

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF ENGINEERING
& OPERATIONS

DATE: NOVEMBER 6, 2014

AGENDA ITEM
E-2
NOVEMBER 12, 2014

**CONSIDER TASK ORDER WITH AECOM FOR
SUPPLEMENTAL WATER PROJECT PHASE 2A FINAL DESIGN**

ITEM

Consider Task Order for Supplemental Water Project Phase 2A Final Design with AECOM in the amount of \$58,066. [RECOMMEND, BY MOTION AND ROLL CALL VOTE, AUTHORIZE TASK ORDER].

BACKGROUND

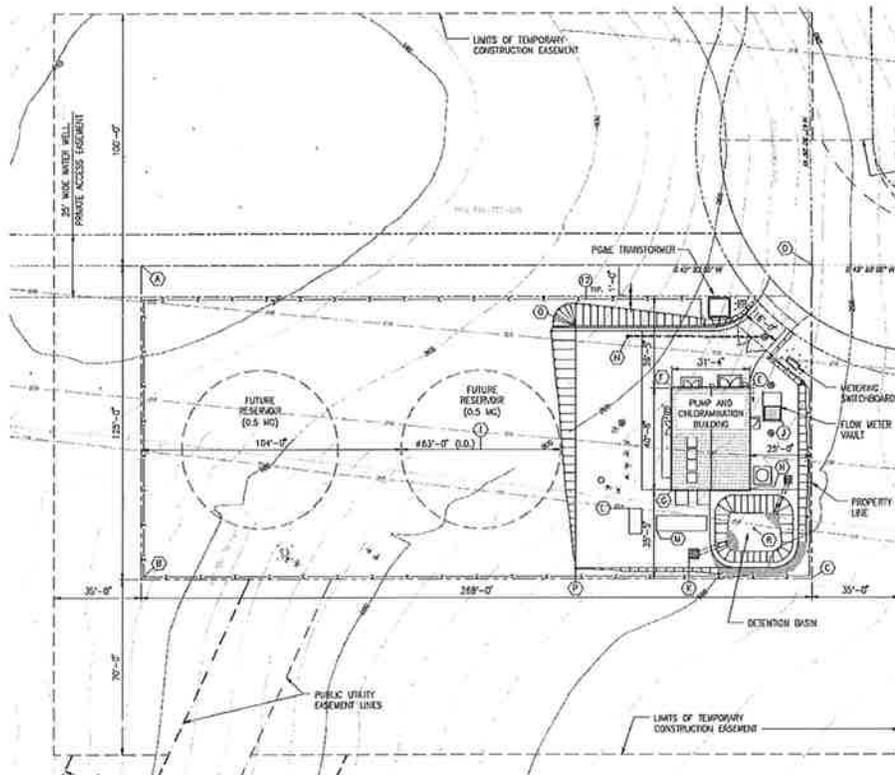
The Nipomo Supplemental Water Project (Project) will deliver water purchased by the District from the City of Santa Maria and will allow the District to reduce pumping from existing wells to slow the depletion of groundwater and reduce the potential for seawater intrusion on the Nipomo Mesa. The Project will also increase the reliability of the District water supply by providing an additional source other than groundwater. The Project is consistent with the settlement agreement and the judgment related to the groundwater adjudication of the Santa Maria Groundwater Basin. The Project was originally designed to deliver 3000 AFY. Subsequently, the design was evaluated and modified to allow for phased construction to reduce the initial capital cost of the project.

Supplemental Water Project Phase 1 will interconnect the District water distribution system with the City of Santa Maria water distribution system. The Project consists of approximately 7600 lineal feet of 24 inch diameter ductile iron pipe (DIP) waterline, 2600 lineal feet of 24 inch nominal inside diameter high-density polyethylene (HDPE) pipe under the Santa Maria River, a flow meter and flow control station, the Joshua Road Pump Station, a 400 gallon per minute (gpm) pump station with two (2) pumps, a chloramination system, and related power, back-up power, controls and instrumentation systems, a pressure reducing station, and chloramination systems at four (4) existing District production wells. Construction of Phase 1 was authorized by the Board in June 2013 and is scheduled to be completed in June 2015.

Supplemental Water Project Phase 2A will consist of construction of a 500,000 gallon semi-buried concrete reservoir at the Joshua Road Pump Station along with the related piping, electrical, instrumentation, grading, and landscape improvements. The project will increase delivery capacity to at least 800 AFY, provide operational flexibility and save considerable restaging costs if the project is constructed before all of the temporary construction easements required for Phase 1 are released.

Staff requested that AECOM provide a proposal to prepare bid documents for the Joshua Road Pump Station Reservoir. AECOM designed the original 3000 AFY Project that included the reservoir that was subsequently deleted from the Phase 1 Project and thus is uniquely qualified to provide the requested services based on this past experience. A copy of AECOM's proposal is attached.

Construction of Phase 1 required the acquisition of a parcel for the pump station and future planned reservoirs. The District also acquired temporary construction easements that extend beyond the limits of the pump station parcel in order to provide adequate area for construction of the pump station and one reservoir. If the reservoir is constructed after the Phase 1 pump station improvements are completed, the District will need to reacquire temporary construction easements at a later date for construction of the reservoir. The site plan for the pump station is shown below:



FISCAL IMPACT

Funding for Supplemental Water Project Phase 2A is available in the FY 2014-2015 budget.

