this packet, as well as additional information regarding SDRMA Board elections are available on our website [www.sdrma.org](http://www.sdrma.org) and/or by calling SDRMA Chief Executive Officer Greg Hall at 800.537.7790.

- \_\_\_ **Attachment One:**    **SDRMA Board of Directors Fact Sheet:** SDRMA Board of Directors has established a policy that requires candidates seeking election to the SDRMA Board of Directors to be: 1) a Board member or full-time management employee (per SDRMA Election Policy 2011-02, Section 4.1) of their respective member agency, and 2) nominated by resolution of the Board of Directors of their respective member agency. This document also reviews the Board of Directors' Role and Responsibilities along with additional information.
  
- \_\_\_ **Attachment Two:**    **SDRMA Board of Directors 2011 Election Schedule:** Please review this document for important deadlines.
  
- \_\_\_ **Attachment Three:**    **SDRMA Election Policy No. 2011-02:** A Policy of the Board of Directors of the Special District Risk Management Authority establishing guidelines for Director elections.
  
- \_\_\_ **Attachment Four:**    **Resolution for Candidate Nomination:** A resolution of the Governing Body of the Agency nominating a candidate for the Special District Risk Management Authority Board of Directors.
  
- \_\_\_ **Attachment Five:**    **Candidate Statement of Qualifications:** Please be advised that no statements are endorsed by SDRMA. Candidate statements of qualification will be distributed to the membership with the SDRMA election ballot, "exactly as submitted" by the candidate.

**Please complete and return all required nomination and election documents to:**

SDRMA Election Committee  
C/O Paul Frydendal, CFO  
Special District Risk Management Authority  
1112 "I" Street, Suite 300  
Sacramento, California 95814  
800.537.7790

## SDRMA BOARD OF DIRECTORS FACT SHEET



## SDRMA BOARD OF DIRECTORS ROLE AND RESPONSIBILITIES

Special District Risk Management Authority (SDRMA) is a public entity Joint Powers Authority established to provide cost-effective property, liability and worker's compensation coverages and comprehensive risk management programs for special districts and other public agencies and providers of municipal services throughout California. SDRMA is governed by a Board of Directors elected from the membership by the programs' members.

Number of Board Members	7-Board Members: SDRMA Board of Directors consists of seven (7) Board Members, who are elected at-large from members participating in either program.
Board of Directors' Role	SDRMA Board of Directors provide effective governance by supporting a unified vision, and ensuring accountability, <i>setting direction based on SDRMA's mission and purpose, as well as establishing and approving policy to ensure SDRMA meets its obligations and commitment to its members.</i>
Board of Directors' Responsibilities	<i>Board Member responsibilities include a commitment to: serve as a part of a unified governance body; govern within Board of Directors' policies, standards and ethics; commit the time and energy to be effective; represent and make policy decisions for the benefit, and in the best interest, of all SDRMA members; support collective decisions; communicate as a cohesive Board of Directors with a common vision and voice; and operate with the highest standards of integrity and trust.</i>
Three (3) Seats For this Election	3-Seats: Elections for Directors are staggered and held every two years, four seats during one election and three seats in the following election. Three seats are up for election this year.
Term of Directors	4-Year Terms: Directors are elected for 4-year terms. Terms for directors elected this election begin January 1, 2012 and end on December 31, 2015.
Board Member Travel Reimbursement	Board Members are reimbursed for reasonable travel and lodging in accordance with SDRMA Board Policy Manual 2006-04 and applicable laws.
Number of Meetings per Year	12-Board Meetings Annually: Generally not more than one (1) meeting per month, with an average of nine (9) meetings per year.
Meeting Location	SDRMA office in Sacramento, California.
Meeting Dates	Typically the first Wednesday of each month (overnight stay recommended the night prior to the meeting).
Meeting Starting Time	8:30 a.m.: Meetings begin promptly.
Meeting Length	6 - 8 hours: Length of meetings on average.
Average Time Commitment	15 - 20 hours: Commitment per month.

