

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

April 29, 2011 Request #2

Michael LeBrun,
Nipomo Community Services District (NCSD)
148 Wilson Street, P.O. Box 326
Nipomo, CA 93444

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

Dear Michael LeBrun:

In the April 21st 2011 response to my public records request there was a “poll” and in that poll, in section 7: Positive Arguments, it states:

“This measure is supported by a broad coalition of individuals and community organizations, including environmental groups, local businesses, and concerned property owners.”

1. I am making a public record request for the communication from NCSD to the consultant that was used as a basis for this statement.
2. I am also making a request for any list or partial list of the members of the “supporting” entities in the group that is “a broad coalition of individuals and community organizations, including environmental groups, local businesses, and concerned property owners.”

It also has a preamble that this is “what some people are saying”.

3. I am making a public record request for the communication from NCSD to the consultant that was used as a basis for this statement.
4. I am also making a request for any list or partial list that identifies the members of the “some people” that are being referred to in this section.

Thank You



Harold Snyder

From: [Merrie Wallravin](#)
To: kochcal@earthlink.net
Cc: [Michael LeBrun](#)
Subject: response to public records request 1 and 2 from 4-29-11
Date: Monday, May 09, 2011 4:03:54 PM
Attachments: [20110509145528.pdf](#)

Mr. Snyder,

Attached you will see the responses to public records request #1 and #2 from 4-29-11. The hard copies will be sent to you via mail.

Thanks,

Merrie S. Wallravin

Secretary/Clerk
Nipomo Community Services District
PO Box 326
Nipomo, Ca 93444
Ph: (805)929-1133
Fax: (805)929-1932

mwallravin@ncsd.ca.gov
<<20110509145528.pdf>>

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(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

May 9, 2011

Harold Snyder
P.O. Box 926
Nipomo, CA 93433

Dear Mr. Snyder:

SUBJECT: APRIL 29, 2011, PUBLIC RECORDS REQUEST TO THE NIPOMO COMMUNITY SERVICES DISTRICT (REQUEST #2)

Please accept this letter in response to your Public Records Request of April 29, 2011 (Request #2), received by the Nipomo Community Services District ("District") on April 29, 2011. This response has been reviewed by District Legal Counsel, Jon S. Seitz, and is the person responsible for raising objections referenced in this response.

As a preliminary note, the "poll" referenced in your request was a "survey" conducted for statistical purposes. Section 7 of the survey begins with the phrase "What I'd like to do now is tell you what some people are saying about the Measure we've been discussing." Section 7 Q8 begins with the following phrase "Supporters of the Measure say ----- Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to support the Measure?" Subsection G that completes the phrase (fills in the blank above) states "this Measure is supported by a broad coalition of individuals and community organizations, including environmental groups, local businesses and concerned property owners."

With the above in mind, this District responds to your April 29th (Request #2) as follows:

1. I am making a public records request for the communication from NCS D to the Consultant that was used as a basis for this statement. (Section 7 Q8G)

RESPONSE: No such document exists.

2. I am also making a request for any list or partial list of the members of the "supporting" entities in the group that is "a broad coalition of individuals and community organizations, including environmental groups, local businesses, and concerned property owners."

RESPONSE: Subject to the District's response to request #1 above, the District will produce the following:

- A. A list of Stipulating Parties in the Groundwater Adjudication. and
 - B. Judge Komar's Order approving the Stipulation which provides in relevant part "The Court finds that the Settlement Stipulation was negotiated in good faith, that its terms are reasonable, that it provides certainty to the parties, that it is a physical solution that protects the water resource and the rights and interests of all parties, that it provides flexibility for changing conditions, that it provides for judicial supervision through continuing jurisdiction of the Court, that it logically divides the basin into three separate management subareas that will resolve current and future water issues in each subarea, that it establishes an effective political solution to the actual and potential problems of this groundwater basin, and that it constitutes a reasonable compromise of disputed claims and defenses."
3. I am making a public record request for the communication from NCSD to the Consultant that was used as a basis for the statement "what some people are saying" (see preliminary note above).

RESPONSE: No such documents exist.

4. I am also making a request for any list or partial list that identifies the members of the "some people" that are being referred to in this section.

RESPONSE: No such documents exist except for those documents referenced in response #2 above.

The above referenced documents will be made available for inspection during the week of May 16, 2011, and upon twenty-four (24) hour notice. Please contact Ms. Lisa Bognuda at (805) 929-1133 to arrange an appropriate time for inspection. Upon request and as an alternative to providing the documents for inspection, the District will produce all documents identified and forward them to your office upon receipt of deposit for photocopying. The deposit amount can be arranged with Ms. Bognuda.

Further, if you believe the documents identified in the above paragraph are not responsive to your request and you wish to clarify what document you are requesting, then pursuant to Government Code Section 6253.1 a District representative is willing to meet with you, at a mutually agreeable time, to assist you in identifying precisely what records you are requesting. Please call Ms Bognuda at 929-1133 to make an appointment to meet.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Michael LeBrun
Interim General Manager