STRATEGIC PLAN

Goal 1 – WATER SUPPLY – Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

RECOMMENDATION

Staff recommends that your Honorable Board authorize the General Manager to execute a task order with AECOM for final design of Supplemental Water Project Phase 2A in the amount of \$58,066 and authorize a change order contingency in the amount of \$6000.

ATTACHMENTS

- A. AECOM Proposal dated November 3, 2014

November 12, 2014

ITEM E-2

ATTACHMENT A



AECOM
1194 Pacific Street
Suite 204
San Luis Obispo CA 93401
www.aecom.com

805 542 9840 tel
805 542 9990 fax

November 3, 2014

Mr. Michael LeBrun, PE
General Manager
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

Dear Mr. LeBrun:

Subject: Supplemental Water Project Phase 2A – Joshua Road Pump Station Reservoir Improvements

This proposal has been prepared to provide the District a summary of the work tasks required to prepare bid documents for the Joshua Road Pump Station Reservoir Improvements as part of the District's Phase 2A Supplemental Water Project ("Project"). The Project will consist of constructing a 0.5 MG semi-buried concrete reservoir at the Joshua Road Pump Station site along with the related piping, electrical, instrumentation, grading, and landscape improvements. The bid documents will be developed based on the May 2012 Bid Package 4 – Joshua Road Pump Station and Reservoir Wellhead Chloramination Improvements.

Task Group 100 – Reservoir Bid Document Preparation

AECOM will prepare bid documents in the District's standard format, including contract documents and technical specifications. It is understood that AECOM will provide input on the District's Division 00 specifications but that the District will furnish the final Division 00 Documents to be included in the Bid Package. Technical specifications from the May 2012 BP4 set will be updated and reviewed for coordination with what is already being constructed under BP4.

The final reservoir construction documents are anticipated to include approximately 30 plan sheets in one bid package. The sheets prepared in May 2012 will be used as the basis for the plan set and will be updated to reflect those facilities already being constructed as existing. A summary of anticipated sheets (based on the May 2012 BP4 deliverable) follows:

- G-01 to G-03 (3 sheets) – Cover, Index, Legend, and Survey
- C-01 to C-05 (5 sheets) – Reservoir Site Plan, Grading, Piping and Sections
- C-06 to C-11 (6 sheets) – Tank Piping, Overflow, and Drainage Details
- S-01 (1 sheet) – Structural Details
- E-01 to E-05 (5 sheets) – Electrical Legend, Site Plan, Single Line, Conduit, and Details
- N-01 to N-02 (2 sheets) – Instrumentation Legend and P&ID
- R-01 to R-05 (5 sheets) – Tank Plan, Sections, Footing, Railing, and Details
- L-01 to L-03 (3 sheets) – Irrigation Plan, Planting Plan, and Details



Task Group 200 – Bid Phase Services

Assistance with bidding through ASAP Reprographics, pre-bid meeting attendance, addendum preparation and issuance, and bid analysis.

Because the concept and layout were essentially finalized in May 2012, AECOM is proposing to skip preliminary drafts and progress the set immediately to 90% plans, specification, and estimate. Subsequent to District review, the set will be finalized for District use for bidding the project.

AECOM will review and update the Opinion of Probable Construction Costs to account for current construction cost indices.

AECOM's Project Manager will assign resources to complete the bid documents within the established time and budget constraints. The Project Manager will also implement the AECOM Quality Management System procedures for the project which will include a review of the project deliverables by qualified engineers who did not work on the project but who are experienced in similar design work.

Deliverables:

- 90% Plans, Specifications, and Estimate – three (3) hard copies (1/2 size) and one electronic (.pdf) copy.
- Final Plans, Specifications, and Estimate – three (3) hard copies (1/2 size), one (1) hard copy (full-size) and one electronic (.pdf both ½ size and full-size) copy.

Budget

Our fee and charges will be invoiced on a time and materials basis, with a budget not to exceed without prior written approval, of \$58,066.

Schedule

The following table summarizes the proposed schedule for this work. This assumes a kickoff meeting will occur within 1 week of notice to proceed (NTP).

	Time period
90% Bid Documents (Plans, Specs, and Estimate)	6 weeks from kickoff meeting
Review Period	4 weeks
Meet with District	End of review period
Finalize Bid Documents	2 weeks
Total	12 weeks from NTP

Please feel free to contact me if you have any questions or comments. We look forward to continuing work on the Supplemental Water Project and assisting the District as the project is seen to completion.

Sincerely,



Joshua T. Nord, PE
Project Manager



Ben P. Horn, PE
Operations Manager

Additional Services

This scope of work assumes support for permitting and property negotiations, including right-of-way, easements, and property agreements, have been completed; and excludes construction survey and staking, materials testing, special inspections, field testing, environmental monitoring, and permit compliance but those services can be provided as additional services. Construction administration and onsite observation can also be provided as additional services. As an additional service, AECOM is available to assist the District with startup services during construction. The value of these services has been realized on similar AECOM projects. Startup services would consist of observation, troubleshooting and documentation of the startup reservoir, pump system, instrumentation and controls, and electric systems at the booster station. AECOM is available for additional fee on a time-and-materials basis to assist the District if additional support services are required.