*"The mission of Special District Risk Management Authority is to provide renewable, efficiently priced risk financing and risk management services through a financially sound pool to CSDA member districts, delivered in a timely, cost efficient manner, responsive to the needs of the districts."*

## SDRMA BOARD OF DIRECTORS 2011 ELECTION SCHEDULE

# 2011 Election Schedule

JANUARY						
S	M	T	W	T	F	S
						1
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30	31					

FEBRUARY						
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27	28					

MARCH						
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APRIL						
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JUNE						
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AUGUST						
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SEPTEMBER						
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OCTOBER						
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NOVEMBER						
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DECEMBER						
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## TASK TIMELINE

- 1/5 Board approved Election Schedule

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- 1/18-21 Mail Notification of Election and Nomination Procedure to Members in January  
90 days prior to mailing Ballots (118 actual days)

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- 05/04 Deadline to return Nominations
- 5/10 Election Comm. Reviews Nominations

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- 05/16-17 Mail Ballots 60 days prior to ballot receipt deadline (123 actual days)

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- 9/16 Deadline to Receive Ballots

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- 9/20 Election Committee Counts Ballots
- 9/21 Election Committee Notifies Successful Candidates and Provides Them With Upcoming Board Meeting Schedule

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- 10/12 Directors' Elect Invited to CSDA Annual Conf/SDRMA Breakfast/Super Session
- 11/2 Directors' Elect Invited to SDRMA Board Meeting
- 1/2012 Newly Elected Directors Seated and Election of Officers

**SDRMA BOARD OF DIRECTORS  
ELECTION POLICY NO. 2011-02**

## Policy No. 2011-02

### A POLICY OF THE BOARD OF DIRECTORS OF SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY ESTABLISHING GUIDELINES FOR DIRECTOR ELECTIONS, DIRECTOR APPOINTMENTS, AND CREATION OF A SUPERVISING ELECTION COMMITTEE

- WHEREAS, SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA) is a joint powers authority, created pursuant to Section 6500, et. seq. of the California Government Code; and
- WHEREAS, the Board of Directors recognizes that it is in the best interest of the Authority and its members to adopt a written policy for conducting the business of the Board; and
- WHEREAS, establishing guidelines for Director elections and appointments will help ensure a process that is consistent for all nominees and candidates, will promote active participation by SDRMA members in the election/appointment process, and will help ensure election/appointment of the most qualified candidate(s); and
- WHEREAS, the Bylaws provide the Board with the option of conducting the election using a mail-in ballot process; and
- WHEREAS, the Board of Directors of SDRMA has an overriding and compelling interest in insuring the accuracy of the election/appointment process of its Board members through the creation of an election committee;

NOW, THEREFORE, it is the policy of the Board of Directors of SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY, until such policy shall have been amended or rescinded, that the following procedures shall be followed when conducting Director elections or filling a Director vacancy by appointment:

#### 1.0. Election Schedule

- 1.1. Not later than the first Board meeting of each election year, the Board of Directors shall approve an election schedule based on the following criteria and time frames.

#### 2.0. Election Committee

- 2.1. The Board of Directors herein establishes an election committee with the following composition, duties and responsibilities; The five (5) members of the Election Committee shall include two presently sitting members of the Board of Directors of SDRMA whose seats are not up for election, the Chief Financial Officer of SDRMA, and the CPA/auditor regularly used and retained by SDRMA at the time of counting ballots of and for an election to the Board of Directors. For good reason found and stated, the Board of Directors of SDRMA may appoint any CPA/auditor who, in the discretion of the Board of Directors, would appropriately serve the Election Committee. The General Counsel for SDRMA shall also sit as a member of the Election Committee with the additional obligation of providing legal advice to the balance of the Committee as legal questions may arise.

#### 3.0. Member Notification of Election

- 3.1. Authority staff shall provide written notification, of an election for the Board of Directors, to all member agencies during March of each election year. Such written notification shall be provided a minimum of ninety (90) days prior to the distribution of ballots and shall include; (1) the number of Director seats to be filled by election; (2) a copy of this nomination and election procedure; and (3) an outline of nomination/election deadline dates.

