

Harold Snyder
P.O. Box 926
Nipomo, CA 93444
(805) 929-2455 H

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FEB 24 2009
NIPOMO COMMUNITY
SERVICES DISTRICT

February 24, 2009

Nipomo Community Services District
148 Wilson Street
P.O. Box 326
Nipomo, CA 93444

(805) 929-1133 Phone
(805) 929-1932 Fax

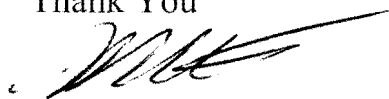
Dear Bruce Buel:

I request a copy of the agreement that meets the condition #5

“Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and **provide documentation that an agreement is in place to deliver such water by January 1, 2009.** Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the S6 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation. The Registered Professional Engineer shall be selected from a list of qualified professionals provided by LAFCO.”

In the attachment dated May 20, 2004 in the attached Lafco August 25, 2005 letter/comment.

Thank You



Harold Snyder

LAFCO • The Local Agency Formation Commission
Serving the Area of San Luis Obispo County

RECEIVED

August 25, 2005

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Special District Member

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Legal Counsel

DAVID CHURCH
LAFCO Analyst

DEBRA J. BLOCH
Commission Clerk

Mr. Michael LeBrun, General Manager
NCSD
P.O. Box 326
Nipomo, CA 93444

Subject: NOP Environmental Impact Report for the City of Santa
Maria/NCSD Waterline Intertie

Dear Mr Lebrun:

Thank you for the opportunity to comment on the Notice of Preparation for
the Environmental Impact Report being prepared by the District regarding
the City of Santa Maria/NCSD Waterline Intertie. Please consider the
following comments when completing the EIR:

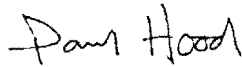
1. **Name of Contact Person.** David Church, Analyst, San Luis Obispo
Local Agency Formation Commission, 1042 Pacific Street, Suite A,
San Luis Obispo, CA 93401, (805) 788-2096
Dchurch@SLOLAFCO.COM
2. **Permit(s) or Approval(s) Authority.** LAFCO is responsible for
approving the Sphere of Influence for jurisdictions throughout the
County. LAFCO also approves any annexations to a jurisdiction's
service area. A jurisdiction is required to obtain LAFCO's approval
prior to serving a territory outside of its service area. Please see
Government Code Section 56000 et al of the
Cortese/Knox/Hertzberg Act for more information about LAFCO'S
authority and procedures. LAFCO is also responsible for condition
compliance for the conditions of approval placed on the Sphere of
influence. These conditions are attached.
3. **Environmental Information.** The EIR should address the capability
of a jurisdiction to provide services to existing and future residents
with regard to water supply and future demand.
4. **Permit Stipulations/Conditions.** Projects that are in the District's
SOI would require LAFCO review and approval if the District is to
serve the area.
5. **Alternatives.** Any analysis of alternatives should include a range of
alternatives that meets the project's objectives and is consistent with
the Conditions of Approval established by LAFCO.

1042 Pacific Street, Suite A • San Luis Obispo, California 93401
Tel: 805.781.5795 Fax: 805.788.2072
www.slolafco.com

6. **Reasonable Foreseeable Projects, Programs, or Plans.** The waterline project will help the District meet the conditions of approval placed on the Sphere of Influence. The information provided in the EIR will be used as reference information for future annexations and other projects considered by LAFCO.
7. **Relevant Information.** San Luis Obispo LAFCO's Policies and Procedures for completing a variety of actions required by the Cortese/Knox/Hertzberg Act can be found at our website WWW.SLOLAFCO.COM.

We appreciate being contacted with regard to this project and look forward to hearing more about the plan as it progresses through the environmental review and planning process. If you have any questions regarding our comments please contact me at 781-5795.