Project Budget

Supplemental Water Project
Phase 2A Project
Joshua Road Pump Station Reservoir Improvements
Nipomo Community Services District

Task Description	Personnel Hours					Budget		
	Principal	Assistant Engineer	Design CAD Operator	Admin Assistant	Total Hours	Labor	Non-Labor Fees	Total
Task Group 100. Reservoir Bid Documents Preparation								
Cover sheet		2	2		4	\$ 440	\$ 35	\$ 475
Sheet Index, Legend, Abbreviations, and Notes		2	2		4	\$ 440	\$ 35	\$ 475
Survey		2	1		3	\$ 330	\$ 26	\$ 356
Reservoir Site Plan		4	8		12	\$ 1,320	\$ 106	\$ 1,426
Reservoir Plan, Grading, and Drainage	2	4	12		18	\$ 2,180	\$ 174	\$ 2,354
Reservoir Site Piping Plan	1	2	12		15	\$ 1,750	\$ 140	\$ 1,890
Reservoir Sections	2	2	4		8	\$ 1,080	\$ 86	\$ 1,166
Reservoir Site Piping Profiles	1	2	4		7	\$ 870	\$ 70	\$ 940
Tank Orientation and Tank Piping Details	1	2	4		7	\$ 870	\$ 70	\$ 940
Tank Overflow Details	1	2	4		7	\$ 870	\$ 70	\$ 940
Drainage Details (2 Sheets)	2	2	8		12	\$ 1,520	\$ 122	\$ 1,642
Pipeline Details (2 Sheets)	2	2	8		12	\$ 1,520	\$ 122	\$ 1,642
Structural Details	2	2	4		8	\$ 1,080	\$ 86	\$ 1,166
Electrical Legend and Abbreviations	1		2		3	\$ 430	\$ 34	\$ 464
Reservoir Electrical Site Plan	4		8		12	\$ 1,720	\$ 138	\$ 1,858
Single Line Diagram	2		4		6	\$ 860	\$ 69	\$ 929
Conduit Schedule	2		4		6	\$ 860	\$ 69	\$ 929
Control Schematic Diagram	2		4		6	\$ 860	\$ 69	\$ 929
Instrumentation Legend and Symbols		1	2		3	\$ 330	\$ 26	\$ 356
Pump Station P&ID	1	6	8		15	\$ 1,750	\$ 140	\$ 1,890
Instrumentation Details	1	4	4		9	\$ 1,090	\$ 87	\$ 1,177
Tank - Plan and Section	2		4		6	\$ 860	\$ 69	\$ 929
Tank - Wall and Wall Footing Details	2		4		6	\$ 860	\$ 69	\$ 929
Tank Details	2		4		6	\$ 860	\$ 69	\$ 929
Tank Pipe Entrance Details	2		4		6	\$ 860	\$ 69	\$ 929
Tank Guardrail Details	2		4		6	\$ 860	\$ 69	\$ 929

Project Budget

**Supplemental Water Project
Phase 2A Project
Joshua Road Pump Station Reservoir Improvements**

Nipomo Community Services District

Task Description	Personnel Hours					Budget		
	Principal	Assistant Engineer	Design CAD Operator	Admin Assistant	Total Hours	Labor	Non-Labor Fees	Total
Irrigation Plan	1		2		3	\$ 330	\$ 275	\$ 605
Planting Plan	1		2		3	\$ 330	\$ 275	\$ 605
Planting and Irrigation Details and Specifications	1		2		3	\$ 330	\$ 26	\$ 356
Technical Specification Review and Update	20	24		40	84	\$ 9,840	\$ 787	\$ 10,627
Update Opinion of Probable Construction Cost	8	8		2	18	\$ 2,710	\$ 275	\$ 2,985
Project and Quality Management	16			4	20	\$ 3,660	\$ 725	\$ 4,385
Subtotal	81	76	135	46	338	\$ 43,670	\$ 4,481	\$ 48,151
Task Group 200. Bid Phase Services								
Coordinate with ASAP Retrographics	1			4	5	\$ 510	\$ 41	\$ 551
Prebid meeting (up to 1 total)	2	4			6	\$ 860	\$ 69	\$ 929
Respond to RFI's (up to 5 total)	4	16		2	22	\$ 2,750	\$ 220	\$ 2,970
Prepare Addenda (up to 2 total)	6	8	16	2	32	\$ 4,050	\$ 324	\$ 4,374
Bid analysis and recommendation		4		2	6	\$ 590	\$ 47	\$ 637
Attend Board meeting to recommend contractor	2				2	\$ 420	\$ 34	\$ 454
Subtotal	15	32	16	10	73	\$ 9,180	\$ 734	\$ 9,914
Total	96	108	151	56	411	\$ 52,850	\$ 5,216	\$ 58,066

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: NOVEMBER 7, 2014



HEARING TO CONSIDER ADOPTING APPROVED WATER SYSTEM CAPACITY CHARGES

ITEM

Conduct a hearing and consider Resolution to adopt recently approved water system capacity charges [RECOMMEND, BY MOTION AND ROLL CALL VOTE, APPROVE RESOLUTION ADOPTING CAPACITY CHARGES]

BACKGROUND

On September 24, 2014, your Board approved *Water Rate and Capacity Charge Study – September 2014*. The Study established Water Capacity Charges and Supplemental Water Capacity Charges (Attachment A. Tables ES-3 and ES-4 of Study). The Study has been available for public inspection since adoption.

If adopted, the new charges will become effective on January 1, 2015.