#### 4.0. Qualifications

- 4.1. A candidate seeking election, re-election or appointment to SDRMA's Board of Directors must be a member of the Governing Body or a full-time management employee of an SDRMA member. To qualify as a "full-



time management employee," the candidate must be a full-time, management-level (as determined by the Governing Body) employee whose wages are reported to the IRS on a "W-2" form. Only one (1) representative from any Member may serve on the Board of Directors at the same time. [Per Bylaws, Article II, (2) (b)]

- 4.2. Each nominated candidate must submit a properly completed and signed "Statement of Qualifications" (required form attached) on or before the filing deadline in June in order for the candidate's name to be placed on the official ballot. A candidate shall provide responses to all questions on the candidate's "Statement of Qualifications". Each nominated candidate's "Statement of Qualifications" must be filed on or before the aforementioned deadline by (1) personal delivery to SDRMA's office; or (2) by U.S. mail received by the SDRMA office. When ballots are mailed to the membership, each candidate's "Statement of Qualifications" form will be distributed to the membership exactly as submitted by the candidate to SDRMA. However, any attachments submitted by the candidate(s) with the Statement of Qualifications will not be sent by SDRMA with the ballots to any members.
- 4.3. If a nominated candidate elects not to use the provided form "Statement of Qualifications," and prepares instead the candidate's own completed form, the candidate's form must include the title "Statement of Qualifications" and contain exactly all information required and requested by the provided form.

NOTE: The candidate's "Statement of Qualifications" form must be submitted as a part of the nominating process. When ballots are mailed to the membership, each candidate's "Statement of Qualifications" form will be distributed "exactly as submitted" to SDRMA, except that any attachments submitted by the candidate will not be sent to any SDRMA members.

- 4.4. A candidate that does not submit a Candidate's Statement of Qualifications which complies with Section 4.2 or 4.3 will be disqualified by the SDRMA Election Committee.

#### 5.0. Nominating Procedure

- 5.1. Candidates seeking election or reelection must be nominated by action of their respective Governing Body. Only one (1) candidate may be nominated per member agency and one (1) candidate shall not represent more than one (1) member agency. A resolution from the candidate's district/agency Governing Body nominating the candidate must be received by the Authority on or before the scheduled date in June. (A sample of the resolution is enclosed). Actual receipt by the Authority on or before the scheduled deadline date in June is required. The resolution nominating the candidate may be hand-delivered to the Authority or sent by U.S. mail. In the event a candidate is nominated by two (2) or more member agencies, he or she shall represent the member agency whose nominating resolution is first received by the Authority. The other member agency or agencies that nominated the candidate shall be entitled to select a replacement nominee as long as a resolution nominating the replacement is received by the Authority prior to the scheduled deadline date.
- 5.2. A member may not nominate a candidate unless that member is in "good standing" on the date the nominations are due. "Good standing" is defined as no accounts receivable more than ninety (90) days past due.
- 5.3. The Election Committee, as hereinabove defined and comprised, shall review all nominations received from members and will reject any nominations that do not meet all of the qualifications specified and set forth in this policy. Following the Election Committee's review of all nominations, the Election Committee shall direct that a ballot be prepared stating and listing all of the qualified nominees. The ballot of qualified nominees shall be distributed to the membership for election by mail as described below.
- 5.4. Upon verification or rejection of each nominee by the Election Committee, staff will mail acknowledgment to both the nominee and the district/agency of its acceptance or rejection as a qualified nominee for election.

- 5.5. A nominee requesting that his/her nomination be withdrawn prior to the election, shall submit such requests in writing to SDRMA's office a minimum of three (3) days prior to the scheduled date for mailing the ballots. After that date, all qualified nominees names shall appear on the ballot mailed to the membership.

6.0. Terms of Directors

- 6.1. The election of directors shall be held in each odd-numbered year. The terms of the directors elected by the Members will be staggered. Four directors will serve four-year terms, to end on December 31 of one odd-numbered year. Three directors will serve four-year terms, to end on December 31 of the alternate off-numbered year. [Per Bylaws, Article II, (3), paragraph 1].

7.0. Campaigning

- 7.1. SDRMA staff will mail each qualified candidate's "Statement of Qualifications", "exactly as submitted" by the candidate with the ballots to the membership.
- 7.2. Candidates, at their own expense, may distribute additional information to member agency(s) after the ballots have been mailed and prior to the election.
- 7.3. SDRMA staff is prohibited from actively promoting a candidate or participating in the election process while on Authority premises.
- 7.4. SDRMA staff may provide member information, mailing lists, financial reports or operational data and information, that is normally available through the Public Records Act, to candidates to assist them in their research and campaigning. In addition to obtaining such information under the Public Records Act, candidates may request SDRMA staff prepare mailing labels for the distribution of campaign materials to member agencies. Under existing policy, charges will apply for this service. The SDRMA logo is trademarked for use by SDRMA only. Neither the logo, nor any other Trademark of SDRMA may be used in any campaign literature. No campaign literature is to imply support of any candidate by SDRMA.
- 7.5. SDRMA election mailings to the membership, including ballots and candidates' "Statement of Qualifications", shall be sent via first class mail.