Sincerely,



PAUL HOOD
LAFCO Executive Officer

NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONS OF APPROVAL
Sphere of Influence Update and Municipal Service Review
May 20, 2004

LAND USE

1. Prior to providing services to an area or property in the District's Sphere of Influence one or more of the following processes shall be completed:
 - a. Approval by the County of San Luis Obispo of Tract or Parcel Map, Conditional Use Permit, Specific Plan, and/or General Plan Amendment, or
 - b. Approval by LAFCO of an Outside User Agreement or an Annexation.

These processes shall be subject to the environmental review process consistent with the California Environmental Quality Act (CEQA). Any conflicts between the Sphere of Influence and the General Plan shall be resolved through these processes stated above. Impacts associated with premature or "leapfrog" development, development outside the Urban Reserve Line, potential growth-inducing impacts, and the availability of public services shall also be addressed and mitigated to the greatest possible degree through these discretionary approval processes.

2. The proposed Sphere of Influence shall be reduced from the eight Study Areas to exclude all of Study Area #6.

A map identifying the Sphere of Influence is found in the Exhibit A of this resolution.

3. The District shall not provide sewer services to Study Areas #4 (except for the Southland Specific Plan Area and areas zoned Residential Suburban), #5 (Residential Suburban zoning only), #7, and #8. This condition shall be applied by LAFCO to any annexations proposed in those Study Areas as shown in the map found in Exhibit A of this resolution and by the District through any annexation agreements they approve.

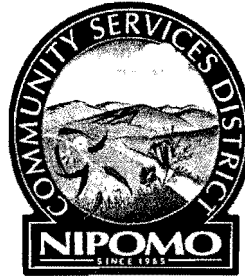
WATER

4. Except as provided below, prior to LAFCO approval of any annexation, the District shall:
 - A. Implement a water conservation program that decreases water use by 15% based on per connection water consumption. Annexations shall only be approved if the District provides documentation that certifies a 15% decrease in water use has occurred since the approval date of the Sphere of Influence. Conservation measures shall be implemented at the District's discretion.
 - B. Complete or update the Urban Water Management Plan to reflect the need to provide water service in the amount of 1,000 acre-feet for the expanded Sphere of Influence. The Urban Water Management Plan prepared or updated by the District shall be prepared consistent with the State of California's Urban Water Management Plan Act. A Registered Professional Engineer specializing in water resource planning shall certify that the Plan is consistent with the State's Urban Water Management Plan Act. The Registered Professional Engineer shall be selected from a list of qualified professionals provided by LAFCO.
5. Prior to approval by LAFCO of any annexation, the District shall complete negotiations for a supplemental water source outside the Nipomo Hydrologic Sub-Area and provide documentation that an agreement is in place to deliver such water by January 1, 2009. Documentation shall be consistent with Section 5, Step Two, Documenting Supply, of the SB 610 Guidebook dated October 8, 2003. A Registered Professional Engineer specializing in water planning shall review and certify such documentation. The Registered Professional Engineer shall be selected from a list of qualified professionals provided by LAFCO.
6. Prior to final approval of any annexation that is a "project", as defined under the Water Code 10912, the District shall submit a Water Assessment pursuant to the procedures found in the Guidebook for Implementation of SB 610 and SB 221, using only the steps applicable to SB 610.
7. Conditions 4, 5, and 6 shall not apply to the following proposed annexations:
 - A. **County Service Area 1 Reorganization.** This proposal would dissolve CSA 1 and annex those areas into the District. The District would not be providing water service, but would assume the provision of sewer services and the maintenance of drainage facilities to these areas.

NIPOMO COMMUNITY

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SERVICES DISTRICT

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LISA BOGNUDA, ASSISTANT GENERAL MANAGER
JON SEITZ, GENERAL COUNSEL

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

February 27, 2009

Harold Snyder
P. O. Box 926
Nipomo, CA 93444

SUBJECT: FEBRUARY 24, 2009 PUBLIC RECORDS REQUEST

Dear Harold,

I can find no public records that correspond to the document you requested.

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT



Bruce Buel
General Manager

CC: NCSD Board of Directors
Public Records Request File
Chronological File

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