FISCAL IMPACT

Capacity charges enable the District to meet revenue requirements for new development, provide supplemental water, and maintain fairness and equity among existing and future rate payers within the District.

STRATEGIC PLAN

Goal 1. WATER SUPPLIES. Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

Goal 4. FINANCE. Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

4.1 Ensure that purveyors and others pay their fair share of financing water supply, supplemental water, conservation, and sustainability of the regional water supply. Purveyors should pay their share up front before getting water in order to help finance next phases of supplemental water program.

4.4 Maintain adequate rates to fund future capital replacements.

RECOMMENDATION

By motion and roll call vote

- Approve resolution amending water capacity charges; and
- Direct staff to prepare and file CEQA notice and findings

ATTACHMENTS

- A. Tables ES-3 and ES-4
- B. Resolution 2014-XXX Capacity Charges

November 12, 2014

ITEM E-3

ATTACHMENT A

Table ES-3
Proposed Water Capacity Charges

Line No.	Meter Size	Meter Capacity Ratio ^[1]	Water Capacity Charge	
			Existing Charge	Proposed Charge
1	Up to 1 inch	1.0	\$3,385	\$2,921
2	1 1/2 inch	3.0	10,155	8,764
3	2 inch	4.8	16,247	14,022
4	3 inch	9.0	30,463	26,291
5	4 inch	15.0	50,772	43,819
6	6 inch	30.0	\$101,544	\$87,638

^[1] Meter capacity ratios developed in the 2008 capacity charge study.

Table ES-4
Proposed Supplemental Water Capacity Charges

Line No.	Meter Size	Meter Capacity Ratio ^[1]	Supplemental Water Capacity Charge	
			Existing Charge	Proposed Charge
1	Up to 1 inch	1.0	\$15,015	\$7,570
2	1 1/2 inch	3.0	45,045	22,710
3	2 inch	4.8	72,072	36,336
4	3 inch	9.0	135,135	68,130
5	4 inch	15.0	225,225	113,550
6	6 inch	30.0	\$450,450	\$227,100

^[1] Meter capacity ratios developed in the 2008 capacity charge study.

November 12, 2014

ITEM E-3

ATTACHMENT B

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING APPENDIX A TO CHAPTER 3.04 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO
AMEND WATER CAPACITY CHARGES**

WHEREAS, it is a major responsibility of the Nipomo Community Services District ("District") to maintain adequate levels of revenue, equitably collected to meet the District's financial commitments for existing facilities and charges for new facilities to be constructed in the future which benefit the person or property being charged; and

WHEREAS, the District wishes to ensure the ability to produce water to meet peak demands, extend water reliability and improve water quality; and

WHEREAS, new development will use and benefit from the District's past investments in the water distribution system; and

WHEREAS, the purpose of the new capacity charges adopted by this Resolution is to equitably spread the cost of existing water infrastructure and proposed supplemental water projects (as referenced herein) that benefit new connections within the District's Water Systems; and

WHEREAS, the District retained Clayton Tuckfield, of the Tuckfield & Associates, to perform an independent capacity charge analysis of the Water System and proposed supplemental water projects that would benefit new development. The Tuckfield & Associates analysis is found in a report titled "Nipomo Community Services District Water Rate and Capacity Charge Study" dated September 2014, (herein the "Study"). The intent of the Study is to assess water capacity charges to enable the District to meet revenue requirements for new development, to provide supplemental water, and to maintain fairness and equity among existing and future rate payers within the District. The Study was received and filed on September 24, 2014, and has been available for public inspection since that date; and

WHEREAS, based upon facts and analysis presented by Clayton Tuckfield, the Study (including all Memoranda and documents referred to therein), the Staff Report, and public testimony received, all of which is incorporated herein by reference, the District Board of Directors finds:

- A. The public meetings adopting this Resolution have been properly noticed pursuant to Government Code Section 54954.2 (The Brown Act); and
- B. That notice has been provided pursuant to Government Code Section 66016; and
- C. That the proposed water capacity charges do not exceed the estimated reasonable costs of providing the service for which the charge is levied; and
- D. That the public benefits from the logical, long-range approach to financing of public facilities; and

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-XXXX

AN RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING APPENDIX A TO CHAPTER 3.04 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO
AMEND WATER CAPACITY CHARGES

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, by the Board of Directors of the District as follows:

Section 1. Incorporation of Recitals

The Recitals are true and correct and incorporated herein by this reference. The Recitals and referenced reports and studies contained therein constitute and support the findings of the District in support of this Resolution.

Section 2. Appendix A to Chapter 3.04 of the District Code that establishes capacity charges is amended as follows:

Water Capacity Charge

Up to 1" meter	\$2,921
1.5" meter	\$8,764
2" meter	\$14,022
3" meter	\$26,291
4" meter	\$43,819
6" meter	\$87,638

Supplemental Water Capacity Charge

Up to 1" meter	\$7,570
1.5" meter	\$22,710
2" meter	\$36,336
3" meter	\$68,130
4" meter	\$113,550
6" meter	\$227,100

The above referenced capacity charges are subject to an annual adjustment based on the following formula:

Annual Adjustment. Commencing July 1, 2015, and each fiscal year thereafter, the capacity charge shall be increased to reflect the estimated increase in the costs of the construction of District facilities. The determination of whether there has been an increase in costs and the estimated amount of the increase in costs shall be determined by the percentage increase in the 20-Cities Construction Cost Index published by the Engineering News Record using the May, 2014, value of nine thousand seven hundred ninety-six (9,796) as the basis and the Index value for May of each year to calculate the increase.