8.0. Limitations on Campaigning

- 8.1. As used in this section the following terms have the following meanings:

"Campaign Activity" means any activity that expressly advocates the election or defeat of a candidate or provides direct support to a candidate for his or her candidacy. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes or the use of public resources to nominate a candidate or vote in any Board of Directors election.

"Candidate" means an individual who has been nominated by the Member Agency to have his or her name listed on the ballot for election to the Board of Directors.

"Expenditure" means a payment of Member Agency funds that is used for communications that expressly advocate the election or defeat of a clearly identified candidate. "Expenditure" does not include the use of public funds to nominate a candidate or vote in any Board of Directors election.

"Public resources" means any property or asset owned by the Member Agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and Member Agency-compensated time.

- 8.2. An officer, official, employee, or consultant of a Member Agency may not expend or authorize the expenditure of any of the funds of the Member Agency to support or oppose the election or defeat of a candidate for the Board of Directors.
- 8.3. No officer, official, employee, or consultant of a Member Agency shall use or permit others to use public resources for campaign activity.
- 8.4. At any time during an election campaign, if a Member Agency or its officers, officials, employees or consultants violate this section, that Member Agency shall be ineligible to nominate a candidate for the Board of Directors election in which the violation occurred. Any candidate of an offending Member Agency shall be deemed to have withdrawn his or her candidacy. Prior to declaring a Member Agency ineligible to nominate a candidate or a specific candidate's candidacy withdrawn, the Elections Committee shall hold a hearing to determine whether or not a violation of this section occurred. The hearing shall be conducted pursuant to reasonable procedures that the Elections Committee shall prescribe, provided that the affected Member Agency or candidate shall have an opportunity to dispute the violation. At the conclusion of the hearing, the Elections Committee shall determine by a majority vote whether the violation occurred.

9.0. Balloting

- 9.1. A ballot containing nominees for the Board of Directors, accepted and approved by the Election Committee, shall be mailed by first class mail, to each SDRMA member agency, except as provided in Section 9.2 below, no less than sixty (60) days prior to the deadline for receiving ballots and the closing date for voting. Ballots shall show the date and time the ballots must be received in SDRMA's office. A self-addressed, stamped, return envelope shall be mailed with each ballot.
- 9.2. In the event that the number of qualified/approved nominees is equal to or less than the number of director seats up for election, the mailing of the ballots as outlined in Section 9.1 shall be waived.
- 9.3. Only those qualified nominees approved by the Election Committee will be eligible candidates on the ballot. Write-in candidates shall not be accepted.
- 9.4. It is required that the Governing Body of each member vote on behalf of their agency (sample Resolution enclosed) and the ballot MUST be signed by the agency's Presiding Officer.
- 9.5. A member may not vote unless the member was a member of the Authority in "good standing" on or before the nomination due date for the pending election. "Good standing" is defined as no accounts receivable more than ninety (90) days past due.
- 9.6. A member may cast only one (1) vote for the same candidate. By way of example, if there are four (4) candidates on the ballot, a member may not cast two (2) to four (4) votes for any single candidate. Any ballot casting more than one (1) vote for the same candidate will be considered void.
- 9.7. A member may vote by using the official ballot provided by SDRMA, or a copy of SDRMA's original ballot, or a reasonable duplicate prepared by the member agency. Whichever of the three foregoing formats is used, the ballot must contain an original signature and confirmation that the ballot was approved at a public meeting of the agency's Governing Body. Ballots submitted without an original signature and/or without confirmation that the form of the ballot was approved at a public meeting of the agency's Governing Body will be considered void.
- 9.8. Ballots may be returned using either hand-delivered or mailed in ballots - faxed or e-mailed ballots will not be accepted. Mailed in ballots must be addressed to, and hand-delivered ballots must be delivered to, the Special District Risk Management Authority office presently located at 1112 I Street, Suite 300, Sacramento, California 95814-2865.
- 9.9. Any ballot received after the specified deadline will not be counted and will be considered void.

10.0. Election Results

- 10.1. All ballots will be opened and counted at SDRMA's office only after the deadline for receiving ballots. Ballots will be opened by SDRMA's Election Committee, no more than five (5) days after the closing deadline. Candidates receiving the highest number of votes shall be declared the elected director(s).
- 10.2. In the event of a tie, a coin toss shall be used to determine the elected director. The coin toss shall be conducted by the Election Committee at the time and place of the conclusion of counting ballots.  
  
PROCEDURE: In the event more than two (2) candidates tie, the coin toss shall be between two (2) candidates at a time based on the order in which their name appeared on the ballot. This process shall be repeated, as needed, in cases where there are more than two (2) candidates.
- 10.3. Excluding tie votes, within five (5) days after the ballots are opened and tabulated Authority staff shall advise the candidates and their respective agency in writing of the final election results. Copies of the results shall also be mailed/distributed to SDRMA's Board of Directors, staff and consultants and published in the first available CSDA newsletter.
- 10.4. If a director-elect withdraws after the election or fails to accept the Director seat prior to December 31, the Board shall name a new director-elect by going back to the ballots and awarding the seat to the candidate receiving the next highest number of votes during the election.
- 10.5. Staff shall invite newly elected director(s) to attend the Annual Membership meeting and all scheduled Board meeting(s) after confirmation of election results until the director(s) elect assume office. Director(s) elect will be reimbursed for expenses, except for director stipends, in accordance with approved director reimbursement policy (copy of policy shall be provided to newly elected directors).
- 10.6. A member or candidate dissatisfied with the election result may, within ten (10) days after the ballots are opened and tabulated, file with the Authority a written challenge and appeal. The challenge and appeal must clearly set forth the complaint and any and all facts in support of the challenge and appeal. Within ten (10) days after the ballots are opened and tabulated, the challenge and appeal shall be delivered and received by the Authority. Within five (5) days of receipt of the challenge and appeal, the Authority shall deliver the same to the Election Committee for decision. The Election Committee shall have absolute authority for deciding the challenge and appeal. Notice of the decision of the Election Committee shall be provided to the party filing the challenge and appeal within ten (10) days.

11.0. Director Vacancy

- 11.1. If a director vacancy(s) occurs (Note 1), appointment of a replacement director for the balance of the unexpired term will be made by the remaining members of the SDRMA Board. In order to accomplish this in an orderly and consistent manner, when a vacancy(s) of an elected Director(s) occurs, the SDRMA Board of Directors, after discussion and consideration, shall, when deemed appropriate, instruct staff to:
  - a) notify all then member entities that a vacancy has occurred; and
  - b) said notice shall refer to the applicable Article in the By-laws in advising member entities and their eligible candidates of the steps to take to apply for appointment; and
  - c) the SDRMA Board shall establish the closing date for the receipt of applications; and
  - d) candidates shall submit the following, by the date specified in the notice:
    - i) a letter of interest; and
    - ii) a resume, with particular emphasis on the candidate's knowledge of special districts and risk management; and
    - iii) a resolution from, or a letter approved by, the candidate's Governing Body nominating the candidate; and
  - e) the Election Committee shall review all applications received, and shall reject any that do not meet all of the qualifications specified and set forth in this policy; and

- f) upon verification or rejection of each application by the Election Committee, staff will mail acknowledgement to both the applicant and the district/agency of its acceptance or rejection of the applicant as a qualified candidate for appointment; and
- g) candidates shall be interviewed at the next regularly scheduled meeting of the SDRMA Board of Directors following the date of closure for the applications. Interviews shall be in person, or if an unforeseen emergency arises, the interview may be by telephone at the same scheduled time; and
- h) the SDRMA Board shall make the appointment without undue delay, but need not act at the same meeting.

Note 1: If the Director vacancy occurs within nine (9) months after the date the candidates were certified by the Election Committee or within nine (9) months after a candidate was appointed to fill a vacancy, then the Board shall have the option to interview and appoint the candidate(s) who did not receive sufficient votes to be elected OR to interview and appoint from the pool of candidates from 11.1.g) above. If the Board determines in its sole discretion that neither of these two options is appropriate, then staff shall be instructed to proceed with the process described above in steps 11.1 a) to h).