Section 3. Severance Clause.

If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Resolution. The Governing Board of the District hereby declares that it

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-XXXX**

**AN RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING APPENDIX A TO CHAPTER 3.04 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO
AMEND WATER CAPACITY CHARGES**

would have adopted this Resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

Section 4. Further Findings.

The Board of Directors of the District finds that the rates and charges adopted by this Resolution are to obtain funds for capital projects to maintain service within the District and are exempt from the California Environmental Quality Act pursuant to Public Resource Code §21080(b)(8) and CEQA Guidelines §15273. The District Manager is directed to prepare and file appropriate notices and findings.

Section 5. Effective Date.

This Resolution along with the new capacity charges shall take effect and be in full force and effect on January 1, 2015.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-XXXX

AN RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING APPENDIX A TO CHAPTER 3.04 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO
AMEND WATER CAPACITY CHARGES

Upon the motion of Director _____, seconded by Director _____, and on the following roll call vote,
to wit:

AYES:
NOES:
ABSENT:
CONFLICTS:

the foregoing resolution is hereby adopted this 12TH day of November, 2014.

CRAIG ARMSTRONG, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

MICHAEL S. LEBRUN
Secretary to the Board

MICHAEL W. SEITZ
District Legal Counsel

T:\BOARD MATTERS\RESOLUTIONS\RESOLUTIONS 2014\2014-XXXX WATER CAPACITY CHARGES.DOCX

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: NOVEMBER 7, 2014



REVIEW DISTRICT WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN

ITEM

Review water shortage condition and District Water Shortage Response and Management Plan [RECOMMEND REVIEW RESPONSE PLAN AND DIRECT STAFF]

BACKGROUND

On April 14, 2014, the Nipomo Mesa Management Area (NMMA) Technical Group approved a set of water shortage response stages, including pumping reduction targets during advanced shortage conditions. Response stages are triggered on the Technical Groups' previously developed shortage criterion for Potentially Severe Water Shortage Conditions and Severe Water Shortage Conditions.

The reduction targets in the NMMA's plan are applicable to all purveyor members of the NMMA. The District developed a Water Shortage Response and Management Plan (Response Plan) based on the NMMA approved shortage response stages.

In addition to reduction targets for groundwater production, the District's Response Plan defines how and when processing requests for new water service would be impacted during advanced stages of drought.

A summary of the Response Plan's key features is provided as Attachment A, the adoption Resolution and full Response Plan are Attachment B and the NMMA Key Wells Index is Attachment C.

The NMMA's Key Wells Index entered Potentially Severe conditions in 2008. In response, the area water agencies instituted voluntary conservation measures. Total groundwater pumping by the NMMA purveyor members was lowered by more than 15% between 2008 and 2011. In 2012 and 2013, drought-like conditions prevailed across the region.

In Spring 2013 and 2014, the Key Wells Index dropped to the bottom of the Potentially Severe Water Shortage range. The NMMA and District remain in Stage II conditions. The County's fall level measurements and fall sentinel well water quality (chlorides and dissolved solids) measurements should be available within one to two weeks.

The District ramped up outreach efforts last winter and conducted an aggressive water conservation outreach and education effort throughout summer. District reduction in groundwater production for the last eight months is summarized on the next page.

Nipomo CSD Production Summary

	5-Year Avg.	2013	2014	2014 to 5-Year	2014 to Previous
<i>Units</i>	<i>AF</i>	<i>AF</i>	<i>AF</i>	<i>%</i>	<i>%</i>
MARCH	160.4	185.5	147.8	-8%	-20%
APRIL	199.0	224.0	168.3	-15%	-25%
MAY	261.6	265.4	237.5	-9%	-11%
JUNE	263.6	272.1	227.6	-14%	-16%
JULY	291.2	282.4	239.0	-18%	-15%
AUGUST	284.7	274.4	222.4	-22%	-19%
SEPTEMBER	264.7	264.0	208.5	-21%	-21%
OCTOBER	223.6	240.5	201.7	-10%	-16%

Note: AF = Acre-feet. One acre-foot is approximately 326,000 gallons.

The District supplies water to only a fraction of the area overlying the local groundwater source. The District works with the County and the NMMA Technical Group to adopt area-wide policies to address water shortage conditions and mandate new water sources to meet all new water demands.

The District Response Plan provides a basis for water shortage rate setting. Water shortage rates may be further considered by your Board during winter 2014-2015 if drought conditions prevail.

FISCAL IMPACT

Maintaining the health of District groundwater supply is paramount to District financial stability. A clear response and management plan provides the District definitive and predictable actions that balance protecting, augmenting, and allocating local water resources.

STRATEGIC PLAN

Goal 1. WATER SUPPLIES. Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

- 1.3 Develop water shortage response and management plan to respond to drought and other supply emergencies.
- 1.4 Seek to have the County implement sustainable water supply policies that match the level of development they approve, including all the features described in the Water Resources Policy Statement.
- 1.6 Continue to be a leader in management of area water resources.

RECOMMENDATION

Consider the Plan and direct staff.

ATTACHMENT

- A. Key Features of Water Shortage Response and Management Plan
- B. Resolution 2014-1336 WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN
- c. Key Wells Index

November 12, 2014

ITEM E-4

ATTACHMENT A

NCSD WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN

Key Features of the Plan

	Stage I	Stage II	Stage III	Stage IV	Stage V
TRIGGER ON	No trigger	Potentially Severe Water Shortage exists	Severe Water Shortage declared	Severe Water Shortage for more than 1 year OR is triggered by both Key Wells Index and Coastal Criterion	Severe Water Shortage for more than 2 years AND is triggered by both Key Wells Index and Coastal Criterion
TRIGGER OFF	Normal usage	Potentially Severe Water Shortage ends	Two years after Severe Water Shortage end	Severe Water Shortage ends	
CONSERVATION	Ongoing conservation education	More intensive education	Target 30% reduction in District ground water production	Target 50% reduction in District GW production	Target 60% reduction in District GW production
WATER RATES	Four Tier escalating		Stage III Drought rates	Stage IV Drought rates	Stage V drought rates
RECOMMENDED CUSTOMER CONSERVATION MEASURES	<ul style="list-style-type: none"> Fix plumbing and irrigation leaks Irrigate 8PM to 9AM only. Check irrigation systems monthly Avoid excessive run off Recirculate water in water features 	<ul style="list-style-type: none"> All Stage I Measures Cover Swimming Pools and spas Do not use water on exterior surfaces 	<ul style="list-style-type: none"> All Stage I and II measures Turn off irrigation systems. Minimum irrigation to preserve high-value landscape. Do not fill swimming pools or spas. Drain ornamental water features No water for dust control, construction. No water to wash cars or equipment 	<ul style="list-style-type: none"> All Stage I, II, and III measures. No District water for irrigation or any outdoor uses. All customers are asked to use the minimum amount of water necessary. 	
APPLICATIONS FOR WATER SERVICE	Applications are accepted and processed		New applications NOT accepted. Existing applications processed with supplemental water	New applications NOT accepted. Suspend processing existing applications	
SUPPLEMENTAL WATER	Allocated to All New Projects				No Water Allocated to Projects in the application process.
NEW SERVICE CONNECTIONS	New service connections are made				New connections Only to completed commitments No new service connections are made

November 12, 2014

ITEM E-4

ATTACHMENT B

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN
PURSUANT TO WATER CODE § 375**

WHEREAS, the Nipomo Community Services District ("District") provides water service within the District's water service area pursuant to § 61100 (a) of the Community Services District Law which provides:

“(a) Supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail”; and

WHEREAS, § 61060 (b) of the Community Services District Law provides in relevant part:

“A district shall have and may exercise all rights and powers, expressed and implied, necessary to carry out the purposes and intent of this division, including, but not limited to, the following powers:

(b) To adopt, by ordinance, and enforce rules and regulations for the administration, operation, and use and maintenance of the facilities and services listed in Part 3 (commencing with Section 61100)”; and

WHEREAS, California Water Code Section 375 States in pertinent part:

“(a) Notwithstanding any other provision of the law, any public entity which supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity may, by ordinance or resolution adopted by a majority of the members of the governing body after holding a public hearing upon notice and making appropriate findings of necessity for the adoption of a water conservation program, adopt and enforce a water conservation program to reduce the quantity of water used by those persons for the purpose of conserving the water supplies of the public entity; and”

WHEREAS, it is essential for the protection of the health, welfare, and safety of the residents of the District and the public benefit of the State of California ("State"), that the groundwater resources of the Nipomo Mesa be conserved; and

WHEREAS, Governor Jerry Brown on January 17, 2014 proclaimed that the entire State of California to be in a Drought State of Emergency; and

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375**

WHEREAS, the District's current water supply is limited to groundwater extracted from the Nipomo Mesa Management Area (NMMA) (also referred to as the Nipomo Mesa Water Conservation Area (NMWCA) by the County of San Luis Obispo), of the Santa Maria Groundwater Basin; and

WHEREAS, the District is a party to groundwater adjudication, Santa Maria Valley Water Conservation District v. City of Santa Maria, etc. et al., Case No. CV 770214 ("Groundwater Litigation"); and

WHEREAS, pursuant to Section VI D(1) of the June 2005 Stipulation as incorporated into the January 25, 2008 Final Judgment in the Groundwater Litigation the Nipomo Mesa Management Area Technical Group declared that a Potentially Severe water shortage condition has existed within the Nipomo Mesa Management Area since the spring of 2008 and during the intervening year, the drought continued and it is anticipated that in May of 2014 that the Nipomo Mesa Management Area Technical Group will declare a Severe water shortage condition; and

WHEREAS, the San Luis Obispo County Department of Planning and Building's 2004 Resource Capacity Study for the Water Supply in the Nipomo Mesa Area recommended a Level of Severity III (existing demand equals or exceeds dependable supply) be certified for the Nipomo Mesa Water Conservation Area (NMWCA) and that measures be implemented to lessen adverse impacts of future development (said Study and referenced documents are incorporated herein by reference); and

WHEREAS, on June 26, 2007, the San Luis Obispo County Board of Supervisors certified the waters underlying the NMWCA at a Severity Level III; and

WHEREAS, the resource protection goals of the San Luis Obispo County South County Area Plan include the following:

- Balance the capacity for growth allowed by the Land Use Element with the sustained availability of resources.
- Avoid the use of public resources, services and facilities beyond their renewable capacities, and monitor new development to ensure that its resource demands will not exceed existing and planned capacities or service levels; and