Revised and adopted this 5<sup>th</sup> day of January 2011, by the Board of Directors of Special District Risk Management Authority, at a regular meeting thereof.

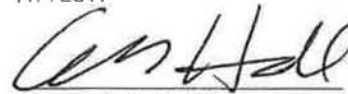
This policy rescinds existing Policy No. 2009-07 and all other policies inconsistent herewith.

APPROVED:

A handwritten signature in black ink, appearing to read "David Aranda", written over a horizontal line.

David Aranda, President  
Board of Directors

ATTEST:

A handwritten signature in black ink, appearing to read "Gregory S. Hall", written over a horizontal line.

Gregory S. Hall, ARM  
Chief Executive Officer



**SAMPLE  
RESOLUTION FOR  
CANDIDATE NOMINATION**

Available for download in Microsoft Word file format  
visit our website at [www.sdrma.org](http://www.sdrma.org)

**[AGENCY NAME]**  
**RESOLUTION NO.**

**A RESOLUTION OF THE GOVERNING BODY OF THE [AGENCY NAME] NOMINATING  
[CANDIDATE'S NAME] AS A  
CANDIDATE FOR ELECTION TO THE SPECIAL DISTRICT RISK MANAGEMENT  
AUTHORITY BOARD OF DIRECTORS**

**WHEREAS**, the Special District Risk Management Authority (SDRMA) is a Joint Powers Authority formed under California Government Code, Section 6500 et.seq., for the purpose of providing risk management and risk financing for California Special Districts and other local government agencies; and

**WHEREAS**, the Joint Powers Agreement (JPA) and Bylaws of SDRMA set forth director qualifications, terms of office and election requirements; and

**WHEREAS**, the Board of Directors of SDRMA established procedures and guidelines for the Director Election process; and

**WHEREAS**, the Board of Directors of SDRMA established a policy requiring candidates seeking election to the SDRMA Board of Directors to be: 1) a board member or full-time management employee per SDRMA Election Policy 2011-02, Section 4.1 and be an active member agency of either SDRMA's property/liability or workers' compensation programs, and 2) be nominated by resolution of their member agency's governing body, and 3) each nominated candidate must submit a completed and signed "Statement of Qualifications" on or before the filing deadline in June in order for the candidate's name to be placed on the official ballot.

**NOW, THEREFORE, BE IT RESOLVED** the governing body of [AGENCY NAME] nominates [CANDIDATE'S NAME] its [POSITION TITLE], as a candidate for the Board of Directors of the Special District Risk Management Authority; and further directs that a copy of this resolution be delivered to SDRMA on or before the May 4, 2011 filing deadline.

**ADOPTED** this [DATE] of [MONTH/YEAR] by the Governing Body of [AGENCY NAME] by the following roll call votes:

AYES:	[LIST NAMES of GOVERNING BOARD VOTES]
NAYES:	“
ABSTAIN:	“
ABSENT:	“

APPROVED

\_\_\_\_\_  
President  
Board of Directors

ATTEST

\_\_\_\_\_  
Secretary

CANDIDATE'S STATEMENT  
OF  
QUALIFICATIONS







TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
INTERIM GENERAL MANAGER  
DATE: FEBRUARY 4, 2011



**LOCAL AREA FORMATION COMMISSION REQUEST FOR COMMISSIONER NOMINATIONS**

**ITEM**

Consider Local Agency Formation Commission's Request to Fill Special District Seat Vacancy. [CONSIDER INFORMATION AND PROVIDE LAFCO WITH NOMINEE].

**BACKGROUND**

The LAFCO seat for Special District's is vacant and the Commission is seeking nominations.

**FISCAL IMPACT**

Budgeted staff time used to prepare information.

**RECOMMENDATION**

Provide a nomination and direct staff to file paper work.