WHEREAS, District Code §3.28.020 provides:

"...all intent-to-serve letters shall be based on findings that sufficient excess water and sewer capacity exists to serve the project..."; and

WHEREAS, Water Code § 71640 of the Municipal Water Service District Law provides:

"A district may restrict the use of district water during any emergency caused by drought, or other threatened or existing water shortage, and may prohibit the

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375**

wastage of district water or the use of district water during such periods for any purpose other than household uses or such other restricted uses as the district determines to be necessary. A district may also prohibit use of district water during such periods for specific uses which it finds to be nonessential"; and

WHEREAS, the District Board of Directors has noticed this public meeting pursuant to Water Code § 375 and has considered the Staff Report and public testimony regarding the adoption of this Resolution; and

WHEREAS, The District Board of Directors wishes to set forth a Water Shortage Response and Management Plan that provides a range of alternative actions that allows for flexibility in responding to a water shortage emergency; and

WHEREAS, based on the Staff Report, staff presentation, the reports and studies referenced in this Resolution and public comment, the District Board of Directors finds that:

- (a) That the Nipomo Mesa Management Area Technical Group has declared the Mesa to be in a Potentially Severe water shortage condition for the past six years; and
- (b) That based upon the lack of rainfall during the winter of 2013/2014 and the increase pumping by District and other purveyors in response, it is anticipated that in the near future, Nipomo Mesa Management Area Technical Group will find that the Nipomo Mesa is in a Severe water shortage condition; and
- (c) That it is necessary for the District to adopt a Water Shortage Response and Management Plan to be able to respond to the lack of available groundwater for the purpose of serving District residents.

WHEREAS, based on the Staff Report, staff presentation and public comment, the Board further finds:

- A. That the purpose and intent of this Resolution is consistent with the purposes found in the Judgment and Stipulation in the Groundwater Litigation imposing a physical solution to assure long-term sustainability of the groundwater basin and the San Luis Obispo County's certification of a Severity Level III for the waters underlying the NMWCA; and
- B. That adoption of the Water Shortage Response and Management Plan will provide greater assurances that there will be adequate groundwater to meet the present needs of District residents consistent with District Code §3.28.020 and the resource protection goals of the San Luis Obispo County South County Area Plan; and
- C. That adopting this Resolution will further conserve the water supply for the greater public benefit, with particular regards to domestic use, sanitation and fire protection; and
- D. That this Resolution adopts Rules and Regulations for the administration, operation and use of District services; and

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375**

- E. The Board of Directors of the District finds that the policies and procedures adopted by this Resolution are exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15378 (b) (2) because such policies and procedures constitute general policy and procedure making. The Board of Directors further finds that the adoption of the policies and potential actions established by this Resolution is not a project as defined in CEQA Guideline Section 15378, because it can be seen that the adoption of a Water Shortage Response and Management Plan will not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The District incorporates by reference the CEQA findings in support of San Luis Obispo County Ordinance 3090, the County of San Luis Obispo's certification of a Severity Level III for the NMWCA

WHEREAS, by readopting this Resolution, the District does not intend to limit other means of managing, protecting and conserving the groundwater basin by the District. Further, the District intends to work cooperatively with the NMMA Technical Group and other agencies, such as the County of San Luis Obispo, to implement regional solutions such as groundwater management and the importation of Supplemental Water to the NMMA\NMWCA; and

WHEREAS, based on the Staff Report, staff presentation and public comment, the District Board of Directors further finds this Resolution is adopted for the protection of the health, safety and welfare of District water customers who depend on the underlying groundwater basin as their source of water supply.

NOW, THEREFORE BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District, as follows:

1. That the above recitals are true and correct.
2. The Board approves the Water Shortage Response and Management Plan originally approved on April 9, 2014, attached as Exhibit "A" to this Resolution.
3. The Board of Directors reserves the right to order or not order all of the provisions within the Water Shortage Response and Management Plan based upon the circumstances at the time that this policy needs to be enforced.
4. The General Manager is directed to prepare and file an appropriate notice of exemption and file a Certificate of Exemption.
5. The General Manager is directed to publish this Resolution in its entirety in a newspaper of general circulation in the District within ten (10) days.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375

Upon motion by Director Vierheilig, seconded by Director Blair, on the following roll call vote, to wit:

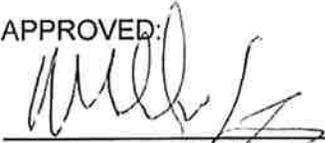
AYES: Directors Vierheilig, Blair, Gaddis, Harrison and Armstrong
NOES: None
ABSENT: None
ABSTAIN: None

the foregoing Resolution is hereby passed and adopted this 23rd day of April, 2014.


CRAIG ARMSTRONG,
President of the Board of Directors

ATTEST:


MICHAEL S. LEBRUN
General Manager and Secretary to the Board

APPROVED:

MICHAEL W. SEITZ
District Legal Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN
PURSUANT TO WATER CODE § 375**

**EXHIBIT "A"
NCS D WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN**

STAGE	GROUNDWATER CONDITION	RESPONSE ACTIONS	RELIEF OF RESTRICTIONS
I	All times	<ul style="list-style-type: none"> • Active outreach and education programs regarding water conservation best management practices. • Four Tier escalating water rates. • Recommended Customer Measures: <ul style="list-style-type: none"> ○ Fix all plumbing and irrigation leaks immediately. ○ Irrigate after 8PM and before 9AM. ○ Minimum to no irrigation in winter months. ○ Check all irrigation systems monthly. ○ Do not allow excessive run off. ○ Recirculate water in ornamental water features (fountains) • New applications for water service are accepted and processed. • Supplemental water is allocated to all new projects • New water service connections are made. 	Not Applicable.
II	Potentially Severe Water Shortage Conditions exists	<ul style="list-style-type: none"> • More aggressive conservation outreach and education efforts. • Four-Tier escalating water rates. • Encourage customers to implement the following practices: <ul style="list-style-type: none"> ○ All Stage I Measures ○ Cover Swimming Pools and spas. ○ Do not use water to wash down exterior surfaces (e.g. driveway, deck, home) • New applications for water service are accepted and processed. • Supplemental water is allocated to new projects. • New water service connections are made. 	Potentially Severe Water Shortage no longer exist.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375**

STAGE	GROUNDWATER CONDITION	RESPONSE ACTIONS	RELIEF OF RESTRICTIONS
III	Severe Water Shortage conditions exists	<ul style="list-style-type: none"> • District targets a 30% reduction in production (Equating to a 752 acre foot or 245 million gallons of reduction in production on an annual basis). • Implement Stage III Drought Rates to encourage reduction in customer water demand. • Encourage customers to implement the following practices. <ul style="list-style-type: none"> ○ All Stage I and II measures. ○ Turn off all automated irrigation systems. ○ Provide minimum necessary irrigation to preserve trees and high-value landscape. ○ Do not drain or fill swimming pools or spas. ○ Do not use water for dust control or construction. ○ Do not use hoses to wash cars or equipment. ○ Turn off and drain ornamental fountains and water features • Suspend accepting applications for new water service. • Existing applications for new water service continue to be processed with allocations of supplemental water. • New water service connections are made. 	Severe Water Shortage no longer exist.**
IV	Severe Water Shortage conditions exists for >1YEAR or is triggered by both the Key Wells Index and the Coastal Criterion.	<ul style="list-style-type: none"> • District targets a 50% reduction in production (Equating to a 1,254 acre foot reduction in production on an annual basis). • Implement Stage IV Drought Rates to encourage reduction in customer water demand. • Encourage customers to implement the following practices: 	Severe Water Shortage conditions no longer exist.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375**

STAGE	GROUNDWATER CONDITION	RESPONSE ACTIONS	RELIEF OF RESTRICTIONS
		<ul style="list-style-type: none"> ○ All Stage I, II, and III measures. ○ Do not use District water for irrigation/outdoor uses of any sort. ● New applications for water service are NOT accepted (Stage III) ● Cease processing existing applications for new water service. No allocation of supplemental water is made. ● New water service connections are made only to projects with preexisting service commitments. 	
V	Severe Water Shortage conditions for >2 years with BOTH triggers (Key Wells Index and Coastal Area Criterion).	<ul style="list-style-type: none"> ● District targets a 60% reduction in production. (Equating to a 1,504 acre foot reduction in production on an annual basis). ● Implement Stage V Drought Rates to encourage additional reduction in customer water demand. ● Declaration of a Water Shortage Emergency in accordance with CA Water Code Section 350. ● Suspend all new water service connections. ● Encourage customers to implement all Stage I-IV measures and to use only the absolute minimum water necessary for health and sanitation purposes. <ul style="list-style-type: none"> ○ All Stage I, II, and III measures. ○ Do not use District water for irrigation/outdoor uses of any sort. ○ Do not drain or fill swimming pools or spas. ○ All measures possible to reduce water use. ● New applications for water service are NOT accepted (Stage III) ● Existing applications for new water service are not processed (Stage IV) 	Severe Water Shortage conditions no longer exist.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-1336**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
REAPPROVING A WATER SHORTAGE RESPONSE AND MANAGEMENT
PLAN PURSUANT TO WATER CODE § 375**

** The Nipomo Mesa Management Area (NMMA) Technical Group may determine Severe Water Shortage Conditions no longer exist when groundwater quality criteria threshold are no longer exceeded in a single measurement.

General Notes

1. The implementation of all rate increases and changes in the acceptance and processing of new services applications are subject to approval by the Board of Directors at the time each stage is triggered.
2. Potentially Severe and Severe Water Shortage conditions, Key Wells Index, and Coastal Criterion are as defined in the NMMA Technical Group, Water Shortage Conditions Response Plan, dated April 2009. Key criterion are as follows:

<u>Potentially Severe Water Shortage Conditions</u>	<u>Severe Water Shortage Conditions</u>
<ul style="list-style-type: none">• <i>Key Wells Index less than 31.5 ft msl</i>• <i>Greater than 250 mg/l chloride in any NMMA coastal monitoring well</i>	<ul style="list-style-type: none">• <i>Key Wells Index is less than 16.5 ft. msl</i>• <i>Greater than 500 mg/l chloride in any NMMA coastal monitoring well</i>

3. Reduction goals are a percentage of average annual production volumes for the five calendar years prior to the first year Nipomo Supplemental Water is delivered. NCSD's 2009-2013 average (2507 AFY) is used in the table above.

November 12, 2014

ITEM E-4

ATTACHMENT C

Key Wells Index