**ATTACHMENTS**

- January 24, 2011 LAFCO Correspondence



LAFCO - San Luis Obispo - Local Agency Formation Commission  
SLO LAFCO - Serving the Area of San Luis Obispo County

COMMISSIONERS

RICHARD ROBERTS  
Chair, Public Member

BRUCE GIBSON  
Vice Chair,  
County Member

MURIL CLIFT  
Special District Member

ED EBY  
Special District Member

JAMES R. PATTERSON  
County Member

DUANE PICANCO  
City Member

KRIS VARDAS  
City Member

ALTERNATES

ROBERTA FONZI  
City Member

FRANK R. MECHAM  
County Member

TOM MURRAY  
Public Member

VACANT  
Special District Member


STAFF

DAVID CHURCH  
Executive Officer

RAYMOND A. BIERING  
Legal Counsel

MIKE PRATER  
Analyst

DONNA J. BLOYD  
Commission Clerk

**TO: EACH INDEPENDENT SPECIAL DISTRICT**  
**FROM: DAVID CHURCH, LAFCO EXECUTIVE OFFICER**   
**DATE: JANUARY 24, 2011**  
**RE: REQUEST FOR NOMINATIONS FOR LAFCO  
SPECIAL DISTRICT MEMBER**

The term of the Special District seat currently held by LAFCO Commissioner Ed Eby expired in December 2010.

**Background.** The appointment could not be completed by the Independent Special District Selection Committee due to the difficulty in gathering a quorum. In the event that a meeting of the Selection Committee is not feasible, the Government Code allows the LAFCO Executive Officer to conduct the business of the committee in writing or via e-mail. If only one candidate is nominated, that candidate shall be deemed selected, with no further proceeding.

**Instructions.** Please schedule this request for nominations on an agenda for a meeting of your Board of Directors as soon as possible. Nominations are required to be submitted in writing within 30 days of this memorandum; late nominations will not be considered. A nomination must be approved by the District's governing body. If your District's Board of Directors decides to nominate someone, please submit the nomination form to this office by **5:00 p.m. on February 28, 2011**. The completed nomination form may be submitted via Mail, Fax-788-2072, or e-mail-DChurch@slolafco.com. If more than one nomination is received, the Executive Officer shall prepare and send by electronic mail to each independent special district a ballot with voting instructions.

A nomination form and current Commission Membership sheet are attached to assist you. Also, the LAFCO website ([www.slolafco.com](http://www.slolafco.com)) has additional information about LAFCO. Please call me at 781-5795 if you have any questions.

cc: Members, Formation Commission

RECEIVED

JAN 25 2011

NIPOMO COMMUNITY  
SERVICES DISTRICT

1042 Pacific Street, Suite A • San Luis Obispo, California 93401

Tel: 805.781.5795 Fax: 805.788.2072 [www.slolafco.com](http://www.slolafco.com)

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**NOMINATION FOR LAFCO  
SPECIAL DISTRICT MEMBER**

The \_\_\_\_\_  
(Insert Name of Special District)

Hereby nominates \_\_\_\_\_ to serve as the  
(Insert Name of Nominee)

Special District Member on the San Luis Obispo Local Agency Formation Commission (LAFCO).

Board of Director's action in the nomination was taken on:

\_\_\_\_\_  
(Insert Date of Board Action)

\_\_\_\_\_  
(General Manager or Chairman/President)

\_\_\_\_\_  
(Email address)

**SAN LUIS OBISPO  
LOCAL AGENCY FORMATION COMMISSION**

The Commission is comprised of seven (7) Regular Members (two county, two city, two special district, and one public member) and four (4) Alternate Members (one county, one city, one special district, and one public member) serving four-year terms. Current members and their term expiration dates are as follows:

***Chairman***

**Richard Roberts**

Public Member, December 2012

***Vice Chairman***

**Bruce Gibson**

County Board Member, District 2 Supervisor  
December 2013

**Muril Clift**

Special District Member, Cambria Community Services District  
December 2012

**Ed Eby**

Special District Member, Nipomo Community Services District  
December 2010

**James R. Patterson**

County Board Member, District 5 Supervisor  
December 2011

**Duane Picanco**

City Member, City of Paso Robles  
December 2011

**Kris Vardas**

City Member, City of Pismo Beach  
December 2013

***Alternates***

**Roberta Fonzi**

City Member, City of Atascadero, December 2014

**Tom Murray**

Public Member, December 2012

**Frank Mecham**

County Board Member, District 1 Supervisor, December 2011

**Vacant**

Special District Member, December 2013